



SNOWY MONARO
REGIONAL COUNCIL

ATTACHMENTS TO REPORTS

(Under Separate Cover)

Ordinary Council Meeting

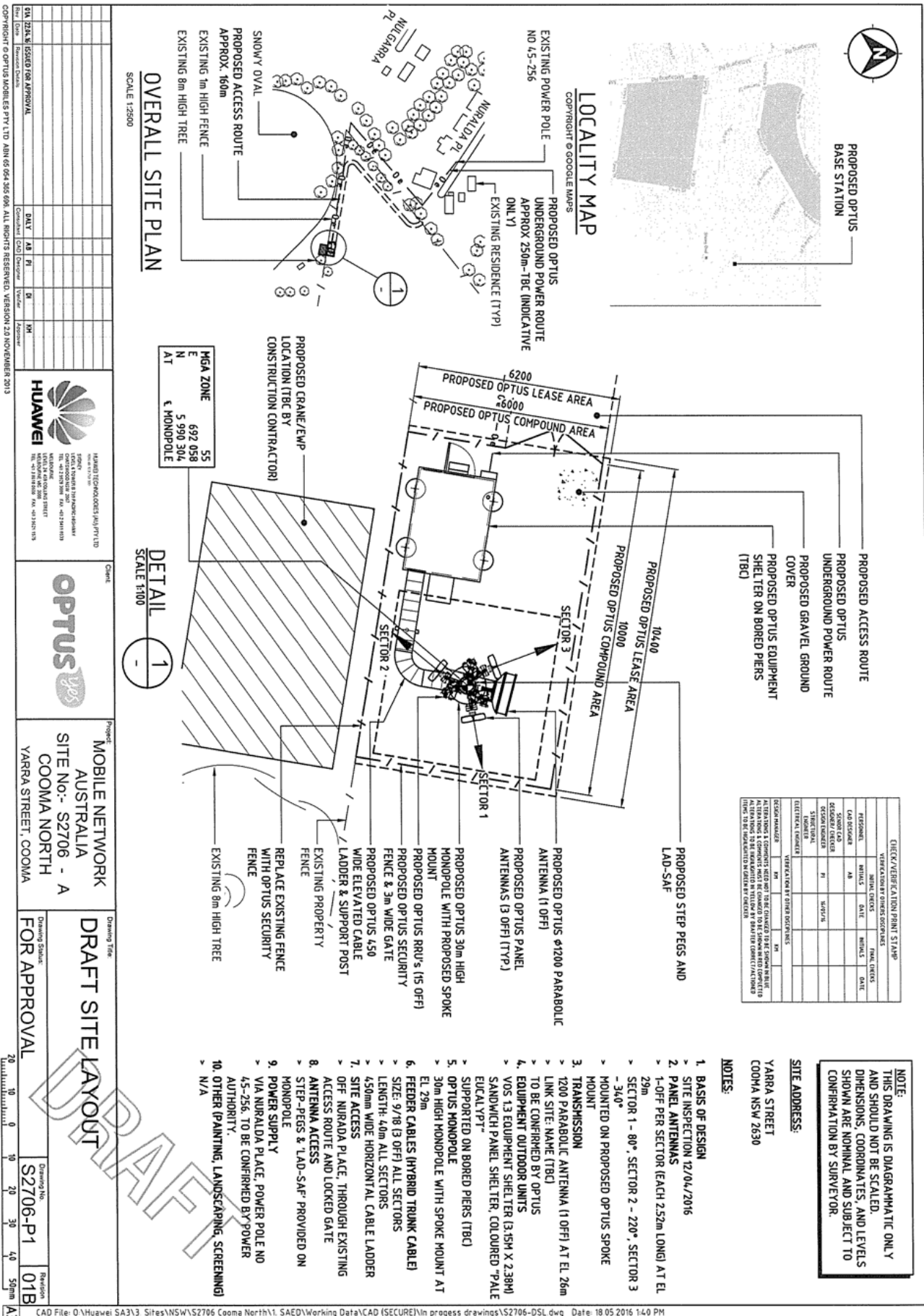
27 July 2016

**ATTACHMENTS TO REPORTS
FOR
ORDINARY COUNCIL MEETING
WEDNESDAY 27 JULY 2016**

Page No.

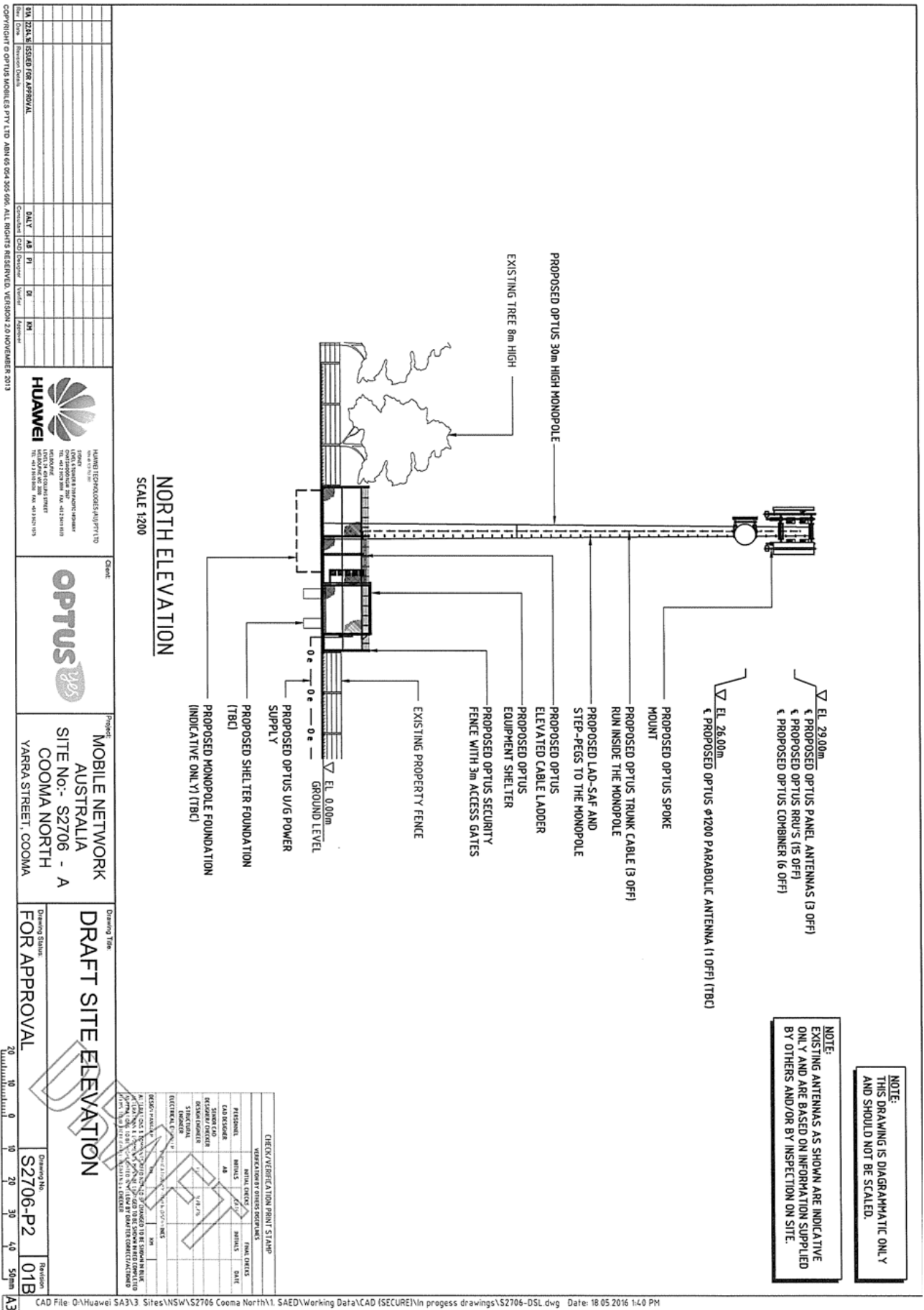
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10.3 PROPOSAL FOR A COMMUNICATIONS TOWER ON COUNCIL LAND AT LOT 37 DP 263218 NULANG PLACE COOMA

ATTACHMENT 1 PROPOSAL FOR A COMMUNICATIONS TOWER ON COUNCIL LAND AT LOT 37 DP 263218 NULANG PLACE COOMA





Mark Speakman
Minister for the Environment
Minister for Heritage
Assistant Minister for Planning



DOC15/338052

Mr Dennis Trezise
Director Community & Environmental Services
Snowy River Shire Council
PO Box 143
BERRIDALE NSW 2628

Dear Mr Trezise

Curiosity Rocks Aboriginal Place declaration

The NSW Government is committed to the recognition and conservation of Aboriginal cultural heritage. As part of this commitment, the Office of Environment and Heritage (OEH) has assessed an area of land known as Curiosity Rocks at Jindabyne for its special significance to Aboriginal culture.

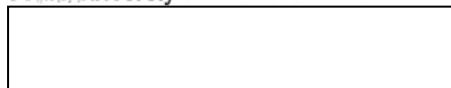
I am pleased to advise that the area meets the requirements of an Aboriginal Place under section 84 of the *National Parks and Wildlife Act 1974* (NPW Act). This declaration has now been made and I enclose a copy of the gazettal notice for your information.

It should be noted that the declaration of an Aboriginal Place does not change the status of the land or affect ownership rights. However under section 86(4) of the NPW Act, it is an offence to harm or desecrate the Place unless authorised to do so under an Aboriginal Heritage Impact Permit issued under section 90 of the NPW Act.

I would like to take this opportunity to thank the Snowy River Shire Council for its support of Curiosity Rocks being declared an Aboriginal Place, and its continued efforts to protect Aboriginal cultural heritage in NSW.

If you have any questions about this matter, Mr Steven Meredith, Manager Southern Region, Heritage Division, OEH, can be contacted on 6969 0715 or at steven.meredith@environment.nsw.gov.au.

Yours sincerely



Mark Speakman
Minister for the Environment

Enclosure

Government Notices

Item	Function	Delegate
3.	All my functions under a determination made under section 94EE of the Act.	(a) Deputy Secretary, Growth, Design & Programs (b) Executive Director within the Growth, Design & Programs Division with responsibility for developer contributions (c) Director within the Growth, Design & Programs Division with responsibility for developer contributions
4.	Administration of the Special Contributions Areas Infrastructure Fund established under section 94EJ of the Act.	(a) Chief Financial and Operating Officer (b) Deputy Secretary, Growth, Design & Programs
Environmental Planning and Assessment Regulation 2000 (the Regulation)		
5.	Giving public notice of a proposed agreement, amendment or revocation under clause 25D (2A) of the Regulation.	(a) Deputy Secretary, Growth, Design & Programs
North Sydney Local Environmental Plan 2013		
6.	My functions under clause 6.5 of the <i>North Sydney Local Environmental Plan 2013</i> that prohibits the consent authority from granting development consent unless the Secretary has certified that satisfactory arrangements have been made for railway infrastructure that will provide for the increased demand for railway infrastructure generated by the development.	(a) Deputy Secretary, Growth, Design & Programs
Miscellaneous		
7.	All my functions under a planning agreement entered into under section 93F of the Act.	(a) Deputy Secretary, Growth, Design & Programs (b) Executive Director within the Growth, Design & Programs Division with responsibility for developer contributions (c) Director within the Growth, Design & Programs Division with responsibility for developer contributions

NATIONAL PARKS AND WILDLIFE ACT 1974

Curiosity Rocks Aboriginal Place

Pursuant to section 84 of the *National Parks and Wildlife Act 1974*, I, the Minister for Environment, being of the opinion that the place known as Curiosity Rocks is, and was, of special significance to Aboriginal culture, declare the lands described in Schedule "A" as an Aboriginal Place.

Curiosity Rocks is significant to Aboriginal culture because it is in sight of Kalkite Mountain and adjacent to a camping area and ceremonial grounds situated along the traditional travel pathways up the Snowy River to the Mt Twynam area.

The place is rich in stone resources and sites providing widespread evidence of long occupation and use of the area by Ngarigo ancestors. The area holds a deep spiritual connection for these ancestors to the Ngarigo lands and waters, the knowledge of which continues to be passed down across generations through the stories of the elders to the community of today. The Ngarigo people continue to acknowledge the cultural integrity of this place and the importance of protecting its cultural values for future generations.

The use of Curiosity Rocks Aboriginal Place for water storage by Snowy Hydro Limited and any lawful activities associated with such use, including activities which cause the rise and fall of water within the Aboriginal Place, do not constitute harm or desecration of the Aboriginal Place.

Signed at Sydney this 7th day of April 2016

MARK SPEAKMAN SC, MP
Minister for the Environment

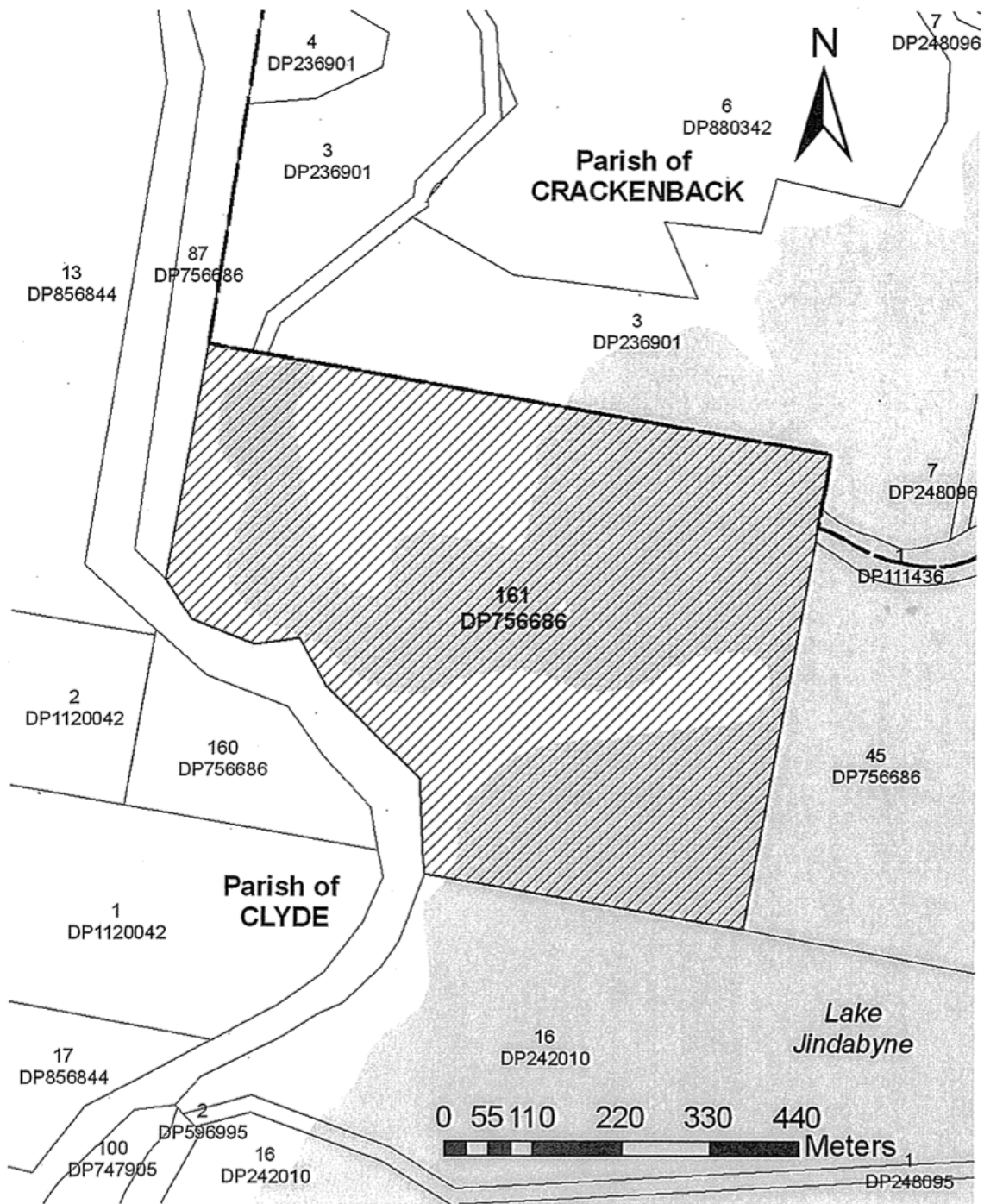
Government Notices

Schedule "A"

Land District – Cooma; LGA – Snowy River

County of Wallace, Parish of Clyde, Lot 161 DP 756686, approximately 40 hectares, being the area shown by hatching in the diagram following

Papers: DOC15/338052





Curiosity Rocks Aboriginal Place

Plan of Management

**New South Wales
Office of Environment and Heritage**

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DEFINITIONS

Aboriginal community can include but is not limited to

- Cultural knowledge holders
- Elders groups/councils
- Custodians
- Local Aboriginal land councils
- Native title holders/claimants
- Other Aboriginal people with interests
- Registered Aboriginal organisations
- Traditional owners

Aboriginal Heritage Impact Permit (AHIP) – is the statutory instrument that the Office of Environment and Heritage issues under section 90 of the *National Parks and Wildlife Act 1974* to manage harm to Aboriginal objects and Places.

Aboriginal Heritage Information Management System (AHIMS) – contains information and records about Aboriginal objects that have been reported to the Director General of the Department of Premier and Cabinet. It also contains information about Aboriginal Places which have been declared by the Minister to have special significance for Aboriginal culture.

Conservation works – works that assist in retaining the cultural significance of a place or object, and are undertaken to prevent further deterioration and potential loss of cultural significance.

Cultural values – the cultural significance of landscapes, places, objects, customs and traditional (and their context) that communities have inherited from the past and wish to conserve for current and future generations. These values can relate to physical or ‘tangible’ sites, places and objects; and ‘intangible’ cultural practices associated with those landscapes, sites, places and objects and include traditional, historical and contemporary associations of people with heritage places. Natural elements of the environment may also have cultural meaning and values.

‘Harm’ to an Aboriginal object or place is defined in the *National Parks and Wildlife Act 1974* (NPW Act) to include any act or omission that destroys, defaces or damages an Aboriginal object or place or causes or permits the object or place to be destroyed, defaced or damaged. Harm to an Aboriginal Place is an offence under the NPW Act unless the harm was authorised by an Aboriginal Heritage Impact Permit (AHIP).

Gazettal – The New South Wales Government Gazette is the official channel for the circulation of Proclamations, Regulations, Government Notices, Private Legal Advertisements and other matters required to be published in the Government Gazette under the Statutes of New South Wales Government.

Office of Environment and Heritage Information Agreement – a standardised agreement made to protect the privacy of information provided to OEHL related to information or cultural knowledge obtained during heritage research.

Section 161 notices – section 161 of the *National Parks and Wildlife Act 1974* enables information about Aboriginal Places, objects and culture to be withheld – or kept confidential – in the public interest. A notice under section 161 allows the Director General to say that specified information relating to the cultural values of an Aboriginal Place should be withheld in the public interest.

Special significance – a level of significance considered higher than the normal level of significance to Aboriginal culture.

Lessee Manager – Snowy Monaro Regional Council, which is the Lessee of the subject land.

ACRONYMS

AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
AP	Aboriginal Place
NPW Act	<i>National Parks and Wildlife Act 1974</i>
OEH	Office of Environment and Heritage
PoM	Plan of Management

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Figure 1: Locality map for Curiosity Rocks

EXECUTIVE SUMMARY

The subject land is located near Jindabyne, in the Southern Alps of New South Wales; District of Cooma, Parish of Clyde, County of Wallace. The area comprising Curiosity Rocks Aboriginal Place is largely within the water storage of Lake Jindabyne which is located on land owned by Snowy Hydro Ltd. The land is leased and managed by the Snowy Monaro Regional Council (“Lessee Manager”) until 2067. The subject land is approximately 40 hectares (Lot 161 DP756686). The place is known by the local Aboriginal community (Ngarigo and Bega local Aboriginal Land Council) and by the broader community as Curiosity Rocks.

Curiosity Rocks is significant to Aboriginal culture because it is in sight of Kalkite Mountain and adjacent to a camping area and ceremonial grounds situated along the traditional travel pathways up the Snowy River to the Mt Twynam area. The place is rich in stone resources and sites providing widespread evidence of long occupation and use of the area by Ngarigo ancestors. The area holds a deep spiritual connection for these ancestors to the Ngarigo lands and waters, the knowledge of which continues to be passed down across generations through the stories of the elders to the community of today. The Ngarigo people continue to acknowledge the cultural integrity of this place and the importance of protecting its cultural values for future generations.

Curiosity Rocks Aboriginal Place is within an area which Snowy Hydro Ltd is entitled to use and does use for water storage in accordance with the Snowy Hydro Corporatisation Act 1997 (NSW) and the Snowy Water Licence issued pursuant to that Act. The existing use of the area for regulated water storage and any other lawful activities associated with such use, is acknowledged and will continue. The existing activities carried out by Snowy Hydro do not constitute harm or desecration to the Aboriginal place.

On the 7th April 2016 published in the New South Wales Government Gazette no 44 page 1206 under section 84 of the *National Parks and Wildlife Act 1974* the Minister for the Environment declared that Curiosity Rocks is or was of special significance to Aboriginal culture and therefore declared it as an Aboriginal Place (see appendix A). The declaration of Curiosity Rocks as an Aboriginal Place will enable the ongoing future use and maintenance of the area to be compatible with the cultural significance of the Place.

This document seeks to provide a clear and transparent management framework in line with the requirements under the *NSW National Parks and Wildlife Act 1974* as an Aboriginal Place. This document draws on discussions and negotiations between the Bega Local Aboriginal Land Council, Ngarigo custodians, Snowy Monaro Regional Council, Snowy Hydro Ltd and the Office of Environment and Heritage.

Management will be a joint effort between the Bega Local Aboriginal Land Council, Ngarigo custodians, Snowy Monaro Regional Council, Snowy Hydro Ltd and the NSW Office of Environment and Heritage. (The Office of Environment and Heritage will act in consultation with Registered Aboriginal Parties to any Aboriginal heritage Impact Permit for the site). Overall responsibility will remain the role of Snowy Monaro Regional Council, but management will be as a team. This initiative alone is desirable for appropriate future management for Curiosity Rocks Aboriginal Place.

INTRODUCTION

WHAT IS AN ABORIGINAL PLACE

An Aboriginal Place is a way of recognising and legally protecting Aboriginal cultural heritage. Any land in New South Wales that is deemed to have special significance for Aboriginal culture, including public and private land, can be declared as an Aboriginal Place.

The Office of Environment and Heritage (OEH) has an ongoing program of assessing and recommending the declaration and gazettal of areas as Aboriginal Places throughout NSW. These declarations are a conservation tool and advance the recognition, protection and understanding of Aboriginal cultural values throughout NSW. The protective benefits of declaration can be augmented by using other tools such as listings on the State heritage Register and conservation agreements under Part 4 of the *NSW National Parks and Wildlife Act 1974*.

The Aboriginal Places Policy (OEH 2011a) sets out the process for assessing and declaring Aboriginal Places, and includes a requirement to provide guidance on assessment and management planning.

WHAT IS A PLAN OF MANAGEMENT (PoM)

A PoM is an important tool, written by the NSW Office of Environment and Heritage in accordance with the OEH Aboriginal Place guidelines and in consultation with the key stakeholders identified through the Aboriginal Place assessment process. A PoM identifies the subject land, and outlines how the land is intended to be used, improved, maintained and managed into the future. This document provides a transparent and co-ordinated approach to public land management. All management plans require endorsement by the Office of Environment and Heritage.

OBJECTIVES OF THIS PLAN OF MANAGEMENT

This PoM seeks to provide a clear and transparent management framework, which aligns with the Aboriginal cultural values of Curiosity Rocks as a gazetted Aboriginal Place under the *NSW National Parks and Wildlife Act 1974*.

The PoM will enable Curiosity Rocks to continue to develop as a place of:

- Protected cultural heritage and values
- Community and cultural activity
- Teaching of Aboriginal land management

A key objective for the PoM is to recognise the Aboriginal cultural values within the site and to outline the policies and strategies for their management and conservation.

AIM OF THE PLAN OF MANAGEMENT

The development of a management plan for the Curiosity Rocks Aboriginal Place aims to:

- Promote long-term protection of the cultural values of the place
- Enable the Aboriginal community to manage the cultural values of the area identified as holding special significance
- Enable the Aboriginal community to discuss issues and reach agreements with the landowner and Lessee Manager about site protection
- Improves regulatory and management outcomes for the community

The Office of Environment and Heritage aims to:

- Provide the declared Aboriginal Place with a management plan
- Implement the management plan, using it to conserve and protect cultural values
- Uphold mutual respect between all stakeholders in the plan of management
- Assist stakeholders in the future review of the management plan

Figure 1 – Locality map

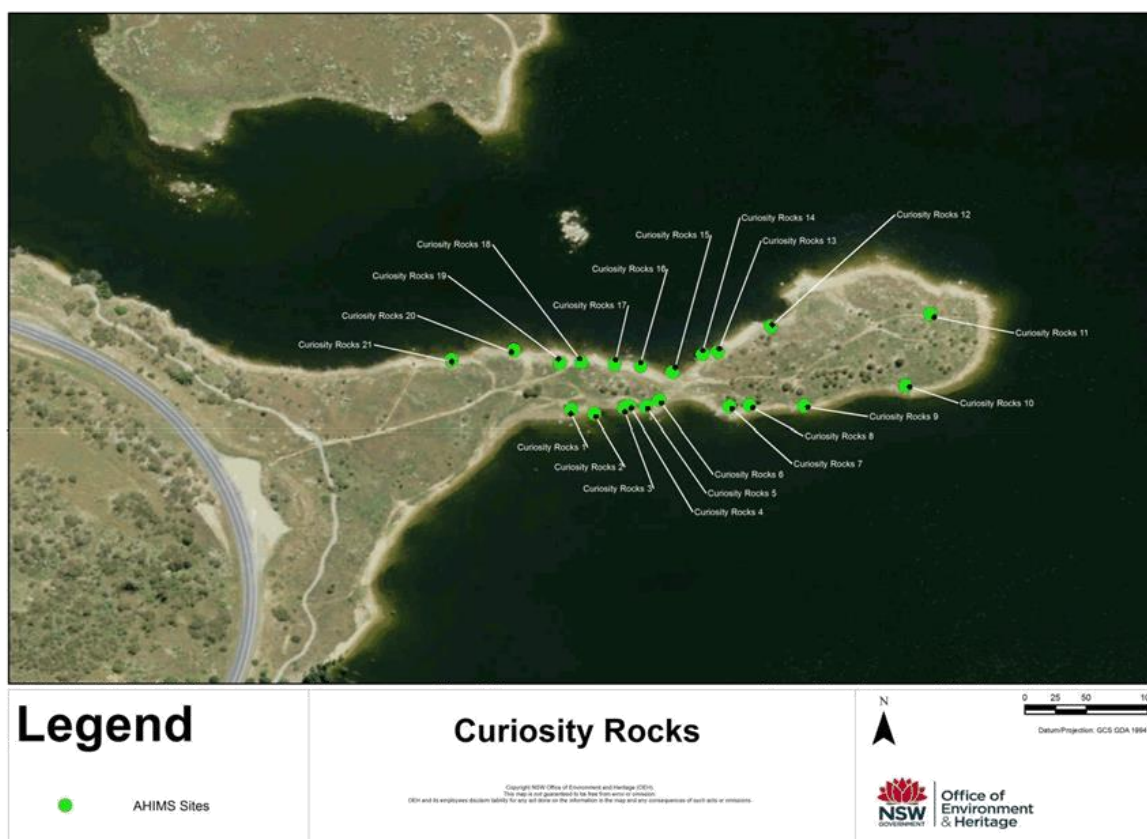


Table 1: Curiosity Rocks Aboriginal Place profile

Owner	Snowy Hydro Ltd
Management	Lessee Manager – Snowy Monaro Regional Council
Land Area (m2)	40 Hectares
Lot and DP	Lot 161, DP 756686
Zoning	SP1
Land Classification	Special Activities
Surrounding Development	Grazing; recreational walking and bike paths.
Current Use	Water storage pursuant to the Snowy Hydro Corporatisation Act 1997 (NSW);

STAKEHOLDERS AND AFFECTED PARTIES

The area was nominated because of its cultural and historical significance to the local Aboriginal people of the Southern Alps region. The site is located on land owned by Snowy Hydro Ltd. The land is leased to Snowy Monaro Regional Council until 2067. A submission was received from the Bega Local Aboriginal Land Council with the support of the land owner (Snowy Hydro Ltd), and Lessee Manager, (Snowy Monaro Regional Council). The area is not listed on the NSW State Heritage register.

This PoM draws upon consultation between Bega Local Aboriginal Land Council, Ngarigo custodians, Snowy Hydro Ltd, Snowy Monaro Regional Council and the office of Environment & Heritage. Outcomes and community values, and in particular Aboriginal cultural values, emerging from this consultation have been considered in developing this PoM and will continue to inform the values, directions and strategies of future use and development of Curiosity Rocks.

There will be opportunities for consultation with the wider community with the continued management of Curiosity Rocks.

The management plan will set out the criteria in which the ongoing management of the Aboriginal Place can be managed by the Bega Local Aboriginal Land Council in conjunction with Snowy Monaro Regional Council.

Contact details for all stakeholders are listed at Schedule “A” of Appendix B.

GENERAL STATEMENT OF MANAGEMENT

The Curiosity Rocks Aboriginal Place is located on land owned by Snowy Hydro Ltd and leased to Snowy Monaro Regional Council until 2067. The Lessee Manager is encouraged to liaise closely with Bega Local Aboriginal Land Council and Ngarigo custodians to enable the continuation of traditional Aboriginal cultural and spiritual practices on the site, through informal or legal agreed arrangements.

All day-to-day and longer term management decision making and implementation of works and other activities should be made with reference to the developed management plan: no action should be taken if it would have any adverse impacts on the significance of the place.

Actions designed to ensure and encourage the continued recognition of the site’s significance should be adopted, such as to prevent harm to the Aboriginal Place, preserve and maintain the cultural significance of the area, regularly inspect and monitor the rock art present and develop preventative measure to minimise harm to the art site and develop interpretive information regarding Aboriginal Place.

Moveable objects of cultural significance will be conserved in situ wherever possible. If objects are moved, they should be moved in accordance with an Aboriginal Heritage Impact Permit, assessed for significance under the Heritage Act 1977 and professionally recorded, collected and stored.

The resolution of any conflicts regarding management and change should give priority to Aboriginal cultural values.

STATEMENT OF CULTURAL VALUES OF THE ABORIGINAL PLACE

Statement of Special Significance: The Statement of Special Significance to Aboriginal culture of the proposed Curiosity Rocks Aboriginal Place is:

Curiosity Rocks is significant to Aboriginal culture because it is in sight of Kalkite Mountain and adjacent to a camping area and ceremonial grounds situated along the traditional travel pathways up the Snowy River to the Mt Twynam area.

The place is rich in stone resources and sites providing widespread evidence of long occupation and use of the area by Ngarigo ancestors. The area holds a deep spiritual connection for these ancestors to the Ngarigo lands and waters, the knowledge of which continues to be passed down across generations through the stories of the elders to the community of today. The Ngarigo people continue to acknowledge the cultural integrity of this place and the importance of protecting its cultural values for future generations.

The existing use of Curiosity Rocks Aboriginal Place for water storage by Snowy Hydro Ltd and any lawful activities associated with such use, including activities which cause the rise and fall of water within the Aboriginal Place, do not constitute harm or desecration of the Aboriginal Place.

ABORIGINAL COMMUNITY MANAGEMENT GOALS

The Aboriginal community have identified Management Goals that they wish to achieve and are determined as short-term, medium-term and long-term goals set to provide a workable timeframe as to the management of the declared Aboriginal Place.

TABLE 2

Management Goals	Timeframe – short-term, medium-term or long-term
1. Prevent harm to the Aboriginal Place	Short-term
2. Preserve and maintain the cultural significance of the area	Long-term
6. Develop a management schedule (who will inspect and/or monitor site, when will inspections be carried out)	Medium-term
7. Celebrate cultural events at the site	Short-term – Medium-term
6. Develop interpretive information regarding Aboriginal Place	Long-term

RISK ASSESSMENT OF HARM TO THE ABORIGINAL PLACE

A risk assessment outlining the risks of harm to Curiosity Rocks Aboriginal Place:

TABLE 3

Risk of Harm	How will significant threats be managed	Who is responsible for completing the work?	Risk
Unauthorised human impact	Appropriate deterrents to prevent art sites being destroyed or addition graffiti being added to the rock shelter	Lessee manager and Aboriginal community	High
Ground disturbance and removal of soil	Do not allow any ground disturbance without AHIP from OEH	Lessee manager and Aboriginal community	High
Erection of structures	Do not allow the erection of structures without AHIP from OEH	Lessee manager and with the Aboriginal community and with Landowner consent for certain development.	High

DEFINITION OF 'HARM'

Harm to an Aboriginal object or place is defined in the *National Parks and Wildlife Act 1974* (NPW Act) to include any act or omission that destroys, defaces or damages an Aboriginal object or place or causes or permits the object or place to be destroyed, defaced or damaged. Harm to an Aboriginal Place is an offence under the NPW Act unless the harm was authorised by an Aboriginal Heritage Impact Permit (AHIP). The existing activities carried out by Snowy Hydro on the subject land do not constitute harm or desecration to the Aboriginal Place.

EXEMPTIONS

There are exemptions to the strict liability offence of harming an Aboriginal Place when the relevant activity:

- Relates to Aboriginal people 'carrying out traditional cultural activities (except commercial activities)' (section 87B of the NPW Act)
- Was required to conserve or protect an Aboriginal object or place and was carried out by a OEH officer or a person under the direction of that officer (section 87Aa of the NPW Act)
- Was required or permitted under a conservation agreement entered into under Division 12 of part 4 of the NPW Act (section 87Ad of the NPW Act)
- Was authorised by or under the *State Emergency and Rescue Management Act 1989* for an emergency within the meaning of the Act, and the act was reasonably necessary to avoid an actual or imminent threat to life or property (section 87Ac of the NPW Act), or
- Was an emergency fire fighting act or bush fire hazard reduction work within the meaning of the *Rural Fires Act 1997* that is authorised or required to be carried out under that Act (section S87Ab of the NPW Act).

ABORIGINAL HERITAGE IMPACT PERMIT (AHIP)

An Aboriginal Heritage Impact Permit is the statutory instrument that the Office of Environment and Heritage (OEH) issues under section 90 of the *National Parks and Wildlife Act 1974* (NPW Act) to manage harm or potential harm to Aboriginal objects and places.

Activities that may require an Aboriginal Heritage Impact Permit issued under Part 6 of the National Parks and Wildlife Act 1974 include but are not limited to;

- Ground disturbance
- Removal of cultural material
- Erection of structures
- Collection of firewood

ACTIVITIES THAT MAY HARM THE ABORIGINAL PLACE

Activities identified by the Aboriginal community, landowner and all relevant stakeholders that may cause harm to the declared Aboriginal Place:

TABLE 4

Cultural value or special significance of the Aboriginal Place	Examples of activities that could harm an Aboriginal Place	Is the activity consistent with the cultural values of the aboriginal Place? Under what conditions could it be consistent, if any?
Places with landforms associated with stories, rituals or spiritual beliefs	Graffiti	Not consistent with cultural values
	Constructing dwellings	Not consistent with cultural values
	Fire and managing fire	Consistent if managed in accordance with obligations under <i>Rural Fires Act 1997</i>
	Mining, quarrying	Not consistent with cultural values
	Recreational activities such as bushwalking, mountain bike or motor bike riding	Bush walking permitted Not consistent with cultural values
Places associated with ceremonies such as birthing places, meeting	the carrying out of work in, on or under the area with the exception of activities associated with the existing	AHIP required or OEH Officer

grounds	use of the subject land for water storage,	
	The clearing of native vegetation in the area and any clearing activity that disturbs or causes damage to the site and its immediate surrounds	Not consistent with cultural values
	Removing soil to ground level	Not consistent with cultural values
	Moving, relocating or collecting objects	AHIP required or OEH Officer
	Mining, quarrying	Not consistent with cultural values
	Vandalism	Not consistent with cultural values
	Visitors interfering with the site, i.e. changing the cultural landscape	Not consistent with cultural values
Places associated with intergenerational teaching, to pass on knowledge to young people	Major landscape changes to the place such as clearing trees, quarrying, mining, mineral exploration	Not consistent with cultural values
	Destroying trees that were used for medicine and food and that area used for passing on knowledge	Not consistent with cultural values
Places that include rare or significant collections of Aboriginal objects-sacred trees, grinding grooves, ochre or stone extraction sites, tool making sites, rock art, middens, ceremonial rings, stone arrangements.	Most major landscape changes to the place such as clearing trees, quarrying, mineral exploration	Not consistent with cultural values
	Moving or collecting objects	AHIP required or OEH Officer
	Clearing or burning trees	Not consistent with cultural values
	The carrying out of infrastructure development with the exception of activities associated with the existing use of the subject land for water storage.	Not consistent with cultural values
	Visitors to the place interfering with object, e.g. Touching it	Consistent for the purposes of identifying objects and teaching traditional cultural knowledge, providing objects are left in place

N.B. Some actions may require a formal environmental assessment or a review of environmental factors before the activity would be permitted and nearly all activities will need an Aboriginal Heritage Impact Permit (AHIP) application. Dependant on the activity some activities may be exempt from an AHIP application.

RISK MANAGEMENT MEASURES

- Undertaking cultural and heritage assessments before undertaking works through the relevant Aboriginal Heritage Impact Permit process
- Including an exclusion or buffer zone for activities that could harm the AP – this could be temporarily marked during works and removed once completed
- Consulting and involving the local Aboriginal community, Elders, relevant community stakeholders and Local Aboriginal Land Council
- Some method of fencing to deter human traffic, and animals damaging the AP
- Managing the vegetation around the site to prevent fires
- Educating people on the significance of the place and safe practices whilst visiting AP
- Using an appropriate management plan to recover eroded or exposed sites, avoiding activities that will disturb the subsurface
- Not removing or collecting physical material unless authorised
- Planting the appropriate native vegetation to stabilise the ground and create access corridors
- Ensure the site is only disturbed when authorised by the police or OEH
- Relocating existing roads and pathways when possible to prevent harm to the place
- Routinely monitoring or inspecting sites for harm to the Aboriginal Place, such as vandalism and gradual changes to the landscape (erosion)

GENERAL MANAGEMENT PROTOCOLS FOR CURIOSITY ROCKS ABORIGINAL PLACE

Protocols in which the Aboriginal place will be managed and agreed on by all relevant stakeholders involved in developing the plan of management.

- A field survey of the Aboriginal Place will be undertaken every 12 months and the condition of the place recorded by a designated stakeholder team of at least 2 people from different stakeholder groups
- The Curiosity Rocks Aboriginal Place Plan of Management should be reviewed every 2-3 years
- The Lessee Manager (Snowy Monaro Regional Council) will notify the Aboriginal community or OEH when they are undertaking work near the place even if the activity is included in the plan of management.
- The stakeholders will meet when necessary to review the operation of the plan of management, and consider recommending amendments to the plan to OEH
- Visitors to the site should adhere to culturally appropriate protocols
- The Aboriginal community should determine whether it is appropriate for there to be interpretive signs erected near the vicinity of the Aboriginal Place

SITE-SPECIFIC CULTURAL VALUE MANAGEMENT STATEMENT

The Office of Environment and Heritage recognises the significance of Curiosity Rocks Aboriginal Place to the local Aboriginal people, and therefore classifies the Aboriginal Place under the values listed in Table 5.

TABLE 5

Cultural value or special significance of the Aboriginal Place	Site-specific cultural value management statements
Places with landforms associated with stories, rituals or spiritual values	<ul style="list-style-type: none"> • Aboriginal communities and relevant stakeholders will work together to develop, maintain and adhere to a Plan of Management that will conserve and protect the cultural values of the Aboriginal Place • The Lessee Manager will recognise the ongoing role of the Aboriginal Place as a significant gender specific meeting, healing and ceremonial place • Continuing access for the Aboriginal community is encouraged to maintain its special significance to Aboriginal people and culture • The Lessee Manager and Aboriginal community will work to prevent large scale landscape changes to the Aboriginal Place, to conserve the spiritual values of the site • The erection of some form of barrier to protect the Aboriginal Place will be encouraged where appropriate and needed • Stakeholders and landowners will handle culturally sensitive information with respect and according to the customs of the relevant Aboriginal community • All relevant stakeholders including the Lessee Manager should continue to maintain the natural surrounds as they are, due to the significance they play regarding the AP
Places associated with ceremonies and meeting grounds	<ul style="list-style-type: none"> • Stakeholders and Lessee manager will handle all culturally sensitive information with respect and according to the wishes of the Aboriginal community regarding gender-specific places • The Lessee manager and Aboriginal community will work to conserve the cultural values of the place • Access to the Aboriginal Place by the Aboriginal community will be encouraged • Cultural practices and customs should be respected at all times • The development of new infrastructure will only be undertaken under the authorisation of an Aboriginal Heritage Impact Permit unless it will not result in harm to the place or is exempted under the <i>National Parks and Wildlife Act 1974</i>
Places associated with intergenerational teaching, to pass on knowledge to young	<ul style="list-style-type: none"> • The Lessee manager and stakeholders will be encouraged to respect the connection of Aboriginal people to culturally significant places and the need for the connection to Country

people	<p>to allow for the passing on of traditional knowledge</p> <ul style="list-style-type: none"> • The Lessee manager will be encouraged to permit Aboriginal people to access the AP and continue to use the site • The education of the local community of the significance of the Aboriginal place will be encouraged • Visitors to the place will be encouraged to show respect for and adhere to any customary procedures practiced
Places that include rare or significant collections of aboriginal objects- sacred trees, grinding grooves, ochre or stone extraction sites, tool making sites, rock art, middens, ceremonial rings, stone arrangements.	<ul style="list-style-type: none"> • Rare or significant collections of Aboriginal objects should remain undisturbed • Culturally sensitive information will be handled with respect and according to the wishes and practices of the Aboriginal community • Visitors to the Aboriginal Place will be encouraged to show respect for and culturally sensitive to Aboriginal objects by not physically touching them or removing them • Objects will only be removed by OEH or by a person working for OEH to conserve or protect an Aboriginal object or place or Aboriginal people carrying out traditional cultural activities, except commercial activities

MANAGEMENT ACTIVITIES

Ongoing works required for Curiosity Rocks Aboriginal Place

TABLE 6

Type of work to be undertaken	Specify ways in which works will be undertaken	The timeframe for the work to be completed	Who is responsible for completing the work
Prevent harm to the Aboriginal Place	Monitor the vegetation and its impact on the rock art sites, appropriate deterrent to prevent harm to the rock art or future graffiti of the site	Short-term	Lessee Manager Aboriginal stakeholder, OEH
Monitor/Inspect condition of Aboriginal Place	Adhere to cultural protocols and appropriate person(s) carry out inspection	Long-term	Aboriginal Community and OEH
Interpretive Signage	Only culturally appropriate information to be made public, not culturally sensitive information AHIP may be needed	Long-term	Aboriginal Community, Lessee Manager, landowner and OEH
Celebrate cultural events at the site	Utilise and celebrate the place to showcase Aboriginal culture of the Snowy Mountains and broader area	Long-term	Aboriginal Community, Lessee Manager

MATTERS FOR NEGOTIATION

A memorandum of Understanding (MOU) should be developed between the Lessee manager and the Aboriginal community, in order to guide the management of Curiosity Rocks Aboriginal Place. The MOU can include a number of agreements including, but not limited to:

1. A communication strategy with the Lessee manager and the Aboriginal community
2. A set of roles and responsibilities outlined between the Lessee manager and the Aboriginal community
3. A dispute resolution guide between the Lessee manager and the Aboriginal community
4. A strategy to impart management of Curiosity Rocks Aboriginal Place to the Aboriginal community.

TREATMENT OF CULTURALLY SENSITIVE INFORMATION

Some of the information collected from the Aboriginal community for the management plan may be culturally sensitive. This information should not be disclosed if there is a risk of harm or inappropriate access of the site. Culturally sensitive information provided to OEH for the purpose of documenting Aboriginal Places may need to be kept confidential.

Some parts of the management plan or the proposal for Aboriginal Place declaration may be kept confidential to protect culturally sensitive information in accordance with a section 161 notice under the *National Parks and Wildlife Act 1974* or OEH information agreement.

Culturally sensitive information will be respected and managed in accordance with the *National Parks and Wildlife Act 1974*.

RESTRICTION ON RELEASE OF CERTAIN INFORMATION

Section 161 of the *National Parks and Wildlife Act 1974* enables information about Aboriginal places, objects and culture to be withheld – or kept confidential – in the public interest.

- (1) The Director-General may, by notice in writing, advise the Minister that the Director-General is of the opinion that specified documents in the possession of the service relating to:
 - (a) The location of threatened species, populations or ecological communities or Aboriginal objects, or
 - (b) The cultural values of an Aboriginal place or object, should be withheld in the public interest
- (2) The Director-general may declare in the notice that information contained in the documents concerned is the information for which there is a conclusive presumption of overriding public interest against disclosure for the purposes of the *Government Information (Public Access) Act 2009*.
- (3) The Director-General must not give a notice under this section in relation to documents relating to the location of Aboriginal objects or the cultural values of an Aboriginal place or Aboriginal object unless the Director-General has consulted with the Aboriginal people who the Director-General is aware have an interest in the documents concerned.

FUNDING OPPORTUNITIES

Australian Government, Department of the Environment Grants and Funding Programs
<http://www.environment.gov.au/indigenous/grants.html><http://www.environment.gov.au/indigenous/grants.html>

The Funding Centre
<http://www.fundingcentre.com.au/><http://www.fundingcentre.com.au/>

Office of Environment and Heritage, Protecting Our Places Grant
<http://www.environment.nsw.gov.au/grants/pop.htm><http://www.environment.nsw.gov.au/grants/pop.htm>

NSW Department of Primary Industries, Agriculture
<http://www.dpi.nsw.gov.au/rwn/funding><http://www.dpi.nsw.gov.au/rwn/funding>
<http://www.dpi.nsw.gov.au/rwn/funding>

REFERENCES

Office of Environment and Heritage, *Guidelines for developing management plans for declared Aboriginal Places*
www.environment.nsw.gov.au/resources/cultureheritage/120137abplacesgdlns.pdf<http://www.environment.nsw.gov.au/resources/cultureheritage/120137abplacesgdlns.pdf>

Department of Environment Climate Change and Water, *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*
<http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf><http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf>

Office of Environment and Heritage, *Aboriginal Places Policy*
<http://www.environment.nsw.gov.au/resources/conservation/110608Abplacespolicy.pdf><http://www.environment.nsw.gov.au/resources/conservation/110608Abplacespolicy.pdf>
<http://www.environment.nsw.gov.au/resources/conservation/110608Abplacespolicy.pdf>

FURTHER INFORMATION

Declaration of Aboriginal Places:
<http://www.environment.nsw.gov.au/conservation/AboriginalPlacesNSW.htm><http://www.environment.nsw.gov.au/conservation/AboriginalPlacesNSW.htm>

Aboriginal Heritage Impact Permits:
<http://www.environment.nsw.gov.au/licences/ahipforms.htm><http://www.environment.nsw.gov.au/licences/ahipforms.htm>

<http://www.environment.nsw.gov.au/licences/ahipforms.htm>

APPENDIX A



Mark Speakman
Minister for the Environment
Minister for Heritage
Assistant Minister for Planning



DOC15/338052

Mr Dennis Trezise
Director Community & Environmental Services
Snowy River Shire Council
PO Box 143
BERRIDALE NSW 2628

Dear Mr Trezise

Curiosity Rocks Aboriginal Place declaration

The NSW Government is committed to the recognition and conservation of Aboriginal cultural heritage. As part of this commitment, the Office of Environment and Heritage (OEH) has assessed an area of land known as Curiosity Rocks at Jindabyne for its special significance to Aboriginal culture.

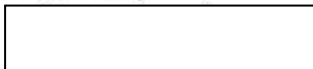
I am pleased to advise that the area meets the requirements of an Aboriginal Place under section 84 of the *National Parks and Wildlife Act 1974* (NPW Act). This declaration has now been made and I enclose a copy of the gazettal notice for your information.

It should be noted that the declaration of an Aboriginal Place does not change the status of the land or affect ownership rights. However under section 86(4) of the NPW Act, it is an offence to harm or desecrate the Place unless authorised to do so under an Aboriginal Heritage Impact Permit issued under section 90 of the NPW Act.

I would like to take this opportunity to thank the Snowy River Shire Council for its support of Curiosity Rocks being declared an Aboriginal Place, and its continued efforts to protect Aboriginal cultural heritage in NSW.

If you have any questions about this matter, Mr Steven Meredith, Manager Southern Region, Heritage Division, OEH, can be contacted on 6969 0715 or at steven.meredith@environment.nsw.gov.au.

Yours sincerely



Mark Speakman
Minister for the Environment

Enclosure

Government Notices

Item	Function	Delegate
3.	All my functions under a determination made under section 94EE of the Act.	(a) Deputy Secretary, Growth, Design & Programs (b) Executive Director within the Growth, Design & Programs Division with responsibility for developer contributions (c) Director within the Growth, Design & Programs Division with responsibility for developer contributions
4.	Administration of the Special Contributions Areas Infrastructure Fund established under section 94EJ of the Act.	(a) Chief Financial and Operating Officer (b) Deputy Secretary, Growth, Design & Programs
Environmental Planning and Assessment Regulation 2000 (the Regulation)		
5.	Giving public notice of a proposed agreement, amendment or revocation under clause 25D (2A) of the Regulation.	(a) Deputy Secretary, Growth, Design & Programs
North Sydney Local Environmental Plan 2013		
6.	My functions under clause 6.5 of the <i>North Sydney Local Environmental Plan 2013</i> that prohibits the consent authority from granting development consent unless the Secretary has certified that satisfactory arrangements have been made for railway infrastructure that will provide for the increased demand for railway infrastructure generated by the development.	(a) Deputy Secretary, Growth, Design & Programs
Miscellaneous		
7.	All my functions under a planning agreement entered into under section 93F of the Act.	(a) Deputy Secretary, Growth, Design & Programs (b) Executive Director within the Growth, Design & Programs Division with responsibility for developer contributions (c) Director within the Growth, Design & Programs Division with responsibility for developer contributions

NATIONAL PARKS AND WILDLIFE ACT 1974

Curiosity Rocks Aboriginal Place

Pursuant to section 84 of the *National Parks and Wildlife Act 1974*, I, the Minister for Environment, being of the opinion that the place known as Curiosity Rocks is, and was, of special significance to Aboriginal culture, declare the lands described in Schedule "A" as an Aboriginal Place.

Curiosity Rocks is significant to Aboriginal culture because it is in sight of Kalkite Mountain and adjacent to a camping area and ceremonial grounds situated along the traditional travel pathways up the Snowy River to the Mt Twynam area.

The place is rich in stone resources and sites providing widespread evidence of long occupation and use of the area by Ngarigo ancestors. The area holds a deep spiritual connection for these ancestors to the Ngarigo lands and waters, the knowledge of which continues to be passed down across generations through the stories of the elders to the community of today. The Ngarigo people continue to acknowledge the cultural integrity of this place and the importance of protecting its cultural values for future generations.

The use of Curiosity Rocks Aboriginal Place for water storage by Snowy Hydro Limited and any lawful activities associated with such use, including activities which cause the rise and fall of water within the Aboriginal Place, do not constitute harm or desecration of the Aboriginal Place.

Signed at Sydney this 7th day of April 2016

MARK SPEAKMAN SC, MP
 Minister for the Environment

APPENDIX B

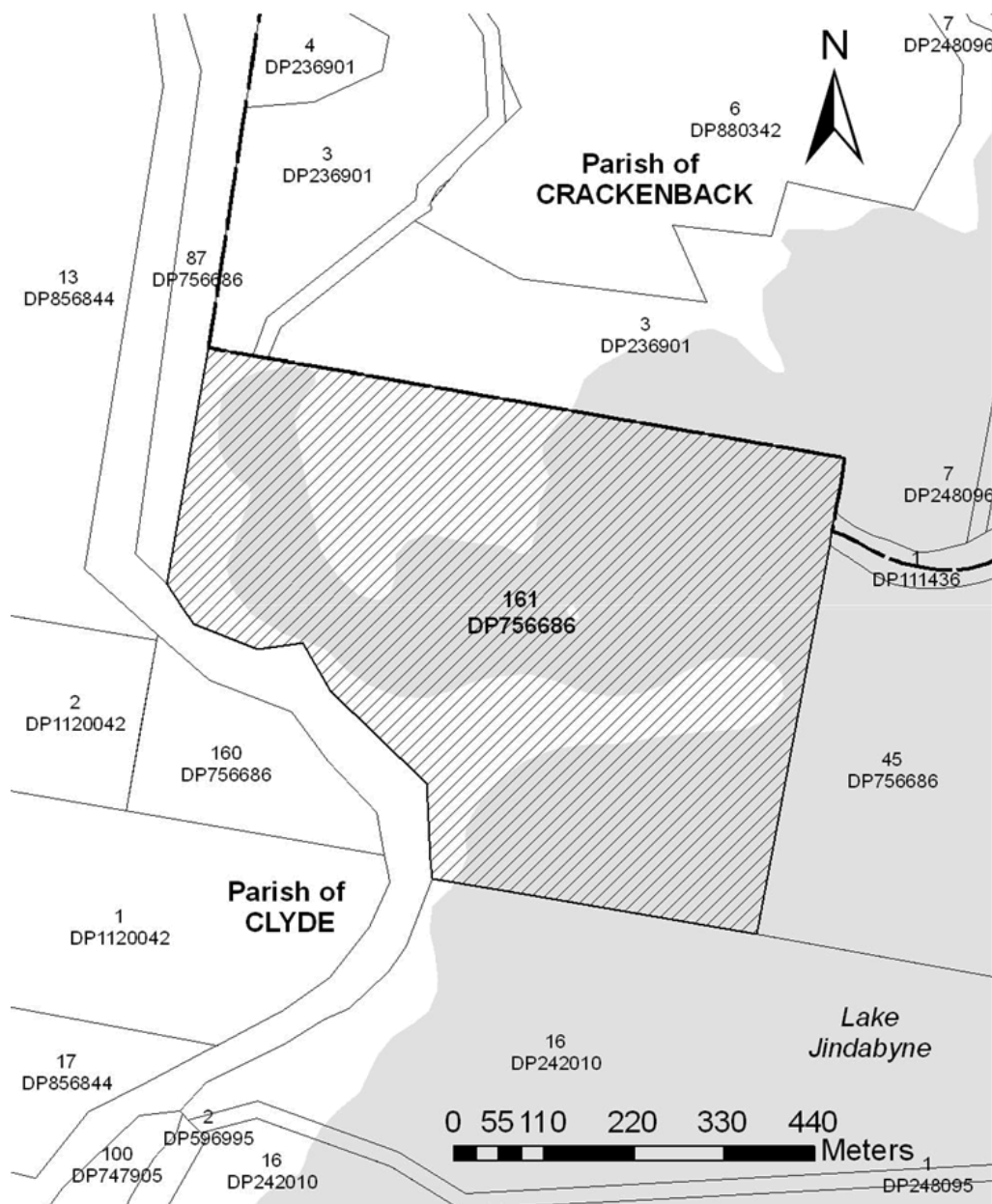
SCHEDULE "A"

Land District – Cooma

LGA – Snowy River

County of Wallace, Parish of Clyde, Lot 161 DP756686, approximately 40 hectares, being the area shown by hatching in the diagram following

Papers: DOC15/338052



STAKEHOLDERS AND INTERESTED PARTIES

- Bega Local Aboriginal Land Council
Contact: Glenn Willcox, CEO

Phone: 02 6492 3940

Address: 17-19 Bunyarra Drive, Bega, NSW 2550

Email: ceo_begalalc@commander.net.au

- Snowy Monaro Regional Council
Contact: Rochelle Crowe

Phone: 02 64511550

Address: Shop 2 Razorback Plaza Gippsland Street Jindabyne

Postal: PO Box 714 Cooma

Email: rochelle.crowe@snowyriver.nsw.gov.au
- Snowy Hydro Ltd
Contact: Charlie Litchfield

Phone: 0427 773 504

Postal: PO Box 332, Cooma NSW 2630

Email: Charlie Litchfield (Charlie.Litchfield@snowyhydro.com.au)
- Ngarigo custodians
Contact: Aunty Iris White

Phone: 0499 716999

Postal:

Email: irisjwhite@gmail.com
- Office of Environment & Heritage, South East Repatriation & Conservation
Contact: Mr Paul House, Senior Team Leader, Repatriation & Conservation

Phone: 02 6229 7068 or 0400 342092

Postal: PO Box 733, Queanbeyan NSW 2620

Email: paul.house@environment.nsw.gov.au

APPENDIX C

PLAN OF MANAGEMENT ENDORSEMENT

CURIOSITY ROCKS ABORIGINAL PLACE

I have reviewed the proposed Plan of Management for Curiosity Rocks Aboriginal Place, and fully understand that this plan of management will direct the affairs of all interested parties in the future direction of the Curiosity Rocks Aboriginal Place.

I understand the individual role of each stakeholder within the Plan of Management and I fully support the implementation of this plan of management for Curiosity Rocks Aboriginal Place.

I endorse the Plan of Management, and hereby give approval to proceed with the implementation of the Plan of Management for Curiosity Rocks Aboriginal Place.

Date: July 2016

Joseph Vescio

.....

General Manager

Snowy Monaro Regional Council

Charlie Litchfield

.....

Snowy Hydro Limited

79C Assessment Report

Application:	10.2016.576.1
Officer:	Timothy Pepperell
Date:	26/05/2016
Land:	2887 Peak View Road PEAK VIEW 2630 Lot: 1 DP: 34884
Zone:	RU1 - Primary Production
Proposal:	Dwelling

Existing Site Features

Location	2887 Peak View Road PEAK VIEW 2630 - Lot: 1 DP: 34884
Site Inspection	27/05/2016
Size	79.378ha
Topography	Low gradient, undulating terrain. Location of proposed development is relatively flat.
Existing buildings	Nil
Existing vegetation cover	Majority of site is pasture lands with several stands of immature pine tree plantations.
Access arrangements	Site has direct frontage to Peak View Road via an existing track.
Existing/available utility services	Within the submitted Statement of Environmental Effects the applicant has indicated that at present no services are available on the site. It is noted that electrical infrastructure is present on Peak View Road.
Any easements and/or restrictions of note	None known
Crown ownership	None known
Other	Nil
Surrounding development	The surrounding development predominantly consists of similar rural-residential development.

Proposal

The proposed development involves the erection of a three bedroom dwelling house approximately 313m West of Peak View Road and approximately 433m from the Northern boundary. The proposed three bedroom dwelling will have a total floor area of 91m². The proposed dwelling will also include a timber deck on the Southern elevation with a floor area of 22m². The proposed dwelling is to be constructed from a combination of 4 steel shipping containers, Fibro Cement sheeting and Colorbond roof.

The estimated cost of the proposal according to the applicant is \$250,000. Due to the nature of the proposed development this figure is considered to be satisfactory.

Background/History

Lot: 1 DP: 34884 was registered 21st May 1991. Council holds no further relevant records relating to the site.

Consideration of Threatened Species (S.5A)

Council is required under Section 79C to make an assessment of whether the proposed development will have a significant impact on any threatened species, populations, or ecological communities, or their habitats. Such threatened species in NSW may be protected under the NSW Threatened Species Conservation Act 1995 (TSC Act) or under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The assessment process under the EPBC Act can occur outside the NSW planning system and requires input from the Federal Department of Environment. Any EPBC Act requirements associated with this proposal are discussed later in this section.

Section 5A of the Act sets out what must be considered in determining whether a proposed development will have a significant impact. Section 5A requires the consideration of the following:

- any assessment guidelines applicable to the species, population, or ecological communities, or their habitats, and
- the application of the 'seven-part test' described in the Section.

The application did not submit a report on potential threatened species impact.

The site is predicted to contain Tableland Clay Grassy Woodlands under Council's predictive native vegetation mapping.

An inspection of the site noted that the majority of the site, including the proposed dwelling location, did not contain enough timbered vegetation to be classified as a woodland community. Additionally although Snow Gum Bioregion EEC's are predicted to potentially occur on site the inspection found no evidence of EEC's.

On this basis of the above information, the threatened species listed in the table below are known or considered highly likely to be present on the site. The potential impact of the proposed development upon them is also considered in the table below.

Species	Type	Level of threat listed	Particular listed threats to survival	Potential impact of proposal
Gang-gang Cockatoo (<i>Callocephalon fimbriatum</i>)	Bird	Vulnerable	<p>Clearing of vegetation and degradation of habitat may reduce the abundance of optimal foraging and roosting habitat.</p> <p>Individual pairs show high fidelity to selected nesting trees (choosing nesting hollows of particular shape, position and structure), with clearing and frequent fire posing a threat to continued successful breeding.</p> <p>Climate change may alter the extent</p>	<p>While the proposed development will be occurring within the areas identified as potentially containing Gang-gang Cockatoo the proposed development does not involve the removal of any significant timbered vegetation. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>

			<p>and nature of its preferred habitat (cool temperate vegetation).</p> <p>Susceptible to Psittacine cirrovirus disease (PCD) which is spread through contaminated nest chambers. PCD is known to have increased near Bowral in the southern highlands of New South Wales over the past decade and constitutes a further threat to the species.</p>	
<p>Speckled Warbler <i>(Chthonicola sagittata)</i></p>	<p>Bird</p>	<p>Vulnerable</p>	<p>Due to the fragmented nature of the populations and their small size the species is susceptible to catastrophic events and localised extinction.</p> <p>Clearance of remnant grassy woodland habitat for paddock management reasons and for firewood.</p> <p>Poor regeneration of grassy woodland habitats.</p> <p>Modification and destruction of ground habitat through removal of litter and fallen timber, introduction of exotic pasture grasses, heavy grazing and compaction by stock and frequent fire.</p> <p>Habitat is lost and further fragmented as land is being cleared for residential and agricultural developments. In particular, nest predation increases significantly, to nest failure rates of over 80%, in isolated fragments.</p> <p>Nest failure due to predation by native and non-native birds, cats, dogs and</p>	<p>The proposed development will not occur within the areas identified as potentially containing habitat for the Speckled Warbler. Additionally no habitat including key habitat elements will be removed as a result of this development. As such it is considered unlikely that the proposed development will impact upon Speckled Warbler populations.</p>

			foxes particularly in fragmented and degraded habitats.	
Hooded Robin (<i>Melanodryas cucullata</i>)	Bird	Vulnerable	<p>Clearing of woodlands, resulting in loss and fragmentation of habitat.</p> <p>Modification and destruction of ground habitat through heavy grazing and compaction by stock, removal of litter and fallen timber, introduction of exotic pasture grasses and frequent fire.</p>	The proposed development will not occur within the areas identified as potentially containing habitat for the Hooded Robin. Additionally no habitat including key habitat elements will be removed as a result of this development. As such it is considered unlikely that the proposed development will impact upon Hooded Robin populations.
Diamond Firetail (<i>Stagonopleura guttata</i>)	Bird	Vulnerable	<p>Clearing and fragmentation of woodland, open forest, grassland and Mallee habitat for agriculture and residential development, and firewood collection.</p> <p>Poor regeneration of open forest and woodland habitats.</p> <p>Invasion of weeds, resulting in the loss of important food plants.</p> <p>Modification and destruction of ground- and shrub layers within habitat through: removal of native plants, litter and fallen timber; introduction of exotic pasture grasses; heavy grazing and compaction by stock; and frequent fire.</p> <p>Predation of eggs and nestlings by increased populations of native predators such as the Pied Currawong <i>Strepera graculina</i>.</p>	While the proposed development will be occurring within the areas identified as potentially containing Diamond Firetail the proposed development does not involve the removal of any significant timbered vegetation. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.

			<p>Risk of local extinction due to small, isolated populations.</p> <p>Aggressive exclusion from forest and woodland habitat by over abundant Noisy Miners.</p>	
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As can be seen from the above table four species could be potentially impacted by the proposal. The threatened species website maintained by the Department of Environment, Climate Change and Water lists certain actions which need to be taken to recovery a particular threatened species. These actions are summarised below for the species identified above as potentially impacted by the proposal.

Species	Listed recovery actions	Impacted by proposal?	Suggested resolution
<p>Gang-gang Cockatoo (<i>Callocephalon fimbriatum</i>)</p>	<p>A targeted strategy for managing this species has been developed by OEH under the Saving Our Species program. The following actions listed can be used by stakeholders, where applicable to guide management at a site:</p> <ul style="list-style-type: none"> Protect known and potential remnant gang-gang cockatoo habitat, particularly tall wet forest and dry sclerophyll forest vegetation communities with large trees supporting hollows that are 10cm in diameter or larger and manage these areas to allow ongoing regeneration of local native trees, shrubs and ground layer plants. Where possible, negotiate management agreements with landholders that are funded in perpetuity that allows ongoing recruitment of native local trees, shrubs and grasses. Restore gang-gang cockatoo habitat in strategic locations close to known habitat and movement corridors, using appropriate local tree, shrub and ground cover species. Care must be taken to ensure that the removal of exotic berry-bearing shrubs and trees such as cotoneaster, hawthorn and pyracantha, that provide foraging habitat, is compensated for by planting of 	<p>The proposed development is consistent with the current control actions.</p>	<p>Nil</p>

	<p>appropriate native foraging plant species such as acacias and eucalypts.</p> <ul style="list-style-type: none"> • Report illegal shooting or trapping of gang-gang cockatoos to Environment Line (131 555). • Liaise with land managers and landholders managing fire to raise awareness about the importance of live and standing dead hollow-bearing trees, and to minimise losses of these trees when carrying out prescribed burns. 		
<p>Speckled Warbler (<i>Chthonicola sagittata</i>)</p>	<p>A targeted strategy for managing this species has been developed by OEH under the Saving Our Species program. The following actions listed can be used by stakeholders, where applicable to guide management at a site:</p> <ul style="list-style-type: none"> • Encourage the retention of woody ground debris. Raise public awareness of the impact of firewood collection, cleaning up, and fuel reduction burns on this critical resource. Promote the retention of large old trees that have the potential to contribute woody ground debris via the shedding of limbs. • Ensure populations remain connected by avoiding gaps greater than 100m between habitat patches and along linear remnants. Eliminate gaps through revegetation (either corridors or stepping stone plantings), focusing on important movement pathways. • Target removal of weeds significantly compromising habitat values (e.g. invasive perennial grasses) and restore native vegetation. Care should be taken to avoid widespread removal of beneficial exotic woody vegetation without replacement and avoid non-target impacts of herbicides. • Measure the abundance and impact of noisy miners on species populations and 	<p>The proposed development is consistent with the current control actions.</p>	<p>Nil</p>

	<p>habitat, and implement appropriate management actions with demonstrated effectiveness to reduce the impacts of noisy miners if/where required. The preferred method for managing aggressive honeyeater impacts is through habitat modification (e.g. reduce the amount of edge and establish a structurally complex understorey).</p> <ul style="list-style-type: none"> • Undertake revegetation, using a diverse mix of locally appropriate native species, focussing on expanding and connecting areas of existing habitat. Where appropriate, establish new habitat patches in areas where native vegetation cover is lacking. Target the productive lower parts of the landscape, especially areas adjacent to streams, which may provide important drought refuges. To maximise these benefits, riparian plantings should be at least 50m wide. • Raise public awareness about the potential for domestic cats and dogs to prey on or disturb Speckled Warblers, especially during the nesting period. Exclude dogs from important areas of urban habitat via regulation and/or fencing, and confine cats and dogs to residential premises. • Conduct targeted research into identifying different practical methods for restoring the structure and function of the ground layer in degraded habitat, including soil biota and its functionality. 		
<p>Hooded Robin (<i>Melanodryas cucullata cucullata</i>)</p>	<p>A targeted strategy for managing this species has been developed by OEH under the Saving Our Species program. The following actions listed can be used by stakeholders, where applicable to guide management at a site:</p> <ul style="list-style-type: none"> • Measure the abundance and impact of noisy miners on species populations and habitat, and implement appropriate management actions with demonstrated 	<p>The proposed development is consistent with the current control actions.</p>	<p>Nil</p>

effectiveness to reduce the impacts of noisy miners if/where required. The preferred method for managing aggressive honeyeater impacts is through habitat modification (e.g. reduce the amount of edge and establish a structurally complex understorey).

- Undertake revegetation, using a diverse mix of locally appropriate native species, focussing on expanding and connecting areas of existing habitat. Where appropriate, establish new habitat patches in areas where native vegetation cover is lacking. Target the productive lower parts of the landscape, especially areas adjacent to streams (which may provide important drought refuges). To maximise these benefits, riparian plantings should be at least 50m wide.
- Conduct targeted research into identifying different practical methods for restoring the structure and function of the ground layer in degraded habitat, including soil biota and its functionality.
- Encourage the retention of woody ground debris. Raise public awareness of the impact of firewood collection, cleaning up, and fuel reduction burns on this critical resource. Promote the retention of large old trees that have the potential to contribute woody ground debris via the shedding of limbs.
- Ensure populations remain connected by avoiding gaps greater than 100m between habitat patches and along linear remnants. Eliminate gaps through revegetation (either corridors or stepping stone plantings), focusing on important movement pathways.
- Targeting of weeds that are significantly compromising habitat values (e.g. invasive perennial grasses) and restore native vegetation. Care should be taken to avoid widespread removal of beneficial exotic woody vegetation without replacement and avoid non-target impacts of herbicides.

<p>Diamond Firetail <i>(Stagonopleura guttata)</i></p>	<p>A targeted strategy for managing this species has been developed by OEH under the Saving Our Species program. The following actions listed can be used by stakeholders, where applicable to guide management at a site:</p> <ul style="list-style-type: none"> • Protect and maintain areas of high quality habitat, which includes open forest, woodland, mallee and grasslands with a diverse ground layer dominated by a mixture of grass species which seed at different times of year (providing a year round food supply) and provides scattered shrubs for shelter. Areas with access to water, especially riparian areas, are particularly important. Where possible negotiate conservation agreements with landholders, agreements should preferably be funded and in perpetuity. • Undertake revegetation, using a diverse mix of locally appropriate native species, which will produce high quality habitat. Revegetation should focus on expanding areas of existing habitat, connecting isolated habitat patches (either through corridor or stepping stone plantings) or establishing additional habitat patches in landscapes with already existing, although insufficient, patches of suitable habitat. Areas with access to water, especially riparian areas, are particularly important, although care should be taken to ensure that riparian revegetation programs are sufficiently wide (minimum 50m wide), and that the composition of the ground and understorey is managed. • Undertake control of invasive exotic plant species that compete with native grasses, so as to increase the prevalence and diversity of food plants, 	<p>The proposed development is consistent with the current control actions.</p>	<p>Nil</p>
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	<p>in suitable habitat.</p> <ul style="list-style-type: none"> • Exclude grazing from suitable habitat, or reduce grazing intensity and regularity so that a diverse grass sward and scattered shrub layer is maintained, and seeding grasses are present throughout the year. • Remove introduced fruit or berry producing plants (for example blackberry, hawthorn, cotoneaster, privet) that provide a food supply for nest predators such as pied currawongs. • Retain mistletoe and scattered patches of dense shrubs for nesting habitat, particularly in areas close to water. 		
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Having considered the species potentially impacted by the proposal, the nature of these impacts and what might be done to minimise or eliminate them; the seven part test can now be applied to these species as required by Section 5A.

The application of the seven part test to these species is shown below:

Seven Part Test	Potentially impacted species		
	Gang-gang Cockatoo	Speckled Warbler	Hooded Robin
<i>(a) (a) in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction</i>	The proposed development involves no actions that are considered likely to result in any adverse impacts upon the life cycle of any local population of the species	The proposed development involves no actions that are considered likely to result in any adverse impacts upon the life cycle of any local population of the species	The proposed development involves no actions that are considered likely to result in any adverse impacts upon the life cycle of any local population of the species
<i>(b) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,</i>	Not Applicable	Not Applicable	Not Applicable

Seven Part Test	Potentially impacted species		
	Gang-gang Cockatoo	Speckled Warbler	Hooded Robin
<i>In (c)(i) the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:</i> <i>(i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</i>	Not Applicable	Not Applicable	Not Applicable
<i>in (c)(ii) the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:</i> <i>(i) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction</i>	Not Applicable	Not Applicable	Not Applicable
<i>(d)(i) in relation to the habitat of a threatened species, population or ecological community:</i> <i>the extent to which habitat is likely to be removed or modified as a result of the action proposed, and</i>	The proposed development does not involve the disturbance of any vegetation that is considered to form core species habitat	The proposed development does not involve the disturbance of any vegetation that is considered to form core species habitat	The proposed development does not involve the disturbance of any vegetation that is considered to form core species habitat
<i>(d)(ii) in relation to the habitat of a threatened species, population or ecological community:</i> <i>whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and</i>	No known areas of habitat will become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.	No known areas of habitat will become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.	No known areas of habitat will become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.
<i>(d)(iii) in relation to the habitat of a threatened species, population or ecological community:</i> <i>the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality,</i>	The proposed development involves no actions that are considered likely to result in the fragmentation of any of the species habitat within the locality.	The proposed development involves no actions that are considered likely to result in the fragmentation of any of the species habitat within the locality.	The proposed development involves no actions that are considered likely to result in the fragmentation of any of the species habitat within the locality.
<i>(e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),</i>	There is no critical habitat declared in Cooma Monaro	There is no critical habitat declared in Cooma Monaro	There is no critical habitat declared in Cooma Monaro
<i>(f) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,</i>	The proposed development involves no actions that are considered to restrict or impact upon any of the specie's listed recovery actions.	The proposed development involves no actions that are considered to restrict or impact upon any of the specie's listed recovery actions.	The proposed development involves no actions that are considered to restrict or impact upon any of the specie's listed recovery actions.
<i>(g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.</i>	While the proposed development will be occurring within the areas identified as potentially containing Gang-gang Cockatoo the proposed development does not involve the removal of any significant timbered vegetation. As such the proposed development will not constitute or be part of a key threatening or is likely to result in the operation of, or increase the impact of, a key threatening process.	While the proposed development will be occurring within the areas identified as potentially containing Speckled Warbler the proposed development does not involve the removal of any significant timbered vegetation or good cover of native perennial grasses. As such the proposed development will not constitute or be part of a key threatening or is likely to result in the operation of, or increase the impact of, a key threatening process.	While the proposed development will be occurring within the areas identified as potentially containing Hooded Robin the proposed development does not involve the removal of any significant timbered vegetation or good cover of native perennial grasses. As such the proposed development will not constitute or be part of a key threatening or is likely to result in the operation of, or increase the impact of, a key threatening process.

Seven Part Test	Potentially impacted species
	Diamond Firetail
<i>(a) (a) in the case of a threatened species, whether the action proposed is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction</i>	The proposed development involves no actions that are considered likely to result in any adverse impacts upon the life cycle of any local population of the species
<i>(b) in the case of an endangered population, whether the action proposed is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,</i>	Not Applicable
<i>In (c)(i) the case of an endangered ecological community or critically endangered ecological community, whether the action proposed: (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or</i>	Not Applicable
<i>in (c)(ii) the case of an endangered ecological community or critically endangered ecological community, whether the action proposed: (i) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction</i>	Not Applicable
<i>(d)(i) in relation to the habitat of a threatened species, population or ecological community: the extent to which habitat is likely to be removed or modified as a result of the action proposed, and</i>	The proposed development does not involve the disturbance of any vegetation that is considered to form core species habitat
<i>(d)(ii) in relation to the habitat of a threatened species, population or ecological community: whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed action, and</i>	No known areas of habitat will become fragmented or isolated as a result of the proposed development as the development will take place within a pasture and pine plantation area that is considered to be already impacted.
<i>(d)(iii) in relation to the habitat of a threatened species, population or ecological community: the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species, population or ecological community in the locality,</i>	The proposed development involves no actions that are considered likely to result in the fragmentation of any of the species habitat within the locality.
<i>(e) whether the action proposed is likely to have an adverse effect on critical habitat (either directly or indirectly),</i>	There is no critical habitat declared in Cooma Monaro
<i>(f) whether the action proposed is consistent with the objectives or actions of a recovery plan or threat abatement plan,</i>	The proposed development involves no actions that are considered to restrict or impact upon any of the specie's listed recovery actions.
<i>(g) whether the action proposed constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.</i>	While the proposed development will be occurring within the areas identified as potentially containing Diamond Firetail the proposed development does not involve the removal of any significant timbered vegetation. As such the proposed development will not constitute or be part of a key threatening or is likely to result in the operation of, or increase the impact of, a key threatening process.

Based on the above assessment it is considered unlikely that any threatened species will be significantly impacted upon as a result of the proposed development due to the lack of key habitat elements as a result of the site being a previously cleared and agriculturally impacted area.

Commonwealth Environment Protection and Biodiversity Conservation Act 1999

There are no EPBC Act concerns associated with this site.

Compulsory Consultations and referrals to other bodies (S.79B, 79BA, 91)

Concurrence requirements

Section 79B requires the Council to obtain the concurrence of certain agencies prior to determining a development application if the Act or an environmental planning instrument requires it to do so.

There is an application for variation to the development standard under clause 4.6 of the Cooma-Monaro Local Environment Plan 2013 CMLEP, which provides for exceptions to development standards. As per Planning Circular PS 08-003 arrangements for the Director-General's concurrence can be assumed in respect of any environmental planning instrument that adopts clause 4.6 of the Standard Instrument CMLEP.

Bushfire consultation

Section 79BA requires an assessment to be made of the proposal against the requirements of the Rural Fire Service document 'Planning for Bushfire Protection 2006'. The Act allows this assessment to be made by the Council or the RFS. Assessments under Section 79BA against the PBP 2006 need to be made for most development on bushfire prone land which does not require an approval under the Rural Fires Act 1997 as integrated development.

Bushfire prone land on the subject site is present along the far north eastern boundary. However the proposed development will be sited more than 300m from the bushfire prone land. As such the proposed development is not required to be assessed, under Section 79B, against the requirements of the Rural Fire Service document 'Planning for Bushfire Protection 2006'.

Integrated development

Some types of development require approvals under multiple Acts before they can commence. Section 91 of the Act lists certain approvals under other Acts which may be obtained as part of the development application process. The table below sets out the approvals under the other Acts which the proposed development requires and which may be obtained through the integrated development process.

Act	Approval required?	Reason	Responsible Authority	Comment on response
Fisheries Management Act 1994	No	No works in or near creek	NSW Trade & Investment - Primary Industries - Fisheries and Aquaculture	-
Heritage Act 1977	No	No state heritage items on site	NSW Department of Premier and Cabinet - Office of Environment and Heritage	-
Mine Subsidence Compensation Act 1961	No	Area not subject to mine subsidence	NSW Trade & Investment - Mineral Resources and Energy	-
Mining Act 1992	No	No mining involved in proposal	NSW Trade & Investment - Mineral Resources and Energy	-

Act	Approval required?	Reason	Responsible Authority	Comment on response
National Parks and Wildlife Act 1974	No	No aboriginal objects affected by proposal	NSW Department of Premier and Cabinet - Office of Environment and Heritage	-
Petroleum (Onshore) Act 1991	No	Proposal does not involve petroleum	NSW Trade & Investment – Mineral Resources and Energy	-
Protection of Environment Operations Act 1997	No	No environmental licences/approvals required	NSW Department of Premier and Cabinet - Office of Environment and Heritage	-
Roads Act 1993	No	No works in road reserve	NSW Trade & Investment - Primary Industries – Crown Land Division	-
Rural Fires Act 1997	No	Proposal not a subdivision or special fire protection purpose	Department of Attorney General and Justice – NSW Rural Fire Service	-
Water Management Act 2000	No	No works within 40m of creek. No aquifer interference.	NSW Trade & Investment – Primary Industries - Office of Water	-

Provision of any Environmental Planning Instruments (S79C(1)(a)(i))

The following State Environmental Planning Policies apply in Cooma-Monaro. Their applicability to the proposed development is summarised in the table below:

State Environmental Planning Policy	Summary notes	Applies to proposed development?
SEPP (Sydney Drinking Water Catchment) 2011	Published: 21.1.11 Commences: 1.3.11 Abstract: Replaces the Regional Environmental Plan which applied to the Sydney Drinking Water Catchment. (see file EP/CAT/8 for further info)	No
SEPP (Affordable Rental Housing) 2009	Published: 31.07.09 Abstract: Establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people.	No
SEPP (Exempt and Complying Development Codes) 2008	Gazetted: 12.12.08; commences 27.02.09 Abstract: Streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have state-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979 .	No
SEPP (Rural Lands) 2008	Published: 09.05.08 Abstract: The aim of this policy is to facilitate the orderly and economic use and development of rural lands for rural and related purposes. The policy applies to local government areas that are not listed in clause 4	Yes
SEPP (Infrastructure) 2007	Gazetted: 21.12.07; commences 1.1.08 Abstract: Provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency. More details about the SEPP, including a guide, are available here.	No

State Environmental Planning Policy	Summary notes	Applies to proposed development?
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	<p>Gazetted: 16.02.07 Abstract: This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The Policy establish appropriate planning controls to encourage ecologically sustainable development.</p>	No
SEPP (Major Development) 2005	<p>Gazetted: 01.08.05 Abstract: Defines certain developments that are major projects to be assessed under Part 3A of the Environmental Planning and Assessment Act 1979 and determined by the Minister for Planning. It also provides planning provisions for State significant sites. In addition, the SEPP identifies the council consent authority functions that may be carried out by joint regional planning panels (JRPPs) and classes of regional development to be determined by JRPPs. Note: This SEPP was formerly known as State Environmental Planning Policy (Major Projects) 2005.</p>	No
SEPP (Building Sustainability Index: BASIX) 2004	<p>Gazetted: 25.06.04 Abstract: This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Regulation amendment in 2004.</p>	No
SEPP (Housing for Seniors or People with a Disability) 2004	<p>Gazetted: 31.03.04 Abstract: Encourage the development of high quality accommodation for our ageing population and for people who have disabilities - housing that is in keeping with the local neighbourhood. Note the name of this policy was changed from SEPP (Seniors Living) 2004 to SEPP (Housing for Seniors or People with a Disability) 2004 effective 12.10.07</p>	No
SEPP No. 65 - Design Quality of Residential Flat Development	<p>Gazetted: 26.07.02 Abstract: Raises the design quality of residential flat development across the state through the application of a series of design principles. Provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential flat development. The accompanying regulation requires the involvement of a qualified designer throughout the design, approval and construction stages</p>	No
SEPP No. 64 - Advertising and Signage	<p>Gazetted: 16.03.01 Abstract: Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP was amended in August%2B2007%2Bto permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors. Transport Corridor Outdoor Advertising and Signage Guidelines (DOP July 2007) provides information on design criteria, road safety and public benefit requirements for SEPP 64 development applications</p>	No
SEPP No. 62 - Sustainable Aquaculture	<p>Gazetted: 25.08.00 Abstract: Encourages the sustainable expansion of the industry in NSW. The policy implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture development as a designated development only where there are potential environmental risks</p>	No
SEPP No. 55 - Remediation of Land	<p>Gazetted: 28.08.98 Abstract: Introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals. To assist councils and developers, the Department, in conjunction with the Environment Protection Authority, has prepared Managing Land Contamination: Planning Guidelines</p>	No

State Environmental Planning Policy	Summary notes	Applies to proposed development?
SEPP No. 44 - Koala Habitat Protection	<p>Gazetted: 06.01.95 Abstract: Encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range. The policy applies to 107 local government areas. Local councils cannot approve development in an area affected by the policy without an investigation of core koala habitat. The policy provides the state-wide approach needed to enable appropriate development to continue, while ensuring there is ongoing protection of koalas and their habitat</p>	No
SEPP No. 36 - Manufactured Home Estates	<p>Gazetted: 16.07.93 Abstract: Helps establish well-designed and properly serviced manufactured home estates (MHEs) in suitable locations. Affordability and security of tenure for residents are important aspects. The policy applies to Gosford, Wyong and all local government areas outside the Sydney Region. To enable the immediate development of estates, the policy allows MHEs to be located on certain land where caravan parks are permitted. There are however, criteria that a proposal must satisfy before the local council can approved development. The policy also permits, with consent, the subdivision of estates either by community title or by leases of up to 20 years. A section 117 direction issued in conjunction with the policy guides councils in preparing local environmental plans for MHEs, enabling them to be excluded from the policy</p>	No
SEPP No. 33 - Hazardous and Offensive Development	<p>Gazetted: 13.03.92 Abstract: Provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The definitions apply to all planning instruments, existing and future. The new definitions enable decisions to approve or refuse a development to be based on the merit of proposal. The consent authority must careful consider the specifics the case, the location and the way in which the proposed activity is to be carried out. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy. For example, any application to carry out a potentially hazardous or potentially offensive development is to be advertised for public comment, and applications to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA). The policy does not change the role of councils as consent authorities, land zoning, or the designated development provisions of the Environmental Planning and Assessment Act 1979.</p>	No
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	<p>Gazetted: 15.11.91 Abstract: States the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.</p>	No
SEPP No. 30 - Intensive Agriculture	<p>Gazetted: 08.12.89 Abstract: Requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out information and public notification requirements to ensure there are effective planning control over this export-driven rural industry. The policy does not alter if, and where, such development is permitted, or the functions of the consent authority.</p>	No
SEPP No. 21 - Caravan Parks	<p>Gazetted: 24.04.92 Abstract: Ensures that where caravan parks or camping grounds are permitted under an environmental planning instrument, movable dwellings, as defined in the Local Government Act 1993, are also permitted. The specific kinds of movable dwellings allowed under the Local Government Act in caravan parks and camping grounds are subject to the provisions of the Caravan Parks Regulation. The policy ensures that development consent is required for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks. It also enables, with the council's consent, long-term sites in caravan parks to be subdivided by leases of up to 20 years</p>	No
SEPP No. 15 - Rural Land-Sharing Communities	<p>Gazetted: 09.04.98 Abstract: Makes multiple occupancy permissible, with council consent, in rural and non-urban zones, subject to a list of criteria in clause 9(1) of the policy. Multiple occupancy is defined as the collective management and sharing of unsubdivided land, facilities and resources. The policy encourages a community-based environmentally-sensitive approach to rural settlement, and enables the pooling of resources to develop opportunities for communal rural living. SEPP 15 Guide provides guidance to intending applicants.</p>	No

As can be seen from the above table, SEPP (Rural Lands) 2008 applies to the proposal. The requirements of this SEPP for the proposed development are outlined below.

State Environmental Planning Policy (Rural Lands) 2008

The aims of the State Environmental Planning Policy (Rural Lands) 2008 are outlined below and must be taken into consideration when assessing this development application as the site is classified as rural zoned land.

Aims of Policy

The aims of this Policy are as follows:

- (a) to facilitate the orderly and economic use and development of rural lands for rural and related purposes,*
- (b) to identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State,*
- (c) to implement measures designed to reduce land use conflicts,*
- (d) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (e) to amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.*

While all of the subclauses above have been taken into consideration, subclauses (a) and (c) are most relevant to this development. The site does not contain State significant agricultural land and has been utilised for small scale pine plantation. Additionally the topography and size of the site does not lend itself to large-scale rural activities. For this reason the Rural Planning Principles do not apply to this development. The proposed development is consistent with the aims of the *SEPP (Rural Lands) 2008* as the occurrence of several similar rural-residential developments within the surrounding area helps to reduce potential land use conflicts whilst facilitating the development of rural land.

Section 10 of the SEPP (Rural Lands) 2008 identifies matters that need to be considered by the consent authority when determining subdivisions on land in a rural or environmental protection zone.

10 Matters to be considered in determining development applications for rural subdivisions or rural dwellings

- (1) This clause applies to land in a rural zone, a rural residential zone or an environment protection zone.*
- (2) A consent authority must take into account the matters specified in subclause (3) when considering whether to grant consent to development on land to which this clause applies for any of the following purposes:*
 - (a) subdivision of land proposed to be used for the purposes of a dwelling,*
 - (b) erection of a dwelling.*
- (3) The following matters are to be taken into account:*
 - (a) the existing uses and approved uses of land in the vicinity of the development,*
 - (b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,*
 - (c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),*

- (d) *if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone,*
- (e) *any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).*

Clause 3 outlines matters that need to be taken into account when determining an application for a dwelling in a rural area. Subclause 3(a) refers to the surrounding land uses; the subject site is zoned RU1 Primary Production surrounded by similar sized rural allotments, with other rural-residential allotments within the immediate vicinity to the south; as such, the development will be compatible with the surrounding land uses. Subclause (d) and (e) do not apply to the proposed development. In this regard the proposed development complies with the relevant section of the SEPP (Rural Lands) 2008.

Cooma Monaro Local Environmental Plan 2013

Under the provisions of the *Cooma Monaro Local Environmental Plan (CMLEP) 2013* the site is zoned RU1 Primary Production. The proposed development involves the erection of a 91m² dwelling house approximately 313m west of Peak View Road and 433m from the northern boundary. In accordance with Clause 2.3 of the CMLEP 2013, before determining a development application the consent authority is to have regard to the objectives for development in a Zone.

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 encourage land uses that are unlikely to generate significant additional traffic relative to the capacity and safety of a road, or create or increase a condition of ribbon development on any road.*
- *To encourage land uses that are unlikely to create unreasonable or uneconomic demands for the provision or extension of public amenities or services.*
- *To protect the water quality of receiving watercourses and groundwater systems.*
- *To protect the visual landscape values of the rural area.*

The proposed development is considered to be consistent with the objectives of the RU1 zone as it is unlikely to; result in conflicts with the surrounding land uses; create unreasonable demands on public amenities; affect the visual landscape values of the rural area; or generate significant additional traffic on the local roads.

While the erection of a *dwelling* on an allotment zoned RU1 Primary Production is permissible with consent Clause 4.2B of the CMLEP provides certain provisions for the erection of dwelling houses in certain rural, residential and environment protection zones. As the site is zoned RU1 Primary Production the provisions of Cl4.2B must be considered. This clause reads as follows:

4.2B Erection of dual occupancies and dwelling houses on land in certain rural, residential and environment protection zones

- (1) *The objectives of this clause are as follows:*
 - (a) *to minimise unplanned rural residential development,*

- (b) to enable the replacement of lawfully erected dual occupancies and dwelling houses in rural, residential and environment protection zones.
- (2) This clause applies to land in the following zones:
- (a) Zone RU1 Primary Production,
 - (b) Zone R5 Large Lot Residential,
 - (c) Zone E3 Environmental Management,
 - (d) Zone E4 Environmental Living.
- (3) Development consent must not be granted for the erection of a dual occupancy or dwelling house on land to which this clause applies unless the land:
- (a) is a lot that has an area that is not less than the minimum lot size shown on the Lot Size Map in relation to that land, or
 - (b) is a lot created under clause 4.1, 4.1AA, 4.1B or 4.1C (3) (a) or (5) (b), or
 - (c) is a lot containing land in more than one zone with the largest portion of zoned land in the lot having an area that is not less than the minimum lot size shown on the Lot Size Map in relation to that land, or
 - (d) is a lot created by a subdivision under an environmental planning instrument before this Plan commenced and on which the erection of a dual occupancy or dwelling house was permissible immediately before that commencement, or
 - (e) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dual occupancy or dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or
 - (f) is a 1995 holding, or
 - (g) is a 1997 holding, or
 - (h) would have been a lot or a holding referred to in paragraph (a), (b), (c), (d), (e), (f) or (g) had it not been affected by:
 - (i) a minor realignment of its boundaries that did not create an additional lot, or
 - (ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or
 - (iii) a consolidation with an adjoining public road or public reserve or for another public purpose.

Note. A dwelling cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.

Lot: 1 DP: 34884, was registered 21st May 1991 and was originally considered a 1997 holding. However as parts of the holding have changed ownership the subject lot has lost its dwelling entitlement. Sheet LSZ_018 outlines that the minimum lot size associated with the site is 80ha. At 79.378ha the lot does not meet the minimum lot size. As such the proposed dwelling is not permissible under the provisions of Clause 4.2B(3(a)) of the CMLEP 2013.

Due to the lot being unable to meet the minimum lot size required, the applicant has submitted an application in writing to Council for a variation to the development standard under Clause 4.6 of the LEP 2013. The difference between the actual lot size and the minimum lot size that is required is 0.622ha. This represents a variation of 0.77% to the standard that would be required. The size of variation required is considered insignificant.

Sheet BIO_018 of the CMLEP 2013 has identified that the site contains 'Terrestrial Biodiversity'. The areas identified as containing 'Terrestrial Biodiversity' are associated with the south western corner of the lot where Frogs Hole Creek exists. As 'Terrestrial Biodiversity' has been identified on the site the provisions of Cl6.3 of the CMLEP 2013 must be taken into consideration. The provisions of Cl6.3 are outlined below.

6.3 Terrestrial biodiversity

- (1) *The objective of this clause is to maintain terrestrial biodiversity by:*
 - (a) *protecting native fauna and flora, and*
 - (b) *protecting the ecological processes necessary for their continued existence, and*
 - (c) *encouraging the conservation and recovery of native fauna and flora and their habitats.*
- (2) *This clause applies to land identified as “Biodiversity” on the Terrestrial Biodiversity Map.*
- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider:*
 - (a) *whether the development is likely to have:*
 - (i) *any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and*
 - (ii) *any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and*
 - (iii) *any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
 - (iv) *any adverse impact on the habitat elements providing connectivity on the land, and*
 - (b) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*
- (4) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
 - (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
 - (b) *if that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

It is noted that the proposed development will be occurring approximately 300m+ from areas of the site that have been identified as containing ‘Terrestrial Biodiversity’. Additionally these areas have been modified and disturbed as a result of previous agricultural practices and current pine plantations. As such it is considered unlikely that the proposed development will result in any adverse impact to the condition, ecological value and significance of the fauna and flora on the land. Additionally the proposed development does include the removal of any significant vegetation.

Sheet CL1_018 has identified almost the entire site as being “Groundwater Vulnerable”. As the site has been identified as being “Groundwater Vulnerable” the provisions of Cl6.4 must be taken into consideration when assessing this application. These provisions are listed below.

6.4 Groundwater vulnerability

- (1) *The objectives of this clause are as follows:*
 - (a) *to maintain the hydrological functions of key groundwater systems,*
 - (b) *to protect vulnerable groundwater resources from depletion and contamination as a result of development.*
- (2) *This clause applies to land identified as “Groundwater vulnerable” on the Groundwater Vulnerability Map.*
- (3) *Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:*
 - (a) *the likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals),*
 - (b) *any adverse impacts the development may have on groundwater dependent ecosystems,*
 - (c) *the cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply),*
 - (d) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*

- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The location of the proposed dwelling falls within land identified as “Groundwater Vulnerable”. The proposed dwelling will be serviced by an On-Site Sewage Management system (OSSM) and rainwater tanks for water supplies. A site and soil report undertaken by Allan Mills identifies the site as being suitable for such purposes. For these reasons it is highly unlikely that the proposed development will impact upon groundwater supplies or any groundwater ecosystems within the locality.

Sheet CL1_018 shows that the site is partly affected by Riparian Land along the south-western corner. As such Cl6.6 must be taken into consideration when assessing this application. These provisions are listed below.

6.6 Riparian land and watercourses

- (1) The objective of this clause is to protect and maintain the following:*
- (a) water quality within watercourses,*
 - (b) the stability of the bed and banks of watercourses,*
 - (c) aquatic and riparian habitats,*
 - (d) ecological processes within watercourses and riparian areas.*
- (2) This clause applies to all of the following:*
- (a) land identified as “Riparian Land” on the [Riparian Land Map](#),*
 - (b) all land that is within 40 metres of the top of the bank of a watercourse.*
- (3) Before determining a development application for development on land to which this clause applies, the consent authority must consider:*
- (a) whether or not the development is likely to have any adverse impact on the following:*
 - (i) the water quality and flows within the watercourse,*
 - (ii) aquatic and riparian species, habitats and ecosystems of the watercourse,*
 - (iii) the stability of the bed and banks of the watercourse,*
 - (iv) the free passage of fish and other aquatic organisms within or along the watercourse,*
 - (v) any future rehabilitation of the watercourse and riparian areas, and*
 - (b) whether or not the development is likely to increase water extraction from the watercourse, and*
 - (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.*
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
 - (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
 - (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

Sheet CL1_018 shows that the site is partly affected by Riparian Land along the south-western corner. As such a Minor Water Buffer of 40m from the top of the watercourse bank applies to that section of the site. However as the development is proposed to be site more

than 300m from the creek, it is highly unlikely that any impacts will be incurred to water quality, ecosystems or stability of the watercourse as a result of the development.

Clause 6.10 of the LEP 2013 requires Council to be satisfied that essential services for the development are available. The provisions of Clause 6.10 are listed below.

6.10 Essential services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:

(a) the supply of water,

Comment: Water will be supplied to the development via the installation of a rainwater tank. It is noted that while the submitted plans show the installation of a 20,000L tank it will be conditioned that a minimum 90,000L be provided.

(b) the supply of electricity,

Comment: The applicant has indicated that a photovoltaic system will provide electricity to the dwelling. The capacity of this system will be conditioned to ensure that a suitable supply of electricity is available.

(c) the disposal and management of sewage,

Comment: The proposed development involves the installation of an OSSM to service the proposed dwelling. A site and soil report undertaken by Allan Mills identifies the site as being suitable for such purposes.

(d) stormwater drainage or on-site conservation,

Comment: The applicant proposes to discharge stormwater from the proposed structures into a rainwater collection tank. Overflow from rainwater collection tank will be directed into stormwater absorption trenches.

(e) suitable vehicular access.

Comment: The site is accessed via direct frontage to Peak View Road. Council's Roads Engineer has determined that the existing access is suitable subject to conditions applied.

There are no other provisions of the CMLEP 2013 that are relevant to the site or the proposed development. As such the proposed development complies and is consistent with the relevant provisions of the CMLEP 2013.

Provision of any proposed Environmental Planning Instruments (S.79C(1)(a)(ii))

The Department of Planning has directed in Circular PS 08-013 issued on 13 November 2008 that for the purposes of this subsection Council is only required to consider proposed environmental planning instruments which have been publicly exhibited within the last three years.

In accordance with the above direction, there are no other proposed environmental planning instruments applying to this site which are relevant to the proposed development.

Provision of any Development Control Plan (S.79C(1)(a)(iii))

Cooma-Monaro Development Control Plan 2014

Chapter 2 of the Cooma-Monaro Development Control Plan (DCP) 2014 provided generic development controls that need to be considered when assessing this development application. The following table indicates compliance with the requirements of Chapter 2.

Chapter 2 Generic Development Controls				
DCP provision	Requirement		Proposal	Complies
2.1 Streetscape	No zincalume facades or roofing		The proposed development will utilise 4 painted steel shipping containers, Fibro cement joining walls and Colorbond roofing.	Yes
	Carports or garages no wider than 6 metres (or 50% of dwelling width) in residential zones		N/A	-
2.2 Building height and bulk	Lowest habitable floor no more than 1.2m above existing ground		The lowest habitable floor of the proposed dwelling will sit up to a maximum of 2.580m above the existing ground level.	No- See comments below.
	No basements >1m above existing ground		N/A	-
	Min 3.3m floor to ceiling height on ground floor and 2.7m on others in business zones		N/A	-
	Building two or more storeys in height – shadow diagrams required		N/A	-
	No height restrictions in RU1 zone		N/A	-
2.3 Building setbacks (Increase by 1m for building above 2 storeys)	See table below			
Zone	Setback	Distance (m)	Proposal	Complies
RU1	Front Setback	50	313m front setback.	Yes

	Side Setback	50	Minimum 433m side setback.	Yes
	Rear Setback	50	Approximately 500m rear setback.	Yes
2.4 Crime and Safety	Building facades adjoining a public area must not contain recesses, fin wall etc		N/A	-
	Visitor parking to be located close to/ within the front setback		N/A	-
	Private open space clearly defined		The site contains ample private open space.	Yes
2.5 Vehicular access and roads	Road access constructed to lot boundary in accordance with standards specified in Appendices 5 and 6 and Council's <i>Specification for Engineering Works – Volume 1 (Design)</i> and <i>Specification for Engineering Works – Volume 2 (Construction)</i> (SFEW).		Access via Peak View Road.	Yes
2.6 Stormwater	Drainage to public stormwater drainage system		All stormwater generated by the proposed dwelling will be captured into the proposed rainwater tank with overflow directed to absorption trenches.	Yes
2.7 Energy efficiency	Outdoor clothes drying area		Nothing indicated on plans. There is sufficient area to provide clothes drying facilities.	Yes To be conditioned
2.8 Erosion and sediment control	Erosion and sediment control		The applicant has provided an Erosion and	Yes To be conditioned.

	plan required	Sediment control plan. Additionally it will be conditioned that the applicant install erosion and sediment control measures during construction. It is noted that due to the nature of the development only minor disturbance is required.	
	Construction on slopes >15% to be avoided	Construction of development is to occur on slopes of approximately 7%. The site inspection revealed that the location of the proposal itself is relatively flat.	Yes
	Use of hay-bales to be avoided in areas of high value native vegetation	N/A	-
2.9 Landscaping	Landscape plan required in R1, R2 and B zones	N/A	-
	35% free of hard-paved surfaces	More than 35% of the site will be free of hard-paved surfaces	Yes
	IN1- min 2m wide landscape strip along front setback where front setback is less than 12m	N/A	-
	Plantings in front setback	N/A	-
2.10 Off-street parking	To be shown on plan (Refer table six for requirements) 2 spaces per dwelling house	The proposed development includes ample gravel parking area for 2+ cars.	Yes
2.11 Public Infrastructure	Infrastructure within or adjacent to a site must be protected from harm by a	Proposed development will not impact on any infrastructure	Yes to be conditioned

	development		
	New buildings within 225m of water main must be connected and meter installed	N/A	-
	Section 68 required for any new water supply or wastewater works	A section 68 will be required for the proposed development	Yes to be conditioned
	Water supply pipes and connections are required to meet the specifications contained in Appendix 3	N/A- Water to be supplied by onsite tanks.	-
	No new or extended buildings are to be located within 5 metres of a Council water supply rising main pipeline.	N/A	-
	New buildings with wastewater facilities to be connected reticulated drainage systems if within 75m of mains.	N/A	-

The proposed development is not consistent with all the relevant provisions of Chapter 2 of DCP 2014 and will require a variation to CI2.2 of DCP 2014.

Chapter 3.3 of the DCP 2014 provides specific development controls for dwelling houses that need to be considered when assessing this development application. The following table indicates compliance with the requirements of chapter 3.3.

Chapter 3.3 Dwelling Houses			
DCP provision	Requirement	Proposal	Complies
3.3.1.2 performance	New development is to minimise direct overlooking into living rooms of adjacent dwellings. Factors to consider include building layout, location and	The nearest dwelling to the proposed development is located over 950m away.	Yes

	design of windows and balconies, screening devices and landscaping		
	Living rooms and balconies for entertaining purposes are not permitted above ground-floor level in a dwelling where they would be located behind the rear building line of a dwelling on an adjoining block.	N/A	-
	New dwellings are not to be located on the top of ridgelines, hills or other elevated locations where they will stand out against the skyline when viewed from public roads in the vicinity of the site.	It is noted that while the proposed dwelling is situated on top of a hill it will be screened by another slope and will not be visually prominent when viewed from Peak View Road. Additionally it will be silhouetted against the hillside and not the open skyline.	Yes
	Where dwellings are built on hillsides visual scarring by cutting into the hillside is to be minimised.	The proposed dwelling will not require any cutting into the hillside as it will be sited on a relatively flat area.	Yes
3.3.1.3 prescriptive	Parking space on-site sufficient to accommodate two (2) cars is to be provided.	The proposed development includes gravel parking area.	Yes
	When constructed in a location without a reticulated water	The proposal includes the installation of a	Yes to be conditioned

	<p>supply, a minimum 45,000 litre rainwater tank is to be provided for a two bedroom or smaller dwelling and a minimum 90,000 litre rainwater tank is to be provided for all other dwellings as the primary source of potable water. This is in addition to any water supply required for bushfire safety purposes.</p>	<p>20,000litre rainwater tanks. It will be conditioned that a minimum of 90,000L rainwater tanks be provided.</p>	
	<p>In Residential, RU5 and Business Zones a minimum of 50 square metres of private open spaces is to be provided on-site behind the front building setback. Private open space must have a minimum dimension of at least 3 metres and provide outdoor space for clothes drying facilities hidden from view from the street. Private open space does not include car parking areas, driveways, verandahs or balconies.</p>	<p>N/A</p>	<p>-</p>

The proposed development complies with the performance requirements of chapter 3.3 of DCP 2014.

As such the proposed development does not comply with all of the relevant provisions of the Cooma-Monaro Development Control Plan 2014 and will require a variation to the development standards.

1.1 Variations to Development Standards

The proposed development will require a variation to Cl2.2 of DCP 2014 as the building will not comply with the standard maximum height of lowest habitable floors of 1.2m (1.75m) for a new dwelling.

Council recognises that there may be certain instances where a variation to a particular requirement may be reasonable and appropriate in order to achieve a good planning and/or practical outcome for a particular development. In such cases Council will consider each potential variation on its merits, having regard to the following:

a) whether exceptional circumstances apply in the particular case such that it is unlikely the same variation would be warranted elsewhere;

comment: Circumstances include site topography which slopes slightly and would require further cutting and filling for the development to comply with the standard.

b) the impact that setting a precedent may have;

comment: The variation would set a precedent, however due to the reasons being specific to the site and the minor nature of variation it is unlikely the variation would be warranted elsewhere unless the exceptional circumstances were the same

c) the need for Council to make consistent decisions;

comment: Granting the variation allows the Council to continue making consistent decisions based on site specific factors and individual merits.

d) whether, considering the objectives of the particular DCP standard, permitting the proposed variation would result in a better planning and/or practical outcome for the development as opposed to complying with the standard;

comment: Allowing the variation would result in the earthworks, both cut and fill, being of significantly smaller scale. Therefore allowing the variation will result in less overall environmental impact and thus a better planning outcome.

e) if there is some reason why meeting the DCP requirement would be unreasonable in the circumstances of the development application; and

comment: In regards to the proposed development the closest neighbour is located several hundred metres away and the dwelling will not be overly visible from Peak View Road. As such meeting the DCP requirement is considered to be unreasonable in the circumstances of the development because there will be no additional impact to neighbour amenities or the character of the locality as a result of allowing the variation.

f) if the variation is so minor or insignificant as to be of little or no consequence.

comment: The variation is considered to be minor in nature due to the relative inconsequential impact that will be incurred as a result of allowing the variation.

Provision of any Planning Agreement (S.79C(1)(a)(iia))

There are no planning agreements in place in relation to the proposed development.

Provision of the Regulations (S.79C(1)(a)(iv))

This subsection refers to clauses 92-94A of the Regulations. None of these clauses directly apply to the proposal.

Impacts of the Development – Environmental, Social & Economic (S.79C(1)(b))

Context and setting	<i>The proposed development is considered to have minimal impact on the context and setting of the surrounding area, due to the occurrence of similar development on other lots in the locality.</i>
Access, transport and traffic	<i>The site has suitable vehicle access via direct frontage to Peak View Road. The development will not result in any significant impact to the local traffic of the area.</i>
Public domain	N/A
Impacts on supply of utilities	<i>There will be minimal impacts on the supply of utilities as it will be conditioned that the proposed dwelling will be supplied with a minimum 90,000L of rainwater tanks. Additionally the development will utilise an on-site effluent disposal system</i>
Heritage	Nil
Natural and other land resources	<i>As there are no recorded natural resources on or around the site the proposed development will have no effect on natural resources.</i>
Water supply and potential impacts on surface and ground water	<i>There will be minimal impacts on water as the development will be serviced by a suitable OSSM and also conditioned that the proposed dwelling be supplied with a minimum 90,000L rainwater tanks. This will reduce any potential impacts on surface and ground water.</i>
Soils	<i>It is unlikely that the proposed development will result in any significant impacts to soil due to the stilt construction and suitable siting of effluent disposal system.</i>
Air quality, pollution and microclimate impacts (e.g. odour)	<i>The proposed development is unlikely to have any significant impact on the air quality of the site and any surrounding properties due to the nature of the development.</i>
Flora and fauna	<i>It is considered highly unlikely for any listed threatened species to be present within the construction site. Due to the disturbed nature of the proposed development site and lack of any significant habitat, the proposed development is considered unlikely to impact upon any threatened flora or fauna species that may be found within the locality.</i>
Waste facilities and controls	<i>The proposed development involves the installation of an OSSM to service the proposed dwelling. A site and soil report undertaken by Allan Mills identifies the site as being suitable for such purposes.</i>

Energy efficiency and greenhouse gas emissions	<i>The proposed development requires a BASIX certificate which has been provided and the development fulfils the commitments required for the development. The proposed development is unlikely to generate any significant greenhouse gas emissions.</i>
Noise and vibration	<i>While some noise is likely to be generated throughout the proposed construction process, due to the relatively small scale and temporary nature of the proposed works it is considered unlikely that this process would result in any significant or lasting impacts.</i>
Technological hazards and other risks to people, property and the environment	None Known
Safety, security and crime prevention	<i>The proposed dwelling house will increase overall passive surveillance within the locality and is considered unlikely to result in any negative safety or security implications.</i>
Social impact in locality	<i>The proposed development is considered unlikely to result in any significant social impacts within the locality.</i>
Economic impact in locality	<i>The proposed development is considered unlikely to result in any significant economic impacts within the locality.</i>
Site and internal design issues	<i>The proposed dwelling will be located approximately 750m from the nearest adjoining neighbour and will be shielded from adjoining neighbours by the topography.</i>
Impacts during construction	<i>Any impacts during construction are going to be limited due to the location of the development and the distance to adjoining dwellings.</i>
Cumulative impacts	Nil
Impact on pedestrian movements and safety	Nil
Mineral resources and/or deposits in the vicinity	<i>There are mineral resources indicated to be located over 750m away to the south. However the proposed development is unlikely to have any impact on mineral resources due to the distance from the site and lack of existing extractive industries at this time.</i>
Impacts on aboriginal heritage	<i>A basic AHIMS search identified no known items of Aboriginal cultural heritage significance on or within the vicinity of the site. Council holds no records that would suggest the presence of any such items upon the site. Due to the disturbed nature of the site it is considered unlikely that any such items would be disturbed as a result of the proposed development.</i>

<i>Environmental impacts as a consequence of the development (whether direct or indirect)</i>	<i>The proposed development involves no actions considered likely to result in any significant environmental impacts.</i>
<i>Health Impacts of High Voltage Power Lines</i>	N/A

Suitability of the Site (S.79C(1)(c))

<i>Natural Hazards</i>	Nil
<i>Potential contamination</i>	None Known
<i>Availability of utility services</i>	At present no services are available on the site. It is noted that electrical infrastructure is present on Peak View Road. Water is to be supplied by rainwater tanks and effluent is to be managed by an OSSM system.
<i>Potential land use conflicts with surrounding development</i>	At this time the proposed development is considered to not conflict with surrounding land uses. If nearby mineral deposits were to be extracted via a future development it is considered that the proposed development will be sited a suitable distance away so as not to cause future conflict.
<i>Effluent disposal</i>	The proposed development involves the installation of an OSSM to service the proposed dwelling. A site and soil report undertaken by Allan Mills identifies the site as being suitable for such purposes.
<i>Topography</i>	Low gradient, undulating terrain. Location of proposed development is relatively flat.
<i>Suitability of the access arrangements</i>	The site has suitable vehicle access via direct frontage to Peak View Road. The development will not result in any significant impact to the local traffic of the area.

Public Submissions (S.79C(1)(d))

The proposed development was placed on public exhibition and adjoining landowners were notified in accordance with the provisions of Chapter 8 of the Cooma-Monaro Development Control Plan 2014. The public exhibition period was 14 days and the period for receiving submissions closed on 06/05/2016.

Following the close of the submission period no submissions were received.

Public Interest (S.79C(1)(e))

<i>Impact on public infrastructure</i>	The proposed development is considered likely to generate some additional demand for the supply of public infrastructure; however, this is considered unlikely to result in any significant impacts.
<i>Disabled Access</i>	N/A

<i>Federal or State government policies</i>	Nil
<i>Planning studies, strategies or guidelines</i>	Nil
<i>Management Plans</i>	Nil
<i>Restrictions on the title and/or easements upon the land</i>	None Known
<i>Credible research findings applicable to the proposal</i>	Nil

Other Matters

<i>Developer Contributions</i>	N/A
<i>Property Vegetation Plan (PVP)</i>	Nil
<i>Crown Land</i>	None Known
<i>Approvals under other Acts</i>	The proposed development requires approval under Section 68 of the Local Government Act 1993 for the installation of an OSSM and approval under Section 138 of the Roads Act 1993 for works in the road reserve.
<i>Explanation of certain conditions to be imposed</i>	Nil
<i>Enforcement of conditions</i>	In the event of a non-compliance with any condition of consent Council staff may be required to instigate enforcements action.
<i>Internal Referrals</i>	The proposed development was referred to the following internal Council officers. Their comments have also been summarised below:

Officer	Issues raised	Addressed by	Conditions recommended?
Health and Building Surveyor	Nil	-	Standard conditions applied
Roads and Stormwater Engineer	Nil	-	Standard conditions applied
Water and Wastewater Engineer	Not consulted	-	-
Property Manager	Not consulted	-	-

Timothy Pepperell
Urban and Rural Planner

Date: 11/07/2016



Cooma-Monaro Shire Council
 21/4/2016

Statement of Environmental Effects

81 Commissioner Street
 (PO Box 714)
 COOMA NSW 2630
 Phone: 6455 1777
 Email: council@cooma.nsw.gov.au

A STATEMENT OF ENVIRONMENTAL EFFECTS MUST BE SUBMITTED WITH ALL DEVELOPMENT APPLICATIONS.

If an answer requires additional details to be provided, details of likely impact(s) and the proposed means of mitigating or reducing such impact(s) are to be attached (some space is provided on the last page). This Statement of Environmental Effects is not exhaustive and should be expanded where appropriate.
If more space is required, attach additional sheets.

1 Author

Name/Company: Drew Heath Architect	
Contact Name (if Company): Drew Heath	
Signature:	Date: 29.02.16

2 Proposal

Proposal:	Describe: New 3 bedroom single storey dwelling
	<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Subdivision <input type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Other
Lot/DP/SP:	Lot 1 DP 34884

3 Context and Setting (Site Analysis)

Character

3.1 Provide a general description of the site and its surrounds, including the site's broader context within the neighbourhood or area and the current use of the site.

The house site is an open field slowly falling and orientated to the south. It was used for running stock and is currently bordered by pine plantations. There are long distant views to distant mountains in the south west and a large valley to the south east. One farmhouse is visible in the distance several kilometres away to the south. The house site is approximately 500m west from the road.

- 3.2 Is the development out of character with the area? No Yes
 If yes, provide details.
- 3.3 Will the development be visually prominent within the existing landscape? No Yes
 If yes, provide details.
- 3.4 Will be development impact on any item of heritage or cultural significance? No Yes
 If yes, provide a Heritage Impact Assessment Report.

Visual & Acoustic Privacy (not required for Subdivision proposals)

Describe how the following will be affected/addressed:

		<i>Provide details:</i>
3.5	Window placement in relation to adjacent dwellings	Rural setting, no adjacent dwellings. Closest dwelling is several km away.
3.6	Views between living areas and private yards of other dwellings	Closest dwelling is several km away. Proposed development is tucked behind a ridge and large tree and will not be seen.
3.7	Use of screen planting, hedges, walls or fences to improve privacy (please provide details on site plan)	As above
3.8	Headlight glare, light spill	Away from public road
3.9	Noise transmission between dwellings	Rural setting, no dwellings close by
3.10	Measures to mitigate external noise sources (ie. traffic noise, air conditioning units, exhaust systems etc)	No unpleasant external noises nearby

Views

Describe how the following will be affected/addressed:

		<i>Provide details:</i>
3.11	Impact of the proposed development on views from adjoining or nearby properties and roads	Proposal will be tucked behind a ridge and large tree and won't be seen by closest dwelling which is several km away, nor from road
3.12	Design options used to protect views	Dwelling has used siting in landscape. However, large expansive property with no other dwelling within a few km.
3.13	Views from the proposed development	Proposed dwelling designed and orientated to maximise surrounding views.

Overshadowing

3.14 Is overshadowing expected on neighbouring properties as a result of the proposed development? No Yes
 If yes, provide Shadow Diagram.

3.15 Multi-unit development only: Is overshadowing expected on on-site dwellings as a result of the proposed development? No Yes
 If yes, provide Shadow Diagram.

Materials & Finishes (not required for Subdivision proposals)

Provide a description of the proposed materials and colours of the development:

		<i>Provide details:</i>
3.16	Walls	Light grey steel shipping containers and FC sheeting
3.17	Roof	Colorbond metal roofing, Wallaby colour
3.18	Fences	-
3.19	Other	Timber decks

4 Traffic, Access & Provision of Services

- 4.1 Will local traffic movements and volumes be affected?
 If yes, provide details. No Yes
- 4.2 Will a new entrance and/or internal road/driveway be required?
 If yes, provide details – eg grade, site distances, materials, construction etc No Yes
- 4.3 Is there legal access to the site at present?
 If no, provide details No Yes
- 4.4 Is the access currently suitable for 2WD vehicles in all weather?
 If no, provide details. No Yes
- 4.5 What services are currently available on site? What services are to be established/provided?
 Please tick appropriate column and provide detail

	Currently Available	To Be Provided	Provide Detail
Water		X	20,000L Water tank to be installed
Sewer		X	Septic system to be installed - see Sewerage Management Report
Electricity		X	Photovoltaic system to be installed on roof
Gas			
Telephone			

5 Waste Disposal

Effluent

- 5.1 Will effluent be disposed of in Council's wastewater system?
 If yes, ensure details of the location of Council's wastewater system are provided on your plans. No Yes
- 5.2 Will effluent be disposed of in a **new** on-site sewage management system (eg septic)
 If yes, please provide a Site & Soil Assessment Report in accordance with Council's On-Site Sewerage Management Strategy. A list of Consultants is available on Council's website. Include details of NSW Health accreditation and location of the proposed system on the plans. No Yes
- 5.3 Will effluent be disposed of in an **existing** on-site sewage management system (eg. septic)
 If yes, please provide details of the location, capacity and NSW Health accreditation details (if available) of current system. No Yes

Stormwater

Describe how the following will be affected addressed:

- 5.4 How will stormwater be disposed of from the proposed development on-site?

Overflow from rainwater collection tank will be directed into stormwater absorption trenches. See drawings.

- 5.5 Will the proposal lead to direct discharges of stormwater or waste into a natural water course?
 If yes, provide details. No Yes

Other Wastes

- 5.6 Will other wastes (eg chemicals, odour, air pollution etc) be generated by this development?
 If yes, provide details. No Yes

6 Environmental Impacts (Air, Soil, Water, Flora, Fauna)

- 6.1 Could the proposal result in soil contamination?
 If yes, provide details No Yes
- 6.2 Does the proposal involve:
 a) the disturbance of the soil; and/or
 b) the placement of buildings on the soil; and/or
 c) development that that may change the rate and volume of run-off entering a water course or flowing over land?
 If yes, please provide an erosion/sediment control Plan in accordance with *Development Control Plan 17 – Erosion & Sediment Control*. No Yes
- 6.3 What excavation and/or filling is required (include heights and details of both existing and proposed ground level on plans)?
 None
-
- 6.4 Will the proposal involve the removal of trees/vegetation (inclusive of grassland)?
 If yes, provide details (eg area (m²) to be removed, type of vegetation). No Yes
- 6.5 Will the proposal disturb any artefacts or relics (Aboriginal or European)?
 (A free basic Aboriginal Heritage Information Management System (AHIMS) search can be undertaken on the Office of Environment of Heritage website: www.environment.nsw.gov.au)
 If yes, please provide an Archaeological Report. A list of Consultants is available on Council's website. No Yes
- 6.6 Is the proposed development likely to have a significant impact on any threatened flora or fauna on the site?
 If yes, please provide a Threatened Species Report. A list of Consultants is available on Council's website. No Yes
- 6.7 Does the site contain bushfire prone land (map available on Council's website)?
 If yes, please provide a Bushfire Report.
 For building work you may use the publication "*Single Dwelling Kit*". For subdivisions, please see "*Planning for Bush Fire Protection 2006 - Appendix 4*". Both are available from Council or www.rfs.nsw.gov.au No Yes
- 6.8 Is the site subject to subsidence?
 If yes, please provide a Report prepared by an Engineer. No Yes
- 6.9 Is the development close to a river or stream, or is the site likely to be affected by flooding (Flood Map 1994 is available on Council's website – map covers Cooma Urban area only)?
 If yes, please provide a Flood Study Report. A list of Consultants is available from Council's website. No Yes
- 6.10 Is the site subject to soil contamination, or has the site previously been used for activities which may have lead to contamination?
 If yes, you may need to provide a Contamination Report. Please consult Council before lodging your application to determine if a Contamination Report is required. A list of Consultants is available from Council's website. No Yes
- 6.11 Are any street trees/vegetation to be removed?
 If yes, provide details. No Yes

7 Construction Issues

Demolition

- 7.1 Are any buildings to be demolished?
 If yes, please provide details of size, age, materials, proposed disposal, etc. No Yes
- 7.2 Is any internal demolition proposed (eg, walls, kitchens, bathrooms etc)?
 If yes, please provide details of size, materials, proposed disposal, etc. No Yes

Asbestos

- 7.3 Does the proposal involve the removal of any fibrous cement products which may contain asbestos? No Yes
 If yes, provide details on amount (m²), materials, proposed disposal, location, details of licensed asbestos removal contractors to be used etc.

Erosion & Sediment Control Measures

- 7.4 Complete an Erosion & Sediment Control Plan for all developments that include construction and/or demolition works. You may attach a Plan or use the table below.

Aspect	Management Strategy
Disturbed areas - access roads/tracks/driveways	Minimise cut into land, re-vegetate upon completion. Drainage where necessary.
Disturbed areas – cut/fill areas	Minimise grade and cut. Divert ground water away from any cut/fill areas and re-vegetate. Install sediment control barrier below any cut/fill areas.
Stormwater runoff	Connect rainwater tanks and overflow as soon as roofed. Install sediment control barrier below site area.
Equipment washing area	To be located in site storage area on gravel driveway. Sediment control barrier to be installed downhill of this area.
Stockpiles	N/A

8 Social and Economical Impacts

- 8.1 Will the proposal create an increase in demand for community services and/or infrastructure? No Yes
 If yes, provide details.
- 8.2 Will the proposal have significant economic consequences on the area? No Yes
 If yes, provide details.

9 Sheds (All)

- 9.1 What is the intended use(s) of the building?

- 9.2 What type of vehicle/s will routinely visit or house and/or what will be stored and/or what will be manufactured/ assembled etc.
 Include details of any hazardous or flammable substances which could be dangerous, and the quantity.

10 Commercial/Industrial Development Only

Provide details on the following:

	<i>Provide details:</i>
10.1 Parking arrangements – current <i>(number of spaces/area etc)</i>	
10.2 Parking arrangements – proposed <i>(number of spaces/area etc and detail on site plan)</i>	
10.3 Outdoor dining or goods on the footpath <i>(Please note additional approvals/licences may be required)</i>	
10.4 Number of seats proposed (for food premises only)	
10.5 Existing signage <i>(sizes, location etc)</i>	
10.6 Proposed signage <i>(sizes, location etc. Provide plans of any proposed signage)</i>	
10.7 Maximum number of employees on-site at any one time	
10.8 Days/hours of operation	
10.9 Size and types of vehicles expected to use the site	
10.10 Number of vehicular movements expected per day	

11 Subdivision Only

Provide details on the following:

	<i>Provide details:</i>
11.1 Details on how proposed lots obtain a sustainable water supply <i>(number of tanks, volume)</i>	
11.2 Rational behind the specific location of any building envelopes shown on the site	
11.3 How the proposed lots will have practical and concurrent legal vehicular access	

12 Waste Management Plan

Complete a Waste Disposal Plan for all developments that include construction and/or demolition works. You may attach a Plan or use the table below. Wastes include, but are not limited to: vegetation, trees, soil, construction waste, demolition waste, timber, asbestos, metals.

Type of waste	Estimate Amount/Volume	Where/how it will be stored on site	Where it will be disposed	Method of transport/disposal
Soil/rock	1m cubed	-	Site	Spread on site in landscaping
Metal	0.2m cubed	Site storage area (see site plan)	Metal recyclers	Ute to closest Waste Management Centre
Timber	0.5m cubed	Site storage area (see site plan)	Waste management centre	Ute to closest Waste Management Centre

PRIVACY INFORMATION: The information you provide in this Statement will enable your application to be assessed by Council and any relevant state agency. If the information is NOT provided, your application may not be accepted. Your application will be publicly notified in accordance with Council's Public Notification Policy. The application details will also be kept by Council in a register that may be viewed by the public at any time. The Act provides that for the purposes of public notification, specific internal layout of a dwelling maybe excluded from a plan prepared for such exhibition.

SDA

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15 February 2016

Project Number: 15361

Drew Heath
10 Mitchell Street
MCMAHONS POINT NSW 2060

Dear Drew,

Lot 1 DP 34884, Peak View Road, Peak View - New Residence – Sufficiency of Structural Design

We certify that we have prepared the structural design of the works at Lot 1 DP 34884, Peak View Road, Peak View as shown on the drawings 15361 – Sk1-3 in accordance with the relevant structural clauses of the BCA and the following SAA Codes of Practice:

AS 1684	Residential Timber Framed Construction Code
AS 1720	Timber Structures Code
AS 2870	Residential Slabs & Footings Code
AS 3600	Concrete Structures Code
AS 4100	Steel Structures Code

and the structure shown within the site boundary, would be sufficient to carry the relevant loads specified in AS 1170 Parts 0, 1, 2, & 3 SAA Structural Design Actions.

Yours sincerely,



**Charles Blumer MIEAust, Associate Director
SDA Structures Pty Ltd**

AS 1684.2—1999

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TABLE 8.18 (continued)

		Type of bracing - TYPE (h) (METHOD B)																		
A3.	(h) Plywood	Plywood shall be nailed to frame using 30 x 2.8 Ø galvanized flathead nails or equivalent.																		
A4		<p>Method B has no rods but sheathing shall be nailed to top and bottom plates and any horizontal joints at 50 mm centres.</p> <p>Horizontal butt joints permitted, provided nail fixed to nogging at $s = 50 \text{ mm}$ centres for Method B</p>																		
		<table border="1"> <thead> <tr> <th rowspan="2">Stress grade</th> <th colspan="2">Stud spacing (mm)</th> </tr> <tr> <th>450</th> <th>600</th> </tr> </thead> <tbody> <tr> <td>F8</td> <td>7</td> <td>9</td> </tr> <tr> <td>F11</td> <td>6</td> <td>7</td> </tr> <tr> <td>F14</td> <td>4</td> <td>6</td> </tr> <tr> <td>F27</td> <td>4</td> <td>4.5</td> </tr> </tbody> </table>		Stress grade	Stud spacing (mm)		450	600	F8	7	9	F11	6	7	F14	4	6	F27	4	4.5
Stress grade	Stud spacing (mm)																			
	450	600																		
F8	7	9																		
F11	6	7																		
F14	4	6																		
F27	4	4.5																		
		Fastener spacing, s (mm)																		
		Top and bottom plate:																		
		— Method B	50																	
		Vertical edges	150																	
		Intermediate studs	300																	
		Fixing of bottom plate to floor frame or slab																		
		<p>Method B: A 13 kN capacity connection at each end and intermediately at max. 1200 mm centres</p>																		
<p>NOTE: For plywood fixed to both sides of the wall, see Clauses 8.3.6.5 and 8.3.6.10.</p>																				

SDA

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15 February 2016

Project Number: 15361

Lot 1 DP 34884, Peak View Road, Peak View - New Residence – Structural Specification

The attached sketches, 15361 – Sk1-3 indicate the extent of structural work associated with the New Residence at Lot 1 DP 34884, Peak View Road, Peak View.

GENERAL

These drawings are to be read in conjunction with the specification, architectural drawings, other contract documentation and the requirements of the relevant authorities.

Verify all setting out dimensions with the architect. Do not obtain dimensions by scaling the drawings

Should any ambiguity, error, omission, discrepancy, inconsistency or other fault exist or seem to exist in the contract documents immediately notify the superintendent in writing.

Maintain the structure in a stable condition during construction. No part shall be over stressed. Temporary bracing shall be provided by the contractor to keep the works and the excavations stable at all times.

All workmanship and materials shall be in accordance with the requirements of current SAA codes and the by-laws, ordinances or other requirements of the relevant building authorities.

Where notes refer to the specification, comply with the requirements of NATSPEC building specifications as a minimum unless modified by the contract document.

Abbreviations used generally.

U.N.O - unless noted otherwise

TYP. - typical

N.S.O.P.- not shown on plan

N.S.O.E.- not shown on elevation

170 - indicates slab or band thickness variation

FOOTINGS

Footings have been designed to found on bedrock throughout. Where bedrock at surface, grout under column base plate; where rock deeper, install mass concrete pad to rock (consult Engineer to confirm depths of pads and to confirm details; allow to dowel from/thru pad to rock under where supporting structure under ply braced walls and containers).

The builder shall obtain approval from the supervising engineer/ certifier as to the suitability of the foundation material prior to placing concrete.

Do not undermine adjacent footings with excavation or plumbing trenches. Care shall be taken for all excavations made in sand near existing walls so as not to undermine footings. Provide temporary shoring as required

CONCRETE

All concrete to be as follows:

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Element	28 day strength (MPa)	Cover (mm)	Slump (mm)	Max aggregate (mm)
Footings	N25	50	80	20
Slab on Ground	N25	30	80	20

All concrete works to be carried out in accordance with AS 3600.

Ensure all concrete is adequately cured for a minimum of 3 days after pouring using plastic or water or wet hessian. External concrete is to be cured for a minimum of 7 days.

TIMBER

All timber floor, wall and roof framing is to be sized and constructed in accordance with the specialist suppliers details and specifications and AS1684 – Residential Timber-Framed Construction Code, including bracing and tie-down. MGP10 is Machine Graded Pine. Confirm any substitutions with the supervising engineer. All external timber is to be treated. All notching of timber not shown on the drawings to be confirmed by the supervising engineer.

STEEL

Fabrication and erection of all steelwork is to be carried out in accordance with AS4100 – Steel Structures.

All welds shall be 6mm continuous fillet welds and electrodes to be E48XX unless noted otherwise. All bolts shall be M20 8.8/S unless noted otherwise. All plates shall be 10mm unless noted otherwise. Bolts denoted 8.8/TB Grade shall be tightened to the correct tension using approved load indicating washers.

Where joints are site welded and will remain visible, they should be neat and ground back as required by the Architect. Weld splatter and other imperfections should be removed prior to painting with a final coat.

Corrosion Protection:

External/Exposed:

All steelwork is to be hot dipped galvanized

OR

Paint finish to be as follows:

Abrasive blast clean to AS1627.4, class 2.5.

1st Coat – DULUX ZINCANODE 304, inorganic zinc primer: DFT 75 microns

2nd Coat – DULUX LUXEPOXY 4 WHITE PRIMER: DFT 50 microns

Top Coat – 2 coats of DULUX FERRODOR: DFT 50 microns

OR

Abrasive blast clean to AS1627.4, class 2.5.

1st Coat – DULUX ZINCANODE 402: DFT 75 microns

2nd Coat – DULUX FERREKO #3: DFT 125 microns]

Internal/Concealed:

All steelwork is to be hand cleaned and painted with one coat of a zinc rich primer such as Dulux ZP.

OR

As per External.

Note that if painting over galvanizing use DULUX DURABUILD (after de-grease & abrade galv) instead of Zincanode 402

Apply all paints in accordance with the manufacturer's recommendations and instructions.

SDA

Make good all paint finishes following site welding. Repair galvanizing with a zinc rich epoxy primer such as Dulux Zincanode 202 to manufacturer's specification.

CONCRETE REPAIR

Areas of concrete that are required to be repaired (included areas of concrete that have been demolished), shall be treated as follows:

1. Mark out area of concrete to be repaired.
2. Prop surrounding slab as required.
3. Breakaway concrete to expose reinforcement and take back until clean sound reinforcement and concrete has been located.
4. Wire brush clean reinforcement to remove all rust and paint with a zinc rich primer such as Parchem Nitoprime Zincrich.
5. Paint concrete surface with Parchem Nitobond HAR and repair area with Parchem HB25 repair mortar.

All repair products are to be applied in accordance with the manufacturer's recommendations.

Where concrete is saw cut and the ends of the reinforcement are exposed, the exposed ends should be painted with a zinc rich primer such as Parchem Nitoprime Zincrich. A skim coat of Sika Sikalastic 150 Seal should then be applied to the concrete surface in accordance with the manufacturer's recommendations.

WHS - SAFETY IN DESIGN

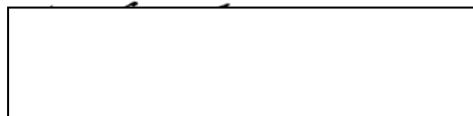
Refer to the Summary of Residual Risks schedule that has been prepared by SDA as part of a risk assessment carried out in accordance with the Safety in Design WHS Act - 2011 requirements. The schedule should be kept in the Site Safety WHS file.

Notwithstanding this schedule, the Principal Contractor (PC) is assumed to a competent and experienced licensed contractor and is aware of their obligations under the relevant WHS Act 2011 and the Work Health and Safety Regulations, and the Safe Work Australia – Safe Design of Structures – Code of Practice.

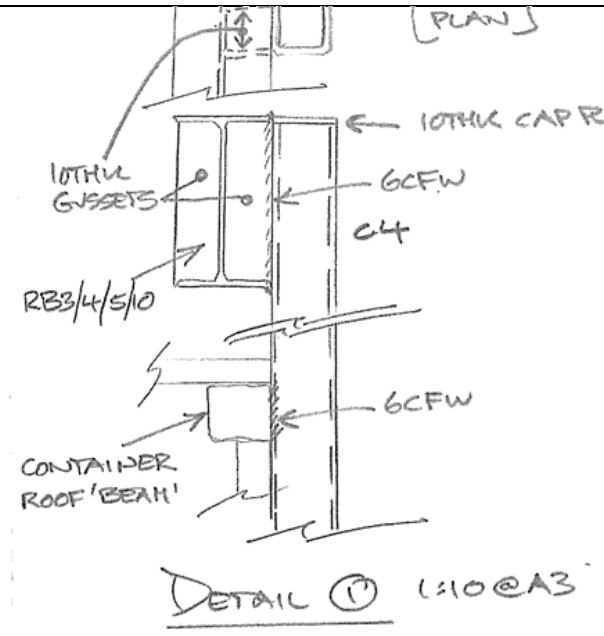
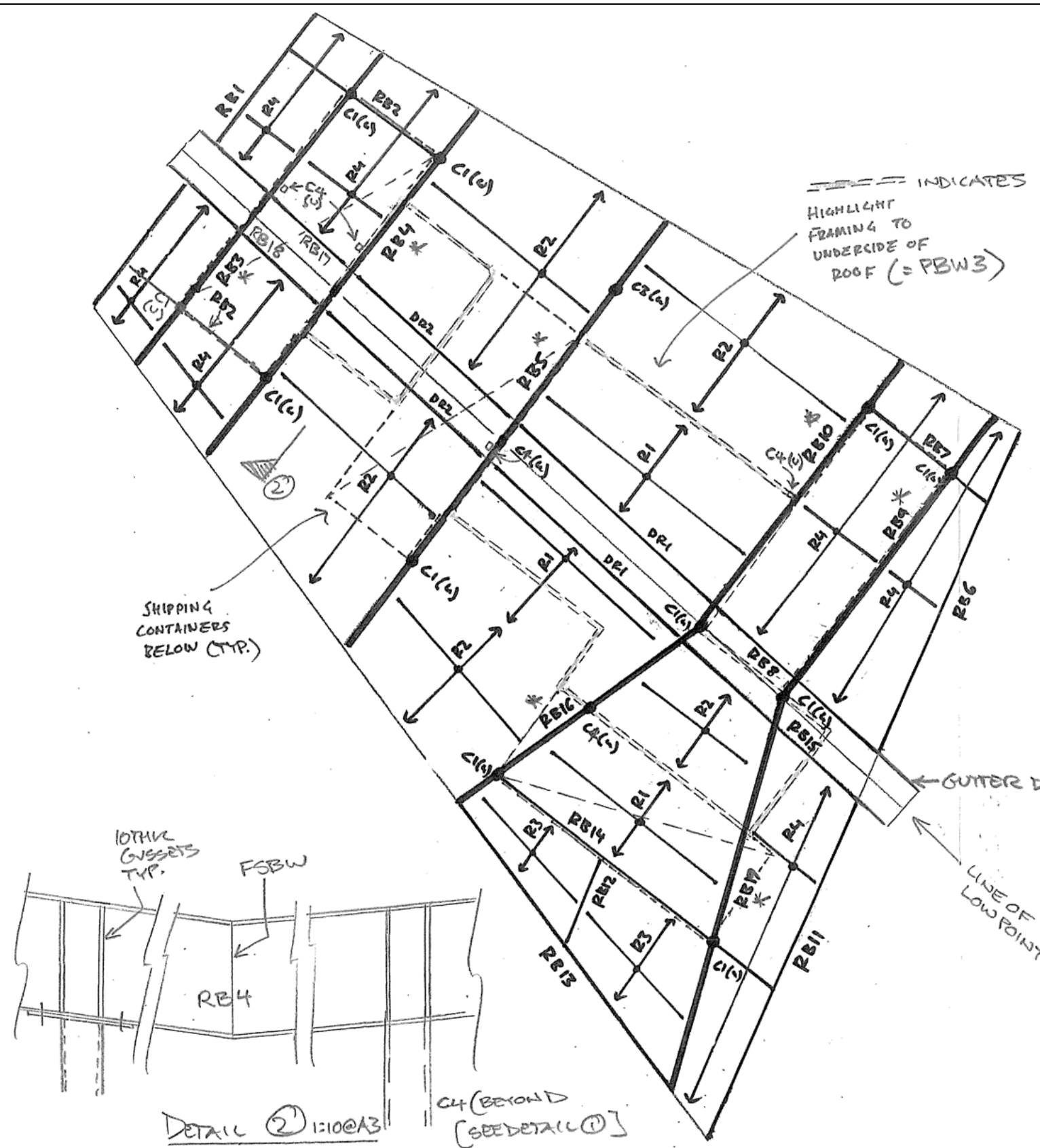
Generally the PC is responsible for maintaining the existing structure in a safe and structurally sound condition throughout the entire construction sequence.

The final construction sequence remains the responsibility of the principal contractor and details are to be submitted for review prior to works proceeding.

Yours sincerely,



Charles Blumer MIEAust, Associate Director
SDA Structures Pty Ltd



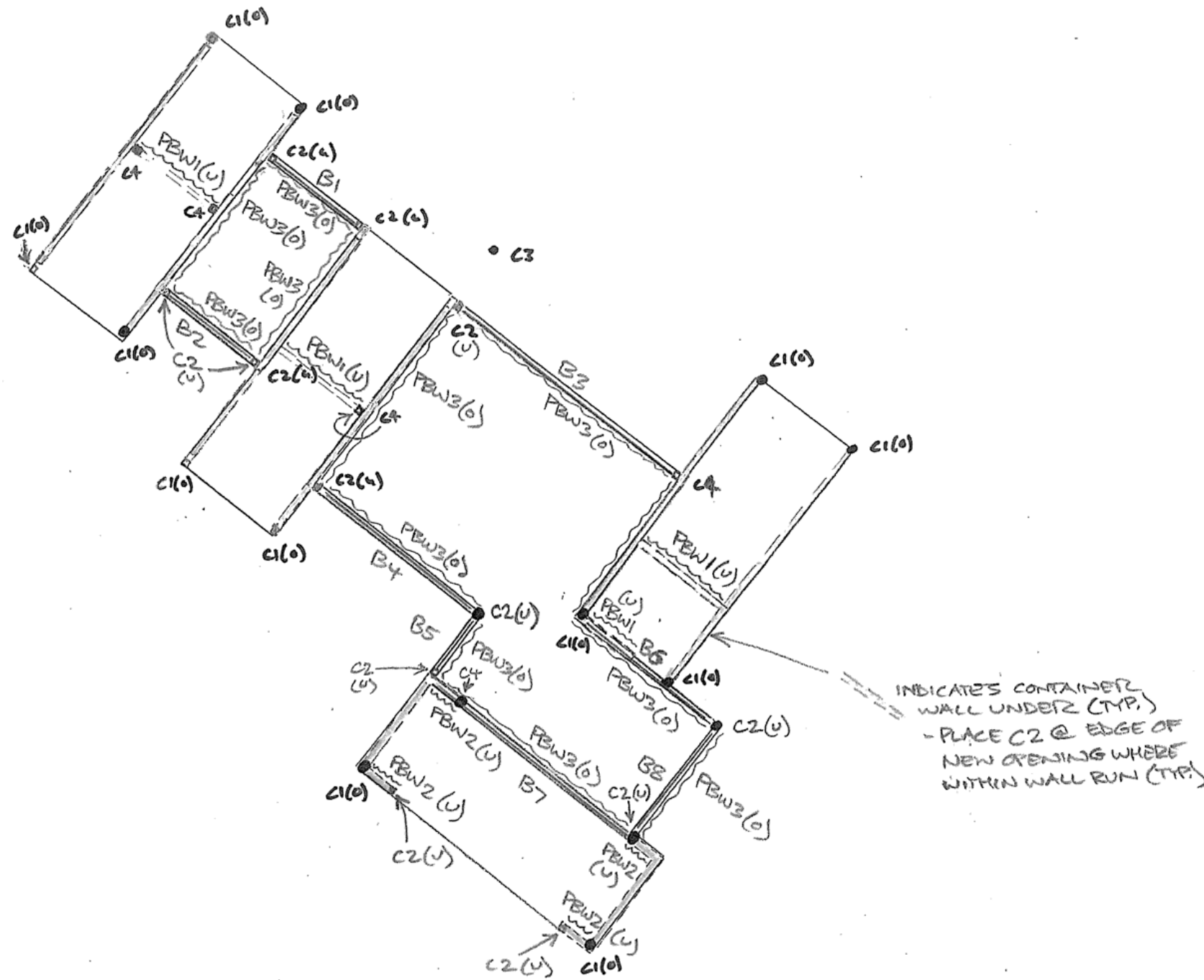
Member Schedule:

R1	240x65 HySPAN LVL @ 300 cts
R2	240x45 HySPAN LVL @ 300 cts
R3	240x45 MGP10 @ 300 cts
R4	240x35 MGP10 @ 600 cts
DR	Double Rafter
RB1	250 PFC
RB2	250 UB 25.7
* RB3	250 UB 25.7
* RB4	250 UB 25.7
* RB5	250 UB 25.7
RB6	250 PFC
RB7	250 UB 25.7
RB8	250 UB 25.7
RB9	250 UB 25.7
* RB10	250 UB 25.7
RB11	250 PFC
RB12	250 UB 25.7
RB13	250 PFC
RB14	250 UB 31.4
RB15	250 UB 25.7
* RB16	250 UB 25.7 31.4
RB17,18	250 UB 26
C1	76.1 x 5.9 CHS (OR 89 x 6 SHS)
C2	65 x 6.0 SHS (OR 89 x 6 SHS)
* RB19	250 UC 73

Note: - Rafters to be splayed so as to land on perpendicular steel beams (i.e. not onto beams spanning in the same direction)
 - Any exposed timber to be seasoned hardwood (consult engineer)

C3 TBC
 C4 89 x 5 SHS FULL HEIGHT FROM GROUND FLOOR TO U'SIDE RC

- NOTES: * INDICATES BEAMS UNDER PLANE OF PURLINS/OTHER BE
- GALSTRAP X-BRACING FIXED TO EACH RAFTER TYP.
 - C1 FULLY WELDED OVER CORNER POST OF CONTAINER
 - C2 WELDED TO TOP 'BEAM' OF CONTAINER WHERE ADJACENT TO CONTAINER
 - C4 WELDED TO TOP 'BEAM' OF CONTAINER AND TO SIDE OF ROOF BEAM WHERE ADJACENT TO EACH (AT RB3,4,5,10) [DETAIL 1]
 - RB3,4,5 TO HAVE FSBW AT CRANK AT LOW POINT
 - ROOF BEAMS TO HAVE 10THK GUSSET EACH SIDE AT COLUMN LOCATIONS; EITHER FULLY WELD TO COLUMN OR 4-MIG TO 10THK COLUMN CAP R



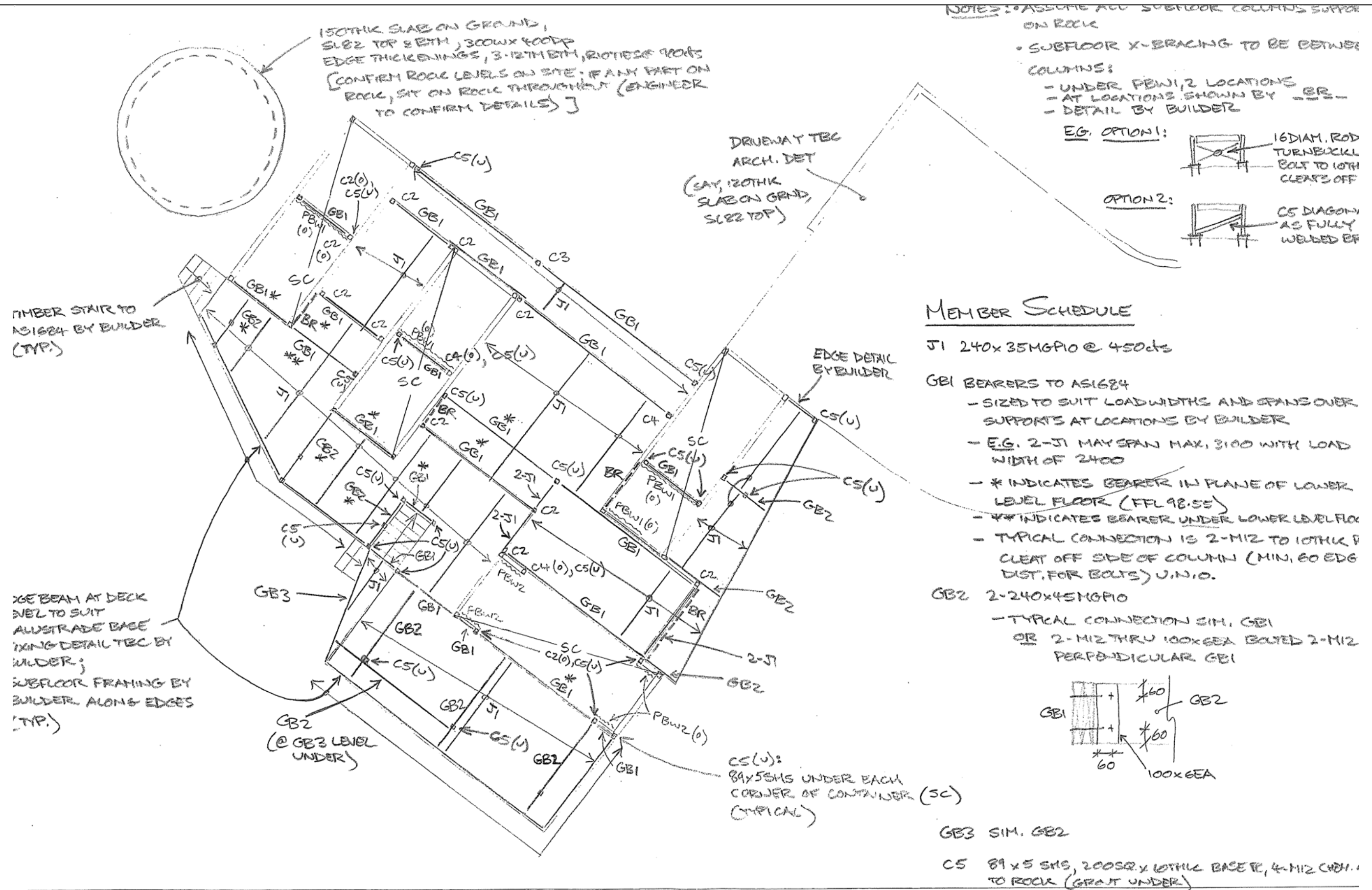
MEMBER SCHEDULE

NOTE: - ASSUMES ALL DOORS NOT TOP-HUNG

- PBW1 PLY-BRACED WALL (TYPE (u) (B) TO AS1562)
 -NOTE: RELIES ON GROUND FLOOR AND SUBFLOOR STRUCTURE AS SPECIFIED
- PBW2 SIM. PBW1
 OR DETAIL TBC INCORPORATING CONTAINER WALL
- PBW3 PLY-BRACED WALL (TYPE (a) TO AS1562)
 -FIXED BETWEEN UPPER ROOF AND NEW BEAM/EXIST. CONTAINER 'BEAM'
- B1 2-150x45 LVL (SCREENED EDGED TOGETHER @ REGULAR CENTRES - TYP. FOR DOUBLE MEMBERS) OR SIM. B4
- B2 SIM. B1
- B3 125x55HS OR 150x100x6RHS
- B4 89x6 SHS FULLY WELDED TO COLUMNS
- B5 2-90x45 MGP10 OR SIM. B1
- B6 SIM. B5
- B7 2-190x45 MGP10
- B8 2-200x45 LVL OR SIM. B4

NOTES:

- STEEL BEAMS TO BE FULLY WELDED (6CFW) TO COLUMNS TYPICALLY OR 2-M16 TO 10THK CLEAT OFF COLUMN, TH 10THK CLEAT OFF 10THK BEAM END R
- TIMBER BEAMS 2-M12 TO 10THK CLEAT OFF COLUMN TYP.





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15361: Lot 1 DP 34884, Peak View Road, Peak View
 15 February 2016

Designer’s Summary of Residual Risks – to be included in the Project “Site Rules” and “Health and Safety File”

This lists only residual risks – those that despite careful consideration could not be designed out.

All the risks are 'project specific' as a Competent Contractor is assumed to be aware of the relevant WHS Act 2011 and the Work Health and Safety Regulations, and the Safe Work Australia – Safe Design of Structures – Code of Practice.

Risks identified are associated with the Structural/ Civil design and construction of the project and the Scope of Services SDA has been engaged to carry out however other risks have also been noted where reasonably practical to do so.

Activity	Risk	Requirement for Site Rules	Information for Safety File
Working at height e.g. Construction of suspended slabs, installation of steelwork, construction of walls	Risk of Fall	Sub-contractors (SC) and Principal contractor (PC) to provide SWMS (Safe Work Method Statement) in accordance with Work Safe Code of Practice – Managing Risk of Falls at Workplaces	SMWS in file and adhered to by SC's
Transport and loading materials, erection of steelwork, crane lifting	Presence of overhead power lines. Height and width restrictions - safe movement of materials.	PC to assess for site management, protect and mark/ highlight powerlines	Presence of power lines noted and site management procedures included
Excavation	Risk of striking existing services, leading to damage to the services and potentially the worker (electrocution etc)	PC to research existing services locations ('Dial before You Dig') and provide method statement for excavation process	Dial Before you Dig, survey and SWMS including plan of existing services
	Risk of collapse of excavation onto workers	Refer Workcover Code of Practice – Excavation - 0312	SWMS in accordance with Workcover Code of Practice

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Construction of new braced building	Risk of temporary loss of lateral stability of whole structure or individual elements at times during construction until permanent bracing and associated structure is installed	Refer to SDA drawings for permanent bracing elements and associated structure - PC to provide erection sequence and ensure erectors provide temporary bracing.	Erection sequence, SDA drawings and details, SWMS by PC
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Prepared by:

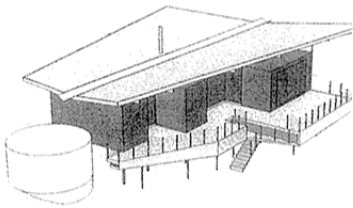
Charles Blumer MIEAust, Associate Director
SDA Structures Pty Ltd

DEVELOPMENT APPLICATION & CONSTRUCTION CERTIFICATE FOR A NEW SINGLE DWELLING

AT LOT 1 DP 34884 PEAK VIEW RD.
 FOR JULIE & ANDREW NOTT

DRAWING LIST

01	SURVEY	1:500
02	LOCATION/ENTRY DIAGRAM	NTS
03	SITE PLAN	1:200
04	GROUND FLOOR PLAN	1:100
05	ROOF PLAN	1:100
06	NORTH + SOUTH ELEVATIONS	1:100
07	EAST + WEST ELEVATIONS	1:100
08	SECTIONS A + B	1:100
09	SECTIONS C + D	1:100
10	SPECIFICATION	

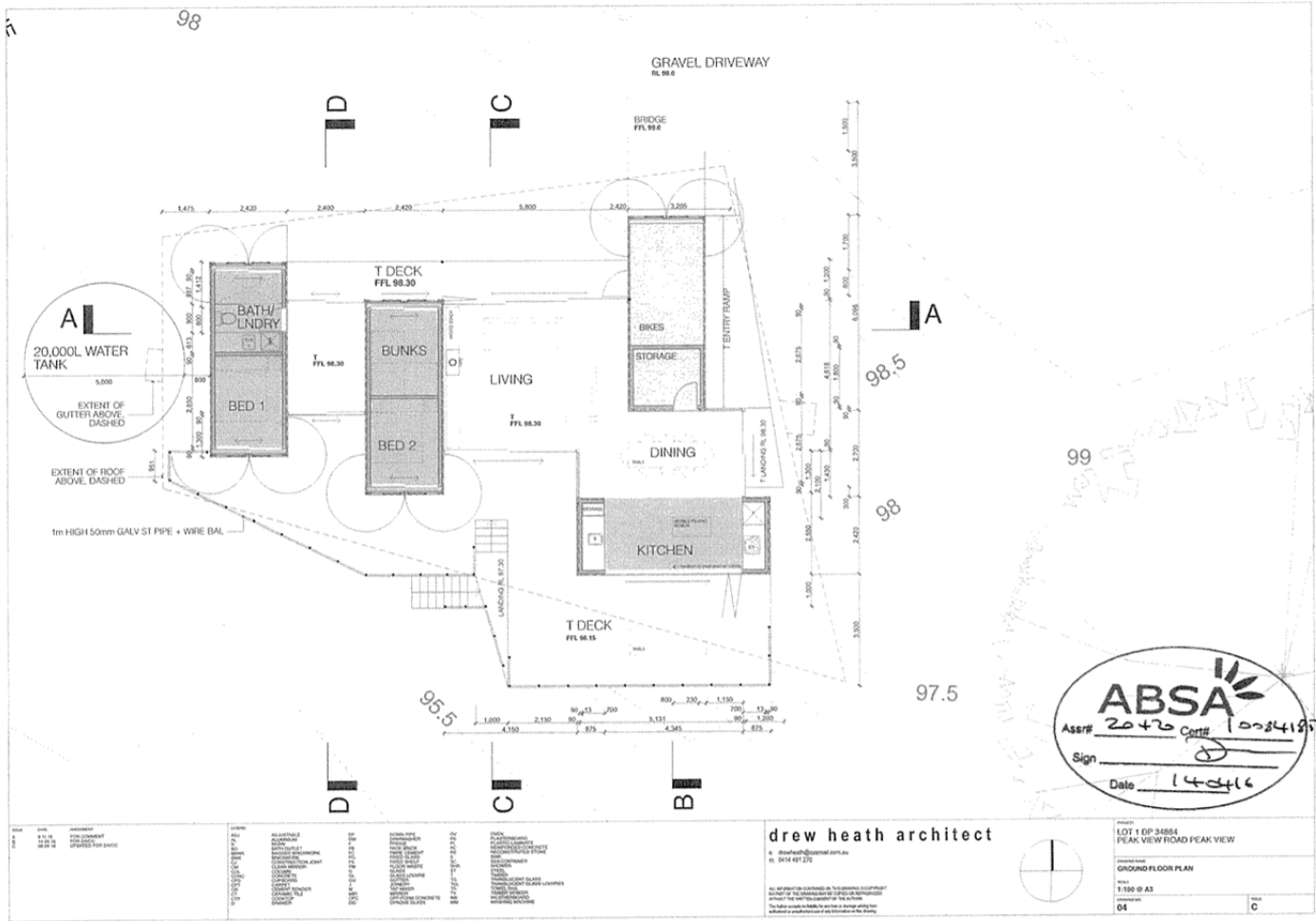


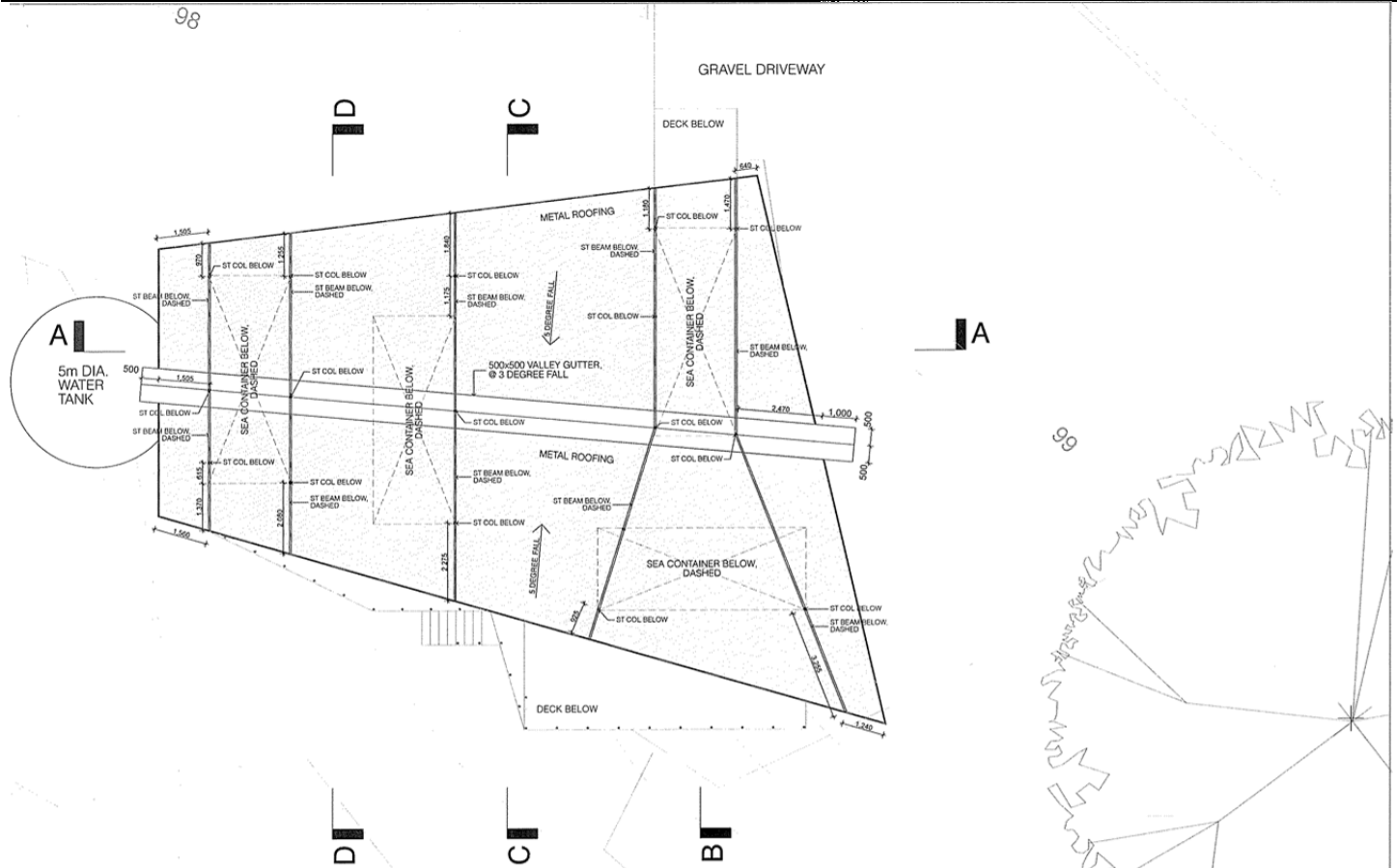
3D PERSPECTIVE 1 (not to scale)

Thermal Performance Specifications	
<p>These are the Specifications upon which the Certificate Assessment is based. If details include in these Specifications vary from other drawings or written specifications these Specifications shall take precedence. If only one specification option is outlined for a building element, that specification must apply to the building element. If multiple specification options are outlined for a building element, the position and extent of alternative specifications must be detailed below and/or clearly indicated on relevant drawings.</p>	
Windows	Product ID: Glass, Frame: Aluminium, U value: 4.8, SHGC: 0.43, Area: As per plans, Detail: As per plans
Single glazed	Clear
Window and skylight U and SHGC values	As specified, see according to AS/NZS 2006. Alternative products or specifications may be used if their U value is lower and their SHGC value is less than 10% higher or lower than the U and SHGC values of the product specified above.
External walls	Construction: Insulation, Colour: - colour and: Detail: As per plans
Single brick	R1.6, Medium/light
Internal walls	Construction: Insulation, Detail: As per plans
Plasterboard	None/N1 0, As per plans, Insulation between apartments and where sections connect
Floors	Construction: Insulation, Covering: Ceramic, Detail: As per plans
Concrete	None
Ceilings	Construction: Insulation, Detail: As per plans
Plasterboard	None/R2.5
Roof	Construction: Insulation, Colour: - colour and: Detail: As per plans
Concrete	None
Window cover	Internal (curtains): External (awnings, shutters, etc): As per plans
Fixed shading	Eaves (eaves, fascias, gutters, etc) above windows: Location: As per plans - eaves/dormers, awnings, etc.
Overshading	Overshading structures: Overshading trees: As per plans - eaves/dormers, awnings, etc.
Orientation, Exposure, Ventilation and Infiltration:	
Orientation of nominal north:	0
Terrain category:	Suburban
Roof ventilation:	Unventilated
Cross ventilation:	Standard
Suitor:	Endorsed
Living area open to entry:	Y
Doors separate living areas:	N
Stair open to heated space:	NY
Seals to windows and doors:	Y
Open fire unit/and gas heater:	N
Ventilated skylights:	N
Walls and ceilings:	N
Verandahs:	N

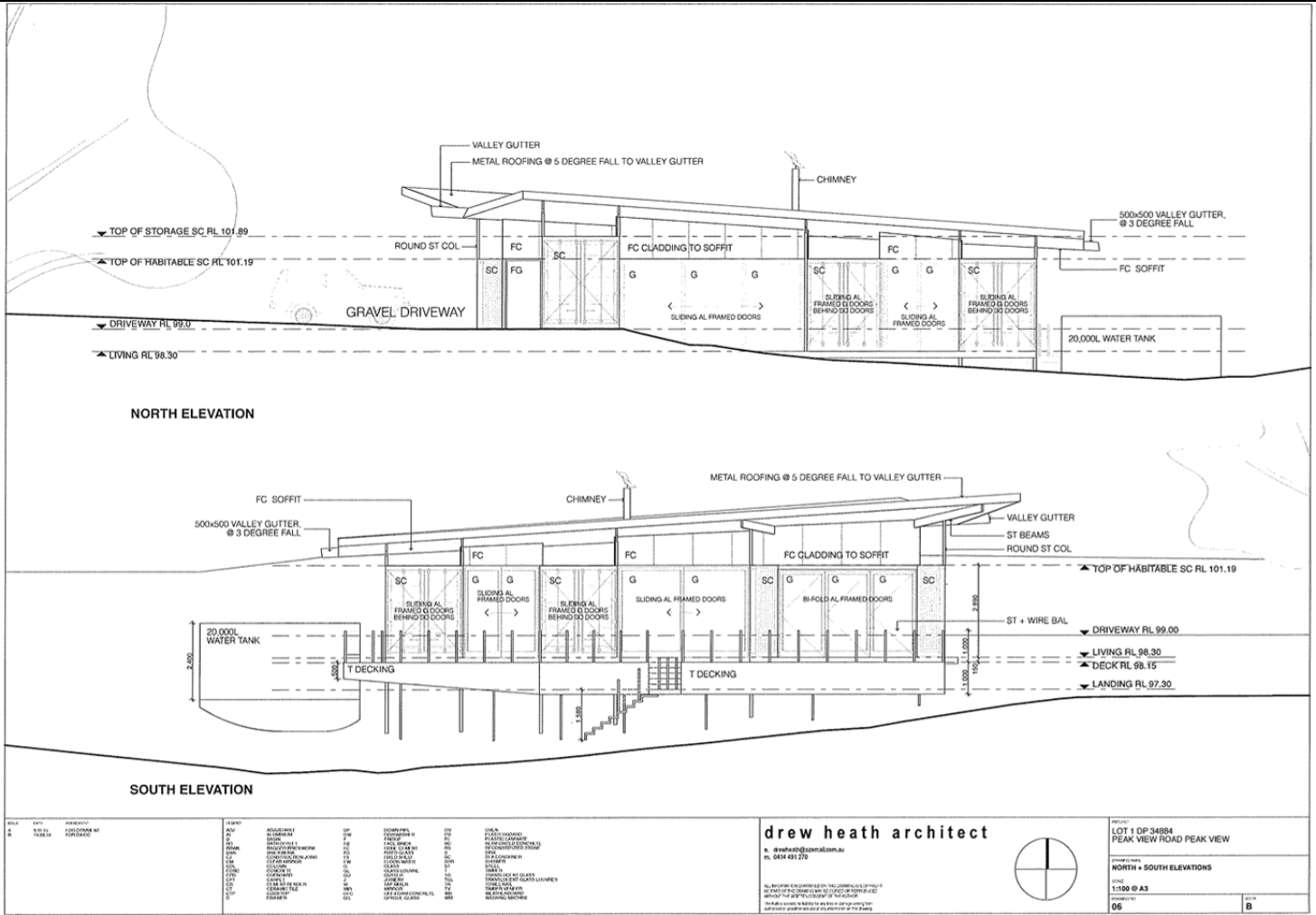
ABSAS
 Assn 2017/16 Cert 1008418509
 Sign _____
 Date 14/07/16

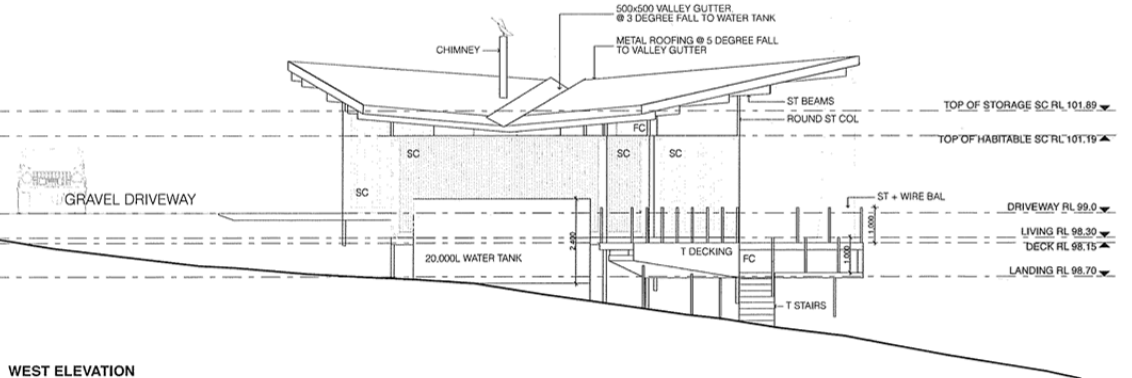
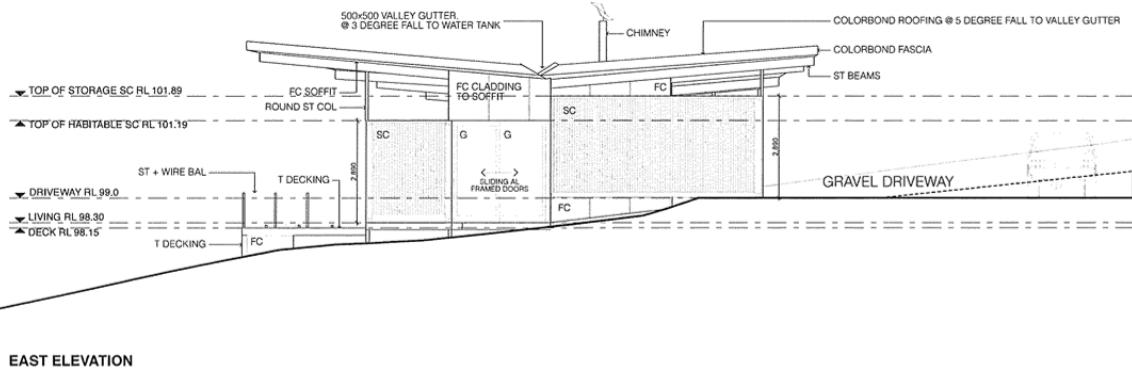
<p>4</p> <p>DATE: 14/07/16</p> <p>SCALE: 1:100</p> <p>PROJECT: LOT 1 DP 34884 PEAK VIEW RD.</p> <p>COVER PAGE</p> <p>00</p>	<p>drew heath architect</p> <p>1008418509</p> <p>14/07/16</p>	<p>LOT 1 DP 34884 PEAK VIEW RD.</p> <p>COVER PAGE</p> <p>00</p>
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<p>DATE: 10/10/2016 PROJECT: DA 10.2016.576.1 - DWELLING HOUSE DRAWING NO: 05</p>	<p>CLIENT: DA 10.2016.576.1 - DWELLING HOUSE ARCHITECT: drew heath architect PROJECT NO: DA 10.2016.576.1 - DWELLING HOUSE DRAWING NO: 05</p>	<p>PROJECT: LOT 1 DP 34884 PEAK VIEW ROAD PEAK VIEW DRAWING NO: 05</p>	<p>drew heath architect a. drewheath@optusnet.com.au m. 0814 481 270</p> <p>ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT PERMISSION IN WRITING FROM drew heath architect.</p>
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NO	DAY	DESCRIPTION	DATE	BY	REVISION
	1	ISSUE FOR PERMIT	10/2016	DR	

NO	DESCRIPTION	DATE	BY
01	FOUNDATION	10/2016	DR
02	FRAMING	10/2016	DR
03	ROOFING	10/2016	DR
04	CLADDING	10/2016	DR
05	GLAZING	10/2016	DR
06	MECHANICAL	10/2016	DR
07	ELECTRICAL	10/2016	DR
08	PLUMBING	10/2016	DR
09	PAINTING	10/2016	DR
10	LANDSCAPE	10/2016	DR
11	FINAL	10/2016	DR

NO	DESCRIPTION	DATE	BY
01	FOUNDATION	10/2016	DR
02	FRAMING	10/2016	DR
03	ROOFING	10/2016	DR
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08	PLUMBING	10/2016	DR
09	PAINTING	10/2016	DR
10	LANDSCAPE	10/2016	DR
11	FINAL	10/2016	DR

NO	DESCRIPTION	DATE	BY
01	FOUNDATION	10/2016	DR
02	FRAMING	10/2016	DR
03	ROOFING	10/2016	DR
04	CLADDING	10/2016	DR
05	GLAZING	10/2016	DR
06	MECHANICAL	10/2016	DR
07	ELECTRICAL	10/2016	DR
08	PLUMBING	10/2016	DR
09	PAINTING	10/2016	DR
10	LANDSCAPE	10/2016	DR
11	FINAL	10/2016	DR

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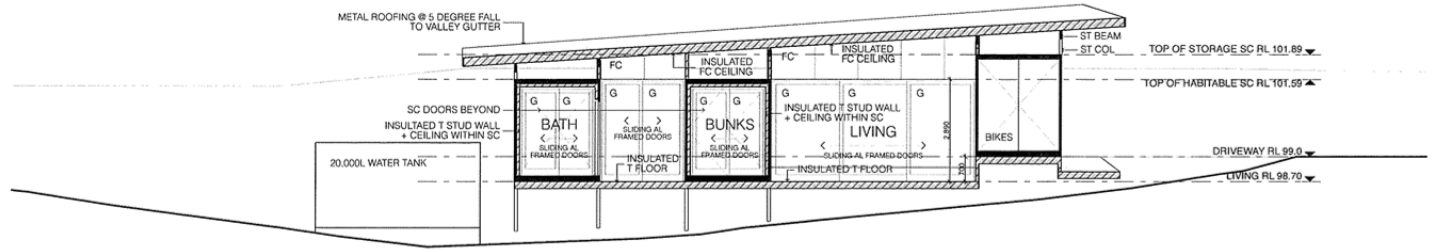
PROJECT: LOT 1 DP 94884
 PEAK VIEW ROAD PEAK VIEW

VIEW: EAST + WEST ELEVATIONS

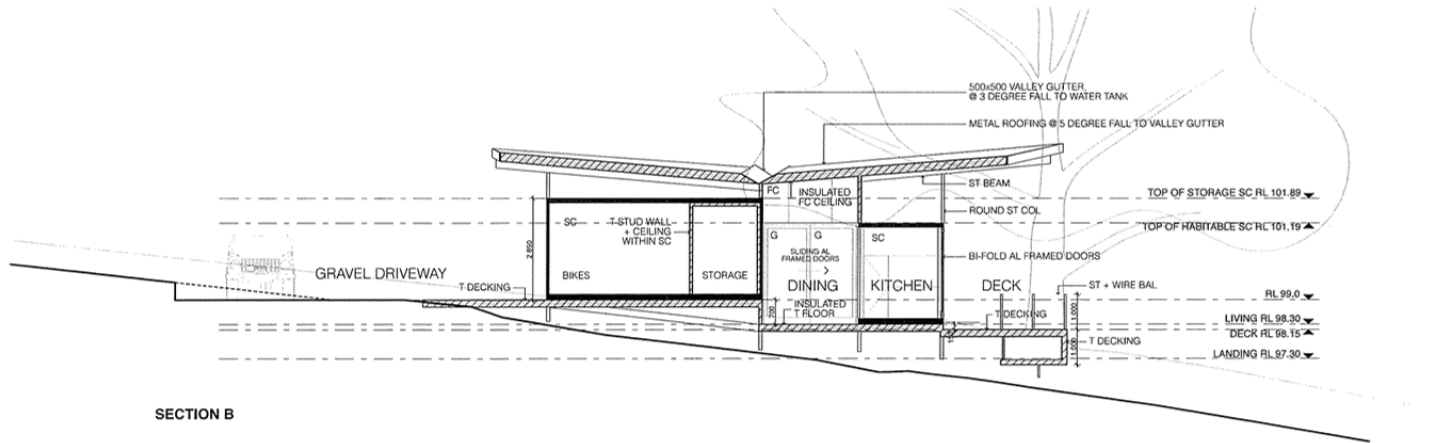
SCALE: 1:100 @ A3

DATE: 07

B



SECTION A



SECTION B

NO	REV	REVISIONS	DATE
1	1	FOR ISSUE	10/11/16
2	2	FOR ISSUE	10/11/16

NO	REV	REVISIONS	DATE
1	1	FOR ISSUE	10/11/16
2	2	FOR ISSUE	10/11/16

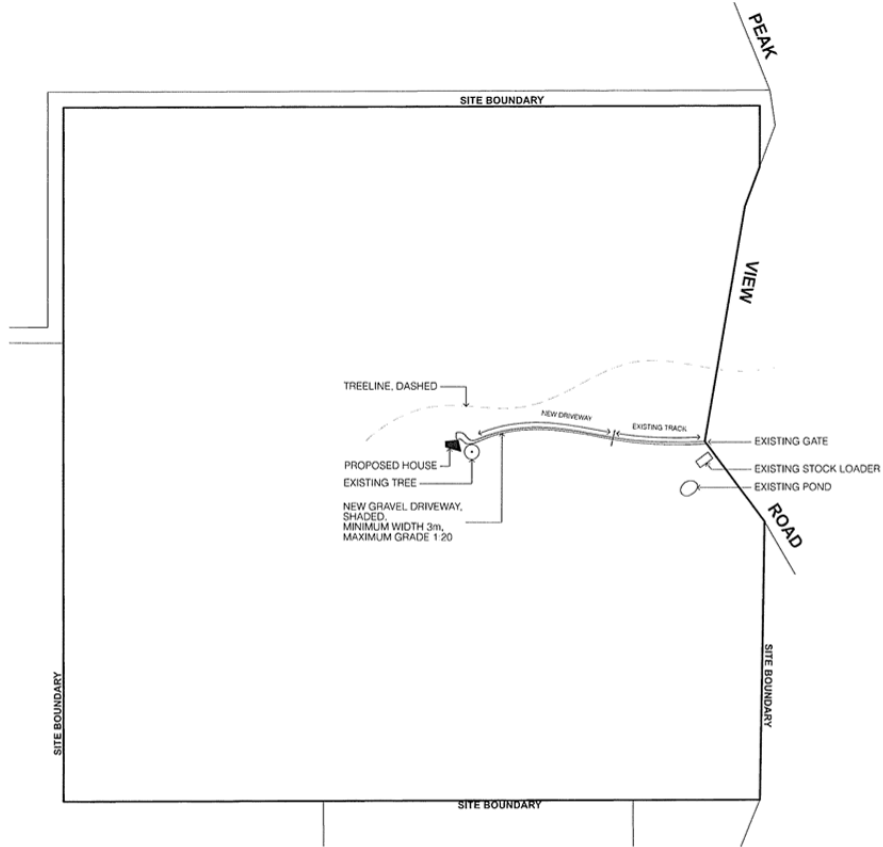
drew heath architect

11. BATHING AND RECREATION
 12. EDUCATION
 13. CULTURAL RECREATION
 14. COMMUNITY SERVICES
 15. OFFICE
 16. PUBLIC SERVICES
 17. HEALTH CARE
 18. RETAIL
 19. FOOD AND BEVERAGE
 20. HOUSING
 21. TRANSPORTATION
 22. UTILITIES
 23. STORAGE
 24. OTHER

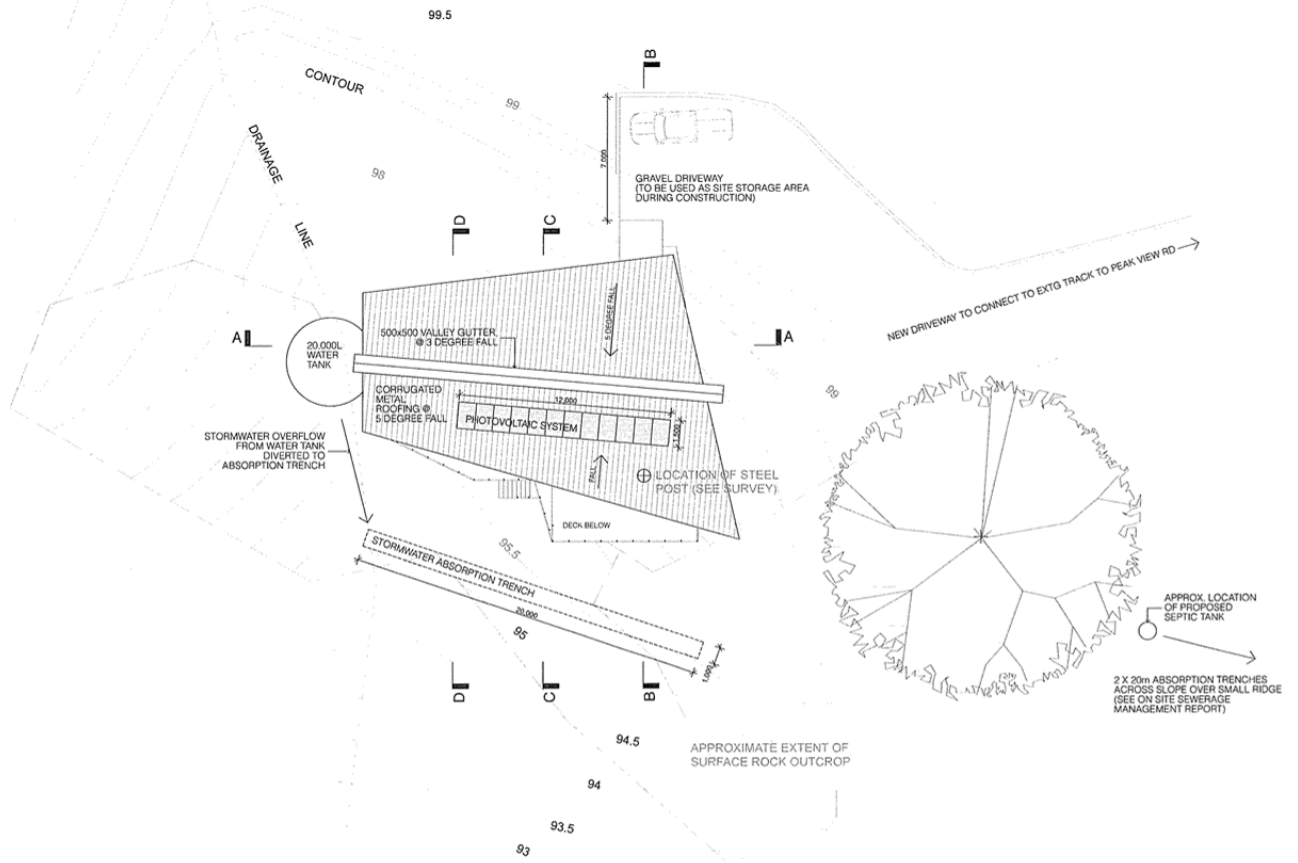
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PROJECT	LOT 1 DP 34884 PEAK VIEW ROAD PEAK VIEW
SECTION	SECTIONS A + B
SCALE	1:150 @ A3
DATE	08
BY	B



SHEET A	DATE 14.03.16	APPROVED BY FOR/DA/CC	PROJECT A111 A211 A311 A411 A511 A611 A711 A811 A911 A1011 A1111 A1211 A1311 A1411 A1511 A1611 A1711 A1811 A1911 A2011 A2111 A2211 A2311 A2411 A2511 A2611 A2711 A2811 A2911 A3011 A3111 A3211 A3311 A3411 A3511 A3611 A3711 A3811 A3911 A4011 A4111 A4211 A4311 A4411 A4511 A4611 A4711 A4811 A4911 A5011 A5111 A5211 A5311 A5411 A5511 A5611 A5711 A5811 A5911 A6011 A6111 A6211 A6311 A6411 A6511 A6611 A6711 A6811 A6911 A7011 A7111 A7211 A7311 A7411 A7511 A7611 A7711 A7811 A7911 A8011 A8111 A8211 A8311 A8411 A8511 A8611 A8711 A8811 A8911 A9011 A9111 A9211 A9311 A9411 A9511 A9611 A9711 A9811 A9911 A10011	DRAWN BY CHECKED BY APPROVED BY	PROJECT NO. PROJECT NAME PROJECT ADDRESS PROJECT CITY PROJECT STATE PROJECT POSTAL CODE PROJECT PHONE PROJECT FAX PROJECT EMAIL PROJECT WEBSITE PROJECT CONTACT PROJECT STATUS PROJECT DATE PROJECT SCALE PROJECT SHEET NO. PROJECT SHEET TOTAL PROJECT DRAWING NO. PROJECT DRAWING TOTAL PROJECT DRAWING DATE PROJECT DRAWING SCALE PROJECT DRAWING SHEET NO. PROJECT DRAWING SHEET TOTAL PROJECT DRAWING CONTACT PROJECT DRAWING STATUS PROJECT DRAWING DATE PROJECT DRAWING SCALE	drew heath architect e. drewheath@gmail.com.au m. 0414 451 270 We warrant that the drawings, specifications, and other documents prepared by us for you are true and correct as of the date of issue and are not intended to be used for any other purpose without our written consent. We warrant that the drawings, specifications, and other documents prepared by us for you are not intended to be used for any other purpose without our written consent.		PROJECT LOT 1 DP 34884 PEAK VIEW ROAD PEAK VIEW DRAWING NO. LOCATION/ENTRY DIAGRAM SHEET NTS DRAWING NO. 02 SHEET A
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DESIGNED BY: DRAWN BY: CHECKED BY: DATE:	PROJECT NAME: 1/31/16 10/2016.576.1			drew heath architect e. drewheath@gmail.com.au ph. 0414 431 270				PROJECT: LOT 1 DP 34884 PEAK VIEW ROAD PEAK VIEW
	DRAWING NO: 10000 A3			SCALE: 1:200 @ A3				
ARCHITECT: ALLIANCE ARCHITECTS 1/16/16	STRUCTURAL: ALLIANCE ARCHITECTS 1/16/16	MECHANICAL: ALLIANCE ARCHITECTS 1/16/16	ELECTRICAL: ALLIANCE ARCHITECTS 1/16/16	CIVIL: ALLIANCE ARCHITECTS 1/16/16	LANDSCAPE: ALLIANCE ARCHITECTS 1/16/16	CONSTRUCTION: ALLIANCE ARCHITECTS 1/16/16	OTHER: ALLIANCE ARCHITECTS 1/16/16	

SPECIFICATION

This building is designated to be a Class 1A building. All work is to comply with the relevant BCA codes included here and not excluding other relevant codes.

Preliminaries:

Materials shall be new and of their best kinds and be installed and conform to current Standards Association of Australia Specifications. All work shall be performed in a good workmanship manner. Take every care to protect the existing proprietors and adjoining neighbours property from damage. Damage shall be rectified at the builder's expense. Remove rubbish regularly from the site to an approved waste disposal site to council's requirements. Sand shall be clean and sharp. Cement shall be Portland normal type A delivered in sealed branded bags stored clear of the ground. Water shall be drinkable. Site to be fenced during construction. (See site works plan attached) Appropriate site management with the installation of sediment control devices to control runoff to be implemented during construction. (See drwg)

Excavation:

Excavate for footings to give safe bearing capacity of 200 kpa on natural non-reactive sub-soil unless specified by Engineers Drawings On completion all excavation shall be filled and well rammed. UNO

Concrete:

Concrete shall be 25 mpa at 28 days with 80 mm slump and nominal aggregate 20 mm. UNO by Engineers Drawings Concrete shall be 4-2-1 aggregate, sand, cement and sufficient water. After pouring keep damp and covered and stand minimum four days before being built upon. Finish slab level with steel trowel where noted.

Steelwork:

External and internal steel shall be a micaceous paint finish of Dulux standard or better. All external fittings to be SS, galvanized or brass.

Carpentry:

Timber framing shall be strictly in accordance with the Timber Framing Code AS1684. Timbers shall be in long lengths, straight grained, free of defects and accurately cut and fitted, well spiked or bolted securely. Floor construction where noted to be timber frame will be in accordance with the Timber Framing Code AS1684. Walls shall be insulated with a minimum R1.5 reflective blanket. Stair construction shall be built in accordance with Part 3.9.1 STAIR CONSTRUCTION of the BCA. Timber species; all internal framing and external framing will be of Cypress Pine. Decking and flooring will be of recycled Australian Hardwood. External cladding to be rough sawn grey ironbark, fixed with stainless steel screws.

Roof:

Roof of Windspray Ultra Colourbond, Longline profile. Insulate with a minimum R2.5 blanket. All flashings to be of Windspray Ultra and of .6mm thickness.

Floor Coverings:

Coverings shall be free of defects. Floors shall be timber.

Joinery:

PAB or MDF to kitchen, bathroom and laundry shall have high moisture resistance.

Dry Walls:

Fix villaboard and plasterboard strictly to manufacturer's specifications. Sheet and set internal walls with 13 mm PB and ceilings with 10 mm PB UNO. Walls / ceilings shall be square set. Provide plastic external angles and stop beads to all corners and edges.

Windows:

All glazing to comply with AS 2208/1996 and AS 2208:1996/Amdt 1:1999 Windows to be aluminium framed clear glass unless otherwise notified. Glass shall be free of defects. Double glazing where Basix document specifies

Termite:

Termite protection to comply with all relevant codes and standards, AS 3660/1. Slab on ground will be used as a termite barrier in accordance with the requirements of AS2870. Where timber decking areas are used construction will be of termite resistant timbers.

Plumbing:

Install 3 star rated water efficient shower heads, toilets, dishwashers and washing machines. Install 3 star toilet flushing cisterns on all toilets Install 5 star kitchen and bathroom taps Install aerators on bathroom basins and kitchen sinks Wet areas to bathrooms, showers, laundries, sanitary compartments and kitchens or the like shall comply with AS 3740 WATERPROOFING OF WET AREAS WITHIN RESIDENTIAL BUILDINGS

Drainage:

Connect all stormwater to rainwater tanks and then overflow system (see site plan). Guttering and downpipes shall comply with AS 3500.3.2 and gutters and flashings are to be manufactured in accordance with AS 2179.1 for metal and AS 1273 for UPVC. See drainage plan for location of tanks, downpipes and overflow/drainage.

Sewer:

Connect all fixtures to septic/pump out system.

Electrical:

Work shall be carried out by a licensed electrician and in accordance with SAA WIRING RULES AS 3000 as amended. Photovoltaic Cells located on dwelling (area shown on roof plan) Smoke alarms shall comply with AS 3786 Install a minimum of 40% energy efficient lamps/fittings, see Basix Report Appliances are to have a minimum 3 star rating

Painting:

For surfaces to receive paint clean down, remove all foreign matter including grease, dust and dirt, fill cracks and holes and sand smooth. Apply paint strictly to manufacturer's specifications Allow for surface preparation one coat minimum undercoat and two coats minimum final colour.

Balustrades:

Balustrades shall be built in accordance with PART 3.9.2 BALUSTRADE DESIGN AND HEIGHT of the BCA.

Wood Heater:

Installation of fireplace to comply with AS 2918-1990 Domestic Solid Fuel Burning Appliances

<p>REV</p> <p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>	<p>NO</p> <p>DESCRIPTION</p> <p>DATE</p>
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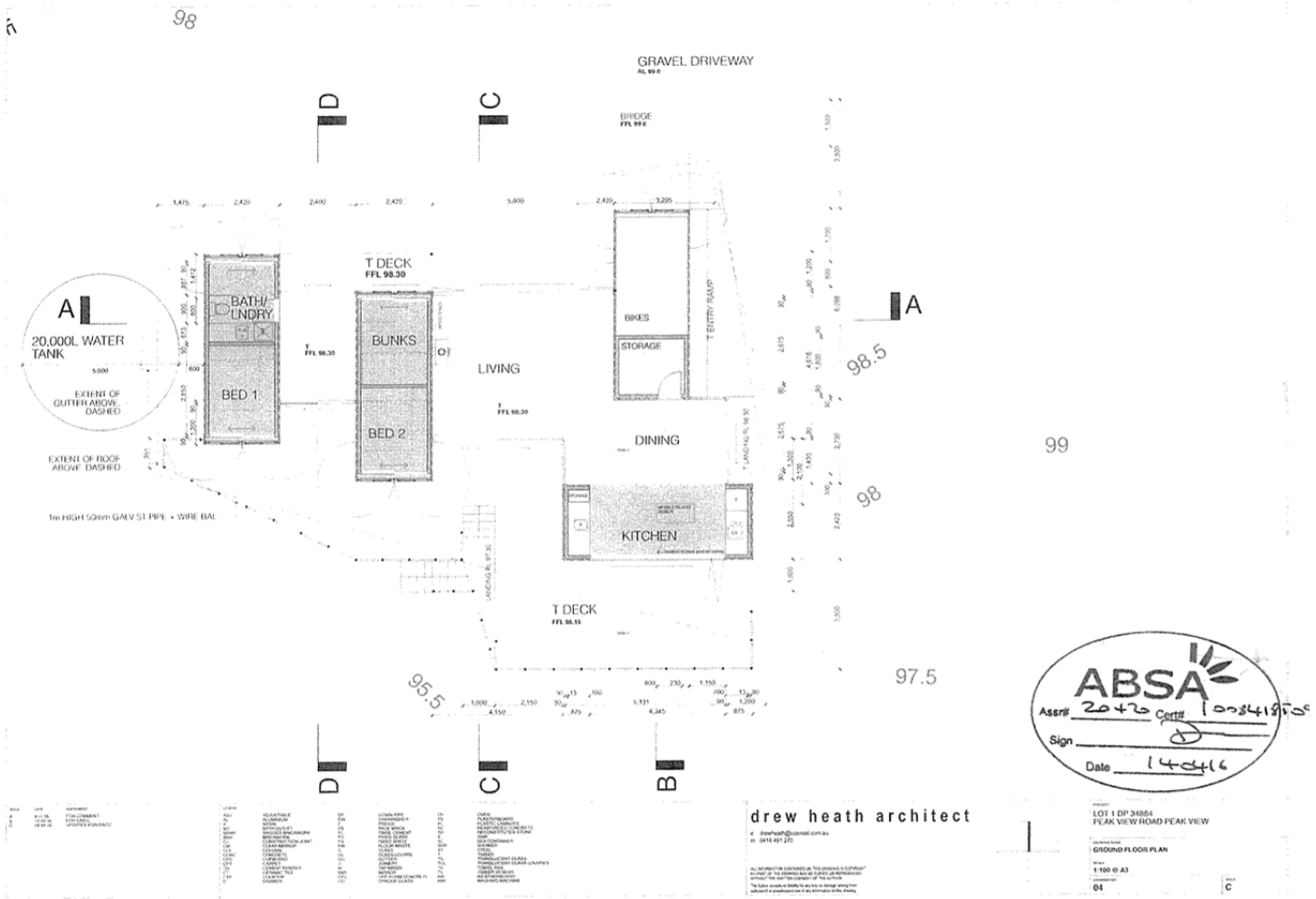
drew heath architect

a. drawheath@gmail.com.au
 m. 0414 491 270



<p>PROJECT</p> <p>LOT 1 DP 34884 PEAK VIEW ROAD PEAK VIEW</p>
<p>SPECIFICATION</p>
<p>DATE</p> <p>NTS</p>
<p>SCALE</p> <p>10</p>
<p>DATE</p> <p>A</p>

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drew heath architect
 4 drewheath@optusnet.com.au
 ph (0414 481 221)

LOT 1 DP 34854
 PEAK VIEW ROAD PEAK VIEW
 GROUND FLOOR PLAN
 1:100 @ A3
 04

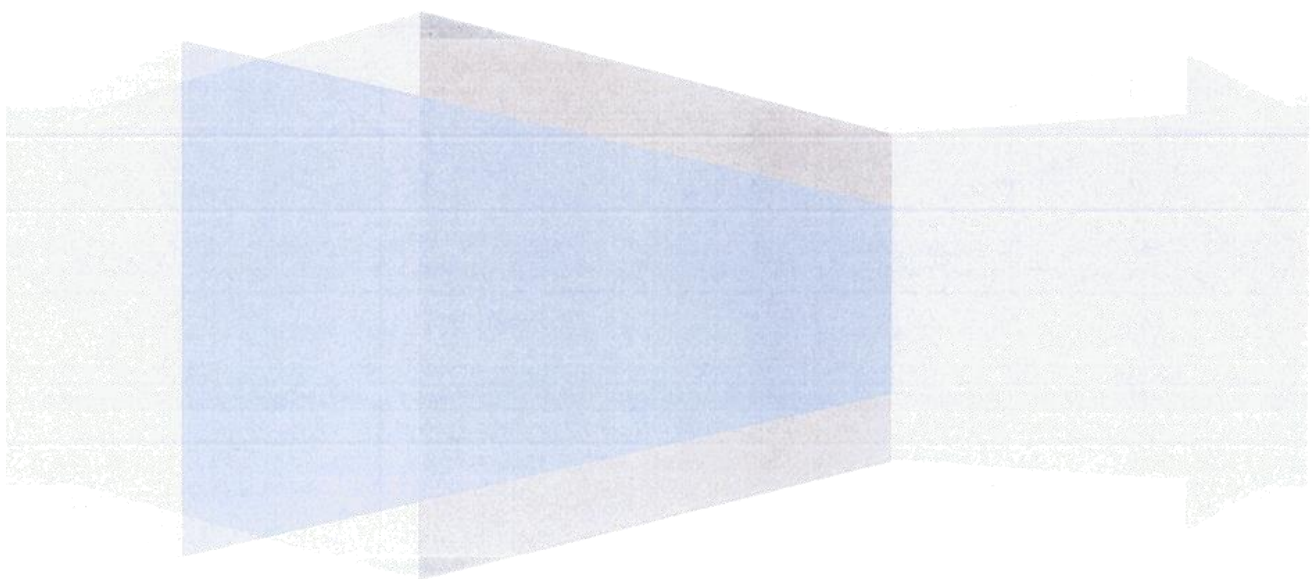
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6/05/2016

WATERCHECK TESTING ON SITE SEWAGE MANAGEMENT ASSESSMENTS

New System Installation

Lot 1 DP 34884 Peak View Rd Peak View



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Cooma-Monaro Shire Council
6/05/2016

**On Site Sewage Management Report
New System Installation
Lot 1 DP 34884 Peak View Rd
Peak View**

Prepared For: Drew Heath

Prepared By: Allan Mills Certificate On Site Sewage Management:
TAFE
Centre for Environment Training Newcastle

Report No: 201528

Date of Assessment 13-12-2015

Watercheck Testing

ABN 83642316606

Office	Postal Address
Rushes Bay Avenue	PO Box 352
East Jindabyne 2627	Terrigal 2260
TEL: 02 64567388	Email: amills44@bigpond.net.au

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6/05/2016

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Site Information.....	3
Site Assessment.....	4
Soil Assessment.....	6
General Comments & Recommendation.....	7
Site Photos.....	8
Aerial View Image.....	11
Site Diagram.....	12

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6/05/2016

SITE INFORMATION

Client Drew Heath

Address leah@madake.com.au

Site Lot 104 DP 34884 Peak View Rd Peak View

Proposal For On Site Sewage Management Overview

From plans received on 19th November 2015 the proposed dwelling will consist of two bedrooms and a bunk room with the potential to house eight persons
The system will consist of a 3900 litre septic tank with effluent gravity fed to 2 x 24m absorption trenches

Site Plan Attached

A site diagram is attached with an aerial photo also attached for additional identification

Intended Water Supply

The proposed water supply will be from roof collected rain water.

Local experience (information regarding on site sewage management systems installed in the locality)

Septic tanks with absorption trenches are located in the region

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SITE ASSESSMENT

Climate

Cool to cold climate with low temperatures to below 15 degrees centigrade.
Low rainfall with high evaporation rates

Where appropriate

Land application area calculation attached N/A

Wet weather storage area calculation attached N/A

Flood potential

Land application area above 1 in 20 year flood level Yes

Land application area above 1 in 100 year flood level Yes

Electrical components above 1 in 100 year flood level Yes

Exposure

Effluent disposal area faces west and is fully exposed to sun and wind.

Slope

3 degrees linear convergent

Landform

Mid slope

Run on and seepage

There are no soaks or springs in the vicinity

Erosion Potential

There is no potential for erosion in the effluent disposal area.

Fill

Natural ground

Ground water encountered

Test pits dug to 1000mm. Ground water was not encountered

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Buffer distances from wastewater management system to:

Permanent waters

Frogs Hole Creek is situated 370m down gradient southwest

Other waters

Nil

Other sensitive environments

There is dry gully situated northwest of the effluent disposal area but is not in the flow path due to a small ridge.

Boundary of premises (m)

Further than 20m away

Swimming pools (m)

Nil

Buildings (m)

The proposed dwelling is situated 57m up gradient northwest

Roads (m)

Access roads should be a minimum of 3m up gradient and 6m down gradient

Is there sufficient land area available for application system including buffer distances?

Yes

Reserve application area including buffer distances ?

There is reserve application area including buffer distances

Surface rocks

There are no surface rocks in the proposed effluent disposal area

Cooma-Monaro Shire Council
6/05/2016

SOIL ASSESSMENT

Soil sampling details

Three test pits were dug across the proposed application area. Six soil samples were collected for testing

Collection date

30th November 2015

Sampling Method

Auger

Laboratory number

201528

Depth to bedrock or hardpan (mm)

Test pits dug to 1000mm. Hardpan was not encountered

Depth to high soil water table (mm)

Test pits dug to 1000mm. High soil water table was not encountered

Soil texture structure and permeability category

Texture sandy loam

Structure weakly structured

Permeability category 3a

Coarse Fragments 25% < 5mm

Ph CaCl2 5.9

EC mS/cm .075

Dispersion Class 3 non dispersive soils.

Presence of discontinuities None present

Presence of fractured subsoil Not detected

Sizing effluent disposal area

2 x 24m absorption trenches are to be installed.

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GENERAL COMMENTS & RECOMMENDATIONS

Surface water diversion is to be implemented up gradient of the effluent disposal area.

A distribution box is to be installed to ensure effluent is evenly distributed between trenches.

Effluent disposal area should be set back a minimum of 20m from exposed rock situated down gradient

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6/05/2016

**Effluent Disposal Area Facing Down Gradient
South West**



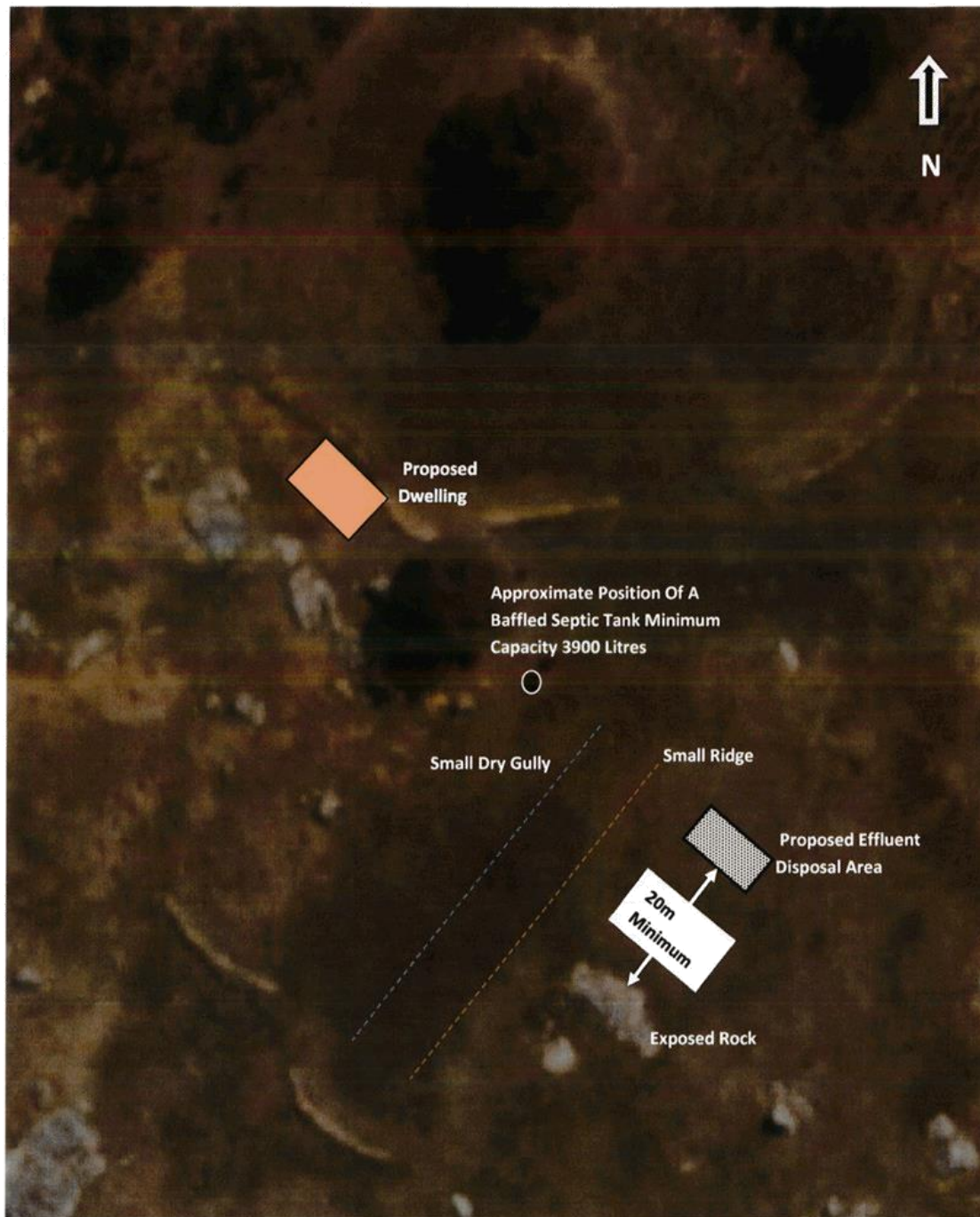
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**Effluent Disposal Area Facing Proposed Dwelling
North West**



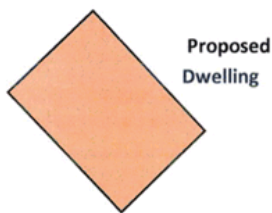
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Aerial View Image

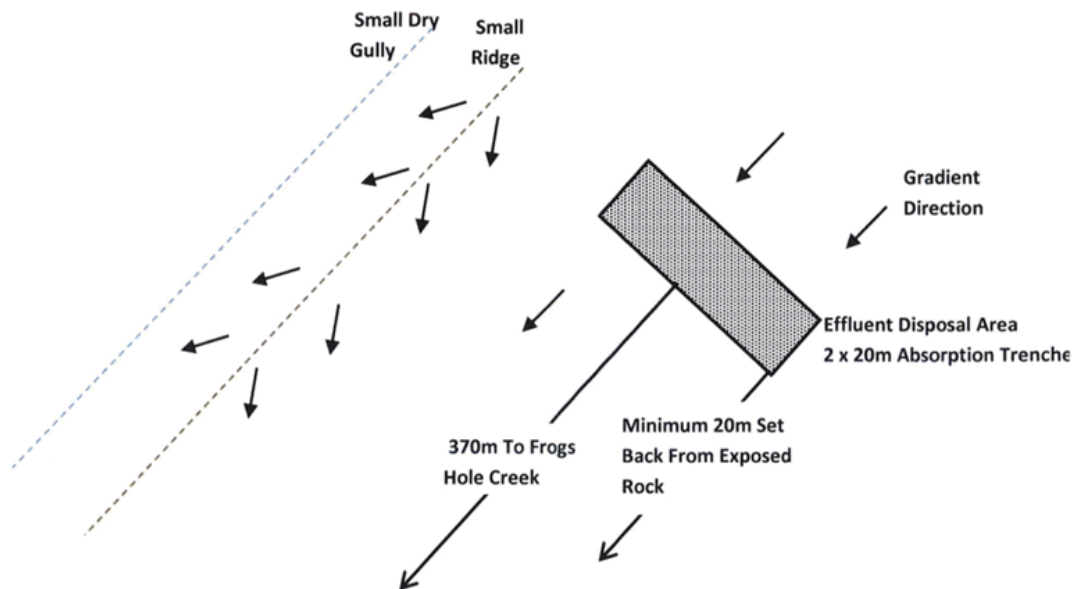


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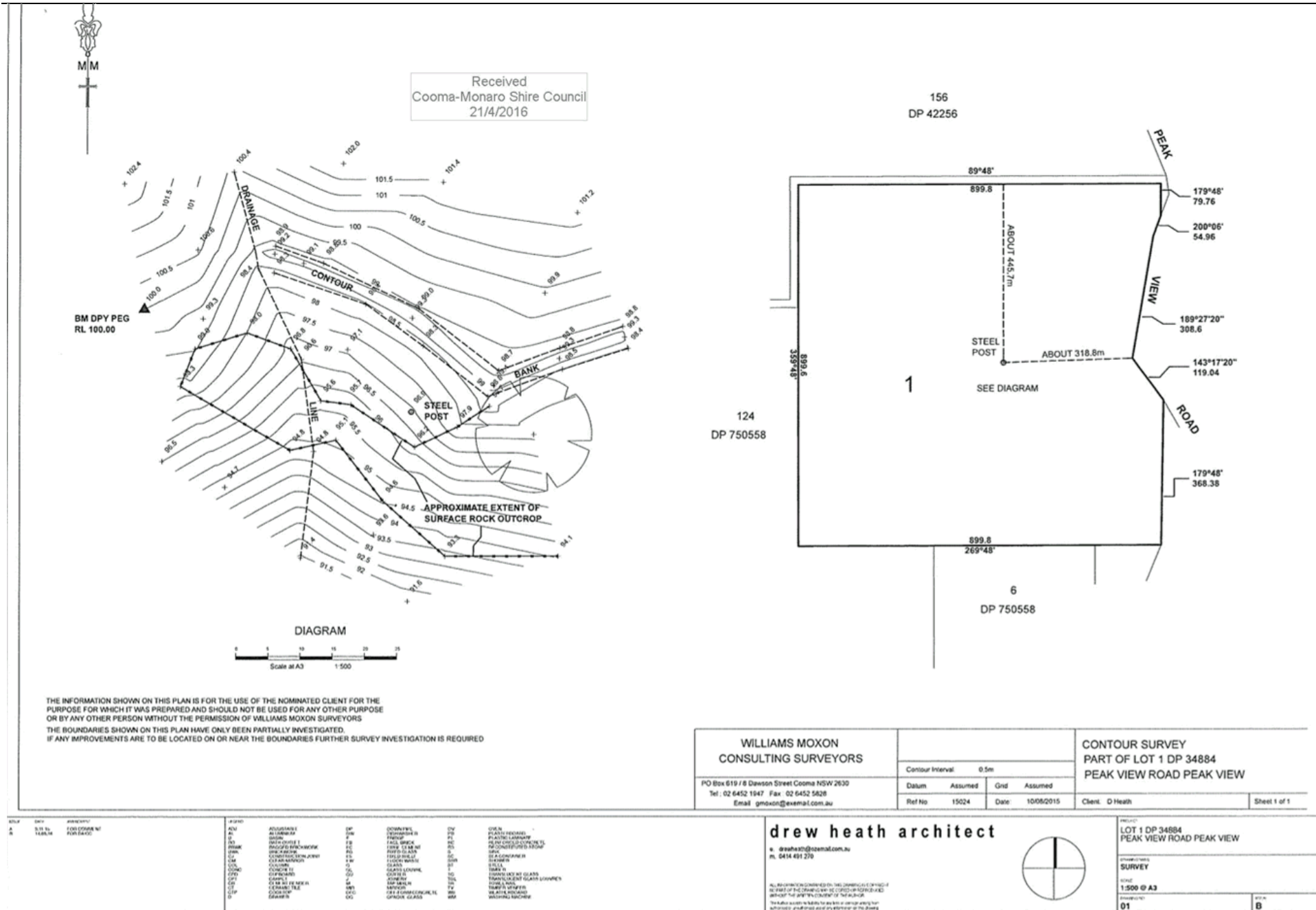
Site Diagram On Site Sewage Management Lot 1 DP 34884 Peak View Rd Peak View



● Approximate Position Of A
Baffled Septic Tank Minimum
Capacity 3900 Litres



gram Only
1 Not To Scale
tercheck 10-12-2015
e: This Is Not A Sewage Diagram



Cooma-Monaro Shire Council
21/06/2016

BASIX[®] Certificate

Building Sustainability Index www.basix.nsw.gov.au

Single Dwelling

Certificate number: 685597S_03

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Definitions" dated 18/09/2014 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary
Date of issue: Tuesday, 21 June 2016
To be valid, this certificate must be lodged within 3 months of the date of issue.



Project summary		
Project name	Lot 1 DP 34884 Peak View Road Peak V_03	
Street address	1/34884 Peak View Road Peak View 2630	
Local Government Area	Cooma-Monaro Council	
Plan type and plan number	deposited 34884	
Lot no.	1	
Section no.	-	
Project type	separate dwelling house	
No. of bedrooms	3	
Project score		
Water	✓ 42	Target 30
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 59	Target 25

Certificate Prepared by

Name / Company Name: Damian O'Toole Town Planning P/L

ABN (if applicable): 75105123420

Description of project

Project address	
Project name	Lot 1 DP 34884 Peak View Road Peak V_03
Street address	1/34884 Peak View Road Peak View 2630
Local Government Area	Cooma-Monaro Council
Plan type and plan number	Deposited Plan 34884
Lot no.	1
Section no.	-
Project type	
Project type	separate dwelling house
No. of bedrooms	3
Site details	
Site area (m ²)	10000
Roof area (m ²)	133
Conditioned floor area (m ²)	91.0
Unconditioned floor area (m ²)	22.0
Total area of garden and lawn (m ²)	400

Assessor details and thermal loads		
Assessor number	20420	
Certificate number	1008601815	
Climate zone	24	
Area adjusted cooling load (MJ/m ² .year)	24	
Area adjusted heating load (MJ/m ² .year)	218	
Other		
none	n/a	
Project score		
Water	✓ 42	Target 30
Thermal Comfort	✓ Pass	Target Pass
Energy	✓ 59	Target 25

Schedule of BASIX commitments

The commitments set out below regulate how the proposed development is to be carried out. It is a condition of any development consent granted, or complying development certificate issued, for the proposed development, that BASIX commitments be complied with.

Water Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Landscape			
The applicant must plant indigenous or low water use species of vegetation throughout 100 square metres of the site.	✓	✓	
Fixtures			
The applicant must install showerheads with a minimum rating of 3 star (> 4.5 but <= 6 L/min) in all showers in the development.		✓	✓
The applicant must install a toilet flushing system with a minimum rating of 3 star in each toilet in the development.		✓	✓
The applicant must install taps with a minimum rating of 5 star in the kitchen in the development.		✓	
The applicant must install basin taps with a minimum rating of 5 star in each bathroom in the development.		✓	
Alternative water			
Rainwater tank			
The applicant must install a rainwater tank of at least 20000 litres on the site. This rainwater tank must meet, and be installed in accordance with, the requirements of all applicable regulatory authorities.	✓	✓	✓
The applicant must configure the rainwater tank to collect rain runoff from at least 70 square metres of the roof area of the development (excluding the area of the roof which drains to any stormwater tank or private dam).		✓	✓
The applicant must connect the rainwater tank to: <ul style="list-style-type: none"> • all toilets in the development • the cold water tap that supplies each clothes washer in the development • at least one outdoor tap in the development (Note: NSW Health does not recommend that rainwater be used for human consumption in areas with potable water supply.) 		✓ ✓ ✓	✓ ✓ ✓

Thermal Comfort Commitments		Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Simulation Method				
The applicant must attach the certificate referred to under "Assessor Details" on the front page of this BASIX certificate (the "Assessor Certificate") to the development application and construction certificate application for the proposed development (or, if the applicant is applying for a complying development certificate for the proposed development, to that application). The applicant must also attach the Assessor Certificate to the application for an occupation certificate for the proposed development.				
The Assessor Certificate must have been issued by an Accredited Assessor in accordance with the Thermal Comfort Protocol.				
The details of the proposed development on the Assessor Certificate must be consistent with the details shown in this BASIX certificate, including the Cooling and Heating loads shown on the front page of this certificate.				
The applicant must show on the plans accompanying the development application for the proposed development, all matters which the Assessor Certificate requires to be shown on those plans. Those plans must bear a stamp of endorsement from the Accredited Assessor to certify that this is the case. The applicant must show on the plans accompanying the application for a construction certificate (or complying development certificate, if applicable), all thermal performance specifications set out in the Assessor Certificate, and all aspects of the proposed development which were used to calculate those specifications.				
The applicant must construct the development in accordance with all thermal performance specifications set out in the Assessor Certificate, and in accordance with those aspects of the development application or application for a complying development certificate which were used to calculate those specifications.			✓	✓
The applicant must construct the floors and walls of the dwelling in accordance with the specifications listed in the table below.		✓	✓	✓
Floor and wall construction		Area		
floor - suspended floor/enclosed subfloor		All or part of floor area square metres		

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
Hot water			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: electric instantaneous.	✓	✓	✓
Cooling system			
The living areas must not incorporate any cooling system, or any ducting which is designed to accommodate a cooling system.		✓	✓
The bedrooms must not incorporate any cooling system, or any ducting which is designed to accommodate a cooling system.		✓	✓
Heating system			
The applicant must install the following heating system, or a system with a higher energy rating, in at least 1 living area: wood heater; Energy rating: n/a		✓	✓
The bedrooms must not incorporate any heating system, or any ducting which is designed to accommodate a heating system.		✓	✓
The wood heater must have a compliance plate confirming that it complies with the relevant Australian standards, and must be installed in accordance with the requirements of all applicable regulatory authorities.			✓
Ventilation			
The applicant must install the following exhaust systems in the development: At least 1 Bathroom: no mechanical ventilation (ie. natural); Operation control: n/a		✓	✓
Kitchen: no mechanical ventilation (ie. natural); Operation control: n/a		✓	✓
Laundry: natural ventilation only, or no laundry; Operation control: n/a		✓	✓
Artificial lighting			
The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps: <ul style="list-style-type: none"> • at least 3 of the bedrooms / study; • at least 2 of the living / dining rooms; 		✓	✓

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<ul style="list-style-type: none"> • the kitchen; • all bathrooms/toilets; • the laundry; • all hallways; 		✓ ✓ ✓ ✓	✓ ✓ ✓ ✓
Natural lighting			
The applicant must install a window and/or skylight in the kitchen of the dwelling for natural lighting.	✓	✓	✓
The applicant must install a window and/or skylight in 1 bathroom(s)/toilet(s) in the development for natural lighting.	✓	✓	✓
Alternative energy			
The applicant must install a photovoltaic system with the capacity to generate at least 2 peak kilowatts of electricity as part of the development. The applicant must connect this system to the development's electrical system.	✓	✓	✓

Legend

In these commitments, "applicant" means the person carrying out the development.

Commitments identified with a ✓ in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).

Commitments identified with a ✓ in the "Show on CC/CDC plans and specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.

Commitments identified with a ✓ in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate (either interim or final) for the development may be issued.

Enquiries Timothy Pepperell
Planning - Cooma Office
Our Ref 10.2016.576.1
Your Ref

Drew Heath Architect
77 Riverview Road
AVALON NSW 2107

Notice of Determination of a Development Application

Issued under the *Environmental Planning and Assessment Act 1979* (the 'Act')

Application Number 10.2016.576.1
Property Description 2887 Peak View Road PEAK VIEW 2630
Lot: 1 DP: 34884
Development Description Dwelling

Determination

Pursuant to Section 80(1)(a) of the *Act*

Notice is hereby given of the determination by Snowy Monaro Regional Council of Development Application **10.2016.576.1** relating to the land described above.

The Development Application has been **APPROVED** subject to the Conditions specified in this Notice.

Authority: Council (Council Meeting 27th July 2016)

Determination Date:

Consent to Operate from:

Consent will Lapse on:

Integrated Approval Bodies

Pursuant to Section 93 of the *Act*

The development application proposal was not Integrated Development. INT_01

Conditions

General

- 1) The development being carried out in accordance with the approved documents/plans listed in the Schedule below and development application except where amended by the conditions of this Consent as set out in the following conditions or by any subsequently approved Section 96 modification.

Document/Plan Schedule			
Ref	Description	Prepared/Drawn By	Received
-	Statement of Environmental Effects	Applicant	21/04/2016
S03	Site Plan	drew heath architect	21/04/2016
-	Survey	drew heath architect	21/04/2016
S02	Location/Entry Diagram	drew heath architect	21/04/2016

S09	Sections C and D	drew heath architect	21/04/2016
S08	Sections A and B	drew heath architect	21/04/2016
S06	North and South Elevations	drew heath architect	21/04/2016
S07	East and West Elevations	drew heath architect	21/04/2016
S05	Roof Plan	drew heath architect	21/04/2016
S04	Floor Plan	drew heath architect	21/04/2016
-	BASIX Certificate	Damian O'Toole Town Planning	21/06/2016

Reason: Requirement that the development is completed in accordance with Council's consent. P_1_01

- 2) All erosion and sedimentation control devices shall be maintained until the site has been adequately revegetated and no soil remains exposed. Revegetation or stabilisation of disturbed areas shall be commenced as soon as possible on all sites. This includes turfing, seeding, bitumen straw mulching, and landscape planting.

Reason: To establish site stability as soon as possible following earthworks. P_5_01

Conditions to be met prior to commencement of work

- 3) NO WORK IS TO COMMENCE until a Construction Certificate is issued by Council or a private Principal Certifying Authority.

Reason: Requirement of the *Environmental Planning and Assessment Act* and *Regulations*. B_1_02

- 4) Before commencing any work a sign MUST be erected on the land, visible from the road and indicating:

- a) The owner's name and contact number (including after-hours contact number).
- b) Allotment number
- c) Construction Certificate number.
- d) Principal Contractor's name and contact number.
- e) Principal Certifying Authority's name, address and contact number.

Note: Where Council is the Principal Certifying Authority list details as:

Snowy Monaro Regional Council 81 Commissioner Street, Cooma Phone 1300 345 345
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The sign must also state 'Unauthorised entry to the work site is prohibited'.

The sign must be maintained while building works are carried out and must be removed once works are completed.

Reason: Prescribed condition in accordance with clause 98A(2) of the *Environmental Planning and Assessment Regulations*. B_2_01

- 5) A permit from Council's Division of Engineering Services shall be obtained before any blasting is carried out.

Reason: To ensure any blasting is carried out in accordance with relevant safety requirements and Council's Policy. B_2_07

- 6) Where earthworks are undertaken to accommodate a new building, precautionary measures must be undertaken to ensure soil mixed in with run-off is contained on the site. It is an offence to allow soil and other runoff to escape from the building site. On-the-spot fines may be issued for offences.

Reason: To minimise erosion of land and siltation of waterways, and a requirement of the *Protection of the Environment Operations Act*. B_2_08

- 7) Prior to commencement of work and throughout the construction process silt fences are to be installed on the down slope side of the construction area above the existing stormwater channel. Such fences are to be installed in accordance with the provisions of Appendix 8 of the *Cooma-Monaro Development Control Plan 2014*.

Reason: To ensure that all sediment material is appropriately contained on site. P_5_02

- 8) The applicant shall, prior to issue of a Construction Certificate, obtain a Section 138 (*Roads Act 1993*) consent from Council for the following works:

- a) Vehicular crossing upgrade
- b) Roadworks

The applicant shall make application to Council for approval under Section 138 of the *Roads Act*

1993 using the Application for Works within a Road Reserve form. All works shall be in accordance with Cooma-Monaro Shire Council Development Control Plan 2014, Specification for Engineering Works and Conditions of this Consent.

All works shall be carried out in accordance with the Section 138 Approval.

Reason: In accordance with *Roads Act 1993*. R_1_02

Conditions to be met prior to release of Construction Certificate

- 9) The applicant shall pay the current fee for issue of a rural address number/s. The fee shall be paid prior to issue of the Construction Certificate.

Reason: To allow identification of rural properties. R_6_05

- 10) Where Council is the Principal Certifying Authority, the following is to be submitted for consideration before a Construction Certificate can be issued:

- a) Structural Engineers details signed, dated and certified for the following:
 - i) Detail of the post connection detail into the foundation/footing
 - ii) Wind and Snow loading certification in accordance with AS 1170
- b) To comply with the provisions of the Home Building Act 1989, the following is to be submitted to Council:
 - i) A copy of the Owner Builder Permit as issued by NSW Fair Trading; **or**
 - ii) A copy of the Home Building Compensation Fund Insurance Certificate for building works exceeding the value of \$20,000 where a licensed builder is contracted to undertake the work; **or**
- c) List of Basix Commitments as shown for Construction Certificate in BASIX Certificate no. 685597S_02
- d) Details of the Solid Fuel Heater proposed to be installed.
- e) Details of the Sea Containers that are proposed to be installed
- f) Details of method for waterproofing of the wet areas in accordance with AS3740 & NCC including sectional drawing
- g) Amended floor showing Smoke Detector location complying with NCC part 3.7.2

Reason: Requirement of the *Environmental Planning and Assessment Act and Regulations*. B_1_03

- 11) Residential building works requires that the builder or person who does any residential building work complies with the applicable requirements of Part 6 of the *Home Building Act* whereby a person must not contract to do any residential building work unless a contract of insurance that complies with this Act is in force in relation to the approved work.

The builder or person shall obtain and have in force Home Building Insurance and supply to Council a copy of the certificate in respect of insurance complying with the *Home Building Act 1989* prior to the commencement of any residential building work together with the Notice of Commencement required by the Act.

If arrangements for doing the residential building work change while the work is in progress, further work must not be carried out unless Council has been provided with written notice of the updated information.

Reason: Prescribed conditions in accordance with clause 98(1)(b) and 98B(2)&(3) of the *Environmental Planning and Assessment Regulation* and requirement of the *Home Building Act 1989*. B_1_07

- 12) All steel framework to comply with Australian Standard 1250 and engineer's details and/or manufacturer's specifications, incorporating Ground Snow Load of 2.4 kPa and a Wind Load of N3.

Reason: Requirement of the *Building Code of Australia*. B_4_06

- 13) The solid fuel heater is to be installed in accordance with the National Construction Code Part 3.7.3, Australian Standard 2918 & Manufacturers specifications for the proposed heater. The heater shall not be operated until an installation inspection has been carried out and Council clearance received to operate the heater

Reason: To ensure compliance with the NCC and AS 2918. B_0_02

- 14) The solid fuel heater shall have a compliance plate affixed to the rear of the heater stating that the heater meets the current Australian Standard *AS/NZS4013:1999*.
Reason: To ensure compliance with AS/NZS 4013
- 15) The existing rural access driveway to the Peak View Road shall be upgraded to comply with Council's 'Specification for the Construction of Vehicular Crossings' and Drawing B 238 – Standard Vehicular Rural Crossing.
*Reason: In accordance with Cooma-Monaro Shire Council Development Control Plan 2014.*R_0_01

Conditions to be met during Construction

- 16) All Building Work is to comply with the Building Code of Australia.
Reason: Prescribed condition in accordance with clause 98(1)(a) of the Environmental Planning and Assessment Act and Regulation. B_1_01
- 17) The following are Critical Stage Inspections as prescribed by the *Environmental Planning and Assessment Act and Regulations*, whereby the Principal Certifying Authority must inspect.
- after excavation for, and prior to the placement of any footings;
 - prior to pouring any in-situ reinforced concrete building element;
 - prior to covering of the framework of any floor, wall, roof or other building element;
 - prior to covering water proofing in any wet areas;
 - prior to covering any stormwater drainage connections;
 - after the building work has been completed and prior to any Occupation Certificate being issued in relation to the building;
 - Council also requires that an inspection be made prior to covering any sanitary plumbing or drainage work.
- Note carefully that unless all of the Mandatory Critical Stage Inspections are carried out, an Occupation Certificate cannot be issued for the building.
Reason: Requirement of the Environmental Planning and Assessment Act and Regulations.
- NOTE: IF ANY ADDITIONAL COUNCIL INSPECTIONS ARE REQUIRED AN ADDITIONAL FEE WILL BE CHARGED IN ACCORDANCE WITH COUNCIL'S FEES SCHEDULE. B_1_04
- 18) The builder must at all times maintain on the site a legible copy of the plans and specifications bearing the stamp and Construction Certificate issued by the Principal Certifying Authority.
Reason: Requirement of the Environmental Planning and Assessment Act and Regulations. B_1_08
- 19) Working hours involving machinery or noisy activities being confined within the hours of 7.00am to 8.00pm, Monday to Saturday and 8.00am to 8.00pm on Sundays or Public Holidays. Please contact Council for further advice regarding noise control.
Reason: Requirement of the Protection of the Environment Operations Act and Regulations and to protect the amenity of residents in homes in the vicinity. B_1_09
- 20) During building operations the builder shall provide approved temporary toilet accommodation - 1 toilet for each 20 persons or part thereof engaged upon the building at any time. In town and village areas, such toilet must be either a temporary water closet (connected to wastewater or septic tank) or an approved type of chemical closet, properly maintained.
Reason: To ensure adequate sanitary facilities are available. B_2_03
- 21) Provision is required to be made for the storage and disposal of all waste building materials.
Reason: To ensure the site is kept in a satisfactory condition. B_2_05
- 22) The builder shall keep the building site tidy and shall ensure no waste material escapes at any time during construction or otherwise causes any nuisance.
Reason: To ensure the site is kept in a satisfactory condition. B_2_06
- 23) Sediment control structures should be inspected daily and maintained. If the control structure is more than 50% full, the sediment is to be removed and disposed of appropriately (so that it will not move into watercourses).
Reason: To prevent the movement of sediment from the site. P_5_03

Conditions to be met prior to release of Occupation Certificate

- 24) A rural address number sign for this lot shall be installed by the applicant, with numerals at least 75 mm in height. The sign shall comply with Australian/New Zealand Standard AS/NZS 4724.2 – Geographic information – Rural addressing (details including standard numbering plates are available from Council).

The rural address number(s) applicable are:

Lot and DP	Rural Address Details		
	Number	Street/Road	Locality
Lot 1 DP34884	2887	Peak View Road	Peak View

Reason: To allow identification of rural properties. [R_6_03](#)

- 25) The building MUST NOT be occupied until an Interim or Final Occupation Certificate has been issued by the Principal Certifying Authority (PCA). If Council is the PCA, an Application for Occupancy must be made and payment of any applicable fees prior to inspection and issue of an Occupation Certificate.

Reason: Requirement of *Environmental Planning and Assessment Act and Regulations*. [B_4_01](#)

- 26) Prior to the release of any Occupation Certificate an Outdoor Clothes Drying Area including a minimum 20 linear metres of line space is to be installed on the site.

Reason: To ensure compliance with the requirements of the *Cooma-Monaro Development Control Plan 2014*. [P_4_01](#)

- 27) Prior to the release of any Occupation Certificate a rainwater tank/s of a minimum volume of 90,000l is to be installed on the site.

Reason: To ensure compliance with the requirements of the *Cooma-Monaro Development Control Plan 2014*. [P_4_02](#)

Ongoing Conditions

- 28) Noise to be kept to an adjustable level so as not to cause discomfort to neighbours.

Reason: To ensure amenity to neighbours. [B_1_10](#)

- 29) All private road access to the dwelling on the site/development, including right/s-of-way, driveways and access points, shall be maintained in a safe, trafficable condition for all weather use by two-wheel drive vehicles.

Reason: In accordance with *Cooma-Monaro Shire Council Development Control Plan 2014*. [R_2_06](#)

Advice to Applicant

- Council wishes to advise that it is the responsibility of the owner and/or applicant to determine if site security and/or safety fencing is required to be provided in accordance with clause 235 of the *Occupational Health and Safety Regulation 2001* and *Work Cover Authority* requirements. Failure to comply with these requirements may result in penalties being imposed upon the owner and/or applicant.
- Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact *Dial Before You Dig* at www.1100.com.au or telephone 1100 before excavating or erecting structures. This is the law in NSW. If alterations are required to the configuration, size, form or design of the development upon contacting the *Dial Before You Dig* service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the *Dial Before you Dig* service in advance of any construction or planning activities.

Note: Under the *Telecommunications Act 1997 (Commonwealth)*, Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence

under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

- 3) It is the responsibility of the applicant to check, understand and seek assistance where needed so as to ensure full compliance with the conditions of this Development Consent. Please contact Planning on (02) 6455 1911 if there is any difficulty in understanding or complying with any of the above conditions.

Notes

- 1) An applicant may request a review of this determination under Section 82A of the Environmental Planning and Assessment Act 1979. A request for a review must be lodged within 6 months of the date of this notification. A review under Section 82A cannot be made for Integrated, Designated or Crown Development.
- 2) Section 97 of the Act confers on an applicant or an objector who is dissatisfied with the determination of Snowy Monaro Regional Council, a right of appeal to the Land and Environment Court exercisable within 6 months after receipt of this notice.

On behalf of the above Council:

Mark Adams
Planning Manager
for
Peter Smith
Director of Environmental Services

drewheatharchitects

9th June 2016

Timothy Pepperell
Urban and Rural Planner
for
Peter Smith
Director of Environmental Services

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Dear Timothy & Snowy Monaro Regional Council,

Proposed development	Dwelling
Property Description	2887 Peak View Road PEAK VIEW 2630
	Lot: 1 DP: 34884
Application Number	10.2016.576.1

I am writing in regards to a letter dated 9/06/16, concerning **Minimal Lot Size**.

This is a request to vary the development standard (4.2B(3)(a)) that applies to our development application (DA) 10.2016.576.1 as per clause 4.6(3) of CMLEP.

Clause 4.6(3) of CMLEP states;

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

We argue that the compliance with this development standard is unreasonable and unnecessary as our proposed development is 79.4ha which, is less than 1% in variation to the minimum lot size of 80ha for this area. As this is such a minor variation, we therefore ask for it to be dismissed as an issue of major relevance to this proposal.

Kind Regards,



Lily Freeman

Drew Heath Architects
0432350095
lily@drewheatharchitect.com



Title of Policy	Policy 83 – Gifts and Benefits		
Responsible Department	All staff, councillors	Document Register ID	250.2016.83.1
Policy Owner	Governance Group	Review Date	Date
Date of Council Meeting	Date Approved	Resolution Number	Number
Legislation, Australian Standards, Code of Practice	Local Government Act 1993 Office of Local Government - Model Code of Conduct for Local Councils in NSW Independent Commission Against Corruption (ICAC) – Managing Gifts and Benefits in the Public Sector - Toolkit		
Aim	Provide guidelines for staff and councillors on the receipt of gifts and/or benefits in the course of performing their duties.		

1 Purpose

Council has developed a Gifts and Benefits Policy which applies to Councillors and staff in relation to the receipt of gifts and or benefits they may receive whilst in the course of performing their duties.

Council maintains an electronic gifts register which requires Councillors and staff to declare any gift or benefit they may receive. This includes whether or not the gift or benefit was accepted or declined.

The purpose of this policy is therefore to provide guidelines for both Councillors and staff in relation to this important issue.

2 Relevant Legislation / Standards / Code of Practice

- Local Government Act 1993
- Model Code of Conduct for Local Government
- Independent Commission Against Corruption (ICAC) – Managing Gifts and Benefits in the Public Sector – Toolkit

3 Policy Details

3.1 Introduction

In the course of their public duties, both Councillors and staff may encounter situations in which they are offered gifts or benefits for a variety of reasons. In dealing with any offers of gifts or benefits, you must ensure that not only do they not influence you in the performance of your duties, but also that there can't be any public perception of undue influence due to these offers.

3.2 Definitions

3.2.1 ICAC Definitions

The Independent Commission Against Corruption in its publication "*Gifts, Benefits or Just Plain Bribes? – Guidelines for Public Sector Agencies and Officials*", defines gifts and benefits as follows:

Gifts: *In a private context, gifts are usually unsolicited and meant to convey a feeling on behalf of the giver, such as gratitude. There is ordinarily no expectation of repayment. Gifts given in a private context are not the focus of this publication. "Gifts are also offered to individuals in the course of business relationships. Such gifts are usually given for commercial purposes, for example, to create a feeling of obligation in the receiver. Some examples of these sorts of gifts are:*

- *Money*
- *Alcohol*
- *Clothes*
- *Products*
- *Tickets*

Benefits: *The term "benefit" is used in this publication to refer to something which is believed to be of value to the receiver, such as a service. Examples include:*

- *Discount on Purchases*
- *Priority in allocation of goods or services, ie tickets, etc*
- *Any form of preferential treatment*

3.2.2 Local Government Act Definitions

In addition, the definition of a "gift" under Part 1, Schedule 3 – *Disclosure of Interests of the Local Government Act 1993*" is as follows:

Gifts

(1) *A person making a return under section 449 (3) must disclose:*

- *A description of each gift received since the last return under Part 2 of Chapter 14 was made*
- *The name and address of the donor of each of the gift/s.*

(2) *A gift need not be included in a return if:*

- *It did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or lesser*
- *It was a political contribution disclosed, or required to be disclosed under Part 6 of the Election Funding Act 1981*
- *The donor was a relative of the donation recipient.*

(3) *For the purposes of this clause, the amount of a gift other than money is an amount equal to the value of the property given.*

3.3 Council's Position on Gifts and Benefits

Council's position regarding the receipt of gifts and benefits by Councillors and staff is that a councillor or member of staff must not, by virtue of his or her official position, accept or acquire a personal profit or advantage of a pecuniary value.

You must avoid situations giving rise to the appearance that a person or body, through the provision of gifts, benefits or hospitality of any kind, is attempting to secure favourable treatment from you or council.

You must take all reasonable steps to ensure that your immediate family members do not receive gifts or benefits that give rise to the appearance of being an attempt to secure favourable treatment. Immediate family members ordinarily include parents, spouse, children and siblings.

3.3.1 You must not:

- seek or accept a bribe or other improper inducement
- seek gifts or benefits of any kind
- accept any gift or benefit that may create a sense of obligation on your part or which may be perceived to be intended or likely to influence you in carrying out your public duty
- accept any gift or benefit of more than token value
- accept an offer of money, regardless of the amount. A 'Cash-like gift' includes, but is not limited to gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internal credit, memberships or entitlements to discounts

3.3.2 You may

Accept a token (low value) gift or benefit. Token gifts can be viewed as being:

- of no significant monetary value (less than \$25.00)
- presented to a number of persons in a delegation
- inconsequential or trivial and not offered on a regular basis
- not likely to be seen as compromising

Should a low value gift or benefit (such as chocolates) be offered on a regular basis, then consideration should be given as to why the gift is being offered. For example;

- is it for the purposes of placing the recipient in a position of having a sense of obligation to the gift giver
- as an inducement to continue to place orders or work with the gift giver
- for future favourable treatment for the gift giver

Council advises a cautionary approach when it comes to gifts and benefits and advises staff and Councillors to declare all offers (whether accepted or declined) for entering into the gift and benefits register.

Examples of what may be regarded as a token gift or benefit includes but is not limited to:

- Gifts of single bottles of alcohol to individual council members
- Official functions, public occasions or in recognition of work done (such as providing a lecture/training, session/address)
- Lucky door/ticket prizes won at conferences
- Food stuffs – cake, biscuits, lollies

Gifts and benefits that have more than a token value includes but is not limited to:

- Tickets to major sporting events – such as state, or international cricket matches or matches in other national sporting codes including NRL, AFL, FFA,NBL
- Corporate hospitality at a corporate facility at major sporting events
- Complimentary tickets to a performance or function relevant to your role in the organisation
- Items left to you in a residents' will in gratitude for service provided in your role as an employee of council

Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, this must be disclosed promptly by staff to your Manager and the General Manager and by Councillors to the Mayor. The gift or benefit must be surrendered.

The recipient, General Manager or Mayor must ensure that any gifts or benefits of more than token value that are received are recorded in the Gifts and Benefits register. The gift or benefit must be surrendered to Council via the Public Officer, unless the nature of the gift or benefit makes this impractical.

3.3.3 Exemptions

The following are exempt under this policy.

- Corporate discounts extended to all staff, having been negotiated through Council, for products or services
- Free or subsidised meals, beverages or refreshments provided in conjunction with Council work related events such as training, education sessions, workshops, conferences
- Council functions or events or social functions organised by groups, such as council committees and community organisations

3.4 Gifts and Benefits Register

An Electronic Gifts and Benefits Register has been established to enable Councillors and staff to record, where appropriate, gifts and benefits which have been received by them and/or to the Council. Registration of gifts or benefits not accepted should also be included into the register.

The register contains the following:

- Name and title of person receiving the gift or benefit, either for personal or Council use
- Name and title of person giving the gift
- Description of gift
- Acceptance or refusal of the gift or benefit
- What was done with the gift or benefit
- Value of gift (if known)
- Reason for presentation of gift

Councillors and members of staff must surrender all gifts and benefits of value over \$25 (non-token-high value) for recording in the Gifts and Benefits Register. The inclusion of an entry in this Register does not relieve Councillors or staff from their obligations to make disclosures in association with annual Disclosure Returns required of Councillors and designated persons under Section 449 (3) of the Local Government Act.

Councillors must declare any gifts they receive to the Mayor or Public Officer who will then enter this into Council’s Electronic Gifts Register.

3.5 Surrendering of gift or benefit

From time to time, members of staff and Councillors find themselves in a position where they have received a gift or benefit which they consider not to be of a "token" nature and they are unable to return this gift or benefit.

To remove perception of undue influence being exerted, members of staff should make an appropriate entry into the Gifts and Benefits Register and surrender the gift or benefit to the custody of the Public Officer as directed within the Gifts and Benefits Procedures.

Councillors are to surrender the gift or benefit to the Mayor, General Manager or Public Officer.

All gifts and benefits will then be utilised at a staff related council event. For example, the Council Christmas Party.

3.6 Gifts Associated with Sister City Activities

Gifts presented to the Mayor/Councillors/staff for the Council in association with Sister City activities must be entered into the Gift Register. The receiver of the gift must lodge the gift with the General Manager as soon as possible after receipt of the gift. The gift will then be recorded and placed in an appropriate location.

Gifts for the Council (normally presented to the Mayor or head of a delegation) are generally non-token gifts, i.e. painting, plaque, work of art or craft, other items of significance to a specific occasion (items relating to the formal signing of a Sister City Relationship) is of a reasonable monetary value or any other item that more than one person in the delegation would not receive.

If there is doubt as to whether a gift is for the Council or is a personal gift, the General Manager must be consulted for a determination.

3.7 Performance Indicator

- a) Gifts and benefits offered to Councillors and or members of staff are registered appropriately in the electronic Gifts and Benefits Register.
- b) Internal audit of the Gifts and Benefits register does not find non compliance in relation to this Policy.

4 Version History and Authorisation

Date Published	Version	Detail reason for issue or amendments	Author / Document Owner
DRAFT	Draft	Submitted to ET for approval	Governance Group

5 Replaces Policy Number

Not applicable

6 Department Responsible

Governance

7 Review Date

This Policy may be reviewed at any time. However the Policy will be reviewed within 12 months of an Ordinary election of the Council.

Documentation

250.2016.84.1	Procedures - Gifts and Benefits
250.2016.85.1	SMRC Councillor and Employee Gift and Benefits Form
	Supporting Documentation - Flowchart - Registration of offer gift or benefit
TRIM 16/12093	SMRC Councillor and Employees Electronic Gifts Register
	SMRC001 - Code of Conduct adopted 25 May 2016 (Resolution No: 16/16)

Variation

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



Title of Policy	SMRC 55 – Purchasing and Tendering Policy		
Responsible Department	All services	Document Register ID	250.2016.55.1
Policy Owner	Executive Team	Review Date	Date
Date of Council Meeting	Date Approved	Resolution Number	Number EMT 164/16
Legislation, Australian Standards, Code of Practice	Section 55 of the Local Government Act 1993 Local Government (General) Regulation 2005, Part 7 – Tendering Tendering Guidelines for NSW Local Government Work Health & Safety Regulation 2011 Work Health & Safety Act 2011		
Aim	To ensure a fair, transparent and accountable process in the purchase of goods and the contracting of services. In accordance with best practice, the purpose of this policy is to: <ul style="list-style-type: none"> • Provide policy and guidance to Council employees to allow consistency and control over purchasing activities • Demonstrate accountability to ratepayers • Provide guidance to ethical behaviour in public sector purchasing • Demonstrate the application of elements of best practice in purchasing • Increase the probability of obtaining the right outcome when purchasing goods and services 		

POLICY OBJECTIVE:

To ensure a fair, transparent and accountable process in the purchase of goods and the contracting of services.

In accordance with best practice, the purpose of this policy is to:

- Provide policy and guidance to Council employees to allow consistency and control over purchasing activities
- Demonstrate accountability to ratepayers
- Provide guidance to ethical behaviour in public sector purchasing
- Demonstrate the application of elements of best practice in purchasing
- Increase the probability of obtaining the right outcome when purchasing goods and services

RELEVANT LEGISLATION/STANDARDS/CODE OF PRACTICE:

- Local Government Act 1993 Section 55 (outlines the requirements which relate to tendering when purchasing goods and contracting services)

- Local Government (General) Regulation 2005 Part 7 – Tendering
- Tendering Guidelines for NSW Local Government – NSW Department of Premier and Cabinet, Division of Local Government, October 2009
- Code of Practice and Code of Tendering for the Construction Industry – Practice Note No 8a (1996), Department of Local Government
- Trade Practices Act 1974
- Work Health and Safety Act 2011
- Other applicable documents include:
 - Council’s Code of Conduct
 - Council’s Gifts and Benefits policy
 - ICAC Guidelines
 - NSW Ombudsman Guidelines

There are various Acts, Regulations and Guidelines that apply to Council’s diverse range of purchasing activities. The Purchasing Policy is intended to supplement these instruments. Any inconsistency that may arise between the policy and a legal instrument shall be resolved in favour of the Act or Regulation.

Officers shall maintain a working knowledge of the Acts and Regulations applying to the purchasing activities they undertake.

POLICY STATEMENT:

1 PREAMBLE:

Council spends many millions of dollars in the procurement of goods and services each year. This significant procurement activity supports the delivery of services and projects in the Council Delivery Plan. The procurement needs to be undertaken in a manner that ensures value for money and accountability to the community for the expenditure of public monies.

Procurement in Council involves the use of best practice in contracting and purchasing and provides a foundation for organisations to achieve their goals and objectives.

The elements of best practice applicable to Local Government procurement incorporate:

- Broad principles covering ethics, value for money, responsibilities and accountabilities
- Guidelines giving effect to those principles
- A system of delegations (i.e. the authorisation of officers to approve a range of functions in the procurement process)
- Procurement processes, with appropriate procedures covering minor simple procurement to high value complex procurement
- A professional approach to all major procurements.

Council’s contracting and purchasing needs to be able to demonstrate that public money has been well spent and that the procurement process was conducted, and seen to be conducted, in a manner which is impartial, fair and ethical and where possible generates business in the local community.

As part of the Council's goal is to embrace innovative and technological advances; electronic purchasing and tendering processes including Government procurement contracts will be made available and used whenever appropriate.

2 SCOPE:

This policy applies to all Council Staff

This Policy relates to all procurement activities at Council.

3 PURCHASE METHODS:

The procurement method for obtaining goods and services will be determined according to the estimated costs of the goods or services sought. Depending upon the estimated costs, the procurement method may be by oral and /or written quotations, advertisement and by a tender process. Threshold values are indicated below.

The General Manager or Director (or their delegate) may waive the requirements to obtain written quotes providing they are satisfied those exceptional circumstances justify exemption from this requirement.

QUOTATION AND TENDER THRESHOLDS

Less Than \$1,000

Goods or services may be purchased where appropriate to the needs of Council by obtaining a **verbal quotation**. The officer responsible must use professional discretion to ensure that value for money is achieved.

Between \$1,000 and \$4,999

Where the costs/rates are reasonable and consistent with the market values for items of a similar nature and the value of procurement of goods or services does not exceed \$4,999, **two verbal or emailed quotes** are required to be obtained.

Between \$5,000 and \$14,999

At least two written or emailed quotations are required including terms and conditions and documented scope of works from companies considered being capable of supply or performing the work.

Between \$15,000 and \$149,999

To maximise competition and enhance value for money, **at least three written quotations are required**, including documented scope of works/specifications, **or advertisements inviting quotations or an expression of interest**, making available where possible, opportunities for all, including local suppliers to offer their products and services.

Where the estimated expenditure is close to, but under, the \$150,000 threshold, tenders should be invited.

\$150,000 and above

Formal Public Tenders are to be invited either:

- By **public advertisement** in accordance with s55 Local Government Act 1993 and Part 7 Tendering under the Local Government (General) Regulation 2005, or
- From **selective tendering method** from persons short listed as a result of a public advertisement for expressions of interest, or from selective tendering method by recognised contractors selected from a prepared list and adopted by the Council.
- Using the **Services of Local Government Procurement**.

- Using the **Services of any State or Federal procurement agencies**

4 KEY PRINCIPLES:

Persons engaged in procurement activities on behalf of Council will at all times pursue the following key procurement principles:

4.1 Open & Effective Competition

- Open and effective competition is the central operating principle in pursuit of the best outcome. Openness requires procurement actions that are visible to the Council, ratepayers and suppliers/contractors. The probability of obtaining the best outcome is increased in a competitive environment.
- Council will establish effective competition by maximising the opportunities for firms to do business with Council through the selection of procurement methods suited to market conditions. These methods will include requesting offers where possible from a number of suppliers, providing timely and adequate information and allowing ease of entry for new suppliers.
- Council will provide feedback to unsuccessful bidders, if requested.

4.2 Value for Money

- Value for money involves obtaining goods and services for Council that best meet the end user's needs at the lowest total cost with the minimum level of contractual risk.
- Value for money may mean not always accepting the lowest price. Factors to be considered as part of evaluating quotes and tenders include fitness for purpose, fair market prices and whole of life costs. 'Whole of life' includes, price, cost of spares, running costs, post-delivery support, effective warranties, cost of replacement, installation costs, etc.
- All decision-makers in the procurement process must satisfy themselves that the proposed expenditure will make efficient and effective use of rate payers' funds.

Having regard to these factors, the lowest price will not automatically represent the best value for money.

4.3 Ethical Behaviour and Fair Dealing

(See also Council's Code of Conduct and Gift & Benefits Policies)

- Council will not use or disclose information that confers unfair advantage, financial benefit or detriment to a supplier.
- Employees have a responsibility to act honestly and impartially, and be accountable for procurement actions. Adopting an ethical and fair approach is important because the concepts of honesty, integrity, fairness and accountability in local government are core expectations of public sector procurement.
- Employees must comply with their purchasing delegation limit.
- Council employees and officials will not engage in any private business or professional activity that would or may be seen to create conflict between personal interest and the interest of the organisation.

In pursuit of ethical behaviour and fair dealing, employees will:

- Treat potential and existing suppliers with equality and fairness
- Not seek or receive personal gain
- Maintain confidentiality of contract prices and other sensitive information
- Present the highest standards of professionalism and probity

- Deal with suppliers in an honest and impartial manner that does not allow conflicts of interest
- Provide all suppliers and tenderers with the same information and equal opportunity
- Be able to account for all decisions and provide feedback where required

4.4 Accountability and Transparency

- Accountability in procurement means being able to explain and evidence what has happened. An independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.
- The processes by which all procurement activities are conducted will be in accordance with Council's Purchasing and Tendering Policy and Procedures.
- Delegations define the limitations within which Council employees are permitted to work. They ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level. As such, Council has delegated responsibilities to employees relating to the expenditure of funds for the purchase of goods and services and the acceptance of tenders.
- Employees must be able to account for all decisions and provide feedback on them. Additionally, all procurement activities will leave an audit trail for monitoring and reporting purposes.

4.5 Environmental Preference & Sustainability

- To promote and adopt procurement practices which conserve resources, suppliers may be asked if they can offer products and services which conserve resources, save energy, minimise waste and/or contain recycled products and/or are environmentally sustainable to the greatest extent that is practicable.
- Prospective suppliers to Council may be required to communicate their environmental practices as part of the tender specification.

4.6 Work Health and Safety

- Council is committed to protecting human health and safety. Council will ensure that its procurement activities protect the health and safety of its staff, customers, contractors and the general public.
- All contractors engaged by Council are required to demonstrate that they provide adequate risk management including hazard identification and risk control measures. These will be confirmed through the Contractor induction process.

4.7 Local Supplier Sourcing

- Council is committed to representing and assisting the community and the stakeholders of the Snowy Monaro Regional Council in meeting their needs at an affordable cost. In addition, Council will aim to encourage the development and promotion of business and industry within the local economy and in so doing will assist in creating the growth of such business or industry.
- When considering local preference, Council will actively encourage and promote business and industry within the local government area without conferring an improper advantage or breaching the *Trade Practices Act 1974*.

A local benefit can be established where all things being equal there is/are one or more of the following:

- Locally sourced materials specific to the contract

- Locally sourced services and goods as a result of the contract (eg fuel and accommodation)
- Locally sourced labour (people domiciled within the SMRC local government area), either sub-contractors or employees, either at the time of tendering or as a result of being successful in the tender.
- A business premises in SMRC local government area
- Any variation in price can be justified

4.8 Confidentiality

All information provided between Supplier/Contractor and the Council shall be treated as confidential only to the extent provided by the *Government Information (Public Access) Act 2009*.

RISK ASSESSMENT:

Risk levels for this policy are considered to be high because:

- The policy must adhere to the provisions of the Local Government Act 1993 and Regulations and other relevant legislation
- Purchasing is a major element of Council expenditure
- Systems and procedures must be documented and followed
- Good business ethics and adherence to the Code of Conduct are crucial functions of Council

DOCUMENTATION:

This policy should be read in conjunction with:

Procedures – Purchasing under Delegated Authority
Procedures – Contracting under Delegated Authority
Procedures – Tendering under Delegated Authority

Variation

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