



**SNOWY MONARO**  
REGIONAL COUNCIL

# **BUSINESS PAPER**

**PUBLIC EXHIBITION COPY**

**Ordinary Council Meeting**  
**29 June 2016**

## ***CONFLICTS OF INTEREST***

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

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

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

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

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

Should you be unsure as to whether or not you have a conflict of interest you should err on the side of caution and either declare a conflict of interest or, you should seek the advice of the Director General of Local Government.

The contact number for the Director General of Local Government is 4428 4100.

## ***COUNCIL CODE OF CONDUCT***

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

The code of conduct sets out the responsibilities of the Administrator and Council employees attending a Council meeting or a meeting of a committee of Council. The code also sets out how complaints against a Council employee, the Administrator or General Manager are to be made.

## ***COUNCIL CODE OF MEETING PRACTICE***

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

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### **Acknowledgement of Owners of Land**

Council wishes to show our respect to the First Custodians of this land the Ngarigo people and their Ancestors past and present who pass on this duty of custodianship of the land to us the current custodians. We are proud to be Australian and celebrate the diverse backgrounds and cultures that make up our Nation – our Land.

**ORDINARY COUNCIL MEETING  
TO BE HELD IN BERRIDALE COUNCIL CHAMBERS, 2 MYACK STREET, BERRIDALE  
NSW 2628**

**ON WEDNESDAY 29 JUNE 2016  
COMMENCING AT 5.30PM**

**BUSINESS PAPER**

- 1. APOLOGIES**
- 2. CITIZENSHIP CEREMONIES**
- 3. PRESENTATIOINS**
- 4. PUBLIC FORUM**
  - 4.1 Cheryl Mould, Aitchison Cottage
- 5. CONFIRMATION OF MINUTES**
  - 5.1 Ordinary Council Meeting held on 25 May 2016
  - 5.2 Closed Session of the Ordinary Council Meeting held on 25 May 2016
- 6. DISCLOSURE OF INTEREST**

(Declarations also to be made prior to discussions on each item)
- 7. MAYOR'S REPORT**
- 8. DELEGATES REPORT**
  - 9.2 Minutes of Administrator Delegations Meeting 10 June 2016 1
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## **10 NOTICE OF MOTION**

Nil

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Nil

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Nil

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### **14.1 Weed Control Services Tender**

*Item 22.1 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.*

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**8.1 MINUTES OF ADMINISTRATOR DELEGATIONS MEETING 10 JUNE 2016**

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Attachments: 1. Minutes - Administrator Delegations Meeting 10 June 2016

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**EXECUTIVE SUMMARY**

The Administrator Delegation meeting was held on 10 June 2016 in Head Office, 81 Commissioner Street, Cooma.

**OFFICER'S RECOMMENDATION**

Receive and note the recommendations approved by the Administrator in accordance with *Section 226 dot point one (1) or two (2) of the Local Government Act*



**SNOWY MONARO**  
REGIONAL COUNCIL

# **Minutes**

**Administrator Delegations Meeting**

**10 June 2016**

**ADMINISTRATOR DELEGATIONS MEETING  
HELD IN HEAD OFFICE, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON FRIDAY 10 JUNE 2016**

**MINUTES**

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**MINUTES OF THE ADMINISTRATOR DELEGATIONS MEETING  
HELD IN HEAD OFFICE, 81 COMMISSIONER STREET, COOMA NSW 2630**

**ON FRIDAY, 10 JUNE 2016  
COMMENCING AT**

**PRESENT:** Administrator Dean Lynch

**STAFF:** Erin Donnelly, Secretary Council and Committees

**1. DECLARATION OF PECUNIARY INTERESTS/CONFLICT OF INTEREST**

Nil

**2. STAFF REPORTS**

**2.1 ESTABLISHMENT OF SNOWY MONARO AUDIT AND RISK COMMITTEE**

Record No:

Responsible Officer: General Manager

Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation

Delivery Plan Strategy: DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest

Operational Plan Action: OP7.6 Ensure that governance structures are open, transparent and fully accountable and that these are supported by relevant instruments.

Attachments: 1. DRAFT - Audit and Risk Committee Charter  
2. DRAFT - Internal Audit Charter

Cost Centre

Project

Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

This report seeks endorsement of the proposed role and structure of the Audit and Risk Committee though the adoption of the Audit and Risk Committee Charter, the election of one Councillor to the Audit and Risk Committee; adoption of remuneration for the Chair and external members; calling for expression of interest for external independent members to the Audit and Risk Committee. An internal audit function currently in place will manage the work of the Audit and Risk Committee.

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

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**COMMITTEE RECOMMENDATION**

1/16

That Council

- A. Adopt the Audit and Risk Committee Charter as set out in Attachment 1;
- B. Appoint the Administrator or an alternate to the Audit and Risk Committee as Council representative for the term of the Administration;
- C. Adopt the recommended fees per meeting for external Audit and Risk Committee members as \$550 (GST Inclusive) per meeting attended for the Chair and \$440 (GST inclusive) per meeting attended for external members. Vehicle allowance will be paid under Local Government (State) Award 2014
- D. Call Expressions of Interest seeking qualified and experienced people to be independent members on Council's Audit and Risk Committee.
- E. Note the Internal Audit Charter as set out in Attachment 2

**Approved Administrator Lynch**

**2.2 ESTABLISHMENT OF THE STRONGER COMMUNITIES FUND ASSESSMENT PANEL**

Record No:

Responsible Officer: General Manager  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.6 Increase and improve Council's financial sustainability.  
Operational Plan Action: OP7.17 Effective management of Council funds to ensure financial sustainability.  
Attachments: Nil  
Cost Centre 3130  
Project Establishment of a Stronger Communities Fund Assessment Panel  
Further Operational Plan Actions:

**EXECUTIVE SUMMARY**

Council has executed the *Office of Local Government New Council Funding Agreement 2016 - Attachment 1*, which secures the Stronger Communities Fund (SCF) and New Council Implementation Fund (NCIF) grant monies for the Snowy Monaro Regional Council (SMRC). Under the Operative Provisions (Item 1.2) of the referenced funding agreement "Council agrees to at all times comply with the Guidelines issued".

This report provides advice to the Administrator in relation to Council obligations under the agreement, specifically the mandatory establishment of a 'Stronger Communities Fund Assessment Panel'.

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

**COMMITTEE RECOMMENDATION**

2/16

That Council

- A. Convene a Stronger Communities Fund Assessment Panel
- B. Approve for the Grants Officer to develop a Terms of Reference (TOR) document for the Panel
- C. Appoint one (1) member from each of the SMRC Local Representation Committees to the Panel; or nominate alternate &/or additional member(s) selection
- D. Appoint a member of the SMRC Audit Committee to the Panel, as the Independent Probity Adviser
- E. Approve for the Grants Officer to be appointed to the Panel in an Observer capacity. Observers will have a responsibility to adhere to the principles outlined in the Terms of Reference (TOR) and may provide relevant advice to the assessment panel, though they will not have voting rights.

**Approved Administrator Lynch**

**3. CONFIDENTIAL MATTERS**

**RECOMMENDATION**

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:  
**3.1 Merger - Transition and Implementation Planning - Project Management, Monitoring and Reporting System - CAMMS**  
Item 22.1 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.
2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.
4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the Council Meeting.
5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.

**4. REPORT FROM CONFIDENTIAL SESSION**

**4.1 MERGER - TRANSITION AND IMPLEMENTATION PLANNING - PROJECT MANAGEMENT, MONITORING AND REPORTING SYSTEM - CAMMS**

**COMMITTEE RECOMMENDATION**

3/16

That Council accept the five proposals from CAMMS as follows:

- A. Stage 1 – Software Licences
- B. Stage 2 – Workforce Plan Consultancy

- C. Stage 3 – Transition Plan
  - D. Stage 4 – RevuMap and Service Mapping
  - E. Stage 5 – Project Management and Oversight
- Approved Administrator Lynch**

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CHAIRPERSON

The above minutes of the Administrator Delegations Meeting of Snowy Monaro Regional Council held on 10 June 2016 were confirmed by Council at a duly convened meeting on 29 June 2016 at which meeting the signature hereon was subscribed.

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**9.1 MINUTES OF THE LOCAL REPRESENTATIVE COMMITTEE MEETING HELD 14 JUNE 2016**

Record No:

Responsible Officer: General Manager

Author: Secretary Council & Committees

Attachments: 1. Minutes - Snowy Monaro Local Representation Committee Meeting 14 June 2016

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2. Attachment to Minutes - Appointment to Committees
  3. Local Representation Committee Acceptance - Angela Ingram
  4. Local Representation Committee Acceptance - Craig Mitchell
  5. Local Representation Committee Acceptance - Dian Hampshire
  6. Local Representaiton Committee Acceptance - Gabrielle Rea
  7. Local Representation Committee Acceptance - John Cahill
  8. Local Representation Committee Acceptance - John Shumack
  9. Local Representation Committee Acceptance - Paul Perkins
  10. Local Representation Committee Acceptance - Peter Beer
  11. Local Representation Committee Acceptance - Robert Frost
  12. Local Representation Committee Acceptance - Rogan Corbett
  13. Local Representation Committee Acceptance - Steve Goodyer
  14. Local Representation Committee Acceptance - Winston Phillips
- 

**EXECUTIVE SUMMARY**

The Local Representative Committee met on 17 June 2016 in Cooma Council Chambers, 81 Commissioner Street Cooma.

**OFFICER'S RECOMMENDATION**

That the Administrator receive and note the minutes of the Local Representative Committee Meeting held 14 June 2016.



## **Snowy Monaro Local Representation Committee Meeting**

**14 June 2016**

## Snowy Monaro Local Representation Committee Meeting 14 June 2016

### Attendees

Rogan Corbett  
Winston Phillips  
Angela Ingram  
Craig Mitchell  
Steve Goodyer  
Diane Hampshire  
Paul Perkins  
Gabrielle Rea  
Bob Frost  
John Cahill  
John Shumack  
Peter Beer  
Dean Lynch  
Joseph Vescio  
Iliada Bolton  
Katherine Miners

### Apologies

nil

### 1. Welcome

The Meeting was opened by Administrator Dean Lynch at 6.00pm and welcome packs were handed to every attendee containing:

- Agenda
- Terms of Reference
- Policy – Code of Conduct
- The Model Code of Conduct for Local Councils NSW
- Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW
- Policy – Payment of Expenses and Provision of Facilities for Mayor and Councillors
- Local Government Remuneration Tribunal – Annual Report and Determination
- Policy – Communications Policy
- Acceptance Agreement
- Report – Review of Membership Committees

All attendees described their background (where they are from, past work experience and why they are interested in Local Government).

## **2. Roles and Responsibilities**

Dean Lynch described his role as the Administrator – appointed to carry the role of both the Mayor and the Councillors for the new local government area. The Administrator either accepts or rejects the proposed recommendations at Council meetings however does not control operational staff.

Joe Vescio described his role as the interim General Manager – appointed to continue operational matters, to harmonise all systems, to implement new and innovative technology, to restructure the organisation and continue providing services to the ratepayers.

The LRC members were advised that the all staff meeting was successful and that there is a minimum of a three year protection for all staff. Towns with a population of under 5,000 will have continued protection of each position as far as practicable. As the organisation is restructured some staff may have to be laterally moved, however they will receive training for that position. The organisation would like to provide job opportunities to the youth to promote the population in places like Bombala by providing apprenticeships and traineeships. The goal is for the organisation to be able to build career paths for young people by ‘putting the community fabric back into the community’. The public will see that the workforce needs to be maintained as there are more opportunities in a bigger organisation. It may be that there are ‘centres of excellence’ in which some services would be based out of particular offices.

## **3. LRC Terms of Reference**

The members were advised that this is a paid position that will require the members to attend external, internal and 355 committee meetings. The Chairs of the LRC committees will meet each month.

The chairs of each committee will be:

- Rogan Corbett – Cooma SMLRC
- Steve Goodyer – Bombala SMLRC
- John Cahill – Snowy River SMLRC

There will be combined quarterly meetings held or more if necessary.

It was described to the Local Representation Committee (LRC) members that their role is to be representatives for their former local government areas and to attend functions as a representatives of council. The groups are advisors to and are required to be supportive of the Administrator. They are to provide him with information about the community and any concerns they may have. The members are also required to advise the public that they are approachable by the community.

Dean Lynch and Katherine Miners are to meet with each of the LRCs. The members are required to be aware of good news stories and are to go to openings and functions etc. All events are to be coordinated through Katherine Miners. It is important that the LRCs deflect any negative things to the Administrator to deal with. Dean Lynch is the only person that speaks to the media.

Joe Vescio advised that the Operational Plans for each former local government area are being harmonised by staff. The LRCs will not have time for a meeting to revise the Operational Plan before it is adopted by the Administrator to go on exhibition. While the Operational Plan is on exhibition the LRCs can meet to look at it in their individual groups as representatives for their area. The Administrator may decide to call everyone together to go over it – this will be decided closer to the time.

Further, no one is to guarantee how much money is available in each reserve until a statement comes from the auditor. Money that is held in each former council's reserves will be spent in that region.

#### **4. Code of Conduct**

All members noted the documents. All members were advised that when approaching operational staff they can only be those who hold positions of director or manager. LRC members are not allowed to harass or intimidate any staff members.

#### **5. Reimbursement Policy**

All members noted the document. Members are encouraged to claim out of pocket expenses within three months. The forms can be dropped into any office to be processed. Telephone and internet usage costs were discussed in accordance with the attached policy.

#### **6. Communication Policy**

Noted by all members.

#### **7. Appointments to Community Advisory & External Committee**

Appointments to External committees were delegated – please see attached spreadsheet.

It was agreed that South East Weight of Loads Group, Upper Murrumbidgee Catchment Coordinating Committee, Snowy River Health Centre Representative Committee and the South East and Southern Resource Recovery Group would have staff representatives. Council will no longer send representatives to the Traffic Development Committee, South East Australia Transport Strategy or Kosciuszko Alpine Way Steering Committee. The District Rural Fire Service Committees are under contract and that contract will continue.

The LRCs are to review 355 committees, working parties and internal advisory committees to determine suitable representatives and advise the Administrator accordingly.



The LRCs have been asked to present the General Manager and the Administrator with proposals that streamline services to form regional committees

It was unanimously agreed that volunteer work should be retained as it is essential to keep community members involved. A letter is to be written to all community groups and 355s advising their reappointment until September 2017.

#### **8. Stronger Communities Fund**

Expressions of Interest have been released for the Stronger Communities Fund grant scheme. Each Chair of each LRC is to be on the assessment panel.

The LRC members were asked to make sure they encourage worthy projects to be submitted for assessment.

The meeting was formally closed 8.15pm.

Committee	Delegate	Alt. Delegate	BC	CMSC	SRSC
ANU Medical School	Angela Ingram	Diane Hampshire	x	x	x
Canberra Region Joint Organisation	Administrator	John Cahill	x	x	x
Cooma Correctional Centre Community Consultative Committee	Administrator	General Manager		x	x
Community Safety Precinct Committee	Administrator	Peter Beer	x	x	x
Local Traffic Committee	Bob Frost	Steve Goodyer	x	x	x
District Bush Fire Management Committee	Winston Phillips	Bob Frost	x	x	
Monaro Regional Interagency	Angela Ingram	Diane Hampshire	x	x	x
Jindabyne Liquor Accord	Peter Beer	N/A			x
Southern Monaro Local Emergency Management Committee	General Manager	N/A	x	x	x
Southern Monaro Local Emergency Rescue Committee	General Manager	N/A			x
Monaro Regional Weeds Committee	Winston Phillips	John Cahill	x	x	x
South East Arts Board	John Shumack	Craig Mitchell	x	x	x
Boco Rock Community Fund Committee	Administrator	TBA	x	x	
South East Regional Academy of Sport	TBA	TBA	x	REP	x
Bundian Way Advisory Committee	Craig Mitchell	John Shumack/Steve Goodyer	x		
Cooma Universities Centre	Administrator	N/A		x	
Aboriginal Liason Committee	Craig Mitchell	N/A			x
Delegate Progress Association	Bill Bateman?	Angela Ingram	x		
Joint Regional Planning Panel	Administrator	General Manager	x	x	
Monaro Housing Taskforce	Peter Beer	N/A			x
Snowy Mountains Neighbourhood Centre	Peter Beer	N/A			x
Noxious Weeds Advisory Committee	John Cahill	N/A		x	x



I, Angela Ingram, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

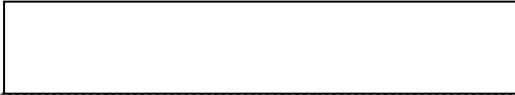
In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

1. **Respect for our history** – I will be respectful and honour the history and traditions of the former Cooma Monaro, Bombala and Snowy River councils
2. **Community and resident focused** – I will focus on service delivery continuity for residents, the community and other stakeholders during the transition period
3. **Collaborative and cooperative transition** – I will work collaboratively to facilitate a smooth and timely transition
4. **Integrity and mutual respect** – I will act with integrity, mutual respect and professionalism at all times and in the best interests of the Snowy Monaro Regional Council
5. **Open and clear communications** – I will engage in open, clear and consistent communications that reflect the position of the SMLRC and the Administrator to minimise uncertainty for all stakeholders impacted by the transition
6. **Fact-based decision-making** – I will contribute to discussions based on objective, data-based criteria and on merit - not power, emotions or politics

In addition, I agree that I will have a:

- Commitment to making the new Council a success;
- Desire to represent the views of the community;
- Willingness to make decisions that are in the best interest of the community;
- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

  
.....  
*Signature* Angela Ingram  
.....  
*Print Name*  
*Date:* 14/6/16.....



I, CRAIG MITCHELL, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

1. **Respect for our history** – I will be respectful and honour the history and traditions of the former Cooma Monaro, Bombala and Snowy River councils
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- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

Signature

CRAIG MITCHELL

Print Name

Date: 14 / 6 / 16



I, DIANE HAMPSHIRE....., agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

1. **Respect for our history** – I will be respectful and honour the history and traditions of the former Cooma Monaro, Bombala and Snowy River councils
2. **Community and resident focused** – I will focus on service delivery continuity for residents, the community and other stakeholders during the transition period
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6. **Fact-based decision-making** – I will contribute to discussions based on objective, data-based criteria and on merit - not power, emotions or politics

In addition, I agree that I will have a:

- Commitment to making the new Council a success;
- Desire to represent the views of the community;
- Willingness to make decisions that are in the best interest of the community;
- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

Signature

DIANE HAMPSHIRE

Print Name

Date: 14<sup>th</sup> June 2016



I, Gabrielle Rea, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

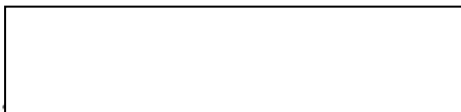
In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

1. **Respect for our history** – I will be respectful and honour the history and traditions of the former Cooma Monaro, Bombala and Snowy River councils
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In addition, I agree that I will have a:

- Commitment to making the new Council a success;
- Desire to represent the views of the community;
- Willingness to make decisions that are in the best interest of the community;
- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.



Signature

Gabrielle Rea

Print Name

Date: 14.6.16



I, JOHN CAHILL, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

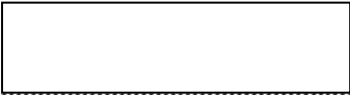
In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

1. **Respect for our history** – I will be respectful and honour the history and traditions of the former Cooma Monaro, Bombala and Snowy River councils
2. **Community and resident focused** – I will focus on service delivery continuity for residents, the community and other stakeholders during the transition period
3. **Collaborative and cooperative transition** – I will work collaboratively to facilitate a smooth and timely transition
4. **Integrity and mutual respect** – I will act with integrity, mutual respect and professionalism at all times and in the best interests of the Snowy Monaro Regional Council
5. **Open and clear communications** – I will engage in open, clear and consistent communications that reflect the position of the SMLRC and the Administrator to minimise uncertainty for all stakeholders impacted by the transition
6. **Fact-based decision-making** – I will contribute to discussions based on objective, data-based criteria and on merit - not power, emotions or politics

In addition, I agree that I will have a:

- Commitment to making the new Council a success;
- Desire to represent the views of the community;
- Willingness to make decisions that are in the best interest of the community;
- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

  
.....  
**Signature**  
JOHN CAHILL  
.....  
**Print Name**  
**Date:** 14/06/2016



I, ..... JOHN SHUMACK ....., agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.


In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

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- Commitment to promote the new Council to the Community, where permitted by the Administrator;
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I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

.....  
  
Signature

..... JOHN SHUMACK .....

Print Name

Date: ..... 14/6/2016 .....





I, Paul Perkins....., agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

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- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

.....

**Signature**

Paul Perkins.....

**Print Name**

**Date:** 14-06-16.....



I, Peter BEER, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

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- Willingness to make decisions that are in the best interest of the community;
- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

.....  
**Signature**

Peter BEER  
.....  
**Print Name**

14/6/16  
.....  
**Date:**



I, Robert Frost, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

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- Willingness to make decisions that are in the best interest of the community;
- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

Signature Robert Frost

Print Name

Date: 14 June 2016



I, ROGAN CORBETT, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

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- Willingness to make decisions that are in the best interest of the community;
- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

.....  
[Signature Box]

Signature

ROGAN CORBETT

Print Name

Date: 14/6/2016



I, STEVE GOODYER....., agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

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I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.

.....  
**Signature**

.....  
**Print Name**

**Date:** ..... 14/6/16 .....



I, WINSTON CHURCHILL PHILLIPS, agree to adhere to the Terms of Reference for the Snowy Monaro Local Representation Committee (SMLRC), to which I have been appointed, and to at all times remain committed to the success of the new Snowy Monaro Regional Council.

In exercising the functions of my role on the SMLRC, I agree to uphold the values of the committee, being:

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- Commitment to promote the new Council to the Community, where permitted by the Administrator;
- Commitment to work collaboratively with other committee members.

I understand that my membership on the SMLRC will be terminated in the event that I fail to uphold the values of the committee, its Terms of Reference, or I cease to be committed to the success of the new Snowy Monaro Regional Council.



Signature

WINSTON CHURCHILL PHILLIPS

Print Name

Date: 14/06/2016

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## 9.2 REALIGNMENT OF BIG YARD ROAD, MOONBAH

Record No:

Responsible Officer:	Director Technical Services & Operations
Author:	Property Officer
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.5 Continual maintenance and improvement of the road infrastructure network.
Operational Plan Action:	OP2.9 Undertake a comprehensive condition assessment of all Councils Timber and Concrete Bridges, Culverts and Causeways and search for suitable grant funding to implement upgrades where necessary
Attachments:	<ol style="list-style-type: none"><li>1. Map of Section of Big Yard Road to be Realigned</li><li>2. Consent from David Woodhouse - Realignment of Big Yard Road</li><li>3. Consent from Ray Weston - Realignment of Big Yard Road</li></ol>
Cost Centre	
Project	PJ180263 – Big Yard Road Bridge Replacement
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

During the final planning stage for the replacement of the Rendezvous Creek Bridge on Big Yard Road at Moonbah an anomaly between the constructed road and the paper road reserve was identified. The paper road (approx. 1186.88 metres) only passes through Lot 4 DP 756711. The two landowners involved were contacted with a view to realigning the road reserve over the constructed road for a distance of approximately 1280 metres.

Both landowners have agreed in writing to “gift” the land within the constructed road through each of their properties to Council. Mr Weston will be compensated by transfer of the section of road to be closed where it traverses Lot 4. However, since there is no paper road passing through lot 29, Mr Woodhouse has requested that in exchange for the land within the road reserve Council fence the eastern side of the road through lot 29 (a distance of approx. 165m).

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

#### OFFICER’S RECOMMENDATION

That Council

- A. Approve the proposal to realign Big Yard Road over the constructed road through lot 29 and Lot 4 DP 756711 so that the Rendezvous Creek Bridge is within Council’s road reserve.
- B. Engage the services of a registered surveyor to create a plan of subdivision through lot 29 and lot 4 DP 756711.
- C. Make application to the Department of Lands to close the section of paper road through lot 4 DP 756711.

- D. Transfer the section of closed paper road through lot 4 DP 756711 to the adjoining landowner upon registration of the plan of subdivision and closure of the paper road in compensation.
- E. Agree to pay all costs for the survey, road closure application, Council fees, registration fees and any legal fees.

## BACKGROUND

During the final planning stage for the replacement of the Rendezvous Creek Bridge on Big Yard Road at Moonbah the anomaly between the constructed road and the paper road reserve was identified. The paper road (approx. 1186.88 metres) passes through two different properties and the two landowners involved were contacted with a view to realigning the road reserve over the constructed road for a distance of approximately 1225.8 metres.

Both landowners have agreed in writing to “gift” the land within the constructed road through each of their properties to Council.

As demonstrated on the map attached to this report, the constructed road passes through the following properties:

1. Lot 29 DP 756711 – Landowner Mr David Woodhouse

Mr Woodhouse has agreed to “gift” the land to Council from the northern boundary of lot 29 and the new bridge over Rendezvous Creek in exchange for Council fencing the eastern side of the road for approximately 165 metres.

2. Lot 4 DP 756711 – Landowner Mr Raymond Weston

Mr Weston has agreed to “gift” the constructed road to Council in exchange for the transfer of the paper road from Rendezvous Creek to the Western boundary between Lot 4 and Lot 25 DP 756711. Approximately 1,114.74 metres.

Grazing land in the immediate area is currently selling for around \$1,200/ha.

It will be necessary for Council to close the section of Big Yard Road which is outside the road reserve and to pay all costs for the survey, Council fees, and legal fees including lodgement of the plan at the LPI in addition to fencing the eastern side of the road as it passes through Lot 29.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

The old Rendezvous Creek Bridge became unsafe for vehicular traffic and it was necessary for Council to install an emergency by-pass to enable landowners to access their properties. A new bridge was designed and construction was commenced on Monday 30<sup>th</sup> May.

The new bridge will negate the issues which have been experienced by landowners accessing their properties in as much as it will be structurally safe and bridge performance will improve to a one in twenty flood event. Council will not be constantly called upon to repair the ageing structure.

### 2. Environmental

The planning process for the construction of the new bridge has included the Department of Fisheries and Environmental Protection as well as structural engineers and survey design. It is anticipated that in view of the detailed process undertaken the impact will be generally positive.



### 3. Economic

The budget for the bridge replacement project is \$412,000 + 15% contingency which is being funded through Roads to Recovery and Capex Funding.

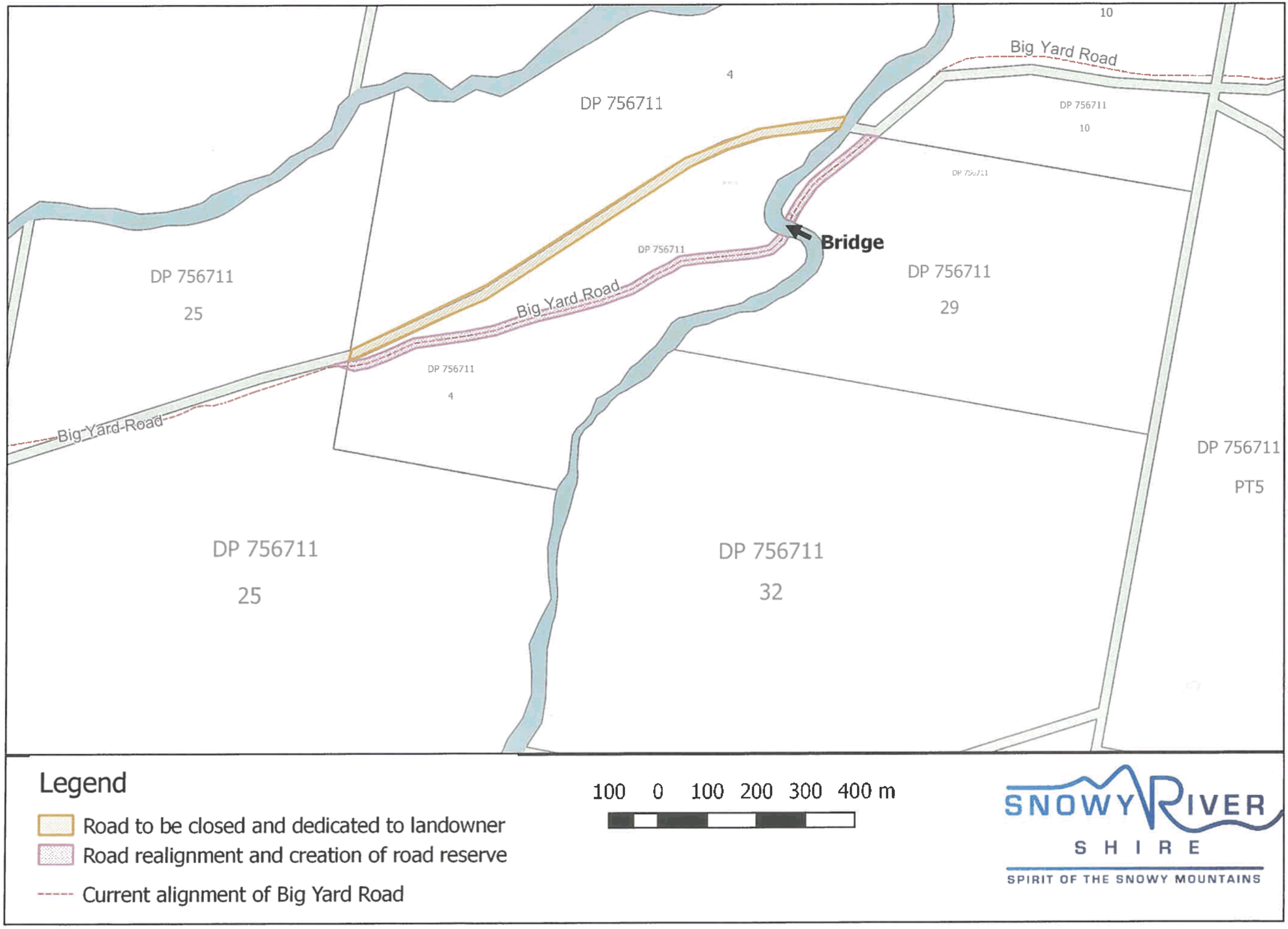
The estimated costs involved in the realignment of the road, road closure, legal fees etc. are as follows:

<b>WORKS</b>	<b>COST</b>
Survey of constructed road	\$5,000.00
Application for road closure	\$476.90
Advertising of proposed road closure	\$400.00
Subdivision Certificate	\$500.00
Legal fees (preparation of Transfers)	\$1,000.00
Fencing	\$1,500.00
<b>TOTAL OF ESTIMATED FEES</b>	<b>\$8,876.90</b>

### 4. Civic Leadership

On 8<sup>th</sup> March, 2016 (Res.DOC27/16) Council resolved to replace the Rendezvous Creek Bridge on Big Yard Road because the old bridge was unsafe. In the meantime, landowners accessing their properties across the bridge were given access across a temporary bridge until the new bridge is constructed.







**From:** Lynette Bottrill  
**Sent:** 27 May 2016 04:52:12 +0000  
**To:** David Field  
**Cc:** Gary Shakespeare  
**Subject:** FW: Big Yard Road traversing Lot 29 DP 756711

Hi David,

Please see below David Woodhouse's consent to Council proceeding with the Rendezvous Creek bridge project.

Regards,

Lyn

-----Original Message-----

From: davidandamanda3@bigpond.com [<mailto:davidandamanda3@bigpond.com>]  
Sent: Friday, 27 May 2016 2:45 PM  
To: Lynette Bottrill  
Subject: Re: Big Yard Road traversing Lot 29 DP 756711

---- Lynette Bottrill <Lynette.Bottrill@snowyriver.nsw.gov.au> wrote:

> Hi David,

>

> Could you please respond in writing giving Council consent to enter your property (Lot 29 DP 756711) to construct the new bridge over Rendezvous Creek on Big Yard Road. Council understands that you will "gift" the land to Council for the creation of the road through lot 29 and that Council will pay all costs associated with the survey, plan of subdivision and registration of the plan. Council also agrees to fence the south eastern side of the road reserve as it passes through lot 29 after the plan of subdivision is registered. Council agrees that a suitable contractor will be engaged to carry out the fencing as soon as the plan is registered and that Council acknowledges that you may wish to submit a quote for the fencing and carry out the work yourself.

> Compensation for the fencing will only be released after the fencing is completed.

>

> Kind regards,

> Lynette Bottrill

> Property Officer

> Ph: (02) 6451 1177

> Reception: (02) 6451 1195

> Email: [Lynette.Bottrill@snowyriver.nsw.gov.au](mailto:Lynette.Bottrill@snowyriver.nsw.gov.au)

> [www.snowyriver.nsw.gov.au](http://www.snowyriver.nsw.gov.au)

>

> Snowy Monaro Regional Council

>

> Think of the environment, please don't print this e-mail unless you really need to.

>

> **DISCLAIMER:** The information in this email is confidential & should be read only by the individual named. If you are not the addressee, you should not read, copy, redirect or forward this email. Snowy Monaro Regional Council cannot be held responsible for loss, direct or indirect, as a result of failure to comply with this notice. The Council advises that it is the responsibility of the recipient of this email to scan any attached files for viruses or other bugs and that, as such, they cannot be held liable for loss, direct or indirect, as a result of failure of recipients to comply with this. They also advise that email transmission cannot be guaranteed to be secure or error-free as information could be intercepted, corrupted, lost,

destroyed or incomplete.

Hi Lyn,

I agree with the above requirements and I approve of council commencing work on Monday.

Regards,

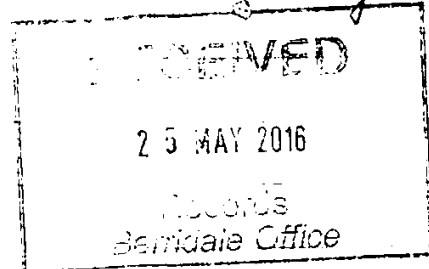
David Woodhouse

-----Safe Stamp-----

Your Anti-virus Service scanned this email. It is safe from known viruses.

For more information regarding this service, please contact your service provider.

23 Park Rd  
Tindabyne 2627



Snowy River Shire  
PO Box 143  
Berridale 2628  
Att. Lynne Bottrill

I'm reply to your letter on the 6th May 2011 concerning the road swap on Big yard road.

I hereby agree to the said exchange of the paper road for the road <sup>new</sup> alignment through Lot 4 DP 756711 Parish of Mowamba County of Wallace.

yours faithfully

R A Weston

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### 9.3 ADOPTION OF THE SNOWY RIVER LOCAL TRAFFIC COMMITTEE RECOMMENDATIONS FROM THE 9 JUNE 2016 MEETING

Record No:

Responsible Officer:	Director Technical Services & Operations
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action:	OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.
Attachments:	1. SM LTC minutes of 9 June 2016 meeting
Cost Centre Project	1510 Engineering and Operations Management Local Traffic Committee

#### EXECUTIVE SUMMARY

A copy of the Minutes from the Snowy River Local Traffic Committee Meeting held on 9<sup>th</sup> June 2016 is attached for Council's consideration and adoption of the recommendations.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Receive and note the minutes of the Snowy Monaro Local Traffic Committee meeting held on 9<sup>th</sup> June 2016; and
- B. Adopt the Snowy Monaro Local Traffic Committee recommendations LTC 01/16, 02/16, 03/16, 04/16, 05/16 and 06/16 of 9<sup>th</sup> June 2016.

#### BACKGROUND

The adoption of LTC 01/16 and LTC 02/16 confirms the minutes of the previous meetings of the former Snowy River and Cooma Monaro LTC's.

The adoption of LTC 03/16 will require the installation of a new give way sign and associated line marking.

The adoption of LTC 04/16 will not allow the Nimmy Bell Festival organiser to temporarily close the Monaro Highway as currently proposed.

The adoption of LTC 05/16 will require the installation of a "No U-Turn" sign.

The adoption of LTC 06/16 will require the installation of new 2P parking signs and mobility disabled signs and line marking.



## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The adoption of LTC 01/16 and LTC 02/16 will have no negative social impact as the matter is procedural only. The adoption of LTC 03/16 should have a positive social impact upon the community as the give way sign and associated line marking may prevent an accident at the intersection. The adoption of LTC 04/16 will have no negative social impact on motorists. The adoption of LTC 05/16 should have a positive social impact in providing a safer road environment for motorists and pedestrians. The adoption of LTC 06/16 will provide equitable access for all and should have a positive social impact.

### **2. Environmental**

The adoption of LTC 01/16 and LTC 02/16 will have no environmental impact as the matter is procedural only. The adoption of LTC 03/16 should not impact the environment. The adoption of LTC 04/16 will have no negative environmental impact on motorists. The adoption of LTC 05/16 and 06/16 should not impact the environment.

### **3. Economic**

The adoption of LTC 01/16 and LTC 02/16 will not impact Council's budget as the matter is procedural only. The adoption of LTC 03/16 is estimated to Cost Council \$600. The adoption of LTC 04/16 will have no impact upon Council's budget. The adoption of LTC 05/16 is estimated to Cost Council \$400. The adoption of LTC 06/16 will not impact Council's budget as it will be entirely funded from the Health One project funding.

### **4. Civic Leadership**

By adopting the recommendations, Council is demonstrating leadership by ensuring that proposals are appropriately considered. The recommendations also demonstrate that Council is consulting with a technical committee (SRLTC), keeping its standards up to date and ensuring that it complies with its delegation provided by the Roads and Maritime Services and under legislation.



**SNOWY MONARO**  
REGIONAL COUNCIL

# Minutes

**Snowy Monaro  
Local Traffic Committee Meeting**

**9 June 2016**

**LOCAL TRAFFIC COMMITTEE MEETING  
HELD IN SNOWY RIVER HEALTH CENTRE, THREDBO TERRACE, JINDABYNE NSW 2627  
ON THURSDAY 9 JUNE 2016**

**MINUTES**

Notes:

<b><u>1.</u></b>	<b><u>OPENING OF THE MEETING</u></b> .....	<b><u>3</u></b>
<b><u>2.</u></b>	<b><u>APOLOGIES</u></b> .....	<b><u>3</u></b>
<b><u>3.</u></b>	<b><u>DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST</u></b> .....	<b><u>3</u></b>
<b><u>4.</u></b>	<b><u>ADOPTION OF MINUTES OF PREVIOUS MEETING</u></b> .....	<b><u>3</u></b>
	<b><u>4.1</u></b> <u>Snowy River Local Traffic Committee (SR LTC) Meeting 14 April 2016</u> .....	<b><u>3</u></b>
	<b><u>4.2</u></b> <u>Cooma-Monaro Local Traffic Committee (CM LTC) Meeting 11 May 2016</u> .....	<b><u>3</u></b>
<b><u>5.</u></b>	<b><u>BUSINESS ARISING</u></b> .....	<b><u>4</u></b>
	<b><u>5.1</u></b> <u>CMSC - Historic Rally Club</u> .....	<b><u>4</u></b>
	<b><u>5.2</u></b> <u>Committee Recommendations</u> .....	<b><u>4</u></b>
<b><u>6.</u></b>	<b><u>ACTION SHEET</u></b> .....	<b><u>5</u></b>
<b><u>7.</u></b>	<b><u>CORRESPONDENCE</u></b> .....	<b><u>10</u></b>
<b><u>8.</u></b>	<b><u>GENERAL BUSINESS</u></b> .....	<b><u>10</u></b>
	<b><u>8.1</u></b> <u>Proposal to install a Giveway Sign in Ready's Cutting Road at the Barry Way "T" Intersection.</u> .....	<b><u>10</u></b>
	<b><u>8.2</u></b> <u>Proposal to Relocate the Bus Zone and Long Vehicle Parking and Installation of Mobility Impaired Parking at the Highdale Car Park in Berridale.</u> .....	<b><u>11</u></b>
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**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING  
HELD IN SNOWY RIVER HEALTH CENTRE, THREDBO TERRACE, JINDABYNE NSW 2627**

**ON THURSDAY, 9 JUNE 2016  
COMMENCING AT 9.30 AM**

<b>PRESENT:</b>	Mr Volker Georgi	Chair, SMRC Development Engineer
	Snr Const Sam Morabito	NSW Police Force Representative (Queanbeyan)
	Rob Tapply	NSW Police Force Representative
	Ms Judie Winter	Local MP Representative to former SR LTC
	Nathan Boscaro	Roads & Maritime Services (RMS) Representative
	Ben Borger	Roads & Maritime Services (RMS) Representative
	Rob Staples	SMRC Acting Manager Infrastructure Planning
	Gary Shakespeare	SMRC Manager Operations
	Erin Donnelly	SMRC Secretary Council and Committees

**1. OPENING OF THE MEETING**

The Chair opened the meeting at 9.55 AM

**2. APOLOGIES**

An apology was received from Peter Sullivan – SMRC Director Engineering, Bombala

An apology was received from Des Trute – Local MP Representative to Former CM LTC

**3. DECLARATIONS OF PECUNIARY INTERESTS/CONFLICT OF INTEREST**

Nil

**4. ADOPTION OF MINUTES OF PREVIOUS MEETING**

**4.1 SNOWY RIVER LOCAL TRAFFIC COMMITTEE MEETING 14 APRIL 2016**

**COMMITTEE RECOMMENDATION**

**LTC1/16**

THAT the minutes of the SR Local Traffic Committee Meeting held on 14 April 2016 are confirmed as a true and accurate record of proceedings.

**Moved Snr Const Morabito**

**Seconded Ms Winter**

**CARRIED**

**4.2 COOMA-MONARO LOCAL TRAFFIC COMMITTEE MEETING 11 MAY 2016**

**COMMITTEE RECOMMENDATION**

**LTC2/16**

THAT the minutes of the CM Local Traffic Committee Meeting held on 11 May 2016 are confirmed as a

true and accurate record of proceedings.

**Moved Snr Const Morabito**

**Seconded Ben Borger**

**CARRIED**

## **5. BUSINESS ARISING**

### **5.1 CMLTC - HISTORIC RALLY CLUB**

Rob Staples, Acting Manager Infrastructure Planning Cooma, informed the committee on Item 6.4 of the Cooma-Monaro LTC meeting that the Historic Rally Club is not proceeding with the event.

### **5.2 COMMITTEE RECOMENDATIONS**

The committee discussed the wording used in the recommendations to Council. It was agreed to change the use of 'adopt' to 'endorse'.

## 6. ACTION SHEET

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
1	LTC 10/2015	16/07/15	<p><b>Proposal to install "3 Hour Timed Parking" signs along Thredbo Terrace, Jindabyne</b></p> <p>That Council approves 2 hour parking restriction between 8am and 5pm seven (7) days a week in Thredbo Terrace (on the side of the street that dwellings are located) from the police station to Park Road.</p>	Completed May 2016	Sept 2015	SRSC
2	LTC 01/2016	9/03/16	<p><b>Mt Gladstone Hillclimb Motorsport Events for 1 May 2016, 22 May 2016, 26 November 2016 and 27 November 2016</b></p> <p>That Council endorses the traffic arrangements at the Kosciuszko Road/ Mt Gladstone Road intersection and on Mt Gladstone Road (Private Road) for the Mt Gladstone Hill Climb Event for the duration of the event on 1st May 2016, with the others on 22nd May 2016, 26th November 2016 and the last on 27th November 2016.</p> <p>The SRLTC notes it has no concerns with the event.</p>	Letter Sent	May 2016	SRSC
3	LTC 02/2016	9/03/16	<p><b>Request for temporary parking signage in Thredbo Terrace, Park Road and the Medical Centre Car Park during the construction of the Health One Centre, Jindabyne</b></p> <p>That Council</p> <p>A. Endorses the installation (only during construction of the Health One Centre) of two hour, 90 Degree timed parking signs, between 8am and 8pm on Park Road (north side between the entrance to the Razorback Plaza car park and Thredbo Terrace) and consider appropriate funding. That these signs be removed at the completion of construction and that the SRLTC be notified</p>	Email sent to Medical Centre Staff and Council's Roads Section	May 2016	SRSC

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
			<p>accordingly.</p> <p>B. Notes that there is sufficient mobility impaired car parking within the Thredbo Terrace car park to accommodate mobility impaired persons; and</p> <p>C. Not approve the proposed temporary parking bays in Thredbo Terrace as the road is too narrow to accommodate the safe passage of vehicles. There is reduced sight distance as the road is curved. The safety of pedestrians (crossing the road to the medical centre's entrance) and motorists vision is reduced if parking were permitted. That the representative from the Snowy River Medical Centre be advised of Council's decision accordingly.</p>			
4	LTC 03/2016	9/03/16	<p><b>2016 Anzac Day Parade and Road Closures for Berridale and Jindabyne</b></p> <p>That Council:</p> <p>A. Approves the 2016 ANZAC Day parade road closures in Kosciuszko Road in Jindabyne from 10am to 10.30am; and in Berridale from 11am-11.30am subject to receiving a copy of:</p> <ol style="list-style-type: none"> <li>1. Public liability insurance listing SRSC as an interested party;</li> <li>2. Notifications to local authorities such as RFS;</li> </ol> <p>B. Requires the clarification in the traffic control plan of the location of the stacking of trucks in Berridale; and</p> <p>C. Requests confirmation in writing that the horses being used in the parade are tame and able to deal with crowds etc.</p>	Letter sent	May 2016	SRSC
5	LTC 03/2016	9/03/16	<p><b>Debrief meeting for the "Snow Tunes" music festival held at the Clay Pits in Jindabyne on 15 August 2015.</b></p> <p>That Council receive and note the following:</p> <p>A. A lengthy discussion was held regarding the negative media received after the previous event;</p>	Letter sent	May 2016	SRSC



Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
			B. Snow Tunes will be an over 18's only event for 2016; C. The lack of food outlets in 2015 will be better addressed in 2016; D. The Local Traffic Committee requested improvements be addressed for the night bus/transport service throughout the event ie, increased services; E. Consideration will be given to a safe crossing at the Barry Way roundabout; and F. DA to be submitted for the May Council meeting with traffic plan submitted within two weeks.			
6	LTC05/2016	14/04/16	<p><b>Proposal to hold the "Snow Tunes" music festival at the Clay Pits in Jindabyne on 3 September 2016.</b></p> A. That Council approves the Snow Tunes Traffic and Transport Management Plan subject to: <ol style="list-style-type: none"> <li>1. Providing a Risk Assessment.</li> <li>2. Providing a copy of a minimum \$20M public liability insurance listing Council as an interested party.</li> <li>3. That the shuttle bus service (night bus or other) be advertised indicating times and drop off/pick up location.</li> </ol> B. That Council approves the "No Stopping" zone along both sides of Barry Way from the roundabout to Reedys Cutting Road from 11pm on 3 September 2016 until 1am on 4 September 2016. C. That the event organiser obtains a ROL from RMS for the speed reduction in Kosciuszko Road.	Letter sent	Jun 2016	SMRC
7	LTC06/2016	14/04/16	<p><b>Proposal to install 2 Mobility Impaired Parking bays in Bay Street, Jindabyne, near the shared pathway along the lake foreshore.</b></p> A. That council approves two mobility impaired parking bays, at the North West end of Bay Street, Jindabyne, near the drink refill station, as per Australian	Email sent to Council's Roads Section	Jun 2016	SMRC

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
			<p>Standards (where possible) including signage and pavement marking and in accordance with drawing number SK1 attached to the Business Paper.</p> <p>B. That a kerb crossing and 1.8m wide concrete footpath be constructed from the mobility impaired parking bays to the existing shared pathway.</p>			
8	LTC07/2016	14/04/16	<p><b>Presentation to SRLTC by The Snowy River Avenue Upgrade Project Team.</b></p> <p>That Council receives and notes the RMS advice as follows:</p> <ul style="list-style-type: none"> <li>• RMS don't generally support crossing facilities that direct pedestrians onto traffic calming treatments, it has been shown that it gives pedestrians a false sense of security. Flush street threshold treatments are mainly used as perimeter treatments only and inform road users they are entering a low speed environment.</li> </ul> <p>RMS do not object to Council using the proposed threshold treatment at the entry to the precincts which located on the corners of Park Road and Gippsland St, Snowy River Av and Kalkite St, and Snowy River Av and Thredbo Terrace. However with this in mind, they should take consideration what pedestrian facility is used at these thresholds as the different colour of the pavement may be misunderstood by pedestrians and they may believe they have right of way.</p> <p>Examples of the entry threshold treatments can be found in the attachment. One of the examples shows a threshold treatment with pram ramps. Even though it is shown like this in our technical direction I would encourage Council to consider an alternative approach, which I am happy to help with.</p> <p>The remaining three flush threshold treatments within the precinct are not supported and should be replaced with a suitable traffic calming device or pedestrian crossing facility depending on what Council was trying to achieve with the thresholds.</p> <ul style="list-style-type: none"> <li>• Care must be taken to ensure the garden beds do not restrict sight distance for someone about to cross on any of pedestrian crossing (particularly children). An example of where this may happen is on Streetscape Detail</li> </ul>	Email sent to Council's Strategic Planning Unit	Jun 2016	SMRC

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
			Sheet 3. <ul style="list-style-type: none"> <li>• Car Parking Dimensions have not been provided so the size of the parking spaces cannot be checked.</li> <li>• Turning paths should be applied to the driveways to ensure that they cater for the need of the shops (delivery vehicles).</li> <li>• At some of the proposed disabled parking spots it would appear that a wheelchair would struggle to access the kerb ramp from the parking space. It would be difficult with the vehicle parked as shown in Streetscape Detail Sheet 4.</li> </ul>			
9	LTC08/2016	14/04/16	<b>Email from Director Technical Services and Operations</b> The Committee does not support the implementation of parking restrictions in Twynam Street, Jindabyne.	Email sent to Council's Director TSO	Jun 2016	SMRC
1	LTC 10/2015  Completed	16/07/15	<b>Proposal to install "3 Hour Timed Parking" signs along Thredbo Terrace, Jindabyne</b> That Council approves 2 hour parking restriction between 8am and 5pm seven (7) days a week in Thredbo Terrace (on the side of the street that dwellings are located) from the police station to Park Road.	Email Sent to Roads Section Reminder sent on 8 March 2016 to Roads Section	Sept 2015	SRSC
1	LTC 22/2015 Letter Sent	8/09/15	Proposal to hold the Ultimate Snowy Challenge on 12 - 13 March 2016. That Council endorses the Ultimate Snowy Challenge events on the designated public roads proposed to be held on 12 and 13 March 2016 subject to the submission of an amended Event Management Plan to include the following: <ul style="list-style-type: none"> <li>A. Amend the Traffic Management Plan and Traffic Control Plans as requested by the police Representative,</li> <li>B. Provided copies of the Event Marshalls induction documents,</li> </ul>	Event organiser has withdrawn this application	Dec 2015	SRSC

Item	Reference	Date	Action	Comments	Target Completion Date	Responsibility
			C. Provide the RMS Road Occupancy licenses, D. Provide written consent from NPWS and E. Provide an up to date Certificate of Currency stating SRSC, NSW Police Force and NSW RMS as interested parties.			

## 7. CORRESPONDENCE

## 8. GENERAL BUSINESS

### 8.1 PROPOSAL TO INSTALL A GIVEWAY SIGN IN REEDY'S CUTTING ROAD AT THE BARRY WAY "T" INTERSECTION.

Record No:

Responsible Officer: Development Engineer  
Key Direction: 2. Expanding Connections Within the Shire and Beyond  
Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.  
Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.  
Attachments: Nil  
Cost Centre 1510  
Project Snowy Monaro Local Traffic Committee

#### EXECUTIVE SUMMARY

A request have been received to install a Give Way sign in Reedy's Cutting Road at the Barry Way "T" intersection. There is currently no sign requiring motorists to observe the traffic flow in Barry Way. Providing a Give Way sign at this location may reduce the liability risk to Council.

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

#### COMMITTEE RECOMMENDATION

LTC3/16

That Council approves the installation of a Give Way sign in Reedy's Cutting Road at the Barry Way "T" intersection in Jindabyne (on the left side verge before entering Barry Way) and associated line marking.

Ben Borger

Representative of the NSW Police

Representative of the NSW RMS

Representative of the Local MP

Committee Comments

The committee discussed the purpose of the Give Way sign, safety is an issue with the intersection. RMS highlighted the road rules for a 'T' intersection are to give way. The option of line marking the intersection was discussed, because the function of the road is not changing, and could be done before installing the Give Way sign.

**8.2 PROPOSAL TO RELOCATE THE BUS ZONE AND LONG VEHICLE PARKING AND INSTALLATION OF MOBILITY IMPAIRED PARKING AT THE HIGHDALE CAR PARK IN BERRIDALE.**

Record No:

Responsible Officer: Development Engineer  
Key Direction: 2. Expanding Connections Within the Shire and Beyond  
Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.  
Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.  
Attachments: 1. Highdale Parking Plan 03 06 2016  
Cost Centre 1510  
Project Snowy Monaro Local Traffic Committee

**EXECUTIVE SUMMARY**

Council has recently resealed the car park and will be line marking a new layout in accordance with the Council approved Berridale Landscape Master Plan. Prior to line marking the new parking bays at 45 degrees, the bus zone and the long vehicle parking signs will need to be removed and relocated to a position as shown on the attached parking plan, dated 3/6/2016. It is intended to retain the existing bus zone length of 22m. It is also intended to install two new mobility impaired parking bays as shown on the parking plan. A section of kerb will need to be removed and a short section of 1.8m wide concrete footpath will need to be constructed to facilitate wheelchair access to the shops.

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

**COMMITTEE ADVICE**

RMS Representative does not support the current design, however Council should consider reconfiguring the bus stops and parking. The long vehicle parking and bus zone should remain where it is currently located. Each mobility impaired bay requires hatched line marking. Further consideration should be given for heavy vehicle movements and ingress/egress. Appropriate signage in the Jindabyne Road Reserve area will be considered by the RMS.

Ben Borger

Representative of the NSW Police

Representative of the NSW RMS

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**Representative of the Local MP**

**Committee Comments**

The committee discussed the proposed plan, raising many safety concerns including; speeding through the car park, passengers exit busses onto the thru lane. The Committee discussed changing the parking and agreed more thought was need on the signage. RMS reminded the committee, if you restrict the movements of vehicles, this is regulatory under the Act the car park is a road related area.

The committee agreed approving the plan in this form would only create more issues in the future, increasing considerably during the coming winter season.

**8.3 NIMMITY BELL FESTIVAL, NIMMITABEL.  
(RELIEF MANAGER INFRASTRUCTURE PLANNING)**

Record No:

Responsible Officer:	Development Engineer
Key Direction:	2. Expanding Connections Within the Shire and Beyond
Delivery Plan Strategy:	DP2.3 Continually monitor and improve traffic management throughout the Shire.
Operational Plan Action:	OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.
Attachments:	Nil
Cost Centre	1510
Project	Snowy Monaro Local Traffic Committee

**EXECUTIVE SUMMARY**

The Nimmitabel Lions Club has submitted an event application with Council in relation to the staging of the 2016 Nimmity Bell Festival. The proposal includes a street parade and closure of the Monaro Highway for approximately one hour. The LTC is asked to provide its advice to Council in relation to safety and other traffic management considerations.

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

**COMMITTEE RECOMMENDATION**

**LTC4/16**

That Council not support the closure of the Monaro Highway as a suitable detour has not been provided for a B-Double route. The applicant Nimmitabel Lions Club, shall apply for a Road Occupancy License (ROL) through RMS including consideration of stacking of heavy vehicles for the duration of the event. Evidence of the ROL must be provided prior to the event together with the Traffic Management Plan, Traffic Control Plan, Schedule 1 notification to Police, insurance coverage of \$20M in accord with Council's requirements.

Ben Borger

Representative of the NSW Police

Representative of the NSW RMS

### Committee Comments

The committee questioned the suitability of redirecting traffic off the Monaro Highway and the possibility of stacking heavy vehicles. If the event becomes an annual event, the closures will affect the efficiency of the highway for regular traffic.

### 8.4 NO U-TURN SIGNAGE PROPOSAL, COMMISSIONER AND VALE STREET COOMA (RELIEF MANAGER INFRASTRUCTURE PLANNING)

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.

Attachments: Nil

Cost Centre 1510

Project Snowy Monaro Local Traffic Committee

### EXECUTIVE SUMMARY

School Safety Improvements have recently been undertaken at the intersection of Commissioner and Vale Streets, Cooma. Since completion of the works issues have arisen with a high incidence of U-Turn manoeuvres in Vale Street. Council proposes the installation of No U-Turn signage at the intersection and the support of the LTC is sought.

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

#### COMMITTEE RECOMMENDATION

LTC5/16

That council endorse the proposal to install a 'No U-Turn' sign at the intersection of Commissioner Street and Vale Street, Cooma.

Ben Borger



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Representative of the NSW Police

Representative of the NSW RMS

**8.5 PROPOSAL TO AMEND THE CAR PARKING ARRANGEMENT AT THE THREDBO TERRACE CAR PARK (SNOWY RIVER HEALTH CENTRE)**

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.

Attachments: Nil

Cost Centre 1510

Project Snowy Monaro Local Traffic Committee

**EXECUTIVE SUMMARY**

The Snowy River Health Centre has made a request for Council to consider an amended car parking arrangement due to the removal of some car parking spaces (including mobility impaired parking) where the new Health One Centre is to be constructed.

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

**COMMITTEE RECOMMENDATION**

**LTC6/16**

That Council approves the parking arrangements as shown in Figure 3 of the Jindabyne Health One Car parking Plan marked up as follows:

- A. That signs and pavement marking for 3 mobility impaired parking spaces be installed in place of the current 2 hour parking limit allowing three 2 hour parking spaces to remain on the eastern side of the car park.
- B. That signs for ten 2 hour parking bays be installed (currently untimed parking) from the end of the current 2 hour parking bays along the western side of the car park.

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Ben Borger

Representative of the NSW Police

Representative of the NSW RMS

**9. INFORMAL ITEMS LIST FOR ADVICE TO COUNCIL ONLY**

**9.1 SITING OF BELL IN THE ROAD VERGE OF CLARKE STREET, NIMMITABEL.  
(RELIEF MANAGER INFRASTRUCTURE PLANNING)**

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.

Attachments: 1. Bell Location Plan  
2. Bell Dimensions

Cost Centre 1510

Project Snowy Monaro Local Traffic Committee

**EXECUTIVE SUMMARY**

The Nimmitabel Lions Club has submitted a development application with Council in relation to the siting of the Bell in the road verge of Clarke Street, Nimmitabel at the intersection with Bombala Street (Monaro Highway). The LTC is asked to provide its advice to Council in relation to safety and other traffic management considerations.

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

**ADVICE TO COUNCIL**

The Committee raises no objection in principal to the proposal provided that the Bell is not located within the Monaro Highway Road Reserve, is demonstrated to be out of the 'Clear Zone' provisions for infrastructure on roads for clear line of sight at intersections and makes provision for pedestrian movement in the vicinity of the Bell.

**Committee Comments**

**9.2 COOMA FLAGPOLE INSTALLATION - SHARP STREET, COOMA  
(RELIEF MANAGER INFRASTRUCTURE PLANNING)**

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.

Attachments: Nil  
Cost Centre 1510  
Project Snowy Monaro Local Traffic Committee

### EXECUTIVE SUMMARY

Council is seeking support from the LTC as to the feasibility of placing promotional flagpoles against the wing walls on the approaches to the Sharp Street bridge in Cooma.

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

#### ADVICE TO COUNCIL

The Committee notes the proposed location of the flag poles is within the Monaro Highway road reserve and accordingly Council should seek the approval of the RMS.

Ben Borger

Representative of the NSW Police

Representative of the NSW RMS

### Committee Comment

The Committee discussed the proposal and positioning of the flags. RMS advised they would not support the proposal, the suggested position of the flags sits within RMS road reserve, and believe the flags would block the sight line to the round-a-bout and be a distraction for motorists. The committee discussed the obstruction of other traffic guide signs and the relocation of these signs is not an option.

### 9.3 SCHOOL BUS ROUTE WARNING SIGNS FOR MITTAGANG ROAD, COOMA (RELIEF MANAGER INFRASTRUCTURE PLANNING)

Record No:

Responsible Officer: Development Engineer

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.

Attachments: Nil

Cost Centre 1510  
Project Snowy Monaro Local Traffic Committee

### EXECUTIVE SUMMARY

Council is seeking support and advice from the LTC as to the appropriateness of placing school bus route warning signs along Mittagang Road, Cooma.

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

#### ADVICE TO COUNCIL

The Committee supports the installation of 'School Bus Route' warning signs on Mittagang Road with a preference for symbolic signs with 'frequent stopping' plate below.

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Representative of the NSW Police

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Representative of the NSW RMS

### Committee Comment

The committee discussed the type of signs and the appropriateness of placing the signs along Mittagang Road, as the location of the pick-up may change however the route will stay the same.

### 9.4 L'ÉTAPE EVENT

The SMRC Manager Operation, Berridale, has been invited to address the SM LTC. The SMRC Manager Operations, gave a brief presentation on the plans for the upcoming event L'Étape. The event will take place in December and is expected to attract over 30 000 visitors to the area.

The L'Étape planning team met on 12 July in Jindabyne, the event is looking to close either the Jindabyne Town Centre car park which includes the upper and lower car parks or the Jindabyne Bowling Club car park for the purpose of a 'Village'. The event will take place on Saturday 3 December 2016, with two cycling events; the race and the ride. Both events require rolling road closures throughout the day. Closure will start at 6am with NSW Police to clear the Alpine Way.

This matter has been listed for consideration by the SM LTC from a request being minuted in the last meeting of the L'Étape Planning Committee.

#### ADVICE TO COUNCIL

The SM LTC acknowledges the report on the L'Étape event. This event was discussed at the Snowy River Local Traffic Committee (SRLTC) meeting about one year ago and this committee was informed that the event was being considered at a regional level for which the SRLTC was not required to be involved. It is unclear what is now being requested from the SM LTC for this item (recommendation to approve event, TCP or close road). The SM LTC has therefore moved this event to the informal items list section for

advice to Council only until further notice. The role of the Local Traffic Committee is not to provide support or approval for an event. The role of the LTC is to assess associated traffic control plans which involve closures or traffic changes to the local road network and provide technical comment.

NSW Police Response

We acknowledge this event is being dealt with by senior Police who have conducted meetings with other government agencies. We acknowledge that the SM LTC considers that there are inherent risk factors with holding this event. Risks include animals and speeds being travelled by cyclist within the alpine areas. We are mindful of the need for access to critical Infrastructure within the alpine areas including dams, Snowy Hydro infrastructure and Council critical infrastructure. We also believe the matter should have been brought to LTC at a much earlier stage when planning for this event.

RMS Response

RMS agrees with the concerns of the police and also have similar concerns with the inherent risk of the event. The Transport Management Centre (TMC) is assessing the impacts of this event on the state road network and is addressing those risks and will provide its advice.

**Attendance of Manager Operations**

Manager Operation left the meeting at 11.31am and was absent from the meeting from the during of the meeting.

**10. MATTERS OF URGENCY**

**11. NEXT MEETING**

Thursday, 11 August 2016 - TBA

There being no further business the Chair declared the meeting closed at 12.41pm

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CHAIRPERSON

The above minutes of the Snowy Monaro Local Traffic Committee Meeting held on 9 June 2016 were confirmed by Committee at a duly convened meeting on 11 August 2016 at which meeting the signature hereon was subscribed.

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**9.4 REQUEST FOR TEMPORARY ROAD CLOSURE OF PARK ROAD, BERRIDALE TO FACILITATE THE OPENING OF A NEW WAR MEMORIAL.**

Record No:

Responsible Officer: Director Technical Services & Operations

Key Direction: 2. Expanding Connections Within the Shire and Beyond

Delivery Plan Strategy: DP2.3 Continually monitor and improve traffic management throughout the Shire.

Operational Plan Action: OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire.

Attachments:

Cost Centre 1510 Engineering and Operations Management

Project Local Traffic Committee

**EXECUTIVE SUMMARY**

A request has been received from the Snowy River RLS Sub-Branch to temporarily close Park Street in Berridale for the purpose of conducting an unveiling and dedication ceremony of the recently completed War Memorial on Friday 1 July 2016 from 11:30 am until 13:30pm.

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

**OFFICER'S RECOMMENDATION**

That Council

Approve temporary road closure of Park Street, Berridale from the gallery to Myack Street on 1 July 2016 from 11:30am until 12:30pm subject to:

- A. Providing a copy of a satisfactory Traffic Control Plan for the temporary closure of Park Street, Berridale.

**BACKGROUND**

As the Snowy Monaro Local Traffic Committee (SMLTC) did not consider this request at its last meeting on 9<sup>th</sup> June 2016, this request can only be dealt with by seeking the agreement from the NSW RMS Representative and the NSW Police Representative of the SMLTC for a recommendation to Council as required under the Road Transport (Safety and Traffic Management) Act 1999.

The RMS advice is as follows:

Hi Volker,

RMS have no objections to this closure provided there is an appropriate TCP.

Danny – due to the close proximity to the Highway, I thought you might be interested in this. If you have any concerns, please advise Council.

Thanks,

Ben Borger  
Traffic Engineering Officer

9.4 REQUEST FOR TEMPORARY ROAD CLOSURE OF PARK ROAD, BERRIDALE TO FACILITATE THE OPENING OF A NEW WAR MEMORIAL.

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Network NSW | Journey Management  
T 02 4221 2770 M 0408 064 433  
[www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)  
*Every journey matters*

**Roads and Maritime Services**  
Level 4 90 Crown Street Wollongong NSW 2500

The NSW Police advice is as follows:

The Police Representative has not provided a response to the proposed recommendation. Should the Police Representative's advice be received indicating that the police does not support this recommendation, Council will be notified prior to the meeting.

**QUADRUPLE BOTTOM LINE REPORTING**

**1. Social**

There should be no negative impact upon the community as the event will take place at a time when the bus stop will not be used and the gallery and residential dwelling will not be affected as that part of the road will not be closed.

**2. Environmental**

**The adoption of all recommendations should have no negative impact upon the environment.**

**4. Economic**

There should be no impact upon Council's budget as assistance from Council has not be sought.

**5. Civic Leadership**

By adopting the recommendation, Council is demonstrating leadership by ensuring that proposals are appropriately considered. The recommendation also demonstrate that Council is consulting with a technical committee (LTC) , keeping its standards up to date and ensuring that it complies with its delegation provided by the Roads and Maritime Services and under legislation.

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## 9.5 RESULTS OF PUBLIC EXHIBITION OF SNOWY RIVER AVENUE UPGRADE CONCEPT DESIGN

Record No:

Responsible Officer:	Director Community & Environmental Services
Author:	Manager Community & Strategic Planning
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments:	Nil
Cost Centre	1814 – Urban Roads Local 0820 – Strategic Planning
Project	R0296 – Snowy River Avenue Road Upgrade Project
Further Operational Plan Actions:	DP6.11 Plan for, and undertake, works to improve the visual amenity of towns. OP6.33 Implement the recommendations from the Jindabyne Action Plan. DP2.3 Continually monitor and improve traffic management throughout the Shire. OP2.6 Investigation into the use of appropriate Traffic Management measures as an aid to increase road safety throughout the Shire. OP2.5 Progressively implement the recommendations from the each of the Shire's Township Action and Beautification Plans.

### EXECUTIVE SUMMARY

The direction to improve the streetscape of Snowy River Avenue is included in the Jindabyne Action Plan 2030. This plan was developed with extensive community consultation and articulated two key areas to support a functional and strong CBD for Jindabyne. One key initiative was to develop a town square and the other to transform Snowy River Avenue into a 'main street'. The current project has come forward due to availability of funds and critical upgrade of the road surface however it is still strongly on the agenda to realise a town square to complement the current project and realise a connected and strong town centre for Jindabyne.

In order to guide the transformation of the main street a Concept Design was developed. The Concept Design for the upgrade of Snowy River Avenue was placed on public exhibition from March 16 to April 12, 2016. During the public exhibition period Council staff conducted meetings with interested individuals, Jindabyne Central School management, Snowy Youth Council and Nugget's Crossing centre management. Council staff also conducted in person consultation on Snowy River Avenue on April 2, and provided local media with a briefing on the project on March 31. A detailed briefing consultation was also held with the former Snowy River Shire Local Traffic



Committee which incorporated a number of changes and consultation with RMS directly continues to occur to finalise the design for implementation.

Public feedback for the proposal was broadly supportive, with some submissions raising particular issues which the project team will be endeavouring to address as the project moves to the detailed design and construction phase later in 2016. A table documenting the various submissions made during the public exhibition period and project team response is included within this report.

The main issues raised during public consultation was reduction in parking and or movement of the parking into Kalkite Street Car Park and associated impacts, loading and unloading areas and priority of the project and costs. Comments were also received on street furniture, street plantings and cycle infrastructure. Many positive comments were received regarding improvements in safety, access for all abilities and general upgrade of the appearance of Snowy River Avenue and the benefits this brings.

A media release thanking community for their input has been released.

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

**OFFICER'S RECOMMENDATION**

That Council

- A. Note the submissions made by members of the public displayed in the table in 'Background' section of this report on the Snowy River Avenue Concept Design;
- B. Note the planning responses provided to the comments made;
- C. Endorse the proposed next steps suggested for 2016 year of the Snowy River Avenue Upgrade Project including the establishment of a stakeholder working party to assist with detailed design and implementation.

**BACKGROUND**

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
Ta Edwards, Thai E Saan Restaurant	Presently excess rubbish accumulates around bins on Snowy River Avenue often caused by rubbish being brought from other locations and dumped. There should be more bins in a greater number of locations than present.	The Concept Design incorporated public bin enclosures which will formalise and organise waste disposal areas. It is anticipate that this will alleviate these issues.
	Expressed interest in using the space for outdoor dining activities.	The Concept Design enhances opportunities for outdoor dining. There is potential for outdoor dining and trading to take place in adherence to the outdoor dining and trading policy

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
		currently under development.
	New street planting to be installed should also be present on the south side of Snowy River Avenue.	The project team has no objection to additional tree planting being included within the final implementation of the design. The exact locations of street trees will be determined through the detailed design and construct process. <b>Action Required: Consistent and appropriate tree selection and placement during detailed design.</b>
	There are currently trip hazards and a steep grade in the footpath area outside the Thai Restaurant – will the plan improve this situation?	The design will introduce an improved, widened and hazard-free footpath area which will vastly improve upon the current situation where guttering, crossfall and nearby unpaved areas are all present at the location in question.
Sam and Kay Crocker	Concerns about the knock-on effect to parking associated with the Jindabyne Central School if parking is removed from Snowy River Avenue and time management is introduced to parking within Kalkite Street car park.	The Kalkite Street Car Park is a public parking area not for the exclusive use of school related traffic. It is intended that the Kalkite Street Car park will have a variety time limits including unlimited spaces. Investigation into the parking around the school should be undertaken and changes implemented to complement the parking in Kalkite Street car park to minimise parking issues. <b>Action Required: Investigate parking in adjoining streets and implement changes based on investigation.</b>
	It may be a struggle to shift community attitudes related to being able to park directly adjacent to the shop being patronised to rather than walking a short distance.	Noted. Noted education and clear signage to available parking options should be implemented to assist visitors and community uses. <b>Action Required: Clear signage implemented</b>
	There are already not insignificant parking issues associated with the Jindabyne Central School on Park Road, including the morning and afternoon drop-off periods.	It is anticipated that the rearrangement of Kalkite Street car park should include several 'drop off car pots which will aid in peak periods. <b>Action Required: Drop off area provided in Kalkite Street</b>
	The plan needs to address safety issues for school students travelling from the	The concept design includes one pedestrian crossing from the school to

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
	school grounds towards Snowy River Avenue and Kalkite Street car park.	Snowy River Avenue. Additional consideration is now being given to installing an additional crossing or access point to the Kalkite Street car park further south of this location to link to drop-off spaces within the car park. <b>Action Required: Drop off area provided in Kalkite Street</b>
Andy Bicanic	The design should include some form of or provision of a drop-off area for parents at Jindabyne Central School.	The project team is currently exploring options within the configuration of the renewed Kalkite Street car park for a drop-off area to be provided. <b>Action Required: Drop off area provided in Kalkite Street</b>
	There should be a consistent line of tree planting running along Snowy River Avenue to Thredbo Terrace and through the eventual Town Square and along the Jindabyne Town Centre promenade. This will achieve a linked precinct theme across the whole of central Jindabyne.	Using consistent plantings along Snowy River Avenue to the eventual Town Square to link the town centre is supported. The road width does not allow for the planting to be located along the centre of the road. <b>Action Required: Consistent tree planting selected</b>
	Council should consider a barrier in the median of Snowy River Avenue to prevent overtaking of stationary vehicles by crossing onto the wrong side of the road.	Available space and desired design outcomes prohibit to the implementation of this solution. The Concept Design includes a number of particular features explicitly for the calming of traffic and to promote the place of pedestrians within the street hierarchy. The project team considers that these feature will subtly shape behaviour of various users of the public space and this will have a considerable effect upon the actions of drivers within the precinct.
Noelene Darleen	There should be an adjustment made to the kerb ramp location for the accessible car parking space closest the post office.	Adjustments to the exact positioning of kerb ramps remain possible and will be finalised at the detailed design phase of the project. <b>Action Required: The suggestion is noted and will be addressed at detailed design.</b>
	There is not much requirement for an accessible parking space near the	Comment noted. Consideration will be given to the relocation of some

9.5 RESULTS OF PUBLIC EXHIBITION OF SNOWY RIVER AVENUE UPGRADE CONCEPT DESIGN

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
	corner of Gippsland Street and Park Road, therefore this space could be relocated closer to points of interest on Snowy River Avenue.	accessible car parking spaces when detailed design is produced. The project team has no issue with the suggestion made and would support relocation to a more advantageous location. <b>Action Required: Appropriate accessible parking locations finalised in light of feedback.</b>
	The northern side of Snowy River Avenue is particularly difficult from an accessibility perspective.	Comment noted. The project team has endeavoured to bring improvement to all highly-trafficked pedestrian locations.
	Kalkite Street does not require as many accessible parking spaces due to its location and therefore accessible parking spaces there could be reconfigured to provide more parking spaces overall.	Comment noted. The project team will consider relocating the accessible parking spaces within Kalkite Street car park to allow better access to the Jindabyne Central School.
	A kerb ramp should be provided on the north side of Snowy River Avenue nearby to the NPWS building rear entrance.	Comment noted. The project team supports this suggestion and will seek to incorporate a kerb ramp at the specified location at the detailed design stage. <b>Action required: Include curb ramp location from feedback</b>
	The kerb ramp to exit from the accessible parking space near to Mitre 10 should be located to the front of the vehicle.	Comment noted. Design to be amended to reflect suggestion at detailed design stage.
	Jindabyne Memorial Hall requires a nearby accessible car parking space.	Comment noted. Changes to parking arrangements are not within the remit of the current project but the suggestion will be considered for implementation outside of this process.
Nugget's Crossing Centre Management	Current on-street loading zone (13m) works well and was the result of consultation with Local Traffic Committee.	Noted. The project team is currently exploring appropriate loading zone locations in the precinct to ensure practical and safe loading. The final location will be determined through finalisation of the detailed design process. Consultation has occurred with several operators so that needs can be accommodated in the location

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
		and design of loading areas. <b>Action Required: Determine loading zone in the precinct.</b>
	<p>Clocktower car park is not a preferred location for all deliveries as a result of the slope with the area being located below street level.</p> <p>The exercise of reversing trucks in and out of this location will increase risks, particularly with the pedestrian flow into and out of the nearby pedestrian corridor into the shopping centre.</p>	Noted. This is one option being investigated however the safety issues are noted and may discount this location for loading zone.
	Devoting two parking spaces as a time-dependent loading zone outside of Central Park will not be sufficient for larger delivery vehicles.	All options will be fully scoped to determine the appropriate location of loading.
	The crossing near the waste management area should be moved.	Noted. Action required: In detailed design process ensure crossing is placed appropriately to not conflict with the waste management area.
	Time management in Kalkite Street Car Park	It is intended that the Kalkite Street Car park will have a variety time limits including unlimited spaces. Investigation into the parking around the adjoining streets should be undertaken and changes implemented to complement the parking in Kalkite Street car park to minimise parking issues. <b>Action Required: Investigate parking in adjoining streets and implement changes based on investigation.</b>
	Too much seating and the scope of the plan should be reduced given the current arrangements on the Nuggets Crossing side of Snowy River Avenue work currently and do not need upgrading.	Comment noted. Council is implementing a design and upgrade of the main street which it believes will bring broad benefit to the community and to the Nuggets Crossing Centre. It believes there are substantial wide community benefits directly, through safety and accessibility improvements and indirectly in terms of supporting a strong, connected town centre that strengthens visitor and community

9.5 RESULTS OF PUBLIC EXHIBITION OF SNOWY RIVER AVENUE UPGRADE CONCEPT DESIGN

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
		experience. The works are from an extensive community consultation program and Council has resolved to continue implementing the upgrade plans to date.
Noel Richards, Main Range Real Estate	A very good concept and very much look forward to seeing it implemented. The ability to have outdoor entertainment and possibly close off this block for special events or markets is exciting.	Comment noted. Council is pleased to deliver this outcome from the Jindabyne Action Plan 2009.
	A better solution for the bins outside Thai Takeaway and Alpine Dinner is required.	New installation of bins will occur throughout the precinct. The exact location and design of bins will be determined in the detailed design.
	A better solution for the Central Park bin enclosure. Some days the smell of fish is very strong.	The Central Park bin enclosure is on privately owned land and therefore not within the remit of the current project. Council will seek to work with private landholders to achieve appropriate and complementary improvements to private lands to support the achieved public realm outcomes beyond the completion of this project.
	Lots of street lighting required.	Comment noted. The concept design makes allowance for installation of previously absent street lighting
	Installation of CCTV cameras should be considered.	Council will await the outcomes of the streetscape upgrade before committing to surveillance of the public realm. The project team is confident that a further increased pedestrian presence will provide sound passive surveillance outcomes within the precinct during those hours. For vandalism and other actions that may take place at other times, Council would first seek to build and evaluate an evidence base for the need for such action. Businesses remain able to install their own surveillance devices to their premises as they see fit in the interim.

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
Sue Edmondson	Supports the upgrade work in Snowy River Avenue however believes Council should be pursuing the Town Square vision of the Jindabyne Action Plan 2009 before the upgrade of Snowy River Avenue. Joining the town areas of the town centre is critical and forming the town square would best achieve this.	Council is seeking to implement this portion of the Jindabyne Action Plan 2009 and Jindabyne Town Centre Masterplan at this time as it is opportune from both a technical and financial standpoint due to the need for stormwater installation and structural renewal of the roadway. Thereafter it is anticipated that the Town Square concept which will also bring cohesion to town will continue to be pursued.
Lois Merriman	<p>Disagrees with the proposed plans for the Snowy River avenue especially with regard to the loss of parking spaces.</p> <p>With the proposed Community Health Centre using up more of the Thredbo Terrace car parking spaces and the loss of parking spaces in Snowy River avenue our community will suffer badly.</p> <p>Current parking is at capacity particularly in holiday and peak times. Although the upgrade looks good it is not functional for a extremely busy holiday resort.</p>	<p>Council continues to plan and explore possibilities for car parking. Car parking will continue to be supported at multiple locations throughout Jindabyne, but will not be supported in this location to an extent deemed detrimental to pedestrian activity and public realm outcomes mandated by the Jindabyne Action Plan 2009. It is anticipated that Kalkite Street car park will be re designed to gain the required spots moved out of Snowy River Avenue. As a result it is anticipated there will be no net loss of car parking.</p> <p><b>Action required: Seek detailed design of Snowy River Avenue and Kalkite Street Car Park which results in no net loss of car parking in the precinct.</b></p>
Glen Pendergast	Doesn't support the design – need more parking not less. Just fix road surface.	See parking response above.
Rachel Brown, Sundance Bakery	Council should not seek to make improvements to Snowy River Avenue when the Town Square vision of the Jindabyne Action Plan 2009 remains unrealised.	Council is seeking to implement this portion of the Jindabyne Action Plan 2009 and Jindabyne Town Centre Masterplan at this time as it is opportune from both a technical and financial standpoint due to the need for stormwater installation and structural renewal of the roadway. Thereafter it is anticipated that the other key actions in the Jindabyne

9.5 RESULTS OF PUBLIC EXHIBITION OF SNOWY RIVER AVENUE UPGRADE CONCEPT DESIGN

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
		Action Plan 2009 would be pursued.
	Council should be seeking to support existing business within Nugget's Crossing Shopping Centre.	Council is implementing a design and upgrade of the main street which it believes will bring broad benefit to the community and to the centre.
Murray Ogilvie, High Country Outfitters	The operation of loading zones during winter cannot be detrimentally impacted.	Comment noted. The project team continues to explore possible options for the provision of loading space within Snowy River Avenue.
	Council should be investing in improvements to the nearby toilet block.	Comment noted. Council will seek ongoing maintenance and upgrade of the public toilet in line with its long term asset and financial management plan.
	Beautification would be great to have happen in the street, but safety is principally important.	The project team has specifically endeavoured to achieve an outcome shifting the public realm to be more pedestrian-friendly and safe for users. Examples are improved and expanded pathways, lighting, formal crossings, and accessibility improvements.
Gordon Jenkinson, Kosciuszko First National Real Estate	Agrees broadly with the submission of Nugget's Crossing Centre Management in terms of loading requirements and car parking loss.	Council continues to plan and explore possibilities for car parking. Car parking will continue to be supported at multiple locations throughout Jindabyne, but will not be supported in this location to an extent deemed detrimental to pedestrian activity and public realm outcomes mandated by the Jindabyne Action Plan 2009. It is anticipated that Kalkite Street car park will be re designed to gain the required spots moved out of Snowy River Avenue. As a result it is anticipated there will be no net loss of car parking. <b>Action required: Seek detailed design of Snowy River Avenue and Kalkite Street Car Park which results in no net loss of car parking in the precinct.</b>
	Car parking should not be sacrificed for additional pedestrian facilities, as private car usage is central where there is cold weather and no public transport.	Council continues to plan and explore possibilities for car parking and indeed public transport provision on an ongoing basis within other parts of its



<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
		strategic program. Car parking will continue to be supported at multiple locations throughout Jindabyne, but will not be supported in this location to an extent deemed detrimental to pedestrian activity and public realm outcomes mandated by the Jindabyne Action Plan 2009.
	If timed parking is extended in to Kalkite Street, where do teachers and other staff park during periods of wet, cold and snow?	The project team has viewed the Kalkite Street car park during the weekday business hours on several occasions. The project team's observations have resulted in a preference for a combination of time-managed and uncontrolled parking spaces to be provided within the renewed Kalkite Street car park. The Kalkite Street Car Park is a public parking area not for the exclusive use of school related traffic. Investigation into the parking around the school should be undertaken and changes implemented to complement the parking in Kalkite Street car park to minimise parking issues. <b>Action Required: Investigate parking in adjoining streets and implement changes based on investigation.</b>
Angelo Giuffre, NewsXPress Jindabyne	The existing truck parking is well used and highly trafficked during winter.	Noted. The project team is currently exploring appropriate loading zone locations in the precinct to ensure practical and safe loading. The final location will be determined through finalisation of the detailed design process. Consultation has occurred with several operators so that needs can be accommodated in the location and design of loading areas. <b>Action Required: Determine loading zone in the precinct.</b>
Central Park variety of stakeholders	Loss and or movement of car parking from the front of Central Park	Council continues to plan and explore possibilities for car parking. Car parking will continue to be supported at multiple locations throughout

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
In person small group meeting		Jindabyne, but will not be supported in this location to an extent deemed detrimental to pedestrian activity and public realm outcomes mandated by the Jindabyne Action Plan 2009. It is anticipated that Kalkite Street car park will be re designed to gain the required spots moved out of Snowy River Avenue. As a result it is anticipated there will be no net loss of car parking. <b>Action required: Seek detailed design of Snowy River Avenue and Kalkite Street Car Park which results in no net loss of car parking in the precinct.</b>
	Mobility impaired customers access to the building	Comment Noted. A permit system maybe utilised to business owners to allow customers with special requirements to park longer than timed. Action required: Explore and develop a suitable parking management scheme to allow for access to the Central Park building.
	Cost of works. Concerned as to how costs will be shared between owners and Council.	The works required in the public realm are a cost carried by Council. Council will continue to work in partnership with adjoining private land owners along the avenue to realise projects of mutual benefit and where costs can be reduced by a partnership approach.
	Concern around strata and rate costs and tree removal	Outside the scope of the project however will investigate issues raised. <b>Action required: Investigate rating issues raised. Provide information on tree removal application.</b>
	Loading areas were discussed.	Comment noted. The project team continues to explore possible options for the provision of loading space within Snowy River Avenue including the suggested option of locating a loading area in kalkite street or car park.
Jennifer Stevenson	Concerned about the loss of car parking spaces from Snowy River Avenue and	As noted, parking offering in Snowy River Avenue will be decreased, but

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
	Kalkite Street car park.	the Kalkite street car park will in fact increase in capacity from its present size. As a result it is anticipated there will be no net loss of car parking.
	Does not believe there is an advantage to changing Snowy River Avenue parking provision from angle to parallel.	The changing of angle parking to parallel parking has multiple outcomes: to avoid reverse exit from parking into traffic flow, to provide traffic calming effect resulting from slowed entry into car parking spaces, to allow for greater portion of the streetscape cross section to be given over to pedestrian access and amenities, tree planting and street lighting promoting safety and aligning footpath location with direct pedestrian travel lines.
	Potentially look to give the strip of land along Thredbo Terrace over to car parking to increase the supply of car parking.	This is a valuable comment however is beyond the scope of the present project. It should be noted that undeveloped lands between Thredbo Terrace and Gippsland Street face considerable constraints to development including provision of access, design for topography and hard surface drainage which may prove prohibitive to the use of the land for a marginal parking provision increase.
	Concerned that traffic will use the car park as a through road from Park Road to Snowy River Avenue/Kalkite Street and on to Kosciuszko Road.	Option 1 would not allow for exit onto Snowy River Avenue/Kalkite Street – <i>entry only</i> would be permitted from the northern end of the car park. Specific installation of any traffic calming fixtures to be determined when project phase moves to detailed design.
	Concerned that will effectively become a through road from Park Road to Snowy River Avenue/Kalkite Street and on to Kosciuszko Road.	Noted. This is not the preferred option of the project team.
	Seating looks great – will funds be set aside for the maintenance of timber seating in the harsh local climate and to ensure cleanliness.	Comment noted. Exact seating to be determined closer to time of installation and may not be precisely reflective of options canvassed within

9.5 RESULTS OF PUBLIC EXHIBITION OF SNOWY RIVER AVENUE UPGRADE CONCEPT DESIGN

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
		the public exhibition period. An appropriate specification will be identified to ensure sound presentation, durability and ease of maintenance.
	Shrubs and other plantings near roads need to be low so as not to obstruct vision of drivers. Maintenance required to maintain presentation of garden beds.	All planting barring street trees will be low planting to avoid visual disruption and landscaping will be of suitable design for ease of maintenance and upkeep.
Mario	Lots of street lighting required. Safety Issues.	Comment noted. The concept design makes allowance for installation of previously absent street lighting
	Sceptical about delivering the project.	Comment noted. Council is pleased to deliver this outcome from the Jindabyne Action Plan 2009 and intends to continue implementation of the strategic planning undertaken to enhance the function and cohesion of the Jindabyne CBD.
	Would like to retain existing tree out the front of Marios	Unfortunately this is not possible however appropriate replacement trees will be incorporated in the design.
Jane Peeck	<p>Main concern is in regard to safety of bank customers collecting money from Westpac in Winter.</p> <p>Reduction of parking out the front is a huge concern as is closing off the access for the Armaguard van.</p> <p>The parking access for customers is hard enough given last winter they were getting fined when trying to park safely to collect thousands of dollars.</p>	<p>Comment noted. Potentially a car parking spot in this vicinity could be used for loading and access for the Armaguard. Further discussion and input into the detailed design is required to ensure an adequate space is incorporated into the design. <b>Action required: Detailed design to incorporate 1 car parking space to be loading for Armaguard.</b> Seek further consultation with Westpac.</p>
Kristopher McKenna	Commends pedestrian crossings and improvements.	Comment noted.
	Upgrade of stormwater and road surface is needed and has been requested for some time. Have had consistent disruption whilst works are occurring.	Comment noted. The works are currently occurring and Council has made efforts to minimise these impacts.

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND DISCUSSION COMMENTS</b>	<b>STRATEGIC PLANNING NOTES</b>
	<p>Concern regarding loss of parking and less need for outdoor dining opportunities. Wider footpaths are also appreciated however not at the loss of car parking.</p>	<p>Council continues to plan and explore possibilities for car parking. Car parking will continue to be supported at multiple locations throughout Jindabyne, but will not be supported in this location to an extent deemed detrimental to pedestrian activity and public realm outcomes mandated by the Jindabyne Action Plan 2009. 5 car parking spots will be located outside of the businesses along Snowy River Avenue on the Nuggets Crossing side which will provide for quick drop in parking. The appropriate timing of these spaces can be further discussed with tenants and owners. It is anticipated that Kalkite Street car park will be re designed to gain the required spots moved out of Snowy River Avenue. As a result it is anticipated there will be no net loss of car parking. <b>Action required: Seek detailed design of Snowy River Avenue and Kalkite Street Car Park which results in no net loss of car parking in the precinct. Continue discussions with stakeholders to determine appropriate timing of parking spaces in SR Ave.</b></p>
	<p>Concerned at addition cost of renumbering properties.</p>	<p>The re numbering of properties along the Avenue is a separate project. Further consultation of this project will occur. <b>Action required: refer comment to Property numbering project.</b></p>
	<p>The concept plan is unnecessary, disruptive and too costly and is not supported. For the range of reasons given the benefits don't out way the costs. Further consultation with specific users should be undertaken.</p>	<p>Comment noted. Council is implementing a design and upgrade of Snowy River Avenue to transform it into the main street which it believes will bring broad benefit to the community and to the Nuggets Crossing Centre. It believes there are substantial wide community benefits directly, through safety and accessibility improvements and</p>

<b>SUBMITTOR NAME &amp; RECORD No.</b>	<b>SUBMISSION AND COMMENTS DISCUSSION</b>	<b>STRATEGIC PLANNING NOTES</b>
		indirectly in terms of supporting a strong, connected town centre that strengthens visitor and community experience. The works are from an extensive community consultation program and Council has resolved to continue implementing the upgrade plans to date. <b>Action required: Continue discussions with stakeholders to establish whether changes can be made at detailed design phase to address concerns. Also involve stakeholders in timing of the works should they proceed to minimise disruption on businesses.</b>
Cllr. Bob Frost, member of Local Traffic Committee	Project team should consider making provision for a loading zone within the parking bays to the north side of Snowy River Avenue on a timed basis.	The project team continues to explore possible options for the provision of loading space within Snowy River Avenue. The project team remains open to the application of time management measures to a sufficient number of adjacent parking bays to allow for loading activities to take place.

## **NEXT STEPS**

The following is presented as the possible next steps:

July/August/ September: Detailed design phase incorporating critical issues raised in consultation thus far.

Report to Council

September/October: Establish working party of interested stakeholders to work with Council on detailed design and implementation including scheduling of works and detail of solutions and costs.

Report to Council

November/December: Test detailed design and implementation with wider community

Report to Council

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The Snowy River Avenue upgrade project has emerged from the Jindabyne Action Plan 2009. The Action Plan was itself the product of a well-supported community consultation process over several years.

There are broad ranging social benefits to be created from the physical changes to the streetscape. The design intends to remove barriers to access, enhance safety in the precinct and lift the presentation of the public domain within the centre of Jindabyne. The public exhibition and consultation period has allowed for further explanation for interested parties regarding how the specific physical features of the plan enable these positive outcomes.

The community consultation period has enabled several members of the community to have input into the plans. Of particular value have been those contributions from members of the community concerned. The consultation included opportunities for formal written submissions, phone and one on one interviews with interested parties including many of the shop owners or tenants directly affected along Snowy River Avenue. The project has been able to procure media coverage of the project, including media articles and interviews (including the front page of the Summit Sun). Information has also been provided on the former-SRSC website and detailed information on key features of the plan has also been promoted through Facebook. Staff from across Councils' operational and planning team also spent the morning on site in Snowy River Avenue talking to community members about the project and explaining the Concept Design.

### **2. Environmental**

Public exhibition and consultation of the Snowy River Avenue Concept Design has not resulted in an environmental impact. The Concept Design includes improved stormwater management which will result in a positive environmental impact.

### **3. Economic**

The public exhibition of the Snowy River Avenue Concept Design has heightened community awareness of the upcoming project. The reception of the Concept Design has been encouraging and the project team remains confident that the implementation of the streetscape upgrade will

have positive social and economic outcomes. It is also valuable that such a financially significant project is able to benefit from the public's suggestions.

Stage 1 (Kalkite Street to Gippsland Street intersection and Kalkite Street Redesign) of the Avenue is budgeted in the Draft 2017 year budget.

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

Snowy Monaro Shire Council is seeking to maintain the local road network through works to repair Snowy River Avenue. Longstanding planning from the Jindabyne Action Plan 2009 gives direction to Council to implement a 'main street' treatment of Snowy River Avenue. With a major capital works commitment to repair the road surface already in place, Snowy River Shire Council demonstrates a sound and cost-effective integration of the two objectives of the upgrade works by implementing the Jindabyne Action Plan vision for this location at a time when the roadway structure is requiring renewal.

The former-SRSC Council has further endorsed this project through the development of activities and priorities in the current suite of integrated planning documents. This is further supplemented by a SRSC Councillor workshop and update in April 2015, a further update report in September 2015, public exhibition request in December 2015 and this report on submissions and community feedback received. Council leadership will continue to be involved in setting priorities and key stages of his project.



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## 9.6 UPDATE ON PLANNING PROPOSALS COMMENCED IN FORMER SNOWY RIVER SHIRE COUNCIL UNDER SNOWY RIVER LEP 2013

Record No:

Responsible Officer:	Director Community & Environmental Services
Author:	Manager Community & Strategic Planning
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments:	Nil
Cost Centre	8010 – Strategic Planning
Project	Pursue Planning Proposals to amend Snowy River LEP 2013 as needed
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

Prior to the merger and formation of Snowy Monaro Regional Council the former Snowy River Shire Council were pursuing two Planning Proposals to amend Snowy River LEP 2013.

The first Planning Proposal included various minor and administrative amendments to LEP 2013. The Gateway Determination issued authorisation for Council to exercise delegation to make this plan. This process is nearing completion with legal drafting currently being prepared before the plan can be legally made.

The Second Planning Proposal concerns part Lot 20 DP219584 and details the proposed reclassification and rezoning to allow legal access from Kosciuszko Road to the approved Shop-top housing development (DA0126/2015) at 3 McClure Circuit. This Planning Proposal is yet to be adopted by Council and forwarded for a Gateway Determination.

A short précis and the status and timing of each amendment is provided below.

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

#### OFFICER'S RECOMMENDATION

That Council receive and note the contents and status of the two Planning Proposals in progress prior to the merger and formation of Snowy Monaro Regional Council to amend Snowy River LEP 2013.

## **BACKGROUND**

### **Minor Amendments**

The Planning Proposal details the first amendment to SRLEP2013. It is an administrative amendment that entails correcting a minor mapping error with the application of the visual protection controls over certain areas, correcting the naming of one heritage item, adding a Heritage Item. It also includes changing wording in relation to existing holdings and adding one additional land use to the industrial zone and adding to the exempt development schedule certain types of minor boundary adjustments in rural and environmental zones. The changes are anomalies and have no or minor material impact and seek to improve the application of appropriate and flexible planning controls.

The Planning Proposal has been publically exhibited. No submissions were received. Currently the legal drafting of the instrument is in progress with Parliamentary Counsel. Shortly it is anticipated a Parliamentary Opinion will be received at which time Council will have delegated authority to 'make' the new LEP.

### **Reclassification and Rezoning McClure Circuit part Lot 20 DP219584**

The proposed reclassification and rezoning is to allow legal access from Kosciuszko Road to the approved Shop-top housing development (DA0126/2015) at 3 McClure Circuit. The amendment will also allow access to the neighbouring property which currently does not have coinciding legal and practical access. A draft Planning Proposal has been prepared. Council has not adopted and agreed to forward the Planning Proposal for a Gateway Determination as yet. A report and Planning Proposal has been prepared for consideration on the 29th June Council Meeting. It is recommended that the Planning Proposal proceed as it facilitates access to a shop-top housing development (DA126/2015) and to the adjoining property.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The minor administrative amendment detailed in the Planning Proposal illustrates Councils commitment to ensure an appropriate planning framework exists. The minor amendment will ensure accurate and easy implementation of planning controls. The second Planning Proposal which seeks reclassification and rezoning of a small piece of land will facilitate the previously approved shop-top housing development which requires access to be formalised to the development in order for it to proceed. The amendment will also facilitate access to the adjoining development.

The Gateway process determines the required community consultation process for each amendment.

### **2. Environmental**

The standard instrument LEP seeks to attain our goal of ecologically sustainable development. An additional item on the Heritage List is furthering the ongoing preservation of environmental heritage.

### **3. Economic**

Resources have been allocated for ongoing amendments to the Snowy River LEP 2013 as required.

An application fee has been required to recoup costs of preparing and administering the planning proposal and Gateway Determination.

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

The current two planning proposals and report regarding amendments to the Snowy River LEP 2013 are the first to be considered by Council since the introduction of LEP 2013. Council has a legislative requirement to maintain an effective and appropriate planning framework and is ensuring this through amending the LEP 2013 as needed. It is also showing leadership by ensuring it maintains efficient and effective planning instruments by seeking continuous improvement through amendments.

**9.7 DA2016/0148 - DWELLING HOUSE**

Record No:

Responsible Officer:	Manager Development Assessment
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP 6.29 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	<ol style="list-style-type: none"> <li>1. Assessment Report and Draft Conditions prepared by External Planner</li> <li>2. Development Plans</li> <li>3. BASIX Certificate</li> <li>4. Statement of Environmental Effects</li> <li>5. Soil Assessment</li> <li>6. Development Application Form</li> </ol>

Further Operational Plan Actions:

Applicant Number:	Da2016/0148
Applicant:	Hazfad Investments Pty Ltd C/o Dabyne Planning
Owner:	John Fazakerley & Janine Hudson
DA Registered:	7 April 2016
Property Description:	Lot 7 DP 1210147
Property Number:	108341
Area:	5.658 hectares
Zone:	R5 – Large Lot Residential
Current Use:	Vacant Land
Proposed Use:	Dwelling House
Permitted in Zone:	Yes
Recommendation:	That the development be approved with conditions

**EXECUTIVE SUMMARY**

The purpose of this report is to approve a dwelling house and associated garage. The proposal is required to be determined by Council in compliance with the requirements of Councils' Code of Conduct as the applicant and owner is a staff member. In accordance with these requirements the application was assessed by an external planning consultant. The consultant has prepared an assessment report and draft conditions of consent which are attached to this report.

The recommendation provided is that the development be approved with conditions.

## **RECOMMENDATION**

A. That pursuant to section 80(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that consent for a dwelling house on Lot 7 DP 1210147 Dalgety Road Berridale - Development Application No 0148/2016 is granted subject to conditions recommended in this report

## **BACKGROUND**

The proposal is to erect a single storey dwelling house on a large lot residential allotment in Berridale. The development will include a dwelling house, attached garage, driveway access, water supply tank and an onsite effluent disposal system.

## **ASSESSMENT**

For assessment against the provisions of Section 79C of the EP&A Act please refer to the assessment report attached.

## **SUBMISSIONS**

The development was not required to be notified or advertised as such no submissions were received.

## **CONCLUSION**

It is considered that the proposed development generally complies with the relevant provisions of Section 79C of the Act, LEP, REP, DCPs, Codes and Policies.

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

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The development will have no social impacts on Council or the provision of Council services. The land on which the dwelling is to be erected was approved for this use under the provisions of the Snowy River Rural Local Environmental Plan 2007, at this time any social impacts of the erection of dwellings on this land were considered.

### **2. Environmental**

The development will have no significant environmental impacts that cannot be managed through appropriate conditions of development consent. The environmental impacts of the development have been assessed in the attached report.

### **3. Economic**

The development is not considered to have a negative economic impact on Councils, as it is a dwelling house on a property that has been subdivided for this purpose.

### **4. Civic Leadership**

9.7 DA2016/0148 - DWELLING HOUSE

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The application is being presented to Council for determination due to the requirements of Council's Code of Conduct. The Code of Conduct stipulates that any development application submitted by a staff member to be assessed by an external party and determined by Council.

## **Snowy River Shire – Proposed Dwelling house**

**APPLICATION NO:** DA 0148/2016  
**REPORTING OFFICER:** Daris Olsauskas (Building Environment Services Today) Consultant Town Planner  
**RESPONSIBLE MANAGER:** Sophie Ballinger

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### **Purpose**

The purpose of this report is to assess a Development Application that has been lodged by a member of Council staff for the construction of a new dwelling house on Lot 7 "Winter Hills" Dalgety Road Berridale

### **Management Plan Program/Strategy/Activity (Authority for this report)**

The Authority for this report is contained in Program 11: Development Assessment which states: *All applications are assessed and determined in accordance with statutory & policy requirements.*

## Summary

### **Consultant Town Planners Recommendation**

- A. That pursuant to section 80(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that consent for a dwelling house on Lot 7 DP 1210147 Dalgety Road Berridale - Development Application No 0148/2016 is granted subject to conditions recommended in this report



## Report

The following report is an assessment of development application having regard to those matters to be considered under section 79C of the EP&A Act 1979.

### Application Details:

<b>Property Number:</b>	108341
<b>Application No:</b>	DA 0148/2016
<b>Date Lodged:</b>	7 April 2016
<b>Development Proposal:</b>	Dwelling house
<b>Property Address:</b>	Lot 7 Dalgety Road Berridale
<b>Legal Description:</b>	Lot 7 DP 1210147
<b>Easements/ROWS</b>	None
<b>Applicant's Name:</b>	John Fazakerley & Janine Hudson
<b>Owner's Name:</b>	As above
<b>Zone:</b>	R5 Large Lot Residential
<b>Land Classification</b>	N/A

### Proposal in Detail:

The proposal includes:

- the construction of a single storey residence and attached garage
- driveway access
- 30,000 litre water supply tank, and
- On-site septic tank effluent disposal system

A copy of the proposed plans, Statement of Environmental Effects and information provided by the applicant on the 7 April 2016 are included as attachments to this report.

Assessment Details:

The proposed development has been assessed against the provisions and requirements of the following relevant planning controls affecting the proposal.

<b>State Environmental Planning Policies (SEPPs)</b>	The proposed development is assessed against the following relevant State Environmental Planning Policies
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	<p><b>SEPP 55 REMEDIATION OF LAND</b></p> <p>Clause 7 of SEPP 55 applies to the proposed development.</p> <p>A consent authority must not consent to the carrying out of any development on land unless:</p> <ul style="list-style-type: none"> <li>• it has considered whether the land is contaminated, and</li> <li>• if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</li> <li>• if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.</li> </ul> <p>Table 1 of the Contaminated Land Guidelines supporting SEPP 55 identifies a number of agricultural uses as having potential to contaminate. Lot 7 has not been identified as being contaminated land.</p> <p>Council's internal review systems have not suggested that the land has any issues associated with historical contamination of the land.</p> <p><b>DEEMED STATE ENVIRONMENTAL PLANNING POLICIES</b></p> <p>The Kosciuszko Regional Environmental Plan 1998 – Snowy River was from the 1 July 2009 deemed to be a State Environmental Planning Policy however was repealed by Clause 1.8B of the Snowy River Local Environmental Plan 2013 on the 13 December 2013.</p> <p><b>Kosciuszko (Snowy River) Region Planning and Development Guidelines</b></p> <p>The development has been assessed against the Region Planning and Development Guidelines. This includes addressing each relevant section for Guidelines for Development Control including</p> <p><b>Clause 1 – Water Catchment Management</b></p>
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	<p>The proposed development will not have an adverse impact on water quality, catchment hydrology or aquatic/riparian ecosystems.</p> <p><b>Clause 3 – Scenic Quality</b></p> <p>The proposed development will not impact on the natural, scenic and landscaped environment of the region.</p> <p><b>Clause 5 – Cultural and Environmental Heritage</b></p> <p>The proposed development will not impact on the cultural and environmental heritage attributes of the region.</p> <p><b>Clause 17 – Lake Jindabyne</b></p> <p>The proposed development will not impact on the value of Lake Jindabyne as a recreational, scenic and water resource.</p> <p><b>Snowy River Region Design Guidelines</b></p> <p>The development application has been assessed against the relevant requirements of the Guidelines including:</p> <ul style="list-style-type: none"><li>• Siting of the development;</li><li>• Building design and characteristics;</li><li>• Access;</li><li>• Signage;</li><li>• Guidelines for commercial buildings;</li><li>• Planting and landscaping;</li><li>• Building materials; and</li><li>• Services.</li></ul> <p>The design statement and details of the proposal from the application are considered against the requirements of the Design Guidelines below.</p> <p><b>Siting of the development</b></p> <p>The guidelines emphasise the location of a building on a site is influenced by orientation, views slope, vegetation and topography.</p> <p><b><i>Response of the proposal</i></b></p> <p>The proposed building site is located on the south eastern edge of the property. The site is a minor plateau area forming the eastern extent of a small valley orientated to the west. Generally the proposal is consistent with avoiding heavily vegetated areas, ridgelines and other sensitive locations</p> <p><b>Building design and characteristics</b></p>
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	<p>The guidelines emphasise that new buildings should aim to be designed to be consistent with the natural environment of the Snowy Mountains.</p> <p><b><i>Response of the proposal</i></b></p> <p>The proposed dwelling house design is single storey and finished in colorbond steel. The development is generally consistent with these guidelines.</p> <p><b>Access</b></p> <p>The guidelines provide a number of principles for access and car parking.</p> <p><b><i>Response of the proposal</i></b></p> <p>The approved development includes access and parking arrangements generally consistent with the guidelines.</p> <p><b>Signage</b></p> <p>The proposed development does not require specific advertising signage</p> <p><b>Guidelines for commercial buildings</b></p> <p>The guidelines provide a number of principles for commercial buildings.</p> <p><b><i>Response of the proposal</i></b></p> <p>The proposal is not impacted by these guidelines</p> <p><b>Planting and landscaping</b></p> <p>The key principle of the guidelines is to retain all existing vegetation where possible due to the problems of establishing vegetation quickly in the local climate.</p> <p><b><i>Response of the proposal</i></b></p> <p>The site contains some scattered vegetation which will not be impacted by the proposed development</p> <p><b>Materials</b></p> <p>The guidelines suggest the use of materials representative of the building style of the Region. This includes materials such as stone, corrugated sheet metal, concrete blocks and clay bricks. The guidelines also emphasise the use of colours that are muted and recessive and reflect the natural environment of the region. These include greys, olives and light browns.</p> <p><b><i>Response of the proposal</i></b></p>
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	The proposed building will be finished in basalt grey and wind spray colorbond materials
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<p><b>Local Environmental Plan (LEP) (including draft LEPs)</b></p>	<p><b>Services</b></p> <p>The guidelines seek to ensure that services to new developments are appropriately located and screened. The proposed development meets these requirements.</p> <p><b><i>Response of the proposal</i></b></p> <p>The proposed development will be adequately serviced and is consistent with the principles of the Guidelines.</p> <p>The proposed development is assessed against the following relevant provisions of the Snowy River Local Environmental Plan 2013 (SRLEP 2103)</p> <p><b>1.2 AIMS OF THE PLAN</b></p> <p>The proposed development is impacted by the following aim of the SRLEP 2013:</p> <ul style="list-style-type: none"> <li><i>to plan and provide for settlement where it provides a diverse range of living opportunities and housing choices without compromising the environmental values of Snowy River, including its natural resources such as water, biodiversity and agricultural land</i></li> </ul> <p><b>1.4 DEFINITIONS</b></p> <p>The proposed development is defined under the SRLEP 2013 as a dwelling house where</p> <p><u><b>dwelling</b> means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.</u></p> <p><u><b>dwelling house</b> means a building containing only one dwelling.</u></p> <p>Dwelling houses are a form of residential accommodation and permitted only with consent of Council within Zone R5 Large Lot Residential Zone.</p> <p><b>2.3 ZONE OBJECTIVES</b></p> <p>The land is located within Zone R5 Large Lot Residential Zone.</p> <p>The objectives of the zone are:</p> <ul style="list-style-type: none"> <li><i>To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</i></li> </ul>
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- *To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To provide a buffer between urban development and broad acre rural and environmental areas.*

The objectives of the zone and the compatibility of the proposed development are discussed within this report.

#### **RELEVANT SRLEP 2013 PROVISIONS**

#### **4.2D ERECTION OF DWELLING HOUSES AND DUAL OCCUPANCIES ON LAND IN CERTAIN RURAL, RESIDENTIAL AND ENVIRONMENT PROTECTION ZONES**

The objectives of this clause are as follows:

- *to minimise unplanned rural residential development, and*
- *to enable the replacement of lawfully erected dwelling houses and dual occupancies in certain rural, residential and environment protection zones*

The proposal is generally consistent with the objectives of this Clause as Lot 7 was created as part of a rural residential subdivision approved by Council in 2011. Lot 7 satisfies the criteria under Clause 4.2D(3)(d) as the lot resulted from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or a dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement

#### **4.3 HEIGHT OF BUILDINGS**

The objectives of this clause are as follows:

- *to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,*
- *to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas and the public domain, including parks, streets and lanes,*
- *to minimise the adverse impact of development on heritage items.*

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings

	<p>Map. The maximum height of buildings on the Map applying to Lot 7 is 9m.</p> <p>The proposed dwelling house will have a height of 3.9m above natural ground level. The current proposal complies with the height requirements for this site.</p> <p><b>5.10 Heritage conservation</b></p> <p>The objectives of this clause are as follows:</p> <ul style="list-style-type: none"><li>• <i>to conserve the environmental heritage of Snowy River,</i></li><li>• <i>to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></li><li>• <i>to conserve archaeological sites,</i></li><li>• <i>to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></li></ul> <p>The site is within the general vicinity of Item No 50 identified in Schedule 5 Environmental heritage as being the homestead "Boonara".</p> <p>Under Clause 5.10(5) Council must consider the heritage impacts of any development on land that is within the vicinity of land identified as a heritage item.</p> <p>Lot 7 is located approximately 1 to 2km from the Boonara homestead and is physically separated from the site by another property under different ownership.</p> <p>Given the physical distance and separation between Lot 7 and Item No 50 it is considered that further assessment under Clause 5.10 is not required.</p> <p><b>7.2 TERRESTRIAL BIODIVERSITY</b></p> <p>The objective of this clause is to maintain terrestrial biodiversity by:</p> <ul style="list-style-type: none"><li>• <i>protecting native fauna and flora, and</i></li><li>• <i>protecting the ecological processes necessary for their continued existence, and</i></li><li>• <i>encouraging the conservation and recovery of native fauna and flora and their habitats.</i></li></ul> <p>Lot 7 is not mapped as Terrestrial Biodiversity however the eastern boundary of the land adjoins areas mapped.</p> <p>It is considered that the proposed development will not have</p> <ul style="list-style-type: none"><li>• <i>any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and</i></li></ul>
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	<ul style="list-style-type: none"> <li>• <i>any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and</i></li> <li>• <i>any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and</i></li> <li>• <i>any adverse impact on the habitat elements providing connectivity on the land</i></li> </ul> <p><b>7.3 RIPARIAN LAND AND WATERCOURSES</b></p> <p>The objective of this clause is to protect and maintain the following:</p> <ul style="list-style-type: none"> <li>• <i>water quality within watercourses,</i></li> <li>• <i>the stability of the bed and banks of watercourses,</i></li> <li>• <i>aquatic and riparian habitats,</i></li> <li>• <i>ecological processes within watercourses and riparian areas.</i></li> </ul> <p>Lot 7 is located approximately 300m away from the nearest watercourse.</p> <p>It is considered that the development will not have an impact on::</p> <ul style="list-style-type: none"> <li>• <i>water quality and flows within the watercourse</i></li> <li>• <i>aquatic and riparian species, habitats and ecosystems of the watercourse</i></li> <li>• <i>the stability of the bed and banks of the watercourse</i></li> <li>• <i>the free passage of fish and other aquatic organisms within or along the watercourse</i></li> <li>• <i>any future rehabilitation of the watercourse and riparian areas, and</i></li> <li>• <i>water extraction from the watercourse</i></li> <li>•</li> </ul> <p><b>7.9 ESSENTIAL SERVICES</b></p> <p>Clause 7.9 requires that the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required including water supply, electricity, sewerage, stormwater and vehicular access.</p> <p>All the relevant essential services for this type of rural subdivision were provided as part of the original subdivision</p>
<p><b>Development Control Plans</b></p>	<p>The applicant has provided a detailed Statement of Environmental Effects evaluating the impact of the proposed development against relevant Chapters from Snowy River Development Control Plan 2013 applicable to the proposed development. The following is a summary of the proposal against the relevant Chapters of the DCP.</p>



	<p><b>A1 INTRODUCTION</b></p> <p>The proposal is generally consistent with the requirements of this Chapter which establishes the information required to support a development application.</p> <p>The current proposal was not required to be notified to adjoining owners as it is not identified in the Chapter as requiring notification. In assessing the scale and nature of the proposal it was considered that no notification was required.</p> <p><b>B1 RURAL LOCALITY STATEMENTS</b></p> <p>The proposed development is generally consistent with the objectives of this Chapter in respect to the Berridale – Coolringdon rural locality statement.</p> <p><b>C GENERAL PLANNING CONSIDERATIONS</b></p> <p>The following parts of this Chapter are relevant to the current proposal.</p> <p><b>C2 DESIGN</b></p> <p>The development is generally consistent with the objectives of this chapter in relationship to visual impacts, building design and landscaping. There are no view-sharing impacts associated with the development. The site will be visible from the Dalgety Road and it is recommended that a landscaping plan be prepared to identify options to screen the future dwelling house.</p> <p><b>C3 CAR PARKING</b></p> <p>Vehicular access and car parking are consistent with the requirements of this Chapter.</p> <p><b>C9 ENERGY EFFICIENCY, WATER SUPPLY AND EFFLUENT DISPOSAL</b></p> <p>The proposal is generally consistent with the objectives of the Chapter.</p> <p><b>C10 WASTE MANAGEMENT &amp; RECYCLING</b></p> <p>The proposal is generally consistent with the objectives of this Chapter</p> <p><b>D1 RESIDENTIAL ACCOMMODATION</b></p> <p>The proposal is generally consistent with the objectives and controls within this Chapter that apply to new dwelling houses on R5 Large Lot Residential zoned land.</p>
<p><b>Other statutory controls</b></p>	<p><b>ROADS ACT 1993</b></p>

	Division 3 of Part 9 of the Roads Act 1993 does not apply to the development. Lot 7 has indirect access to the Dalgety Road.
	<b>DISABILITY DISCRIMINATION ACT 1992 (DDA ACT)</b>  The <i>Disability (Access to Premises-Buildings) Standards 2010</i> produced by the Attorney General are not applicable to the proposed development
<b>Planning Agreements</b>	There are no planning agreements affecting the proposed development
<b>Draft Environmental Planning Instruments</b>	There are no draft environmental planning instruments affecting the proposed development
<b>Any prescribed matters in the EPA Regulations 2000</b>	Nil

Section 79C of EP&A Act

In addition to the assessment of statutory compliance above in this report Section 79C of the EPA Act also sets out those matters critical to the assessing the impact of the proposed development. The following is a detailed assessment of those matters.

**Compliance with development control standards**

The current proposal is consistent with Council's SRDCP 2013. The proposed dwelling house is located in a position that maximises the setback to the Dalgety Road however the proposed dwelling house will be visible. It is reasonable to require details of landscaping prior to the release of the construction certificate to assist in reducing the visual impacts of the proposal.

**The suitability of the site for the development**

The site is not physically constrained to accommodate the construction of a single dwelling house and ancillary works. The site has not been identified as being unsuitable for the proposed residential development.

**The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:**

***Social Impacts***

There is no mandatory requirement for a Social Impact Assessment for the proposed development. It is unlikely that the proposed development will have any adverse social impacts.

***Impacts on the built environment***

The current proposal is unlikely to have any significant effects on the built environment considering the nature of the proposed development.

***Economic impacts***

There is no requirement for a separate economic assessment or analysis for the proposed development.

***Development contributions***

The proposed development is not specifically identified under Council's Section 94 Development Contributions Plan 2008.

**Any submissions made in accordance with the EP&A Act or the regulations**

The current proposal was not required to be notified in accordance with the SRDCP 2013.

**The public interest**

The current proposal does not raise any issues in the broader public interest.

**Conclusion**

The current proposal presented to Council meets the minimum standards established within Council's DCP. Any impacts associated with the proposed development can be addressed through suitable conditions of development consent.

**Attachments**

ED/	Statement of Environmental Effects
ED/	Application form and plans

## Draft Conditions of Consent

### APPROVAL IN ACCORDANCE WITH APPROVED PLANS AND SUPPORTING INFORMATION

1. The developer is to ensure that the development complies fully with the plans as submitted to Council on the 7 April 2016 with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
A-00	Drawing Register	MM	25/2/16
A-01	Site Plan	MM	25/2/16
A-02	Ground Floor	MM	25/2/16
A-03	North and South Elevation	MM	25/2/16
A-04	East and West Elevation	MM	25/2/16
A-05	Roof Plan	MM	25/2/16
A-06	Section A-01	MM	25/2/16

- *Statement of Environmental Effects – Dated March 2016 Prepared by DabynePlanning*
- *BASIX certificate No 710475S*
- *Watercheck Testing On-site Sewage Management Assessment – New System Installation Lot 7 Winter Hills Estate Berridale – Report No 201523*

as stamped by the Snowy River Council and attached to this Notice, except where amended by the following conditions of consent:

### OTHER APPROVALS

2. This consent authorises the carrying out the following activities, pursuant to the provisions of Section 68 of the Local Government Act 1993 and Section 78(3) of the Environmental Planning and Assessment Act 1979, subject to full compliance with all other relevant conditions of this consent:
  - **Part C Management of waste** - *Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility*

### PRIOR TO THE RELEASE OF THE CONSTRUCTION CERTIFICATE

3. The developer will submit a landscaping plan, for approval by Council, identifying tree plantings to be carried out to assist to reduce the visual impact of the proposed dwelling house from the Dalgety Road.
4. The developer shall submit to the PCA (i.e. Council or Private Certifier) full details on the heating appliance/s to be installed within the development prior to the

- release of the Construction Certificate. The details are include the location and type of appliance and the manufactures installation specifications
5. The developer is to submit (two) 2 copies of a stormwater drainage design for the development to the PCA (i.e. Council or Private Certifier) prior to the release of the Construction Certificate. The design is to be in accordance with the requirements of the approved BASIX Certificate
  6. Final design details of the proposed external materials and finishes, including schedules and a sample board of materials and colours, will be submitted to and approved by Council prior to the issue of a Construction Certificate for above ground works

#### **PRIOR TO COMMENCEMENT OF WORKS**

7. The developer is to ensure no site works, construction or building works are to commence without first obtaining a Construction Certificate.
8. At least 48 hours prior to the commencement of any works on the site, a "Notice of Commencement of Work and Appointment of PCA Form" will be submitted to Council. This includes that prior to the commencement of works the Applicant will submit to Council:
  - (a) A construction certificate for the building work which has been issued by the PCA; and,
  - (b) Evidence that the person having the benefit of the development consent has:
    - i) Appointed a Principal Certifying Authority (PCA) and notified Council in writing of the appointment, irrespective of whether Council or an accredited private certifier is appointed;
    - ii) notified the PCA that the person will carry out the building work as an owner-builder, if that is the case; and,
  - (c) Evidence that the principal PCA has, no later than 2 days before the building work commences:
    - i) notified the consent authority and the Council of his or her appointment, and;
    - ii) notified the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work; and,
  - (d) Evidence that the person having the benefit of the development consent, if not carrying out the work as an owner-builder has:
    - i) notified the principal PCA of any such appointment; and,
    - ii) unless that person is the principal contractor, notified the principal contractor of any critical state inspection and other inspections that are to be carried out in respect of the building work.

9. Building work involving residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates

(a) in the case of work to be done by a licensee under that Act:

- i) has been informed in writing of the licensee's name, contractor license number and contact address details (in the case of building work undertaken by a contractor under the Home Building Act 1989); and
- ii) is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989; or

(b) in the case of work to be done by any other person:

- i) has been informed in writing of the persons name, contact address details and owner-builder permit number; and
- ii) has been given a declaration signed by the property owner(s) of the land that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989 and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

**Note:** A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the specific person or licensed contractor is the holder of an insurance policy issued for the purposes of that Part of the Act is, for the purposes of this condition, sufficient evidence that the person has complied with the requirements of that Part of the Act.

10. Prior to the commencement of construction, the Applicant will submit to the satisfaction of the PCA structural drawings prepared and signed by a suitably qualified practicing Structural Engineer that comply with:

- (a) the relevant clauses of the Building Code of Australia,
- (b) the relevant development consent,
- (c) drawings and specifications comprising the Construction Certificate, and
- (d) the relevant Australian Standards listed in the BCA (Specification A1.3).

11. Before commencement of any work, a sign must be erected in a prominent, visible position:

- (a) stating that unauthorised entry to the work site is not permitted;
- (b) showing the name, address and telephone number of the Principal Certifying Authority for the work; and
- (c) showing the name and address of the principal contractor in charge of the work site and a telephone number at which that person can be contacted at any time for business purposes.

This sign shall be maintained while the work is being carried out and removed upon the completion of the construction works

12. Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

Each toilet provided must be:

- (a) a standard flushing toilet; and
- (b) connected to either: an accredited sewage management facility or an approved chemical closet.

The toilet facilities shall be provided on-site, prior to the commencement of any works.

13. Prior to the commencement of works, the Applicant will submit to the satisfaction of the PCA (i.e. Council or Private Certifier) documentation confirming the building will be protected from termite attack in accordance with the provisions of Australian Standard AS 3660.1. The submitted documentation will include:

- (a) details of the proposed methods to be used; and
- (b) certification of works performed;

A durable notice must be permanently fixed to the building in a prominent location, such as in the electrical meter box indicating:

- (a) the method of protection;
- (b) the date of installation;
- (c) where a chemical barrier is used, its life expectancy as listed on the National
- (d) Registration Authority label; and.
- (e) the need to maintain and inspect the system on a regular basis.

**NOTE:** Under slab chemical treatment will not be permitted as the only method of treatment unless the area can be retreated without major disruption to the building

## **DURING WORKS**

14. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times and will be readily available for perusal by any officer of the Council or the PCA.
15. The developer is to ensure that where site works are undertaken including all excavations, land clearing and materials storage, all topsoil that is removed is stripped and stockpiled in an appropriate location for future revegetation works. The stockpiled area is to be encircled by a geofabric filter fence.



The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geofabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices as outlined in the NSW Department of Housing's "Managing Urban Stormwater: Soils and Construction" Manual (1998) – the Blue Book".

16. An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single access way.
17. The PCA (i.e. Council) is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.
18. The developer is to ensure that prior to any plumbing work being commenced the licensed plumber / drainer must lodge with Council a starting docket and a dimensioned schematic layout of the sanitary drainage lines.

The developer is to ensure that all plumbing and drainage work is in accordance with the Australian Standard 3500 and the NSW Codes of Practice for Plumbing and Drainage.

19. All new hot water installations will deliver hot water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50°C. A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of works.

#### **PRIOR TO OCCUPATION**

19. A certificate prepared by an appropriate qualified person is to be submitted for the following building components, certifying to the PCA (i.e. Council or Private Certifier) that the nominated works have been carried out in accordance with the Building Code of Australia, relevant Australian Standards and any conditions of Development Consent. Works are not to progress past this point until the PCA has confirmed that this condition has been satisfied.

- (a) Truss certificate
- (b) Wet seal certificate
- (c) Fire place installers certificate
- (d) Roof fixers certificate
- (e) Plumber's certificate for tempered water (bathroom max 50<sup>0</sup>)
- (f) Smoke alarm certificate per AS3786
- (g) Termite certificate as per AS 3660.1
- (h) Any engineer's certificate
- (i) Fire separation certificate in accordance with requirements of the BCA

20. The PCA (i.e. Council) is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.
21. The developer is to ensure that prior to occupation of the dwelling house with reference to the "Guidelines for the Planning, Construction and Maintenance of Trails" the internal vehicular access road within Lot 7 is constructed in accordance with the following minimum standards:
  - (a) The road must be 4 metres wide;
  - (b) Cross slope of the road must be no greater than 1:14 or 7% (i.e. a 28cm drop over 4 metres); and
  - (c) Road gradients must not exceed 16.7% (1:6) for gravel construction and 20% (1:5) for sealed surfaces.

#### **ADMINISTRATIVE CONDITIONS**

22. In the event of any inconsistency between conditions of this consent and the approved drawings/documents referred to in Condition 1, the conditions of this consent prevail.
23. The developer will comply with any relevant prescribed conditions of development consent under the Environmental Planning and Assessment Regulation.

# PROPOSED DWELLING

Lot 7 DP 1210147, JINDABYNE, NSW 2628  
 NSW BASIX certificate - Separate Dwelling House - 710475S

## DRAWING REGISTER

- A - 00 DRAWING REGISTER
- A - 01 SITE PLAN
- A - 02 GROUND FLOOR
- A - 03 NORTH & SOUTH ELEVATIONS
- A - 04 EAST & WEST ELEVATIONS
- A - 05 ROOF PLAN
- A - 06 SECTION A-01

## BASIX COMMITMENTS

BASIX CERTIFICATE NO: 710475S

### WATER COMMITMENTS

The applicant must install showerheads with a minimum rating of 3 star (> 7.5 but <= 9 L/min) in all showers in the development.  
 The applicant must install a toilet flushing system with a minimum rating of 5 star in each toilet in the development.  
 The applicant must install taps with a minimum rating of 6 star in the kitchen in the development.  
 The applicant must install basin taps with a minimum rating of 6 star in each bathroom in the development.

Alternative water  
 Rainwater tank  
 The applicant must install a rainwater tank of at least 30000 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 290 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:

- 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.)
- all hot water systems in the development
- all indoor cold water taps (not including taps that supply clothes washers) in the development

### THERMAL COMFORT COMMITMENTS

Windows, glazed doors and skylights  
 The applicant must install the windows, glazed doors and shading devices described below, in accordance with the specifications listed in the table. Relevant overshadowing specifications must be satisfied for each window and glazed door.  
 The dwelling may have 1 skylight (<0.7 square metres) and up to 2 windows/glazed doors (<0.7 square metres) which are not listed.

Construction Additional insulation required (R-Value) Other specifications  
 - floor - suspended floor above enclosed subfloor, framed 1.30 (or 2 including construction) (down) site slope > 10% below floor  
 - external wall - framed (weatherboard, fibre cement, metalclad) 2.00 (or 2.40 including construction)  
 - ceiling and roof - raked ceiling / pitched or skillion roof, framed  
 - ceiling: 3.34 (up), roof: foil backed blanket (55mm) framed; medium (solar absorptance 0.475-0.70)  
 Note Insulation specified in this Certificate must be installed in accordance with Part 3.12.1.1

The following requirements must also be satisfied in relation to each window and glazed door:  
 • Except where the glass is 'single clear' or 'single toned', each window and glazed door must have a U-value no greater than that listed and a Solar Heat Gain Coefficient (SHGC) +/-10% of that listed. Total system U-values and SHGC must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.  
 • The leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 millimetres above the head of the window or glazed door, except that a projection greater than 500 mm and up to 1500 mm above the head must be twice the value in the table.  
 • Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.  
 • Unless they have adjustable shading, pergolas must have fixed battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.  
 • Pergolas with adjustable shading may have adjustable blades or removable shade cloth (not less than 80% shading ratio). Adjustable blades must overlap in plan view.

### ENERGY COMMITMENTS

Hot Water  
 The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5.5 stars.

Cooling Systems  
 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: individual fan, ducted to façade or roof; Operation control: manual switch on/off  
 Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off  
 Laundry: individual fan, ducted to façade or roof; Operation control: manual switch on/off

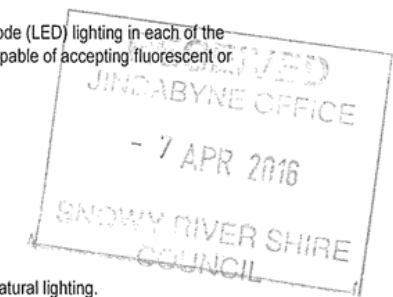
Artificial Lighting  
 The applicant must ensure that the "primary type of artificial lighting" is fluorescent or light emitting diode (LED) lighting in each of the following rooms, and where the word "dedicated" appears, the fittings for those lights must only be capable of accepting fluorescent or light emitting diode (LED) lamps:

- at least 3 of the bedrooms / study; dedicated
- at least 1 of the living / dining rooms; dedicated
- the kitchen; dedicated
- all bathrooms/toilets; dedicated
- the laundry; dedicated
- all hallways; dedicated

Natural Lighting  
 The applicant must install a window and/or skylight in 2 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 5 peak kilowatts of electricity as part of the development. The applicant must connect this system to the development's electrical system.

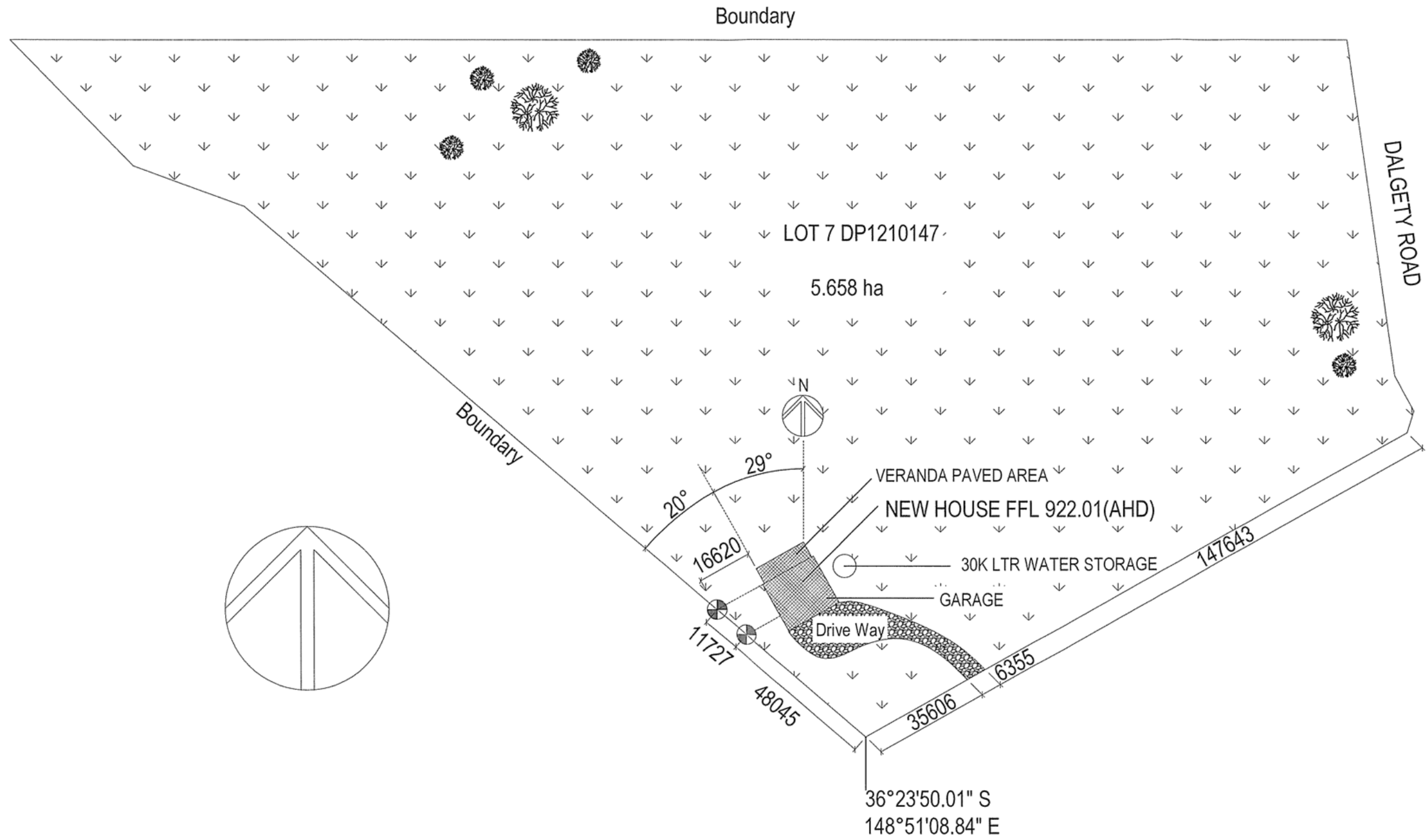
Other  
 The applicant must install a gas cooktop & electric oven in the kitchen of the dwelling.  
 The applicant must construct each refrigerator space in the development so that it is "well ventilated", as defined in the BASIX definitions.  
 The applicant must install a fixed outdoor clothes drying line as part of the development.  
 The applicant must install a fixed indoor or sheltered clothes drying line as part of the development.



PROJECT: Hudfz Investments Pty Ltd Lot 7 DP 1210147 DALGETY ROAD	DRAWING TITLE: Drawing Register & Basix Commitments	FILE NAME: J & J HUDSON2016.dwg	Drawing No A00	Page Size A3	Revision				
	NOTE: All design, construction & materials to be accordance with, Building Code of Australia (BCA). Building regulations & local government plans and policies. current issues of Australian Standards. current manufacturers specifications.			Date 25 FEBRUARY 2016	Scale NTS	Drawn MM	Checked	Approved	Status



A01 SITE PLAN  
 Scale: NTS



PROJECT: Hudfaz Investments Pty Ltd  
 Lot 7 DP 1210147  
 DALGETY ROAD

DRAWING TITLE: SITE PLAN

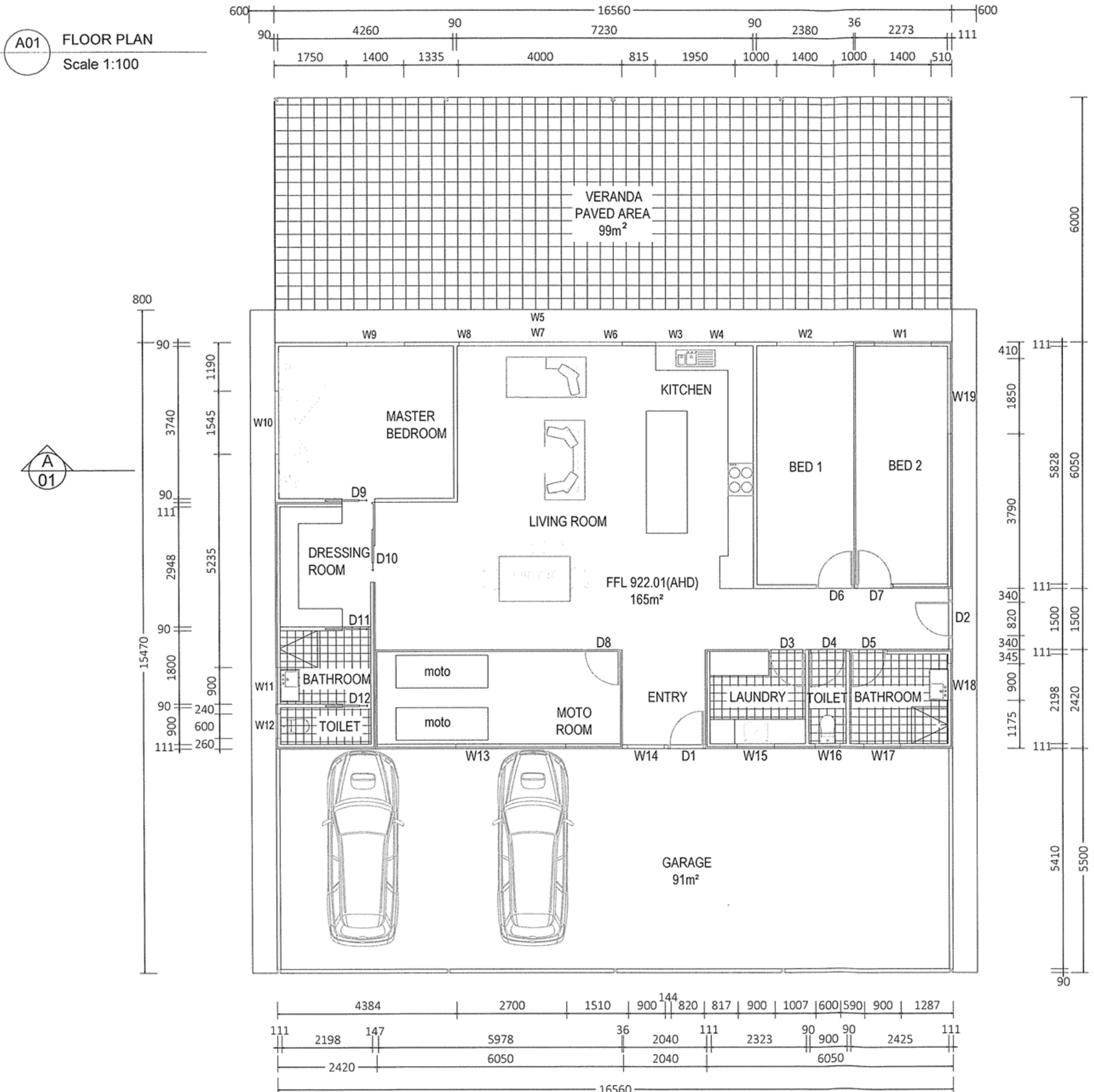
FILE NAME: J & J HUDSON2016.dwg

Drawing No A01  
 Page Size A3  
 Date 25 FEBRUARY 2016  
 Scale NTS

Revision		
Drawn	Checked	Approved
MM		
Status		

NOTE: All design, construction & materials to be accordance with, Building Code of Australia (BCA), Building regulations & local government plans and policies, current issues of Australian Standards, current manufacturers specifications.





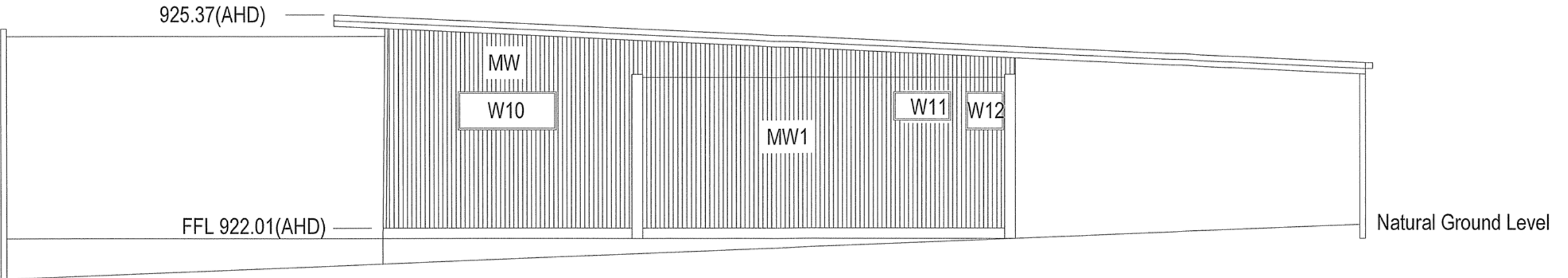
DOOR SCHEDULE			
MARK	LOCATION	SIZE (wxh)	WINDOW TYPE
D1	Entry	820 x 2040	Solid Timber Door
D2	East Side	820 x 2040	Solid Timber Door
D3	Laundry	820 x 2040	Hollow Core
D4	Toilet	820 x 2040	Hollow Core
D5	Bedroom	820 x 2040	Hollow Core
D6	Bed 1	820 x 2040	Hollow Core
D7	Bed 2	820 x 2040	Hollow Core
D8	Moto Room	820 x 2040	Hollow Core
D9	Master Bedroom	820 x 2040	Hollow Core Cavity slider
D10	Dressing Room	820 x 2040	Hollow Core Slider
D11	Bathroom	820 x 2040	Hollow Core Cavity slider
D12	Toilet	820 x 2040	Hollow Core Cavity slider

FIRST FLOOR WINDOW SCHEDULE			
MARK	LOCATION	SIZE (wxh)	WINDOW TYPE
W1	Bed 1	1400 x 2145	Fixed/Sliding Door
W2	Bed 2	1400 x 2145	Fixed/Sliding Door
W3	Kitchen	900 x 1500	Awning
W4	Kitchen	900 x 1500	Awning
W5	Living	4000 x 2145	Bifold x 4 Door
W6	Living	1120 x 255	Fixed
W7	Living	1120 x 255	Fixed
W8	Living	1120 x 255	Fixed
W9	Master Bedroom	1400 x 2145	Fixed/Slider Door
W10	Master Bedroom	1545 x 600	Fixed/Slider
W11	Bathroom	900 x 450	Awning
W12	Toilet	600 x 600	Awning
W13	Moto Room	2700 x 2145	Fixed/Sliding Door
W14	Entry	900 x 2040	Fixed
W15	Laundry	900 x 600	Awning
W16	Toilet	600 x 600	Awning
W17	Bathroom	900 x 600	Awning
W18	Bathroom	900 x 300	Awning
W19	Bed 2	1850 x 1100	Fixed/Slider





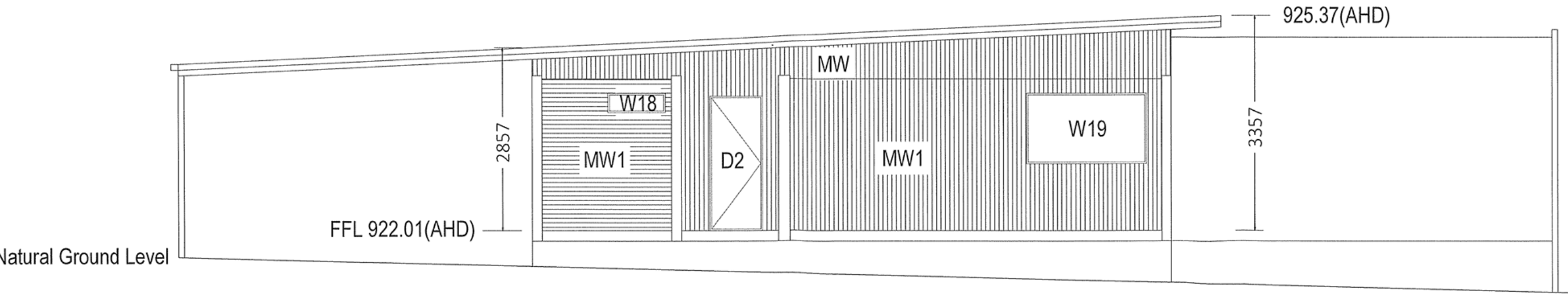
**A04 EAST ELEVATIONS**  
 Scale 1:60



East & West Elevations Cladding Schedule		
MARK	CLADDING TYPE	COLOUR
MW	Metal Wall cladding	Wind Spray colorbond
MW1	Shipping Container	Wind Spray colorbond

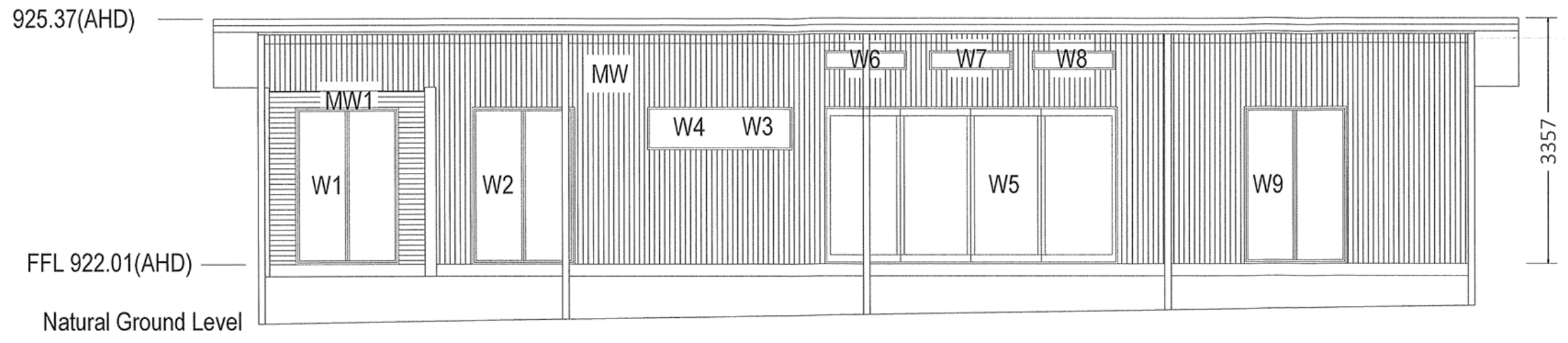
WINDOW SCHEDULE					
MARK	LOCATION	SIZE (wxh)	WINDOW TYPE	GLASS	SHADING/OVERSHADOWING
W10	Master Bedroom	1545 x 600	Fixed/Slider	Standard aluminium, single clear(U-value: 7.63, SHGC: 0.75)	Not overshadowed
W11	Bathroom	900 x 450	Awning	Standard aluminium, single clear(U-value: 7.63, SHGC: 0.75)	Not overshadowed
W12	Toilet	600 x 600	Awning	Standard aluminium, single clear(U-value: 7.63, SHGC: 0.75)	Not overshadowed
W18	Bathroom	900 x 300	Awning	Standard aluminium, single clear(U-value: 7.63, SHGC: 0.75)	Not overshadowed
W19	Bed 2	1850 x 1100	Fixed/Slider	Standard aluminium, single clear(U-value: 7.63, SHGC: 0.75)	Not overshadowed

**A04 WEST ELEVATIONS**  
 Scale 1:60





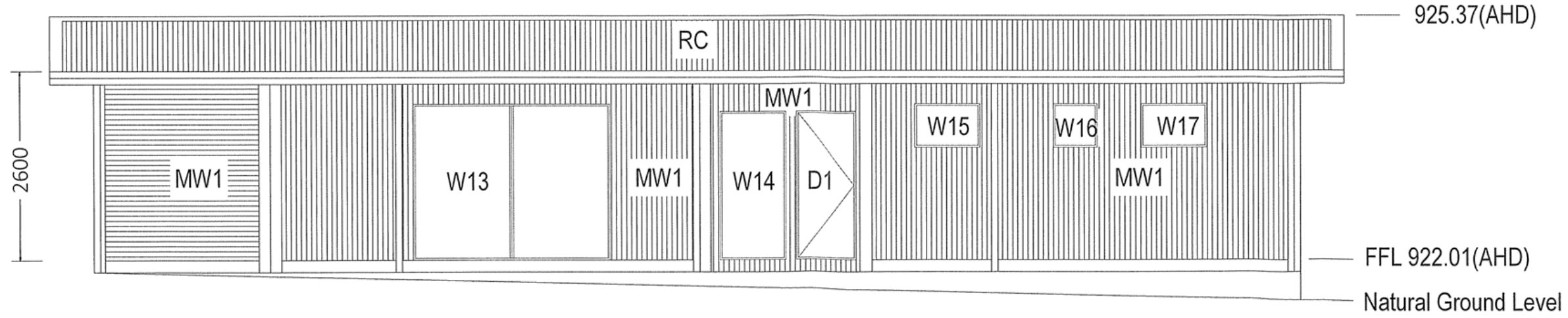
A03 NORTH ELEVATION  
 Scale 1:60



WINDOW SCHEDULE					
MARK	LOCATION	SIZE (wxh)	WINDOW TYPE	GLASS	SHADING/OVERSHADOWING
W1	Bed 1	1400 x 2145	Fixed/Sliding Door	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W2	Bed 2	1400 x 2145	Fixed/Sliding Door	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W3	Kitchen	900 x 1500	Awning	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W4	Kitchen	900 x 1500	Awning	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W5	Living	4000 x 2145	Bifold x 4 Door	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W6	Living	1120 x 255	Fixed	Standard aluminium, double clear(U-value:5.34, SHGC:0.67)	Not overshadowed
W7	Living	1120 x 255	Fixed	Standard aluminium, double clear(U-value:5.34, SHGC:0.67)	Not overshadowed
W8	Living	1120 x 255	Fixed	Standard aluminium, double clear(U-value:5.34, SHGC:0.67)	Not overshadowed
W9	Master Bedroom	1400 x 2145	Fixed/Slider Door	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W13	Moto Room	2700 x 2145	Fixed/Sliding Door	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W14	Entry	900 x 2040	Fixed	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W15	Laundry	900 x 600	Awning	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W16	Toilet	600 x 600	Awning	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed
W17	Bathroom	900 x 600	Awning	Standard aluminium, single clear(U-value:7.63, SHGC:0.75)	Not overshadowed

MARK	CLADDING TYPE	COLOUR
MW	Metal Wall cladding	Wind Spray colorbond
MW1	Shipping Container	Wind Spray colorbond
RC	Roof Cladding	Basalt colorbond

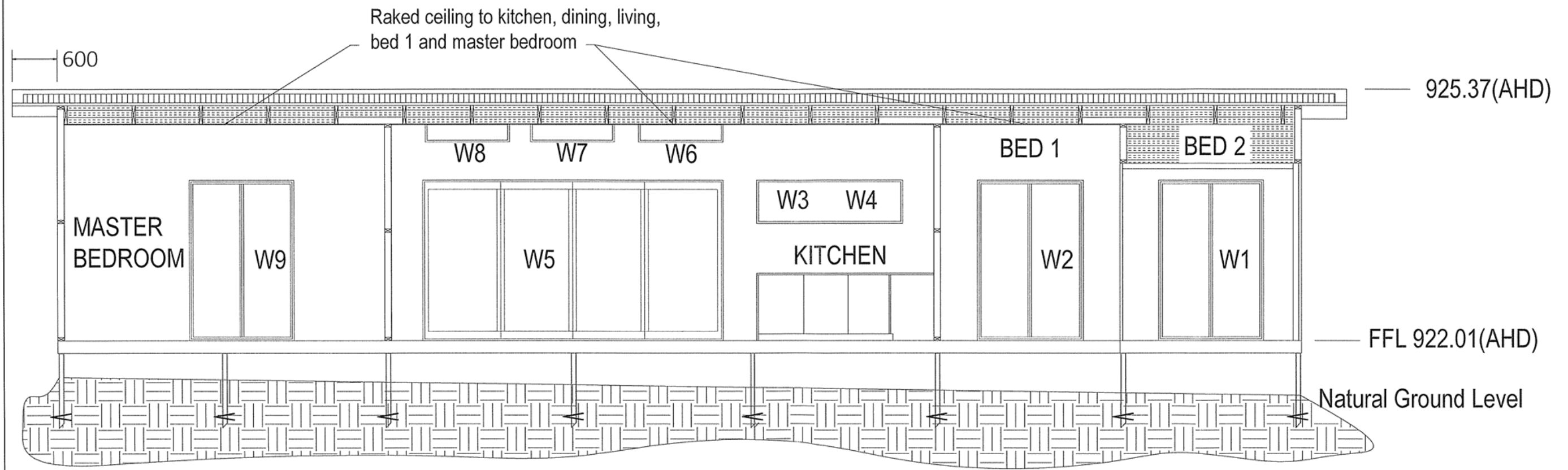
A03 SOUTH ELEVATION  
 Scale 1:60



PROJECT: Hudfz Investments Pty Ltd Lot 7 DP 1210147 DALGETY ROAD	DRAWING TITLE: EAST & WEST ELEVATIONS	FILE NAME: J & J HUDSON2016.dwg	Drawing No A03	Page Size A3	Revision		
	NOTE: All design, construction & materials to be accordance with, Building Code of Australia (BCA). Building regulations & local government plans and policies, current issues of Australian Standards, current manufacturers specifications		Date 25 FEBRUARY 2016	Scale 1:60	Drawn MM		
					Checked	Approved	Status



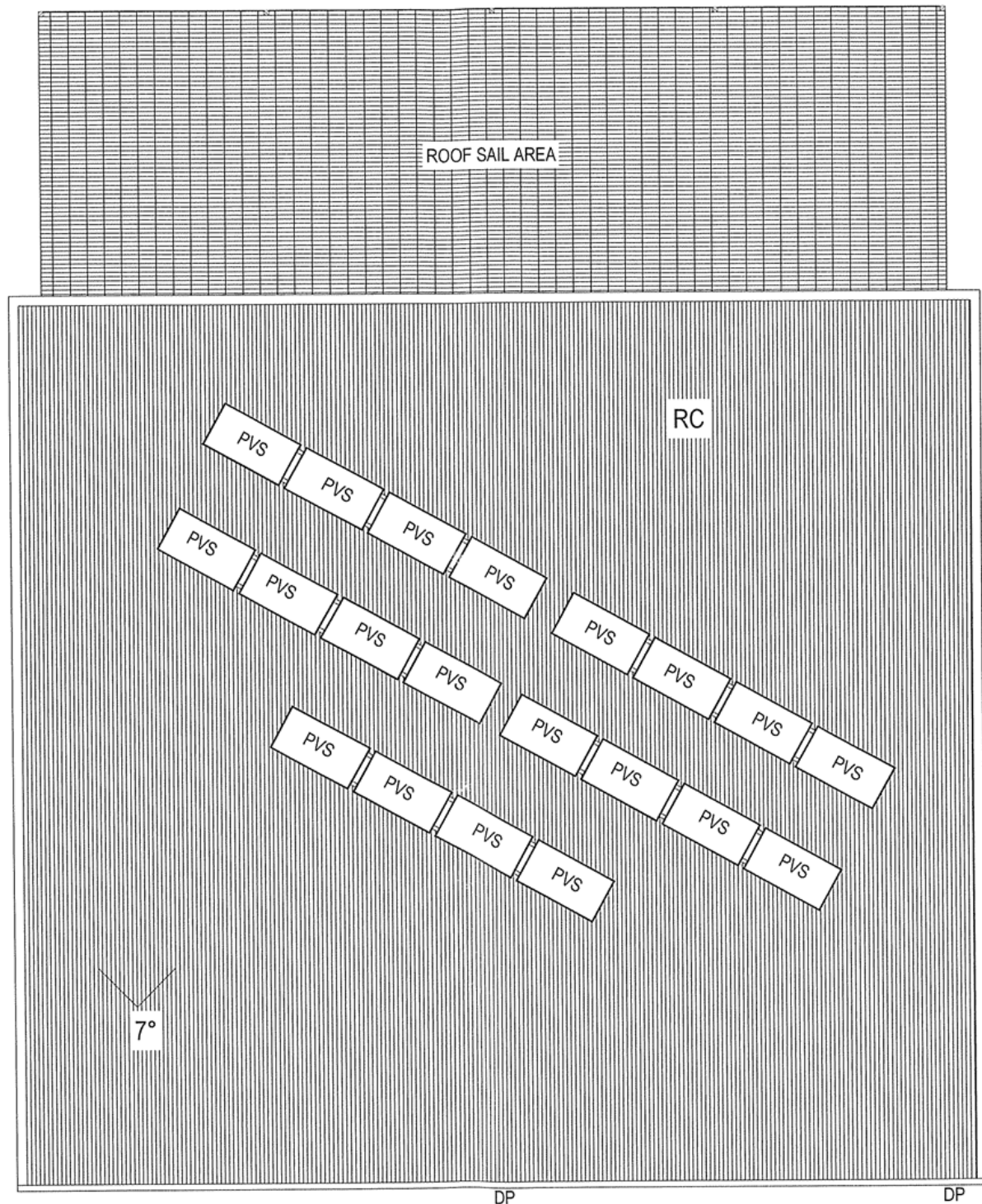
A05 SECTION A-01  
 Scale 1:60



PROJECT: Hudfaz Investments Pty Ltd Lot 7 DP 1210147 DALGETY ROAD	DRAWING TITLE: SECTION A-01	FILE NAME: J & J HUDSON2016.dwg	Drawing No A06	Page Size A3	Revision			
	NOTE: All design, construction & materials to be accordance with, Building Code of Australia (BCA). Building regulations & local government plans and policies. current issues of Australian Standards. current manufacturers specifications.			Date 25 FEBRUARY 2016	Scale 1:60	Drawn MM		
<table border="1"> <tr> <td>Checked</td> <td>Approved</td> <td>Status</td> </tr> </table>						Checked	Approved	Status
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A05 ROOF PLAN  
 Scale 1:100



- PVS Photovoltaic System
- DP Down Pipe
- RC Roof Cladding  
Colorbond Basalt

PROJECT: Hudfaz Investments Pty Ltd Lot 7 DP 1210147 DALGETY ROAD	DRAWING TITLE: ROOF PLAN	FILE NAME: J & J HUDSON2016.dwg	Drawing No A05	Page Size A3	Revision			
	NOTE: All design, construction & materials to be accordance with, Building Code of Australia (BCA). Building regulations & local government plans and policies, current issues of Australian Standards, current manufacturers specifications.			Date 25 FEBRUARY 2016	Scale 1:100	Drawn MM	Checked	Approved





# BASIX<sup>®</sup> Certificate

Building Sustainability Index [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au)

## Single Dwelling

Certificate number: 710475S

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](http://www.basix.nsw.gov.au)

Secretary

Date of issue: Saturday, 12 March 2016

To be valid, this certificate must be lodged within 3 months of the date of issue.



Planning &  
Environment



Project summary	
Project name	Hudfaz Investments Pty Ltd/J Hudson & J Fazakerley
Street address	dalgely Road BERRIDALE 2628
Local Government Area	Snowy River Shire Council
Plan type and plan number	deposited 1210147S
Lot no.	7
Section no.	-
Project type	separate dwelling house
No. of bedrooms	3
Project score	
Water	✓ 68 Target 30
Thermal Comfort	✓ Pass Target Pass
Energy	✓ 81 Target 25

Certificate Prepared by	
Name / Company Name:	MATTHEW MURTAGH
ABN (if applicable):	N/A

## Description of project

Project address	
Project name	Hudfaz Investments Pty Ltd/J Hudson & J Fazakerley
Street address	n/a daigety Road BERRIDALE 2628
Local Government Area	Snowy River Shire Council
Plan type and plan number	Deposited Plan 1210147S
Lot no.	7
Section no.	-
Project type	
Project type	separate dwelling house
No. of bedrooms	3
Site details	
Site area (m <sup>2</sup> )	386
Roof area (m <sup>2</sup> )	290
Conditioned floor area (m <sup>2</sup> )	143.0
Unconditioned floor area (m <sup>2</sup> )	22.0
Total area of garden and lawn (m <sup>2</sup> )	30

Assessor details and thermal loads	
Assessor number	n/a
Certificate number	n/a
Climate zone	n/a
Area adjusted cooling load (MJ/m <sup>2</sup> .year)	n/a
Area adjusted heating load (MJ/m <sup>2</sup> .year)	n/a
Other	
none	n/a
Project score	
Water	✓ 68 Target 30
Thermal Comfort	✓ Pass Target Pass
Energy	✓ 81 Target 25

<b>Schedule of BASIX commitments</b>		<b>Show on DA plans</b>	<b>Show on CC/GDC plans &amp; specs</b>	<b>Certifier check</b>
<b>Water Commitments</b>				
<b>Landscape</b>				
The applicant must plant indigenous or low water use species of vegetation throughout 25 square metres of the site.		✓	✓	✓
<b>Fixtures</b>				
The applicant must install showerheads with a minimum rating of 3 star (> 7.5 but ≤ 9 L/min) in all showers in the development.			✓	✓
The applicant must install a toilet flushing system with a minimum rating of 5 star in each toilet in the development.			✓	✓
The applicant must install taps with a minimum rating of 6 star in the kitchen in the development.			✓	
The applicant must install basin taps with a minimum rating of 6 star in each bathroom in the development.			✓	
<b>Alternative water</b>				
<b>Rainwater tank</b>				
The applicant must install a rainwater tank of at least 30000 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 290 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"> <li>• all toilets in the development</li> <li>• the cold water tap that supplies each clothes washer in the development</li> <li>• 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.)</li> <li>• all hot water systems in the development</li> </ul>			<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>

Water Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<ul style="list-style-type: none"><li>all indoor cold water taps (not including taps that supply clothes washers) in the development</li></ul>		✓	✓

Thermal Comfort Commitments				Certifier check
Show on DA plans	Show on CC/GDC plans & specs	Other specifications	Additional insulation required (R-Value)	Construction
✓	✓	site slope > 10% below floor	1.30 (or 2 including construction) (down) 2.00 (or 2.40 including construction)	floor - suspended floor above enclosed subfloor, framed external wall - framed (weatherboard, fibre cement, metal clad)
			2.00 (or 2.40 including construction)	external wall - framed (weatherboard, fibre cement, metal clad)
			2.00 (or 2.40 including construction)	external wall - framed (weatherboard, fibre cement, metal clad)
			2.00 (or 2.40 including construction)	external wall - framed (weatherboard, fibre cement, metal clad)
			ceiling: 3.34 (up), roof: foil backed blanket (55mm)	ceiling and roof - raked ceiling / pitched or skillion roof, framed
<p><b>Note</b> Insulation specified in this Certificate must be installed in accordance with Part 3.12.1.1 of the Building Code of Australia.</p>				

Thermal Comfort Commitments					Show on DA plans	Show on CC/CDC plans & specs	Certifier check																																				
<b>Windows, glazed doors and skylights</b>																																											
The applicant must install the windows, glazed doors and shading devices described in the table below, in accordance with the specifications listed in the table. Relevant overshadowing specifications must be satisfied for each window and glazed door.																																											
The dwelling may have 1 skylight (<0.7 square metres) and up to 2 windows/glazed doors (<0.7 square metres) which are not listed in the table.																																											
The following requirements must also be satisfied in relation to each window and glazed door:																																											
<ul style="list-style-type: none"> <li>• Except where the glass is 'single clear' or 'single toned', each window and glazed door must have a U-value no greater than that listed and a Solar Heat Gain Coefficient (SHGC) +/-10% of that listed. Total system U-values and SHGC must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.</li> <li>• The leading edge of each eave, pergola, verandah, balcony or awning must be no more than 500 millimetres above the head of the window or glazed door, except that a projection greater than 500 mm and up to 1500 mm above the head must be twice the value in the table.</li> <li>• Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35.</li> <li>• Unless they have adjustable shading, pergolas must have fixed battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm.</li> <li>• Pergolas with adjustable shading may have adjustable blades or removable shade cloth (not less than 80% shading ratio). Adjustable blades must overlap in plan view.</li> </ul>																																											
<table border="1"> <thead> <tr> <th>Window/glazed door no.</th> <th>Orientation</th> <th>Maximum area (square metres)</th> <th>Type</th> <th>Shading</th> <th>Overshadowing</th> </tr> </thead> <tbody> <tr> <td>W1</td> <td>N</td> <td>3.00</td> <td>standard aluminium, single clear (or U-value:7.63, SHGC:0.75)</td> <td>eave/verandah/pergola/balcony 751-900 mm</td> <td>not overshadowed</td> </tr> <tr> <td>W2</td> <td>N</td> <td>3.00</td> <td>standard aluminium, single clear (or U-value:7.63, SHGC:0.75)</td> <td>eave/verandah/pergola/balcony 751-900 mm</td> <td>not overshadowed</td> </tr> <tr> <td>W3</td> <td>N</td> <td>1.30</td> <td>standard aluminium, single clear (or U-value:7.63, SHGC:0.75)</td> <td>eave/verandah/pergola/balcony 751-900 mm</td> <td>not overshadowed</td> </tr> <tr> <td>W4</td> <td>N</td> <td>1.30</td> <td>standard aluminium, single clear (or U-value:7.63, SHGC:0.75)</td> <td>eave/verandah/pergola/balcony 751-900 mm</td> <td>not overshadowed</td> </tr> <tr> <td>W5</td> <td>N</td> <td>8.50</td> <td>standard aluminium, single clear (or U-value:7.63, SHGC:0.75)</td> <td>eave/verandah/pergola/balcony 751-900 mm</td> <td>not overshadowed</td> </tr> </tbody> </table>								Window/glazed door no.	Orientation	Maximum area (square metres)	Type	Shading	Overshadowing	W1	N	3.00	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/pergola/balcony 751-900 mm	not overshadowed	W2	N	3.00	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/pergola/balcony 751-900 mm	not overshadowed	W3	N	1.30	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/pergola/balcony 751-900 mm	not overshadowed	W4	N	1.30	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/pergola/balcony 751-900 mm	not overshadowed	W5	N	8.50	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/pergola/balcony 751-900 mm	not overshadowed
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Window/glazed door no.	Orientation	Maximum area (square metres)	Type	Shading	Overshadowing
W6	N	0.28	standard aluminium, double clear (U-value:5.34, SHGC:0.67)	eave/verandah/ pergola/balcony 751-900 mm	not overshadowed
W7	N	0.28	standard aluminium, double clear (U-value:5.34, SHGC:0.67)	eave/verandah/ pergola/balcony 751-900 mm	not overshadowed
W8	N	0.28	standard aluminium, double clear (U-value:5.34, SHGC:0.67)	eave/verandah/ pergola/balcony 751-900 mm	not overshadowed
W9	N	3.00	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/ pergola/balcony 751-900 mm	not overshadowed
W10	W	0.93	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/ pergola/balcony 451-600 mm	not overshadowed
W11	W	0.40	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/ pergola/balcony 451-600 mm	not overshadowed
W12	W	0.36	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/ pergola/balcony 451-600 mm	not overshadowed
W13	S	5.79	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/ pergola/balcony >2,000 mm	not overshadowed
W14	S	1.83	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	pergola (adjustable shade) >2,000 mm	not overshadowed
W15	S	0.54	standard aluminium, single clear (or U-value:7.63, SHGC:0.75)	eave/verandah/ pergola/balcony >2,000 mm	not overshadowed

Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<b>Hot water</b>			
The applicant must install the following hot water system in the development, or a system with a higher energy rating: gas instantaneous with a performance of 5.5 stars.	✓	✓	✓
<b>Cooling system</b>			
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.		✓	✓
<b>Heating system</b>			
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.		✓	✓
<b>Ventilation</b>			
The applicant must install the following exhaust systems in the development:			
At least 1 Bathroom: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
Kitchen: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
Laundry: individual fan, ducted to façade or roof; Operation control: manual switch on/off		✓	✓
<b>Artificial lighting</b>			
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"> <li>at least 3 of the bedrooms / study; dedicated</li> </ul>		✓	✓
<ul style="list-style-type: none"> <li>at least 1 of the living / dining rooms; dedicated</li> </ul>		✓	✓



Energy Commitments	Show on DA plans	Show on CC/CDC plans & specs	Certifier check
<ul style="list-style-type: none"> <li>• the kitchen; dedicated</li> <li>• all bathrooms/toilets; dedicated</li> <li>• the laundry; dedicated</li> <li>• all hallways; dedicated</li> </ul>		<ul style="list-style-type: none"> <li>➤</li> <li>➤</li> <li>➤</li> <li>➤</li> </ul>	<ul style="list-style-type: none"> <li>➤</li> <li>➤</li> <li>➤</li> <li>➤</li> </ul>
<b>Natural lighting</b>			
The applicant must install a window and/or skylight in 2 bathroom(s)/toilet(s) in the development for natural lighting.	➤	➤	➤
<b>Alternative energy</b>			
The applicant must install a photovoltaic system with the capacity to generate at least 5 peak kilowatts of electricity as part of the development. The applicant must connect this system to the development's electrical system.	➤	➤	➤
<b>Other</b>			
The applicant must install a gas cooktop & electric oven in the kitchen of the dwelling.		➤	
The applicant must construct each refrigerator space in the development so that it is "well ventilated", as defined in the BASIX definitions.		➤	
The applicant must install a fixed outdoor clothes drying line as part of the development.		➤	
The applicant must install a fixed indoor or sheltered clothes drying line as part of the development.		➤	

<b>Legend</b>	
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.	



## STATEMENT OF ENVIRONMENTAL EFFECTS

**NEW RURAL DWELLING  
LOT 7, 'WINTER HILLS', DALGETY ROAD, BERRIDALE  
LOT 7 DP 1210147**



**MARCH 2016**  
Project 04-16

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## STATEMENT OF ENVIRONMENTAL EFFECTS

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**NEW RURAL DWELLING  
LOT 7, 'WINTER HILLS', DALGETY ROAD, BERRIDALE  
LOT 7 DP 1210147**

This report has been prepared by:



---

Ivan Pasalich  
**Principal**  
Dabyne Planning Pty Ltd

**MARCH 2016**  
Project 04-16

**Dabyne Planning Pty Ltd**  
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## 1. INTRODUCTION

### 1.1 Executive Summary

Dabyne Planning Pty Ltd has been engaged to prepare a Statement of Environmental Effects to accompany a Development Application (DA) to Snowy River Shire Council.

The DA is for a new rural dwelling including an attached double carport. The proposed dwelling will be located at a property at Lot 7, Winter Hills, Dalgety Road, Berridale.

The property is legally described as Lot 7 DP 1210147 and is 5.658 hectares in size. The lot was created by a rural subdivision and therefore designed and approved to accommodate a dwelling house.

The proposed dwelling is a single storey residence which includes three bedrooms, two bathrooms, laundry, open plan kitchen, living and dining areas and a moto room. A paved area under a verandah is located on the north-westerly side of the building. A double car port is attached to the residence.

The dwelling includes one 30,000L tank for water storage. Electricity generation will be derived from solar photovoltaic panels.

Access to the property is via a right of carriageway over an access handle from Dalgety Road, constructed as part of the subdivision.

A detailed description of the proposal is provided in Section 3 of the report.

The purpose of this SEE is to:

- describe the land to which the DA relates.
- describe the form of the proposed works.
- define the statutory planning framework within which the DA is to be assessed and determined; and
- assess the proposed development against the matters for consideration listed under Section 79C(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act, 1979).

The report has been prepared in accordance with the requirements of Schedule 1 of the Environmental Planning and Assessment Regulations 2000.

Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016

## 2. THE LOCALITY AND THE SITE

### 2.1 The Locality

The subject site is located approximately 4km south-east of the Berridale township, along Dalgety Road.

The subject site is illustrated in context with the locality in figures 1 & 2 below:

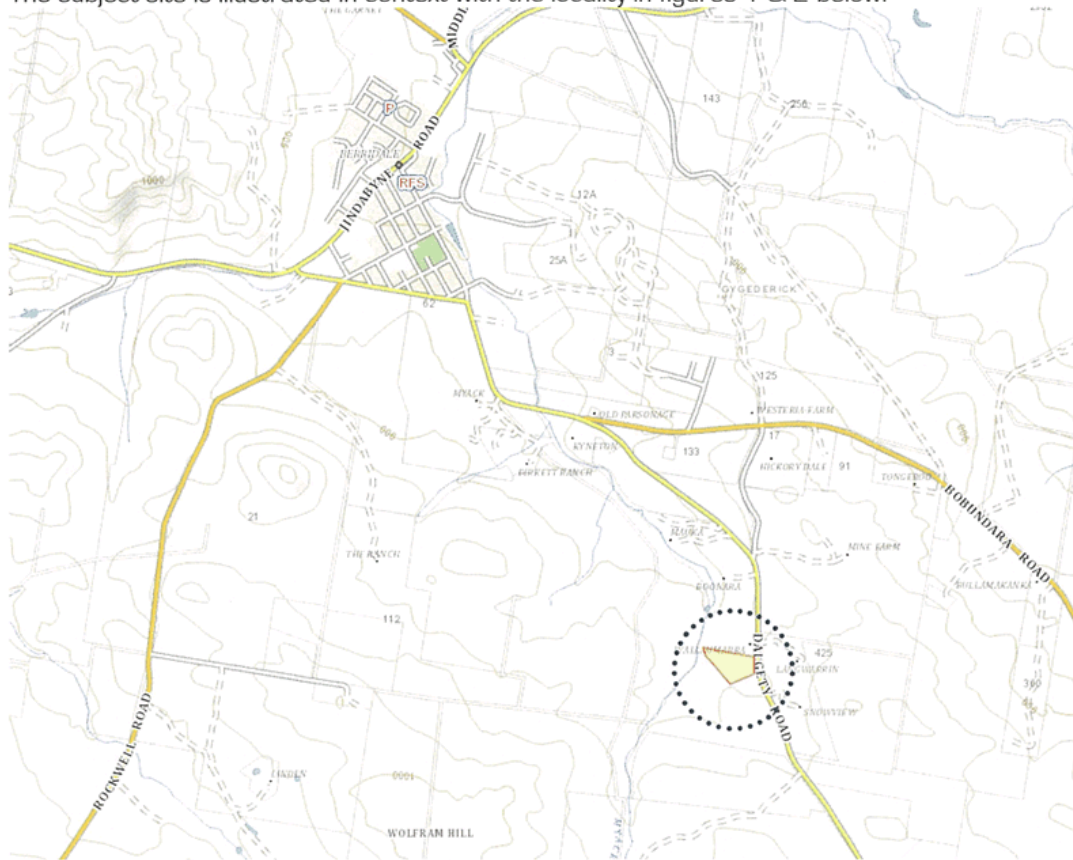


Figure 1: Context of the subject site in the locality (topographical)

Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016



Figure 2: Context of the subject site in the locality [aerial]

## 2.2 The Site

The subject site, located on the western side of Dalgety Road Berridale, is legally described as Lot 7 DP 1210147, as shown in figure 3 below.

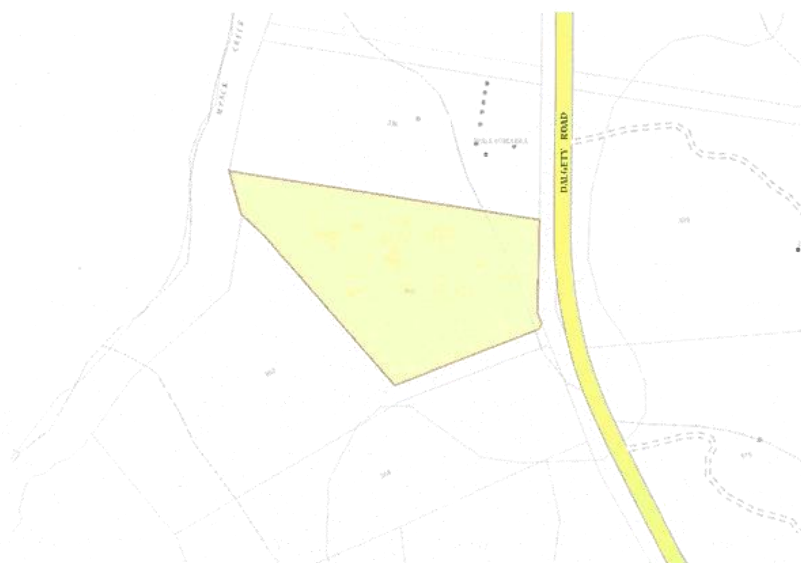


Figure 3: Topographic plan of the subject site



Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016

The allotment is 5.658 hectares in size and is currently vacant.

The property is surrounded by lots that form part of the Winter Hill rural living subdivision.

The property is not subject to any perennial watercourses, as shown in figure 4 below. Myack Creek is over 240m from the proposed dwelling site.

The lot is flat, as shown in the topographic map in figure 3 above.

The property includes predominantly open grassland and is generally devoid of trees. The grassland has been grazed with a high density of exotics and pasture improved ground cover.

Access to the property is via a right of carriageway over an access handle from Dalgety Road, constructed as part of the recent subdivision, shown in Figure 4 below.



*Figure 4: Aerial photo showing access road*

The proposed dwelling site location, shown in figure 5 below in red, is located within one of the open and cleared areas of the lot, along the south eastern boundary of the lot.

The proposed dwelling site is located on a flat area of the lot.

The proposed dwelling site enjoys rural views and has access to a north-westerly solar orientation, and is located within an area requiring no trees to be removed.

The approximate location of the proposed dwelling site is illustrated in figures 5, 6, 7 and 8 below.

Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016

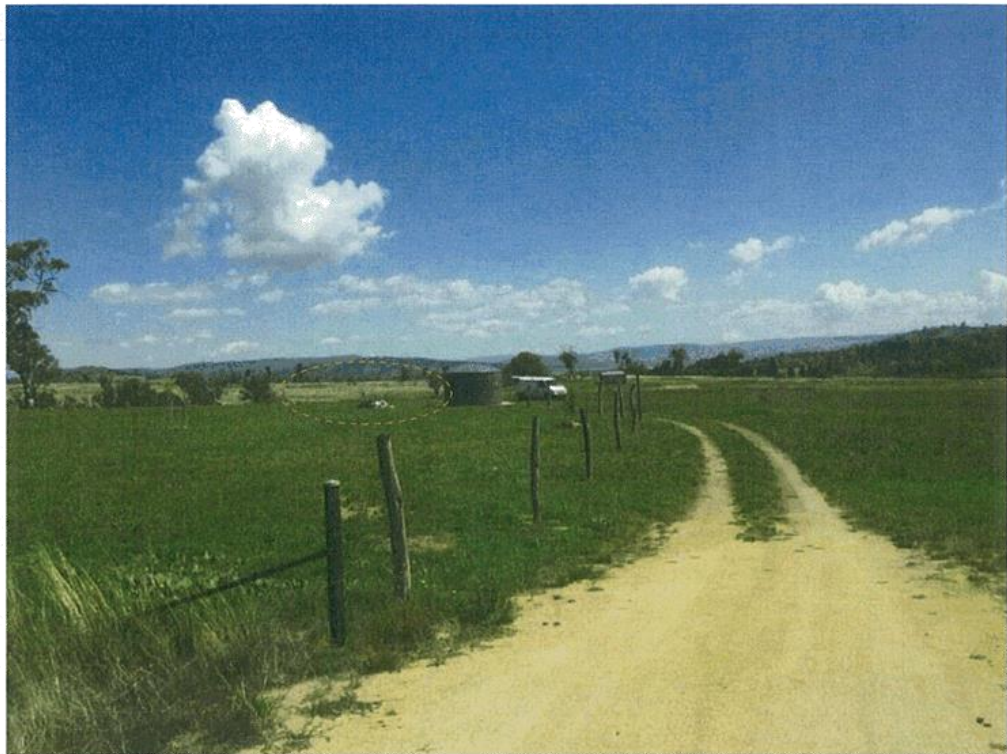


*Figure 5: Proposed dwelling site (red) in context with the site*

Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects 1 March 2016

Selected photos of the site and proposed dwelling location are provided below:

*Figure 6:  
Photo of  
dwelling  
site from  
the  
driveway  
entrance.  
Dwelling  
site  
indicated  
in red*



*Figure 7:  
Photo of  
the  
dwelling  
site  
looking  
north-  
west*



Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016



*Figure 8:  
Photo of  
the  
dwelling  
site  
looking  
south*



*Figure 9  
Photo  
from the  
dwelling  
site  
looking  
north*

Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016

### **3. DESCRIPTION OF THE DEVELOPMENT**

#### **3.1 General Description**

The proposal is for a new rural dwelling including an attached double carport.

The proposed dwelling has been designed with a north westerly orientation with glass sliding doors from the living room and the two bedrooms on this side of the dwelling to take advantage of the solar access and attractive rural views, as shown in Figure 9 above.

The proposed dwelling is single storey and will include three bedrooms, two bathrooms laundry, open plan kitchen, living and dining, and a moto room (motorbike storage room).

The dwelling will be attached to a double carport.

The building will be constructed utilising shipping containers as the basic structure, with metal wall cladding. The shipping containers will be "Windspray" Colorbond colour and the metal cladding will match. Metal cladding for the roof will be in Colorbond "Basalt" colour.

Water supply will be from a 30,000L rainwater tank, collecting water from the dwelling roof.

Electricity will be derived from a solar photovoltaic system.

Sewer will be managed via a new on-site effluent system.

#### **3.2 Access**

Access to the subject site will be achieved via a right of carriageway over an access handle from Dalgety Road.

The proposed driveway will come off an existing access track, shown in Figure 10 below, and will require minimal earthworks and no tree clearing. The driveway will be constructed to provide all-weather two wheel drive access.

Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016

*Figure 10  
Photo of  
the  
existing  
access  
track*



Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016

## 4. ENVIRONMENTAL PLANNING ASSESSMENT

### 4.1 SECTION 79C(1)(a)(i) – ENVIRONMENTAL PLANNING INSTRUMENTS

The following environmental planning instruments apply:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Rural Lands) 2008
- Snowy River Local Environmental Plan 2013

Each of the above environmental planning instruments is considered below.

#### 4.1.1 State Environmental Planning Policies

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

The proposed new dwelling is subject to SEPP (BASIX) 2004 and requires a BASIX Certificate which has been lodged with the Development Application.

##### State Environmental Planning Policy (Rural Lands) 2008

State Environmental Planning Policy (Rural Lands) 2008 sets out matters for consideration in determining development applications for rural subdivisions or rural dwellings.

Under the SEPP, clause 10 is relevant to rural subdivisions and rural dwellings as provided below:

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

Clause	Response
(1) This clause applies to land in a rural zone, a rural residential zone or an environment protection zone.	<i>The subject site is zoned R5 – Large Lot Residential and therefore this clause applies.</i>
(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.	<i>The proposal is for the erection of a dwelling.</i>
(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,	<i>The land surrounding is predominantly large lot residential.</i>
(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,	<i>The proposed dwelling is located where it will have no impact on any adjoining land use.</i>  <i>The proposed dwelling will not be located near any other industry or activity that would be considered incompatible.</i>
(c) whether or not the development is likely to be incompatible with a use referred to in paragraph	

Lot 7, 'Winter Hills', Dalgety Road, Berridale ♦ Statement of Environmental Effects | March 2016

(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,	<i>Not applicable.</i>
(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).	<i>Not applicable.</i>

#### 4.1.2 Local Environmental Plans

##### Snowy River Local Environmental Plan 2013

The property is located within the Snowy River Shire and therefore the Snowy River Local Environmental Plan 2013 (SRLEP, 2013) applies.

The subject property is zoned R5 – Large Lot Residential, as illustrated below.



Figure 11: LEP Zoning Map Extract

Under the SRLEP 2013, 'Dwelling houses' are permissible with consent within the R5 zone.

The proposed development is for a dwelling-house.

The proposed development is therefore permissible with consent.

In regards to the proposed dwelling, the following clauses are considered applicable under the SRLEP, 2013:



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

Clause	Response
<p>(2) This clause applies to land in the following zones:</p> <p>(a) Zone RU1 Primary Production,</p> <p>(b) Zone R5 Large Lot Residential,</p> <p>(c) Zone E3 Environmental Management.</p>	<p><i>The subject site is zoned R5 Large Lot Residential.</i></p>
<p>(3) Development consent must not be granted for the erection of a dwelling house or a dual occupancy on land to which this clause applies unless the land:</p> <p>(a) is a lot that is at least the minimum lot size shown on the <u>Lot Size Map</u> in relation to that land, or</p> <p>(b) is a lot created under this Plan (other than under clause 4.2 (3)), or</p> <p>(c) is a lot created before this Plan commenced and on which the erection of a dwelling house or a dual occupancy was permissible immediately before that commencement, or</p> <p>(d) 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 dwelling house or a dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement, or</p> <p>(e) is an existing holding, or</p> <p>(f) would have been a lot or a holding referred to in paragraph (a), (b), (c), (d) or (e) had it not been affected by:</p> <p>(i) a minor realignment of its boundaries that did not create an additional lot, or</p> <p>(ii) a subdivision creating or widening a public road or public reserve or for another public purpose, or</p> <p>(iii) a consolidation with an adjoining public road or public reserve or for another public purpose.</p> <p><b>Note.</b> A dwelling cannot be erected on a lot created under clause 9 of <i>State Environmental Planning Policy (Rural Lands) 2008</i> or clause 4.2.</p>	<p><i>The proposed dwelling is located on a lot size that is greater than 5 hectares, being 5.658 hectares in accordance with the minimum lot size map provided in Figure 12 below.</i></p>
<p>(4) Development consent must not be granted under subclause (3) unless:</p> <p>(a) no dwelling house or dual occupancy has been erected on the land, and</p> <p>(b) if a development application has been made for development for the purpose of a dwelling house or a dual occupancy on the land—the application has been refused or it was withdrawn</p>	<p><i>The lot is currently vacant and is not subject to any prior development application or consent.</i></p>

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<p>before it was determined, and                  (c) if development consent has been granted in relation to such an application—the consent has been surrendered or it has lapsed.</p>	
<p>(5) Development consent may be granted for the erection of a dwelling house or a dual occupancy on land to which this clause applies if there is a lawfully erected dwelling house or a dual occupancy on the land and the dwelling house or dual occupancy to be erected is intended only to replace the existing dwelling house or dual occupancy.</p>	<p><i>Not applicable.</i></p>

**Minimum Lot Size**

The subject lot has a minimum lot size of 5ha as shown in the minimum lot size map below.

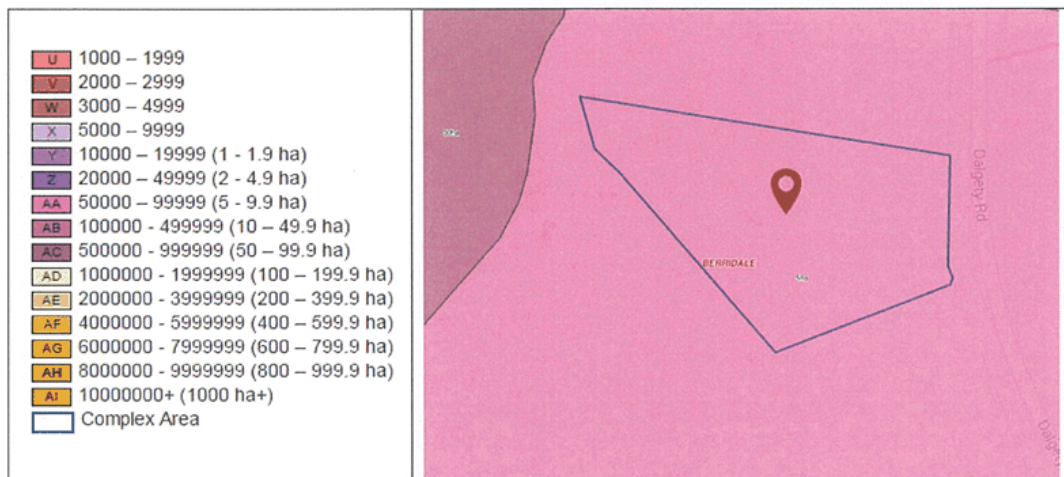


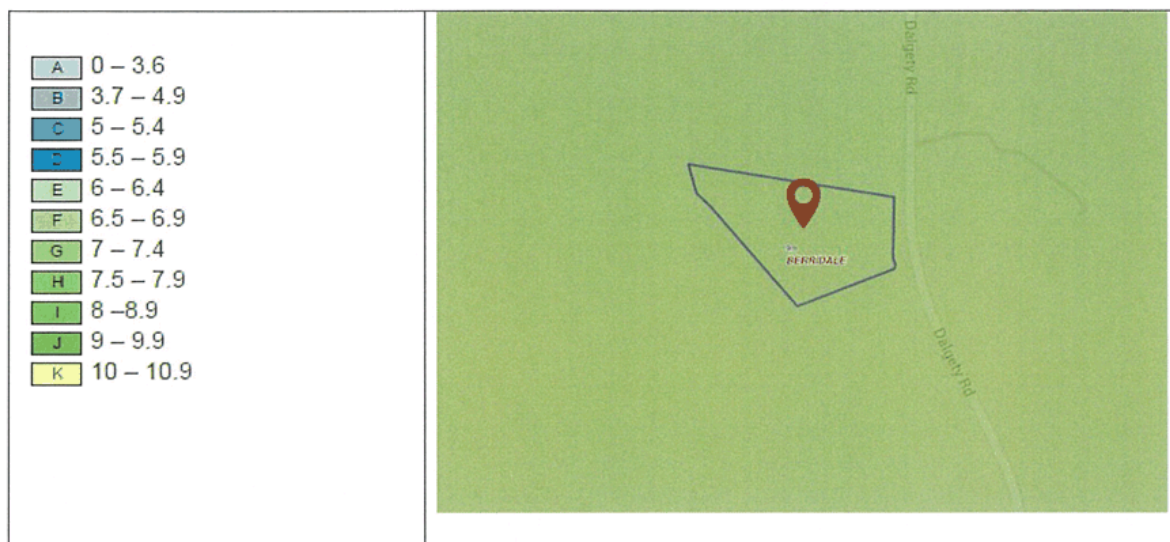
Figure 12: LEP Minimum Lot Size Map Extract

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#### ***Clause 4.3 Height of Buildings***

The maximum height of a building as shown on the Height of Buildings Map, with an extract provided in figure 13 below is 9.0.

#### **Height of Buildings**



*Figure 13: LEP Building Height Map Extract*

The proposed development has a maximum height of 3.9m (being the vertical distance between the ground level [existing] and the highest point of the building, excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like) which therefore complies with clause 4.3.

#### ***Clause 7.2 Terrestrial biodiversity***

A review of the Terrestrial Biodiversity Map shows that none of the subject site is identified as "Biodiversity" as per the extract in figure 14 below therefore, further consideration of this clause is not required.

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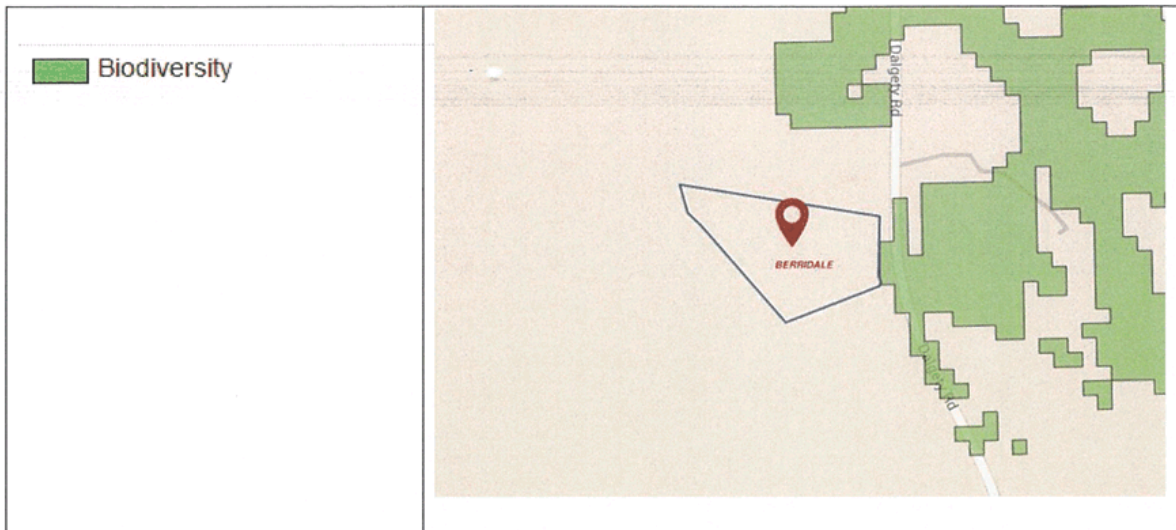


Figure 14: LEP Terrestrial Biodiversity Map Extract

**Clause 7.3 Riparian land and watercourses**

As shown in figure 15 below, the subject site and proposed dwelling location is located over 300m away from the nearest watercourse.

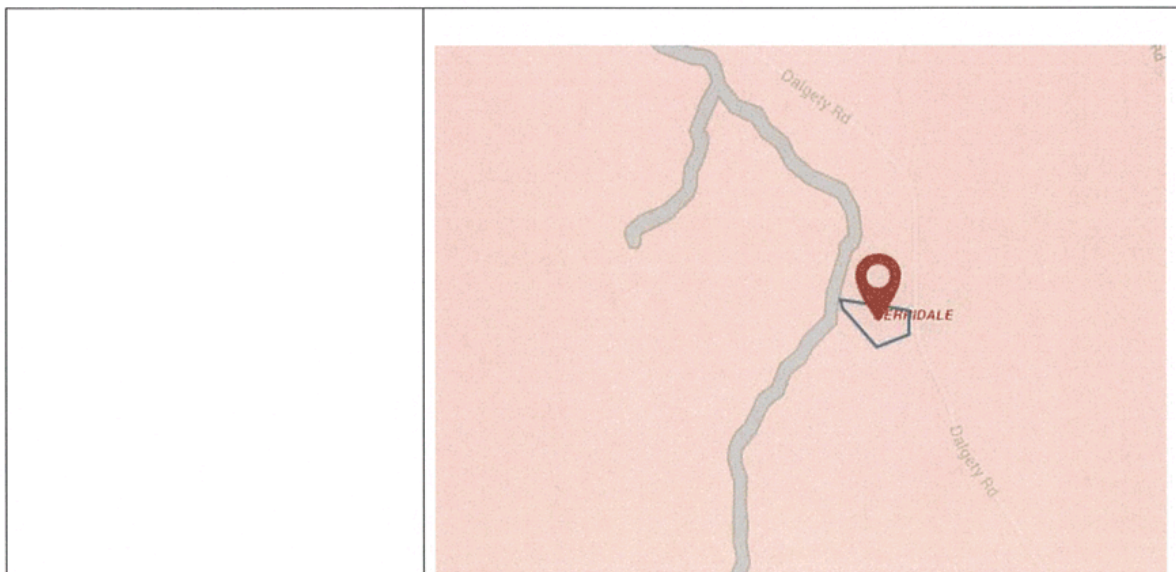


Figure 15: LEP Watercourses Map Extract

**Clause 7.9 – Essential services**

Clause	Response
Development consent must not be granted for 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:	<p><i>Water supply will be derived from rainfall stored within one 30,000L tank.</i></p> <p><i>Electricity supply will be provided by solar pv panels.</i></p>

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<p>(a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.</p>	<p><i>On-site effluent will be managed by a new system. A separate Soil Report Analysis will be lodged separately with the DA.</i></p> <p><i>All roofwater will be collected and diverted to the rainwater tank with any overflow being managed and dissipated before being dispersed.</i></p> <p><i>Access is covered in Section 3.2 above.</i></p>
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#### 4.2 SECTION 79C(1)(a)(ii) – DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft Environmental Planning Instruments that are applicable to the site or proposed development.

#### 4.3 SECTION 79C(1)(a)(iii) – DEVELOPMENT CONTROL PLANS

##### Snowy River Development Control Plan 2013

The Snowy River Development Control Plan 2013 applies to the subject site and a detailed assessment of the proposed development in accordance with the DCP is provided in Appendix A.

#### 4.4 SECTION 79C(1)(a)(iiia) – PLANNING AGREEMENTS

There are no known Planning Agreements applicable to the proposed development or subject site.

#### 4.5 SECTION 79C(1)(a)(iv) – REGULATIONS

The development application has been made in accordance with the requirements contained in Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000.

#### 4.6 SECTION 79C(1)(b) – LIKELY IMPACTS

##### Natural Environment:

The lot is not mapped as biodiversity, and the dwelling will be located on part of the lot currently covered in exotic grasses, with no trees requiring removal.

The impact of the development on the natural environment is expected to be minimal and are therefore considered acceptable.

##### Built Environment:

The proposed development is a small scale development on a large residential lot and it is considered that it will have little impact on the built environment given its design and setting.

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**Social and Economic impacts in the locality:**

The social impacts generated by the proposed development are expected to be minimal given the distance of the proposed dwelling in regard to the surrounding rural properties.

The economic impacts are expected to be positive by the investment of capital into the property and the construction jobs generated.

**4.7 SECTION 79C(1)(c) – SUITABILITY OF THE SITE**

The subject site is considered suitable for the proposed dwelling as the original subdivision was designed and approved specifically to enable a dwelling house to be erected on the allotment.

By maximising its solar orientation to the north-west and the pleasant rural views in that direction, the proposed development is considered to use the site's opportunities well.

**4.8 SECTION 79C(1)(d) – SUBMISSIONS**

The consent authority is required to consider any submissions made in response to any public notification undertaken.

**4.9 SECTION 79C(1)(e) – THE PUBLIC INTEREST**

The proposed development is considered to be within the interest of the public, as the building responds to the site and its natural setting with minimal disturbance of any significant native vegetation required.

The above assessment has demonstrated that the proposal satisfies the objectives and relevant clauses prescribed under the SR LEP, 2013 and SR DCP, 2013.

Consequently, the propose development is considered to be within the public interest.

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## 5. CONCLUSION

The proposed development has been considered in regard Section 79C of the EP&A Act, 1979, State Environmental Planning Policies, Councils Local Environmental Plan and Development Control Plan.

The proposal has been found to be consistent with the above legislation, Environmental Planning Instruments and Development Control Plan, as detailed in the above report.

The design and siting of the new dwelling was in part selected to minimise impacts on native vegetation. Furthermore the dwelling site allows for the optimum solar orientation to the north-west and access to attractive rural views. The building design and scale is considered acceptable with regard to its natural setting and surrounding built form.

The proposed development achieves compliance with Council's planning controls and satisfies the objectives of the LEP and on balance is considered to be appropriate form of development for the site.



## APPENDIX A

### SNOWY RIVER DCP 2013—ASSESSMENT TABLE





Snowy River Development Control Plan 2013	
<p><b>C2.1-3 Development in Lake Eucumbene and Lake Jindabyne Scenic Protection Areas</b></p> <p>In addition to the objectives (above) the following also apply for sites within the Lake Eucumbene and Lake Jindabyne Scenic Protection Areas:</p> <ul style="list-style-type: none"> <li>• Protect the sense of isolation which can be enjoyed in many areas on and adjacent to Lake Eucumbene.</li> <li>• Protect the environmental attractions and recreational functions of Lake Eucumbene and Lake Jindabyne including its attraction as a prime fishing destination.</li> <li>• Ensure that the Lakes and adjacent urban settlements continue to have a clear rural setting.</li> <li>• Protect the water quality, water storage functions and groundwater of Lake Eucumbene and Lake Jindabyne Scenic Protection Areas.</li> <li>• Protect the flora and fauna, including aquatic habitats.</li> </ul> <p>(a) Consideration must be given to the visual impact of the development when viewed from Lake Jindabyne, and Lake Eucumbene at its full supply level.</p> <p>(b) Consideration must be given to whether the design and construction of any new</p> <p>(c) buildings (including fencing) prevent any intrusion into the view from the Lake and surrounding areas</p> <p>(d) Consideration must be given to whether provision has been made for the planting of appropriate native species where the planting would visually screen the development</p> <p>(e) Development consent must not be granted to development where the development will have an unacceptable visual impact on the scenic quality of the area</p> <p>(f) The development has been designed to prevent any visual intrusion into the view from Lake Jindabyne and Lake Eucumbene (at its full supply level).</p> <p>(g) A visual impact analysis must be provided of an appropriate scale clearly showing the</p> <p>(h) potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Lake.</p>	<p><i>Not applicable – The subject site is not located within the Lake Eucumbene or Lake Jindabyne Scenic Protection Areas.</i></p>
<p><b>C2.1-4 Development within the Eastern Approaches to Kosciuszko National Park</b></p> <p>(a) Development consent must not be granted to development of land in the Eastern Approaches unless the consent authority has considered a visual impact analysis of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Alpine Way and Kosciuszko Road.</p> <p>(b) Development is to be designed and located so it causes no detriment to the scenic and rural character of land within the Eastern Approaches to Kosciuszko National Park, particularly when viewed from the Alpine Way or the Kosciuszko Road.</p>	<p><i>Not applicable – The subject site is not located within the Eastern Approaches to Kosciuszko National Park area.</i></p>

Snowy River Development Control Plan 2013	
<p><b>C2.1-5 Building Design</b></p> <p>(a) The design and site coverage of the development should reflect the slope of the site and it may be desirable to leave steeply sloping parts of sites in their natural state.</p> <p>(b) All structures are designed and sited in order to minimise the need for excavation or fill for foundations and associated hardstand areas.</p> <p>(c) Buildings should utilise suspended slab construction, pole or steel frame, or brick and/or steel piers in order to minimise the disturbance to the natural grade caused by the building. Where areas on a site are already disturbed, those areas should be used for siting of buildings.</p> <p>(d) On steeply sloping sites and treed hillsides, building height and bulk, particularly on the downhill side is to be minimised and the need for cut and fill is to be reduced by designs which minimise the building footprint and allow the building mass to step down the slope.</p> <p>(e) Sub-floor areas must be enclosed or otherwise treated so that they do not look untidy when viewed from a public place.</p> <p>(f) Building heights are similar to those in the surrounding landscape with taller buildings sited so as to minimise impacts on the landscape.</p> <p>(g) New structures are designed to blend rather than contrast with the existing environment and the use of external reflective finishes is restricted.</p> <p>(h) The building design is not to include highly reflective surfaces such as 'zincalume' or tinted glass panels. External finishes may be natural or untreated, or where colours are used, these should have a light reflectivity index of 12% or below.</p>	<p><i>The dwelling is located on moderately sloping land on piers, which will require very minimal cut and fill.</i></p> <p><i>The subfloor areas are not visible from a public place.</i></p> <p><i>The proposal is single storey.</i></p> <p><i>Overall the dwelling will not have a significant impact on the existing natural and built environment.</i></p>
<p><b>C2.1-6 Landscaping</b></p> <p>(a) The design of any new development must integrate with the landscape, by building on and incorporating existing landscape features such as vegetation and rocky outcrops.</p> <p>(b) Development must not involve the removal of bushrock or significant areas of vegetation.</p> <p>(c) Planting is to be located to soften the view of the development from any existing public roads and public vantage points.</p>	<p><i>The new dwelling has been located within a cleared area and does not require any removal of bushrock or significant areas of vegetation.</i></p>
<p><b>C2.1-7 View Sharing</b></p> <p>(a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.</p> <p>(b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.</p> <p>(c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms.</p> <p>(d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.</p>	<p><i>Not applicable.</i></p>

Snowy River Development Control Plan 2013 C3 Car Parking, Traffic & Access	
Control	Comment
<p><b>3. Vehicle Access</b></p> <p><b>C3.1-1 Permanent and Practical Legal Access</b></p> <p>(a) All development, including all allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Councils development design and construction specifications.</p> <p>(b) Access roads are to be designed to minimise road infrastructure by utilising the most direct, and where possible the existing, legal routes.</p> <p>(c) An applicant wishing to construct a Crown public road is required to obtain Council's concurrence to the ownership of the road being transferred to Council. Where the applicant cannot obtain the concurrence of Council to the transfer of ownership, the application for road construction will not be accepted.</p> <p>(d) Access by undedicated roads (including undedicated Crown reserve roads, Forestry roads and Livestock Health and Pest Authority reserves) requires the consent of the public authority (eg. Roads and Maritime Services) and will only be permitted in similar circumstances to those for rights of carriageway and subject to the same conditions applicable to rights of carriageway.</p> <p>(e) Where the development requires a second bushfire access/egress route, this is to be a permanent, legal and practical access.</p> <p>(f) Where the existing road alignment does not match the dedicated or legally recognised road alignment, the road alignment should be rectified through re-alignment, closure, road construction or dedication.</p> <p>(g) Any additional length of public road created as part of the development and proposed to be transferred to the control of Council is to be minimised.</p> <p>(h) Direct access from either the Alpine Way or Kosciuszko Road is not to be provided to a development unless the site has no other practical alternatives that exist or can be created.</p> <p>(i) Consideration must be given to whether traffic associated with the proposed development will cause the condition of the roads to deteriorate and whether funds are or will be available for road maintenance and whether any financial contributions from the proposed development are sufficient to upgrade the roads likely to be affected.</p> <p><b>C3.1-4 Development Fronting Main or Arterial Roads</b></p> <p>(a) Where development is proposed land which: fronts a classified or arterial road; or relies solely on a classified or arterial road for its access; or has access to a road which intersects with a classified or arterial road, where the point of access is within 90 metres of the intersection of the road and the classified or arterial road, the following must be considered:</p> <ul style="list-style-type: none"> <li>- whether the traffic likely to be generated by the development will cause a traffic hazard or reduce the capacity and efficiency of the classified or arterial road;</li> <li>- access points and on-site management plans for vehicle movement and parking;</li> <li>- the effect the development will have on future improvements or realignment of the classified or arterial road.</li> </ul>	<p>The subject site has coinciding legal and practical access directly to Dalgety Road, via the access handle.                  The proposed driveway will follow an existing access track that will require no vegetation removal.</p> <p>The subject site already has an established access onto a public road, which was approved as part of the original subdivision.</p>



Snowy River Development Control Plan 2013	
C8 Environmental Management	
<b>1. Minimising Conflicts</b>	
<b>Control</b>	<b>Comment</b>
<b>C8.1-1 Minimising Conflicts</b>	
(a) Locate residential, eco-tourist facilities and tourist and visitor accommodation to minimise land use conflicts between other land uses in rural areas including agriculture, intensive agriculture and extractive industries.	The subject lot was approved as part of the original subdivision and the dwelling site is located where impacts on adjoining land uses are expected to be minimal.
(b) Where proposed residential or tourist based development adjoins or is in the vicinity of existing agriculture, intensive agriculture or extractive uses, the development application must be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.	
(c) In assessing development adjoining the existing uses, the Council must: <ul style="list-style-type: none"> <li>• Consider whether or not the development is likely to have a significant impact on the use that, in the opinion of the Council having regard to land use trends, is likely to be the preferred use of the land in the vicinity of the development.</li> <li>• Evaluate any measures proposed by the applicant to avoid or minimise any incompatibility.</li> <li>• Design and site the development in a way to minimise land use conflicts between other uses including existing residential development.</li> </ul>	
(g) Where proposed tourist and visitor accommodation or eco-tourist facility development adjoins or is in the vicinity of existing residential development, the development application is to be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed.	
(h) In assessing development adjoining the existing residential uses, the Council must consider whether or not the development is likely to have a significant impact on the residential uses including increased vehicle movement and noise	
<b>3. Land Management – Erosion, Sediment &amp; Stormwater Control</b>	
<b>Control</b>	<b>Comment</b>

Snowy River Development Control Plan 2013	
<b>CB.3-1 Erosion &amp; Sediment Control</b>	<p style="font-size: small; margin: 0;"><i>Standard erosion and sediment controls will be required as part of the construction management of the dwelling.</i></p> <p>(a) Measures are to be implemented during development construction to ensure that the land form is stabilised and erosion is controlled and that water quality in streams and lakes downstream of the development site is protected.</p> <p>(b) Systems are designed to optimise the interception, detention and removal of waterborne pollutants prior to discharge to receiving waters.</p> <p>(c) Vegetated riparian buffers to waterways are to be maintained.</p> <p>(d) A development application is to be accompanied by a stormwater and soil management plan demonstrating:</p> <ul style="list-style-type: none"> <li>• how sedimentation and erosion of fill and soil is to be managed on the site; and</li> <li>• development adjacent to the bank or the bed of a watercourse, addressed the environmental impact on the receiving waters.</li> </ul> <p>(e) Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties or to create worsening effect on adjoining properties.</p> <p>(f) All disturbed areas are to be re-stabilised and re-vegetated as soon as practicable.</p> <p>(g) Landscaping is to use native species suitable to the locality and with consideration of bush fire requirements (Refer Recommended Landscaping Species – Appendix C5-1).</p> <p><b>CB.3-2 Slopes &amp; Batters</b></p> <p>(a) Cut and fill within sites are to be sensitively treated through gentle slopes and adequate stability to avoid erosion and slippage.</p> <p>(b) Where the foundation strata of the area permits slopes in excess of 1:3, and where supported by technical documentation prepared by a suitably qualified professional, steeper slopes will be considered.</p>
<b>4. Weed Management</b>	
<b>Control</b>	<p>(a) Development should occur in a manner that does not increase the potential for, or result in, the spread of noxious weeds.</p> <p>(b) Where development is to be located on a property with a current weed notice or history of weed notices, a weed management plan is to accompany the development application. The weed management plan must identify weeds to be controlled and in what area they are to be controlled, and timeframe and method of control to be employed.</p>
<b>Comment</b>	<p><i>Not applicable.</i></p>
<b>5. Ecological Impacts</b>	
<b>Control</b>	<p>(a) Development should occur in a manner that does not increase the potential for, or result in, the spread of noxious weeds.</p> <p>(b) Where development is to be located on a property with a current weed notice or history of weed notices, a weed management plan is to accompany the development application. The weed management plan must identify weeds to be controlled and in what area they are to be controlled, and timeframe and method of control to be employed.</p>
<b>Comment</b>	<p><i>Not applicable.</i></p>

Shoivy River Development Control Plan 2013

**CB.5-1 Ecological Impacts**

*The proposed development is not within the area mapped as biodiversity and will have minimal on local ecology.*

(a) The development is to minimise any impact on the local ecology including water quality, aquatic habitats and fish passage.

(b) Where development may have an impact on threatened species, populations or ecological communities (including development on land significant for flora and fauna), an Assessment of Significance (AOS) is to be undertaken. Where it is found that there would be a significant impact on threatened species, their habitats or endangered ecological communities a Species Impact Statement (SIS) would be required.

Note: if a Species Impact Statement is required, the Office of Environment and Heritage will have a statutory role in concurrence of the development.

Council will review an ADS as part of its determination of a development application and use the information provided to determine if the applicant has justified the level of impact by:

- Avoiding the impact where possible;
- Minimising the impact where it can not be avoided;
- Offsetting the remaining impact after it has been minimised to the greatest extent possible.



Snowy River Development Control Plan 2013	
C9 Energy & Water Efficiency, Water Supply & Effluent Disposal	
Control	Comment
<p><b>2. Water Supply</b></p> <p><b>C9.2.2 Domestic or Potable Water Availability</b></p> <p>The following controls apply to development on sites where the connection to reticulated town water supply is not available.</p> <p>(a) Sufficient domestic or potable water for the proposed development is to be provided by rainfall collected in on-site rainwater tanks and stored.</p> <p>(b) For domestic purposes the sizing of tanks for rainwater supply shall be 100KL for a 4 person household with a minimum roof catchment area of 400m<sup>2</sup> or in accordance with the National Health document titled 'Guidance on the use of Rainwater Tanks (2004).</p> <p><b>C9.2.5 Bush Fire Fighting Water Availability</b></p> <p>(a) Sufficient water is to be available for bush fire fighting purposes at all times.</p> <p>(b) The proposed development is to provide a supply of water dedicated permanently to fire fighting, in accordance with the requirements of the NSW Rural Fire Service Planning for Bushfire Protection Manual 2006.</p>	<p>Water supply with be derived from rainfall collected on the roof and stored within a 30,000L tank.</p> <p>Not applicable.</p>
<p><b>3. Effluent Disposal</b></p> <p><b>C9.3.1 General Controls</b></p> <p>(a) New allotments smaller than 2 hectares in area and allotments within 2 kilometres of the reach of the Council's sewage treatment system are encouraged to be connected to the Council's sewerage system.</p> <p>(b) Where connection to Council's reticulated sewerage system is not available and on-site effluent disposal is proposed, an analysis of soil suitability and topography demonstrating that the land is suitable for on-site effluent disposal is to be provided.</p> <p>(c) New allotments for residential development which are not connected to Council's sewerage system must demonstrate that there are suitable dwelling sites which are not affected by flooding, or seasonal high water table.</p> <p>Note: where development is connecting to Council's sewerage system, the relevant Council standards and guidelines will apply and consultation with Council is required.</p>	<p>The proposed dwelling will be serviced by a new on-site effluent system. An analysis of soil suitability and topography demonstrating that the land is suitable for on-site effluent disposal has been prepared will be provided with the DA separately.</p>



Showy River Development Control Plan 2013	
<p><b>D1.1-4 Private Open Space</b></p> <p>a) Private open space is to be provided to each dwelling and is to be designed to meet the needs of occupants.</p> <p>b) Private open space is to be capable of serving as an extension of the dwelling for relaxation, dining and entertainment and is to have direct access from the major living area of the dwelling.</p> <p>c) Private open space is located to maximise views, natural features and orientation.</p> <p>d) Private open space at ground level is to:</p> <ul style="list-style-type: none"> <li>• Be orientated to the north (where possible)</li> <li>• Be protected from unfavourable winds</li> <li>• Have a minimum area of 25m<sup>2</sup></li> <li>• Have a width of 4 metres</li> <li>• Be screened as appropriate (shade, privacy and acoustic)</li> <li>• Receive a minimum 4 hours of uninterrupted direct sunlight per day</li> </ul> <p>e) Private open space above ground level is to:</p> <ul style="list-style-type: none"> <li>• Be orientated to the north</li> <li>• Have access from the main living area</li> <li>• Have a minimum area of 10m<sup>2</sup></li> <li>• Have a minimum width of 2 metres</li> <li>• Not be located facing directly towards adjoining development impacting on their privacy and amenity</li> </ul> <p>f) Where possible existing trees and natural landscape features (eg rock outcrops) are to be retained and incorporated into landscape design.</p>	<p><i>Not applicable.</i></p>
<p><b>D1.1-5 Communal Open Space</b></p> <p>a) Communal open space is to be provided to contribute to the character of the development and to provide for a wide range of uses and activities.</p> <p>b) A landscape concept plan for communal open space is to be provided with the development application.</p>	<p><i>Not applicable.</i></p>

4. Building Envelope	
<p><b>Control</b></p> <p><b>D1.2-1 Building Height</b></p> <p>a) The height of a building must not exceed the maximum height shown for the land on the Snowy River LEP 2013 – Height of Buildings Map.</p> <p>b) The height of any new development (including alterations and additions) should minimise bulk and overshadowing.</p> <p>c) The development application drawings are to clearly identify, ground level (existing), the proposed height of new development and the height of existing and neighbouring development.</p> <p>d) Shadow diagrams should be prepared and submitted for two storey buildings to illustrate the potential impact on sunlight to adjoining properties.</p> <p>e) New development and alterations and additions are to be stepped in recognition of sloping sites.</p>	<p><b>Comment</b></p> <p><i>The proposal complies with the maximum building height permitted under the LEP.</i></p>

*There are no prescribed setbacks for rural dwellings, however the proposed dwelling is located 40 metres from the front boundary and 9.2 metres from the side boundary.*

**D1.2.3 Setbacks – General**

a) The minimum setback requirements at ground level are shown on the Table below.

b) Setbacks are to provide space for visual and acoustic privacy.

c) Variations to setbacks are permitted where the effect on adjoining owners, traffic safety/future road widening and special site conditions are assessed and considered acceptable.

d) Pergolas, screens, light fittings, electricity or gas meters, chimneys are permitted to encroach into the building setback without restriction.

e) Unroofed terraces, landings, steps and ramps not greater than 1 metre in height are permitted to encroach into the building setback without restriction.

**Minimum Setback Requirements for Residential Accommodation**

Development Types	Class of Building	Height of Building	Front Setback (where no adjoining dwellings)	Side Setback	Rear Setback
Dwelling house Dual occupancies Attached dwellings, Secondary dwellings, Semi-detached dwellings	1 & 2	1 storey	6.0 metres	675mm (gutter)	900mm
		2 storey	8.0m	1125mm (gutter) 1500mm (eave)	1.5m
	3 storey	8.0m	1125mm (gutter) 1500mm (eave)	2.5m	
Multi dwelling housing & Residential flat buildings	1 storey	6.0m	2200mm	3.0m	
		2 storey	8.0m	2200mm	4.0m
	3 storey	8.0m	2740mm	5.0m	

**1.2.4 Front Setback**

a) The front setback must be consistent with the average setbacks of the adjoining dwellings. Where there are no adjoining dwellings, the setbacks must be in accordance with the setback requirements in the Table below.

b) For corner sites, the setback from the secondary street frontage must be in accordance with the following minimum requirements:

- 900mm for allotments with primary frontage width of less than 7 metres, or
- 1500mm for all other sites.

c) The front setback areas must be free of structures such as swimming pools, aboveground rainwater tanks and outbuildings.

d) Developments that create streetscape variety and interest will be considered for variations to the front setback.

<p><b>D1.2.5 Side Setbacks</b></p> <p>a) Garages, carports, outbuildings, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the side setback if they comply with other provisions of this DCP.</p> <p>b) Variations to side setbacks may be considered depending on adjoining owners, light and ventilation, site conditions and building provisions to prevent the spread of fire.</p> <p>c) Provided the distance is not less than 1 metre to a boundary, permitting encroachments of fascias, gutters, downpipes and eaves up to 0.675m outside that envelope.</p>	
<p><b>D1.2.6 Rear Setbacks</b></p> <p>a) Garages, carports, outbuildings, swimming pools, above-ground water tanks and unroofed decks and terraces attached to the dwelling may encroach upon the rear setback if they comply with other provisions of this DCP.</p> <p>b) Irregular shaped allotments, or allotments with the longest boundary abutting the street or the rear adjoining neighbour (ie frontage width being longer than the site depth), the rear setback will be assessed on merit having regard to the following:</p> <ul style="list-style-type: none"> <li>• Compatibility with the existing development pattern in the surrounding residential land;</li> <li>• Provision of adequate private open space as required under this DCP;</li> <li>• Potential impacts on neighbouring dwellings in terms of solar access, privacy and view sharing.</li> </ul>	

Control	Comment
<p><b>5: Building Design</b></p> <p><b>D1.3-1 All Residential Development</b></p> <p>a) New development should respect adjoining development and display "good manners" by:</p> <ul style="list-style-type: none"> <li>• Maintaining an appropriate distance between buildings to protect privacy;</li> <li>• Maintaining a sympathetic scale relationship; and</li> <li>• Ensuring a reasonable sharing of solar access.</li> </ul> <p>b) Built form must respect and follow the natural topography of the site. On sloping sites the building mass must be modeled on stepped in response to the land gradient and avoid concentrating the structural bulk on the uphill or downhill side of the site.</p> <p>c) New development should incorporate architectural relief and modulation of facades to avoid a bulky appearance. This may be achieved by measures such as: window openings, balconies or terraces, entry porches, staggered wall planes, combination of material and finishes and decorative architectural elements.</p> <p>d) Articulate all street elevations for development on corner allotments.</p> <p>e) Special care should be undertaken on sloping sites where the impact of heights and distances may be exaggerated. This may be achieved by:</p> <ul style="list-style-type: none"> <li>• The use of horizontal elements such as verandahs, pergolas or suitable planting schemes;</li> <li>• The use of articulated walls to provide enough space for taller growing plants;</li> <li>• Avoiding unrelieved walls in excess of 12 metres;</li> <li>• Incorporating variations in elevations to provide visual interest to buildings; and</li> <li>• The 'stepping back' of upper levels in order to avoid bulky vertical wall surfaces.</li> </ul> <p>f) The roof of the building should be designed so that it does not unduly increase the bulk of the building including:</p> <ul style="list-style-type: none"> <li>• Careful section of materials, colour and pitch; and</li> <li>• Use of low angled pitched roofs provided they are compatible with existing development and the existing streetscape character.</li> </ul> <p>g) Council may consider the inclusion of habitable rooms with the roof space.</p> <p>h) The building design, detailing and finish will be appropriate for the region and will consider the major design recommendations contained in the "Snowy River Design Guidelines".</p> <p><b>D1.3-2 Alterations &amp; Additions</b></p> <p>a) Alterations and additions to an existing dwelling must present an integrated design with suitable configuration, materials and detailing so that the new and original structures are visualised as one whole building. Note: for heritage items it may be desirable to distinguish between the old and new works. Chapter C4 Heritage for further details.</p> <p>b) First floor additions should be well integrated into the design of the development to avoid overbearing bulk/scale relationship with neighbouring properties. This is particularly important on sloping sites and may be achieved by restricting changes of building height between existing and proposed development to not more than one storey. If this is exceeded, the appropriateness should be supported through the site analysis process.</p> <p>c) External finishes of the new building work should match or complement the existing finishes.</p> <p>d) Where appropriate, the roof pitch of alterations and additions should extend and/or replicate the original dwelling.</p>	<p><i>Not applicable - these are considered urban controls.</i></p> <p><i>Not applicable.</i></p> <p><i>Not applicable.</i></p>

<p><b>D1.3-3 Visual Character &amp; Streetscape</b></p> <p>a) A Visual Character Study may be used to determine the components of visual character in a particular area. The prominent characteristics of the neighbourhood should then be identified and considered as part of the site analysis. Note: Visual character is created by many features including: lot sizes, fencing, kerbs, setbacks, spatial separation, access arrangements, street tree planting, native vegetation and private gardens, as well as the architecture of individual residences and buildings.</p> <p>b) Development near ridge tops or ridge lines should consider the height, colour and pitch of the proposal to ensure the proposal does not dominate the surrounding area. This may be achieved by ensuring that development is: high quality; relates to a human scale and minimises overshadowing.</p> <p>c) Parking and garages must not dominate the frontage of the dwelling and the front and entry to dwellings must address the street.</p>	<p><i>The proposed dwelling is setback over 180m from the road.</i></p>
<p><b>6. Amenities</b></p>	
<p><b>Control</b></p>	<p><b>Comment</b></p>
<p><b>D1.4-1 Solar Access to Proposed Development</b></p> <p>a) A portion of the north facing living area windows of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June (in so far as it does not contradict any BASIX requirements).</p> <p>b) The private open space of the proposed development must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. The area covered by the sunlight must be capable of supporting passive recreation activities.</p>	<p><i>The design of the dwelling has achieved a north-westerly orientation for living areas and bedrooms.</i></p>
<p><b>D1.4-2 Solar Access to Neighbouring Development</b></p> <p>a) A portion of the north facing living area windows of neighbouring dwellings must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June or if less is being received prior to the development, the proposed development must not further reduce direct sunlight.</p>	
<p>b) The private open space of neighbouring dwellings must receive a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June. The area covered by sunlight must be capable of supporting passive recreation or if less is being received prior to development, the proposed development must not further reduce direct sunlight.</p> <p>c) Existing solar panels on neighbouring dwellings, which are situated not less than 6 metres above ground level (existing) must retain a minimum of 3 hours of direct sunlight between 8am and 4pm on 21 June.</p> <p>d) Any variation from the above requirements will be subject to a merit assessment having regard to the following: how the proposed development meets the FSR, height, setback and site coverage controls; orientation of the subject and adjoining allotments; topography of the subject site and adjoining allotments; location and level of windows; and shadows cast by existing buildings on neighbouring allotments.</p>	



<p><b>D1_4-3 Visual Privacy</b></p> <p>a) All habitable room windows must be located to minimise any direct viewing of existing habitable room windows in adjacent dwellings by one or more of the following measures:</p> <ul style="list-style-type: none"> <li>• Offsetting or staggering windows away from those of the adjacent buildings;</li> <li>• Setting the window sills at a minimum of 1700mm above finished floor level;</li> <li>• Installing fixed or translucent glazing up to a minimum of 1700mm above finished floor level;</li> <li>• Installing fixed privacy screens outside the windows in question;</li> </ul> <p>b) The windows to the main living and dining rooms must be orientated away from the adjacent dwellings wherever possible, for example orientated to the front or rear of the allotment or a side courtyard.</p> <p>c) Upper floor balconies should be focused to the street or rear yard. Any elevated balconies or balcony returns on the side facade must have a narrow width to minimise privacy impacts on adjoining properties.</p> <p>d) First floor decks, balconies and roof top terraces are not supported where they overlook or have the potential to directly overlook habitable rooms or private open space.</p> <p>e) Screen planting and planter boxes may be used as a supplementary device for reinforcing privacy protection. However they must not be used as the sole privacy protection measure.</p> <p>f) For sloping sites, any ground floor decks or terraces must step down in accordance with the landform, and avoid expansive areas of elevated outdoor recreation space.</p> <p>g) A nine (9) metre separation should be provided between the windows of habitable rooms of dwellings that face each other or abut a public or communal street and a twelve (12) metre separation should be provided for windows above first floor level.          Where windows are within the nine (9) metre or twelve (12) metre distance, direct views are to be screened by:</p> <ul style="list-style-type: none"> <li>• A 1.8 metre solid wall or landscaping on flat sites; or</li> <li>• Landscaping, offsetting windows and setting sill heights to 1700mm or fixed translucent glass on sloping sites.</li> </ul> <p>Note: a habitable room is defined in the BCA to generally mean: a room used for normal domestic activities, other than a bathroom, laundry, toilet, pantry, walk in wardrobe, hallway, lobby, clothes drying room or other space of a specialised nature that is not occupied frequently or for extended periods.</p>	<p><i>Not applicable.</i></p>
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<p><b>D1.4-4 Acoustic Privacy</b></p> <p>a) Dwellings must be sited and designed to limit the potential for excessive noise transmission to the sleeping areas of adjacent dwellings. Accordingly, the main living room windows, barbecues, swimming pools and spa pools, garbage collection areas, pumps and air conditioners must not be located immediately adjacent to the bedroom windows of adjoining dwellings.</p> <p>b) Attached dual occupancies and other dwellings with common walls must be designed to reduce noise transmission between dwellings through the following measures:</p> <ul style="list-style-type: none"> <li>• Locate noise generating areas adjacent to each other, and quiet areas next to each other (eg living rooms to living rooms)</li> <li>• Locate less sensitive areas, such as stairways, store rooms, toilets, built-in wardrobes and the like adjacent to the party wall for both dwellings to serve as a noise buffer</li> <li>• Avoid locating wet areas such as toilets, laundries and kitchens adjacent to the bedrooms of the adjoining dwelling.</li> </ul> <p>c) To improve acoustic privacy the following can be implemented into building design:</p> <ul style="list-style-type: none"> <li>• bedroom windows and car parking areas are to be a distance of three (3) metres apart;</li> <li>• doors and windows of adjoining dwellings are to be a distance of three (3) metres apart; and</li> <li>• shared walls and floors are to be constructed to reduce noise transmission</li> </ul> <p>d) Building setbacks are to be varied to ensure adjoining residents feel an adequate sense of acoustic privacy when using rooms fronting driveways, accessways, pathways and the street.</p> <p>e) Dwellings abutting major roads and other noise generating land uses should be designed and sited to minimise noise impacts. This may be achieved by:</p> <ul style="list-style-type: none"> <li>• Locating bedrooms and other noise sensitive rooms away from the road;</li> <li>• Using thick glass panes or double glazing to windows fronting the road;</li> <li>• Using solid core doors and appropriate seals to vents and other openings;</li> <li>• Mounding within the landscape; and</li> <li>• Solid wall construction</li> </ul>	<p><i>Not applicable.</i></p>
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<p><b>D1.4-5 Landscape Design</b></p> <p>a) The design of the development is to minimise site disturbance and preserve existing landscape elements such as rock formations, trees and other natural features. The use of a properly qualified arborist will assist in determining which trees should be retained, transplanted or removed.</p> <p>b) Existing mature native trees on the site must be retained and incorporated in the landscape design wherever possible. Where a development involves the removal of such existing trees, suitable replacement planting of equivalent or large size must be provided.</p> <p>c) Proposed and existing trees must be protected by locating paved areas, underground services (including rainwater tanks) and building structures away from their root zones.</p> <p>d) Landscaping is to be designed to meet user requirements including maintenance, specific design opportunities and shade provision without reducing aesthetic quality.</p> <p>e) Landscaping to the street frontage is to be substantial and aimed to enhance the appearance of the development.</p> <p>f) Landscaping design should account for the following:</p> <ul style="list-style-type: none"> <li>• climatic conditions of the area</li> <li>• siting of new trees, shrubs and ground cover based their full growth potential (root system and canopy spread)</li> <li>• scale of the street reserve width and bulk of the building</li> <li>• safety of pedestrians and potential for landscaping to damage services and roads</li> <li>• privacy between dwellings</li> </ul> <p>g) Paving is to be provided to walkways, areas in the vicinity of garbage enclosures, letter boxes and clotheslines in materials to compliment the design of the building and in non-slip finishes suitable for use by people with disabilities</p>	<p><i>The development will minimise sit disturbance and does not require the removal of any trees, rock formations or other natural features.</i></p>
<p><b>D1.4-6 Tree Replenishment</b></p> <p>a) Development proposals should contribute to the retention and replenishment of trees so as to retain the predominant character for the area that provides for large canopy trees. A list of recommended landscape species is included in Chapter C5 Tree Preservation and Landscaping (Appendix C5-1).</p> <p>b) Lots with the following sizes should support a minimum number of trees capable of attaining a minimum height of 13 metres on decomposed granite soils:</p> <ul style="list-style-type: none"> <li>• Lots less than 850m<sup>2</sup> = one (1) tree</li> <li>• Lots 850 – 1000m<sup>2</sup> = three (3) trees</li> <li>• Lots 1000 – 1500m<sup>2</sup> = five (5) trees</li> <li>• Lots over 1500m<sup>2</sup> = seven (7) trees</li> </ul> <p>c) When siting trees consideration should be given to solar access in adjoining properties and impact on views and view sharing.</p>	<p><i>Not applicable.</i></p>

<p><b>D1.4-7 View Sharing</b></p> <p>a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views.</p> <p>b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas.</p> <p>c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms.</p> <p>d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.</p>	<p><i>Not applicable.</i></p>
<p><b>D1.4-8 Safety &amp; Security</b></p> <p>a) The main entry to a dwelling must be located on the front elevation facing the street and be readily identifiable, unless the site has a narrow frontage width.</p> <p>b) The street number of a dwelling must be clearly display near the main entry.</p> <p>c) Dwellings adjacent to public or communal streets or public space are to be designed to provide for casual surveillance.</p> <p>d) Front fences, parking facilities and landscaping must be designed so as not to obstruct casual surveillance to and from the dwelling and to permit safe access by residents and visitors.</p> <p>e) Adequate lighting is to be made available to all public areas.</p> <p>f) Dwellings must provide at least one (1) habitable room window with a glazed area large enough to provide surveillance and located so as to overlook the street or public place.</p>	<p><i>Not applicable.</i></p>

7. Car Parking & Access	Comment
<p><b>Control</b></p> <p><b>1.5-1 Car Parking &amp; Access</b></p> <p>a) Carparking is to be provided to meet the number of dwellings and the occasional need for overflow and visitor parking and must be designed and located to provide easy access and on-site maneuverability and may include underground or semi basement parking.</p> <p>b) The size of parking structures should reflect:</p> <ul style="list-style-type: none"> <li>• Functional requirements;</li> <li>• Amount of space available (for example having regard to the location of existing buildings or trees); and</li> <li>• Bulk and scale relationship with existing development on-site and adjacent.</li> </ul> <p>c) Car parking areas, driveways, garages and carports are not to visually dominate the site and should be sympathetic to existing adjacent development and the streetscape.</p> <p>d) The visual impact of driveways and car parking areas should be reduced by:</p> <ul style="list-style-type: none"> <li>• the use of irregular driveway alignment;</li> <li>• minimising the width of driveways;</li> <li>• breaking up the appearance of driveways with landscaping;</li> </ul> <p>e) Minimising the visual dominance of a carport or garage may be achieved by:</p> <ul style="list-style-type: none"> <li>• Integrating structures within the development</li> <li>• Breaking up structures with different surface and wall treatments and landscaping;</li> <li>• Locating parking at the rear of the site where rear access is available;</li> <li>• Limiting garages to single or double; or</li> <li>• Aligning doors at right angles to the street.</li> </ul> <p>f) Hard surface driveways should be kept to a minimum.</p> <p>g) Construction of car parking spaces and driveways are to be adequately sealed drained and marked.</p> <p>h) The location of a carport or garage should have regard to:</p> <ul style="list-style-type: none"> <li>• The location of trees on site;</li> <li>• The position of windows and other structures on adjacent sites;</li> <li>• The heritage significance of heritage items and their settings and the heritage significance of conservation areas.</li> </ul> <p>i) Accessways, driveways and car parking spaces are to be designed to permit a vehicle to:</p> <ul style="list-style-type: none"> <li>• enter the car parking space in a single movement;</li> <li>• leave the car parking space in no more than 2 movements;</li> <li>• enter and leave the site in a forward direction;</li> <li>• enter and leave the site by a reversing movement where local conditions make it safe to do so. (e.g. cul-de-sacs).</li> </ul>	<p><b>Comment</b></p> <p><i>The development includes a double car port attached to the dwelling.</i></p> <p><i>The car port is finished in the same materials as the dwelling, and has the same roof pitch as the house roof, so will integrate with the dwelling and minimise visual dominance.</i></p> <p><i>The double car port is considered to be in appropriate proportion to the dwelling.</i></p> <p><i>Accessways, driveways and car parking spaces have been designed so that cars can enter in a single movement, leave in a single movement, and enter and leave in a forward direction.</i></p>

8. Services & Site Facilities	
<p><b>Control</b>  <b>D1.6-1 Services</b>                      a) The design and provision of sewerage, water, electricity, street lighting, telephone and gas services are to conform to the cost-effective performance measures of the relevant servicing authority.                      b) The development shall include designed stormwater management systems which:                      • Consider downstream capacity and the need for on-site stormwater detention and re-use                      • Opportunities for on-site infiltration of water                      • Minimise the impacts on water balance and quality                      • Consider the safety of pedestrians and vehicles                      • Incorporate emergency spillways and overland flow paths                      c) Developments serviced by reticulated water supply are to comply with the relevant domestic and fire fighting standards.                      d) Individual water meters are required to assist with the billing of individual dwellings.</p>	<p><b>Comment</b>                      Refer to the response provided to clause 7.9 of the SR LEP, 2013 in Section 5 of the SEE.</p>
<p><b>D1.6-2 Site Facilities</b>                      a) Adequate and accessible open-air drying facilities are to be provided for residents. External drying facilities at a rate of 7.5m of line per dwelling is to be provided and located so as not to be visible from a public place.                      b) Garbage bin areas, mail boxes and external storage facilities are to be easily accessible and designed for visual appearance.                      c) Dwellings are to be provided with adequate storage areas and clothes drying facilities.                      d) A garbage pick up area capable of accommodating one (1) garbage bin per dwelling is to be provided at the public road frontage. The garbage bin enclosure is to be designed in accordance with Chapter C10Waste and Recycling.                      e) Only one (1) telecommunications/TV antenna is permitted for residential flat buildings.                      f) Where air conditioning equipment is proposed it is to be located within the roof space or other non-visible location and not on the roof itself.</p>	<p><i>Not applicable.</i></p>
<p><b>9. Fencing &amp; Ancillary Development</b>  <b>Control</b>  <b>D1.7-1 Fencing – General</b>                      a) Fences are to be constructed with durable materials that are suitable for their purpose and can properly withstand war and tear and natural weathering.                      b) Expansive surfaces of blank rendered masonry to the street frontages must be avoided.</p>	<p><b>Comment</b>  <i>Not applicable.</i></p>

<p><b>D1.7-2 Front Fences</b></p> <p>a) The front fence must align with the front property boundary of the predominant fence setback line along the street.</p> <p>b) Gates must not open over public land.</p> <p>c) Front fences should be designed and located so as to:</p> <ul style="list-style-type: none"> <li>• Maintain the streetscape character</li> <li>• Be consistent with the established pattern of fencing</li> <li>• Allow private gardens to merge with their neighbours and support the landscape character of the area</li> <li>• Ensure an adequate amount of useable private open space</li> <li>• Be historically appropriate and retain the heritage significant of heritage items and their settings, and the heritage significance of conservation areas.</li> </ul> <p>d) The design of the development sets out the role of front fences or walls where they are a component of the streetscape.</p> <p>e) Front fences or walls enable some outlook from the buildings for safety and surveillance.</p> <p>f) The design of fences or walls is used to highlight entrances.</p> <p>g) The fence or wall is an integral part of the street frontage area and includes mailboxes and garbage collection areas.</p> <p>h) The use of front fences or walls creates private open spaces between the building and the street.</p> <p>i) Front fences or walls should be no more than 1.2m in height. This height may be increased to 1.8m if the fence has openings that make it not less than 50% transparent.</p> <p>j) Front fences or walls should be designed to use similar or compatible materials as used in the locality.</p> <p>k) The use of recesses, openings, landscape bays or variation in colour, texture or materials to create visual interest.</p>	<p><i>Not applicable.</i></p>
<p><b>D1.7-3 Side and Rear Fences</b></p> <p>a) Side fences on corner allotments should be designed and located so as to:</p> <ul style="list-style-type: none"> <li>• Maintain the streetscape character,</li> <li>• Be consistent with the established pattern of fences;</li> <li>• Ensure an adequate amount of useable private open space, and</li> <li>• Retain the heritage significance of heritage items and their settings, and conservation areas.</li> </ul> <p>b) The maximum height of side, rear or common boundary fences is 1.8m, as measured from the ground level (existing). For sloping sites, the fence must be stepped to follow the topography of the land, with each step not exceeding 2200mm above ground level (existing).</p> <p>c) Where there is a significant level difference between the development site and adjoining allotments, the fencing height will be considered on merit.</p> <p>d) The side fence must be tapered down to match the height of the front fence once past the front facade alignment.</p> <p>e) Fences constructed of corrugated iron, untreated galvanised or zincalume metal panels chain wire are permitted where they do not follow the front or side boundary for a length of not more than 8 metres from the front boundary.</p>	<p><i>Not applicable.</i></p>

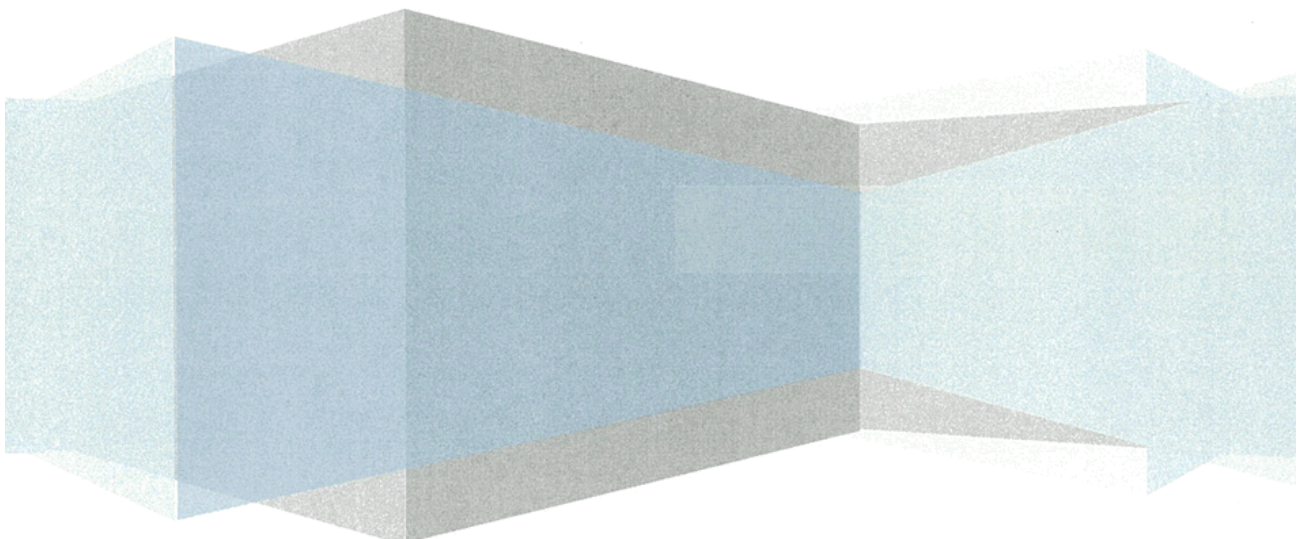
<p><b>D1.7-4 Outbuildings</b></p> <p>a) Outbuildings are to be located behind the alignment of the front building façade.</p> <p>b) Outbuildings in the backyard space must be positioned to optimise open space and must not be located within the requirement permeable surfaces.</p> <p>c) Outbuildings may be constructed to the side and rear boundaries where:</p> <ul style="list-style-type: none"><li>• The external walls are finished and do not require frequent maintenance</li><li>• There are no windows or openings facing the adjoining allotments</li><li>• Adequate solar access to the adjoining dwellings is maintained</li></ul>	<p><i>Not applicable.</i></p>
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# WATERCHECK TESTING ON SITE SEWAGE MANAGEMENT ASSESSMENTS

## New System Installation

Lot 7 Winter Hills Estate Berridale



**On Site Sewage Management Report  
New System Installation  
Lot 7 Winter Hills Estate  
Berridale**

**Prepared For:** J Hudson & J Fazakerley

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

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**Report No:** 201523

**Date of Assessment** 15-10-2015

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**Watercheck Testing**

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## **SITE INFORMATION**

Client J Hudson & J Frazierley

Address hudsonjanine@hotmail.com

Site Lot 7 Winter Hills Estate Berridale

### Proposal For On Site Sewage Management Overview

The proposed dwelling will consist of three bedrooms and have the potential to house six persons  
A baffled septic tank with a minimum capacity of 3300 litres is to be installed with effluent gravity fed to  
2 x 25m 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

## 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 north and is fully exposed to sun and wind.

### Slope

2 degrees linear planar

### 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

Buffer distances from wastewater management system to:

Permanent waters

The flow path to Myack Creek is approximately 250m

Other waters

There is a dam situated 150m north

Other sensitive environments

Nil

Boundary of premises (m)

Nearest boundary is 40m up gradient

Swimming pools (m)

Nil

Buildings (m)

Proposed dwelling is 25m up gradient

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

## SOIL ASSESSMENT

### Soil sampling details

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

### Collection date

18<sup>th</sup> September 2015

### Sampling Method

Auger

### Laboratory number

201523

### 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 12% < 5mm

Ph CaCl<sub>2</sub> 5.6

EC mS/cm .095

Dispersion Class 3 non dispersive soils.

Presence of discontinuities None present

Presence of fractured subsoil Not detected

### Sizing effluent disposal area

2 x 25m absorption trenches are to be installed.

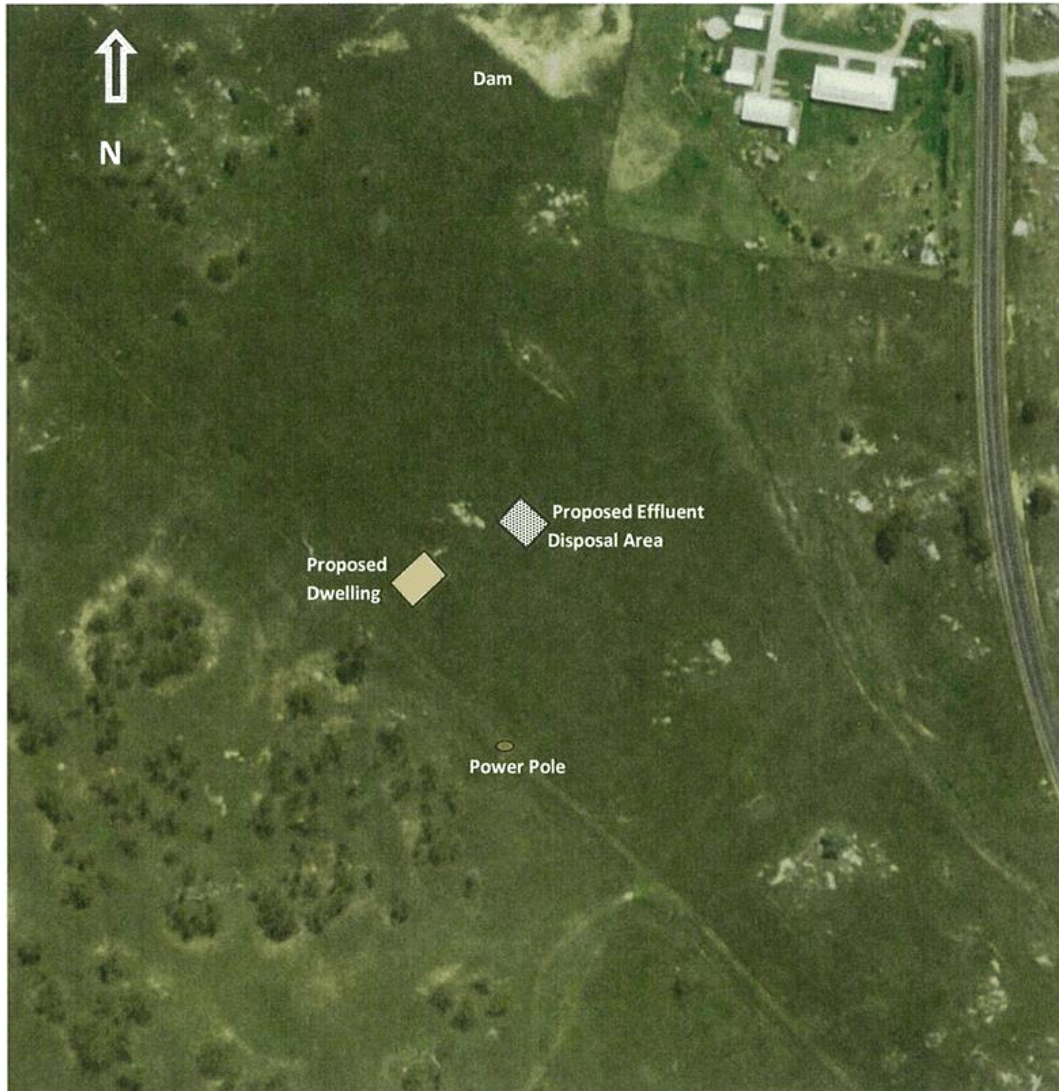
### **GENERAL COMMENTS & RECOMMENDATIONS**

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.



### Aerial View Image



**Site Diagram**  
**On Site Sewage Management**  
**Lot 7 Winter Hills Estate**  
**Berridale**

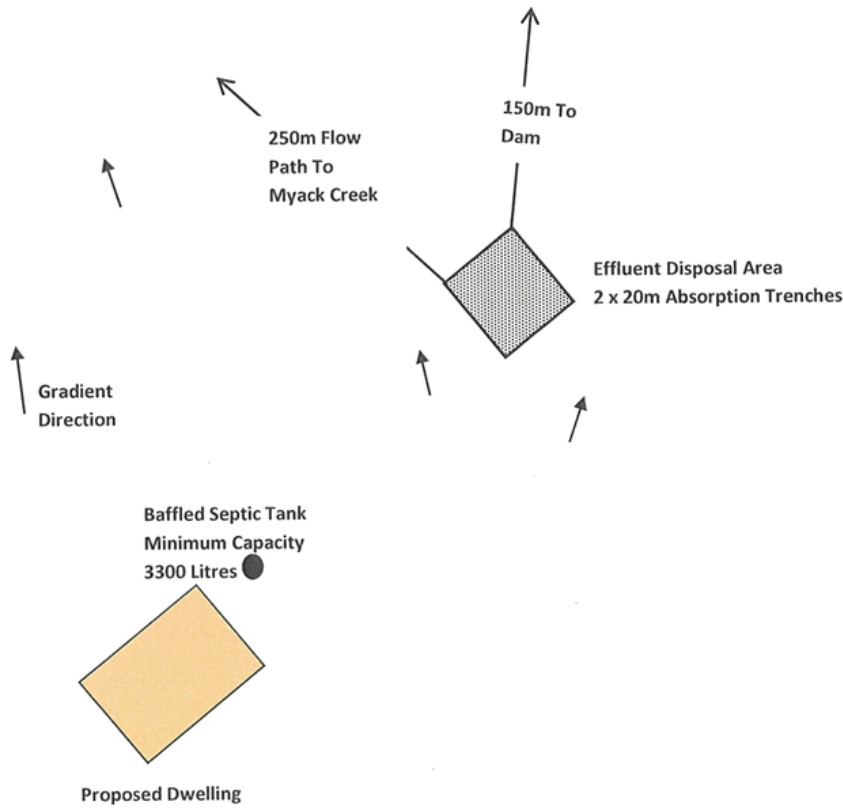


Diagram Only  
Plan Not To Scale  
Watercheck 15-10-2015  
Note: This Is Not A Sewage Diagram



**Development Assessment**  
Shop 3 Razorback Plaza,  
Gippsland Street Jindabyne  
PO Box 143 Berridale NSW 2628  
[www.snowyriver.nsw.gov.au](http://www.snowyriver.nsw.gov.au)  
For Appointments or Information Please Call 02 6451 1550  
Business Hours – Monday to Friday 8.30am to 4.30pm

DA2016 10148	Date Rec: 7/4/16	Receipt No: 102160	PN: 108341
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## Development Application

Made under section 78A of the Environmental Planning and Assessment Act 1979

This form is required to apply for consent to carry out development. The **DA Guide** is available to assist in completing this application. Please place a cross in the relevant boxes and fill in the relevant sections if not applicable leave blank. This application can be lodged by mail or in-person at Council's Jindabyne Office. This application cannot be lodged by fax.

### 1. Pre lodgement Meeting (if applicable)

Officer Name:

Date:

### 2. Applicants Details

All correspondence relating to this application will be sent to the address below and any contact with Council Officers is limited to those listed as applicant.

Name :

Company/Organisation:

Address:

Suburb:  Postcode:

Phone:  Mobile:  Fax:

Email :

### 3. Land to be Developed

Unit/Street No:  Street or Property Name:

Suburb or locality:

Lot & DP/SP or Section:

The correct Lot and DP or SP, can be found on rate notices from Council or on the title documents for the land.

**4. Description of Proposal**

- |                                                       |                                                            |                                          |
|-------------------------------------------------------|------------------------------------------------------------|------------------------------------------|
| <input checked="" type="checkbox"/> New construction  | <input type="checkbox"/> Subdivision of land or a building | <input type="checkbox"/> Change of Use   |
| <input type="checkbox"/> Alterations and/or additions | <input type="checkbox"/> Temporary use                     | <input type="checkbox"/> Approval to Use |
| <input type="checkbox"/> Demolition                   | <input type="checkbox"/> Tree Removal                      | <input type="checkbox"/> Holiday Letting |

Description Details ie - build a house, dual occupancy, change of use to holiday dwelling, boundary adjustment, subdivide land (if subdividing then indicate the number of lots and purpose of each lot).

New Dwelling

**5. Staged Development**

Is this application for staged development consent?

- Yes If **YES** please attach information which describes the stages of your development and/or a copy of any consent already approved for part of your development.
- No

**6. Cost of Building and Application Fees**

Construction costs are to be based on **\$1,500/m<sup>2</sup>** of building for residential buildings, and **\$750/m<sup>2</sup>** for ancillary works (e.g. balcony, verandas, and carport). For commercial retail and industrial development current commercial construction rates apply.

Please supply a breakdown if the development includes more than one building. (e.g. dwelling house & shed)

Gross Floor Area	(m <sup>2</sup> )	x	Price	=	Cost of Building
Building		x	\$1500	=	\$
Ancillary works (ie balcony, verandas, and carport)		x	\$750	=	\$
Total Cost of Building				=	\$ 107,000 (rounded up per signed form)

Once the cost of building has been determined please contact Council's Customer Service Officer in Jindabyne on (02) 6451 1550 for an application fee estimate or refer to Council's Schedule of Fees and Charges.

Please note that incorrect calculation of fees can incur additional payment and result in delays in processing the application.

Integrated development or concurrence from State Agencies, requires a fee of \$250 made payable to each authority and a once only processing fee of \$110 made payable to Council.

**7. Environmental Effects of the Development**

Is the proposal Designated Development?

- Yes - Please attach an Environmental Impact Statement (EIS)
- No - Please attach a Statement of Environmental Effects (SEE) **ALL** applications must be accompanied by a statement of environmental effects

Is the proposal likely to have a significant effect on threatened species, populations, ecological communities or their habitats?

- Yes - Please attach a Species Impact Statement (SIS)
- No

Will the proposal involve the change of use of a building other than a dwelling house?

- Yes - Please attach the current and proposed Category 1 Fire Safety Provisions
- No

**8. Concurrences from State Agencies**

Does the development require the concurrence of State Agencies?

- Yes - Please list any agencies whose concurrence is required:

Please attach:

- No
  - A full copy of this application for each agency/authority

**9. Approvals from State Agencies – Integrated Development**

Is the application for integrated development?

- Yes - Please complete **DA Supplement 1 – Integrated Development** and submit with your application. Please attach a full copy of this application for each agency/authority

- No

### 10. Other approvals from Council

Do you want Council to approve any other activity at the same time as this application? The following are a number of approvals most commonly applied for with a development application. This list is not exhaustive and there are a number of other approvals, which may be relevant to your development. A list can be found in the Development Application Help Guide or in Councils Ancillary Activity Application form.

- Construction Certificate application form attached
- Driveway/Crossover/Road Works (Section 138) application form attached
- Sewerage, Stormwater Drainage, Water Supply, connect to Council Sewer application form attached
- Install an On-Site Sewage Management Facility application form attached
- Operate an On-Site Sewage Management Facility application form attached
- Water Connection application form attached
- Install a manufactured home, Ancillary Activity Application form attached
- Other \_\_\_\_\_, Ancillary Activity Application form attached

### 11. BASIX Certificate

A BASIX Certificate is required for a new house or for residential alterations and additions worth more than \$50,000.

The Building Sustainability Index (BASIX) is a web-based planning tool designed to assess the potential performance of residential buildings against a range of sustainability indices.

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves/awnings and wall/ceiling insulation.

You need a BASIX Certificate in Snowy River Shire when BASIX applies to the type of development for which you require approval. Commencement dates and details of types of development are at [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au).

The applicant is required to submit the BASIX Certificate with the Development Application or Complying Development Certificate application. The plans and specifications must also identify the BASIX commitments which will be checked by a professional building certifier during construction. Where submitted plans or specifications are inconsistent with the relevant BASIX Certificate, Council should require applicants to submit consistent applications before progressing the assessment process, either by amending plans / specifications or by submitting a new BASIX Certificate with commitments that match the rest of the application.

Applicants can generate the BASIX Certificate only on the NSW Department of Planning' BASIX website: [www.basix.nsw.gov.au](http://www.basix.nsw.gov.au). For more information, phone the BASIX Help Line on 1300 650 908.

Yes - BASIX Certificate Required       No - BASIX Certificate Not Required.

Please note that BASIX commitments MUST be shown on DA plans.

### 12. Supporting information

- Please see Councils **DA Application Help Guide and Lodgment Checklists** for submission requirements
- A Statement of Environmental Effects (SEE) is required to be completed for **ALL** applications.
- A list of all accompanying documents (ie plans, statement of environmental effects etc) on a separate covering letter or plan cover sheet is required for **ALL** applications.
- You can support your application with additional material such as photographs, aerial photographs, slides, models and plans to illustrate your proposal.
- For required plans please see Council DA Application Help Guide and Lodgement Checklists **All plans submitted are to be folded to A4, NOT rolled.**

**13. Crown Development**

If the application is Crown Development in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* please identify the Crown Agency - \_\_\_\_\_

**14. Owners Consent**

- Must be signed by all land owners.
- If the owner is a company or owner's association eg: Body Corporate must be signed by a director or secretary UNDER COMMON SEAL.

As the owner(s) of the land to which this application relates, I/we consent to the making of the application and give consent for Council, its officers or agents to enter the land without first having given notice for the purpose of processing this application to carry out inspections, take photographs, videos, surveys and measurements.

Name:  Date:

Signature:

Name:  Date:

Signature:

**15. Privacy Policy**

The information you provide in this application will enable us, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted.

If your application is for designated development or advertised development, it will be available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected information provided in your application. Please ensure that the information is accurate and advise us of any changes.

**16. Disclosure of Political Donations or Gifts**

Under section 147(4) of the *Environmental Planning and Assessment Act 1979* ('the Act') a person who makes a development application to a council is required to disclose the following *reportable political donations and gifts* :

- (a) all reportable political donations made to any local councillor of that council. Reportable political donations include those of or above \$1,000.
- (b) all gifts made to any local councillor or employee of that council.

Have you or any person with a financial interest in this application made any of the above political donations or gifts in the last 2 years?

- Yes - Please complete the **Snowy River Shire Political Donations Disclosure Statement** and submit with your application.
- No

**17. Applicants Declaration**

I/We the undersigned hereby apply for approval of the development/activity proposal described in the plans, specifications and documents accompanying the application.

I/We undertake to carry out that development/activity in accordance with any approval granted by the Council and to conform to the provisions of the relevant Act(s), Regulations, Codes and planning instruments.

I also understand that:

- if incomplete, the application may be delayed or rejected
- more information may be requested

Name:  Date:

Signature:



PN: 108341

**Australian Business Register**

Australian business number (ABN) : 83 611 538 582  
Entity name : The Trustee for HUDSON FAZAKERLEY SUPERANNUATION FUND  
ABN status : Active  
ABN registration date : 19 February 2015  
Postal address : PO Box 260  
CAMDEN NSW  
2570  
Business address : Se 7 180-186 ARGYLE ST  
CAMDEN NSW  
2570  
Email address : info@wardsaccounting.com.au  
Type of entity : ATO Regulated Self-Managed Superannuation Fund  
ANZSIC code : 6330 - Superannuation Funds

**Associates**

The following are the associates of the entity:



Associate name	Position held
Mr JOHN FAZAKERLEY	Director Of A Corporate Trustee
Ms JANINE HUDSON	Member Of A Self Managed Superannuation Fund Director Of A Corporate Trustee
HUDFAZ INVESTMENTS PTY LTD	Member Of A Self Managed Superannuation Fund Trustee

RECEIVED  
JINDABYNE OFFICE  
- 1 MAR 2016  
SNOWY RIVER SHIRE  
COUNCIL

RECEIVED  
JINDABYNE OFFICE  
- 7 APR 2016  
SNOWY RIVER SHIRE  
COUNCIL



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**9.8 PLANNING PROPOSAL TO RE-CLASSIFY AND REZONE PART LOT 20 DP 219584 AS AN AMENDMENT TO SNOWY RIVER LEP 2013**

Record No:

Responsible Officer:	Director Community & Environmental Services
Author:	Manager Community & Strategic Planning
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments:	1. Planning Proposal Reclassification and Rezoning 3 & 5 McClure cct
Cost Centre	8010 – Strategic Planning
Project	Pursue Planning Proposals to amend Snowy River LEP 2013 as needed
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

This report presents a Planning Proposal that concerns part Lot 20 DP219584 and details the proposed reclassification and rezoning to allow legal access from Kosciuszko Road to the approved Shop-top housing development (DA0126/2015) at 3 McClure Circuit. This Planning Proposal is presented to Council with a view to adopting the Planning Proposal and forwarding to the Department of Planning and Environment for a gateway determination.

The attached Planning Proposal details the amendment to SRLEP2013.

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

**OFFICER'S RECOMMENDATION**

That Council:

- A. Formally considers the Planning Proposal;
- B. Adopts the Planning Proposal under Section 55 of the Environmental Planning and Assessment Act 1979; and
- C. Forwards the Planning Proposal to the Minister for a gateway determination under section 56 of the Environmental Planning and Assessment Act 1979.

**BACKGROUND**

The attached Planning Proposal outlines the intent and justification for the reclassification and rezoning of the eastern portion of Lot 20 DP 219584, where the land fronts Lots 22 DP 219584 and SP 14686 (3 & 5 McClure Circuit) through an amendment of SRLEP 2013. For example as shown

below Lot 2 would be reclassified operational and rezoned R1 General Residential in line with the adjoining lots.



The proposed reclassification and rezoning is to allow legal access from Kosciuszko Road to the approved Shop-top housing development (DA0126/2015) at 3 McClure Circuit. The amendment will also allow access to the neighbouring property which currently does not have coinciding legal and practical access. A draft Planning Proposal has been prepared. It is recommended that the Planning Proposal proceed as it facilitates access to a shop-top housing development (DA126/2015) and to the adjoining property.

This reclassification and rezoning proposal is consistent with the Snowy River Shire Management Plan for Community Land, dated September 2004, particularly as the eastern part of the allotment (shown in figure 6 above) has primarily been used for continued access into both No. 3 & 5 McClure Circuit for over forty years. The direction to reclassify and rezone the land is also consistent with the Draft Report on the Review of all Council owned land undertaken by the former Snowy River Shire Council. This review identifies this part lot for disposal as it has minimal open space value or wider community and recreational benefit.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

The Planning Proposal seeks reclassification and rezoning of a small piece of land and will facilitate the previously approved shop-top housing development which requires access to be formalised to the development in order for it to proceed. The amendment will also facilitate access to the adjoining development.

Should the planning proposal be adopted by Council the Gateway process will determine the required community consultation process for this particular amendment.

## **2. Environmental**

The standard instrument LEP seeks to attain our goal of ecologically sustainable development.

Specifically the minor amendment sought through this planning proposal will have no net impact on the environment.

## **3. Economic**

Resources have been allocated for ongoing amendments to the Snowy River LEP 2013 as required.

An application fee has been required to recoup costs of preparing and administering the planning proposal and Gateway Determination.

## **4. Civic Leadership**

Council has a legislative requirement to maintain an effective and appropriate planning framework and is ensuring this through amending the LEP 2013 as needed. It is also showing leadership by ensuring it maintains efficient and effective planning instruments by seeking continuous improvement through amendments.



## **PLANNING PROPOSAL**

**Local Government Area:**

Snowy Monaro Regional Council

**Proposal:**

Re-Classify and Rezone Part of Lot 20 DP 219584 from community land to operational land to permit access to developments in Mclure Circuit Jindabyne.

**Applicant:**

Snowy Monaro Regional Council

**Subject Land:**

The proposed changes apply to Part of Lot 20 DP 219584, the land is covered by Snowy River LEP 2013

**Amendment number and date:**

Amendment No. 2, June 2016.

## PLANNING PROPOSAL PROCESS

### Part 1 - Intended Outcome

The eastern portion of Lot 20 DP 219584, where the land fronts Lots 22 DP 219584 and SP 14686 (3 & 5 McLure Circuit) will be classified as Operational land and Zoned R1 General Residential.

If the subdivision of the lot to separate the eastern portion from the western portion is required to facilitate this outcome, an example of the subdivision plan required has been prepared and provided in figure 15 below, which can be undertaken during the Planning Proposal process.



**Figure 15: Example of a two (2) lot subdivision to subdivide Lot 20 DP 219584 into two (2) separate allotments to facilitate the re-classification and rezoning of the eastern portion (Lot 2 above) of the lot**

### Part 2 - Explanation of Provisions

Clause 45(1) of the *NSW Local Government Act 1993* does not permit Council to sell Community land.

*45 What dealings can a council have in community land?*

*(1) A council has no power to sell, exchange or otherwise dispose of community land. (NSW Local Government Act 1993)*

To enable either the granting of an easement for access or the sale of part of Lot 20 DP 219584, the land must be classified as Operational Land. Clause 27(1) of the *NSW Local Government Act 1993* requires that the reclassification of land from Community to Operational land is made by local environmental plan.

The inclusion of eastern portion of Lot 20 DP 219584 in Part 1, Schedule 4 of the Snowy River Local Environmental Plan 2013 will make the land Operational land and rezoned R1 General residential in line with the two adjoining lots.

### **Part 3 – Justification**

This section sets out the reasons for the proposed outcomes and development standards in the Planning Proposal. The following questions are set out in the Department of Planning's *A Guide to Preparing Planning Proposals* and address the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

#### **Section A – Need for the planning proposal**

##### ***Question 1. Is the planning proposal a result of any strategic study or report?***

The planning proposal is not part of a strategic study or a report.

However, the proposal is considered consistent with the Snowy River Shire Management Plan for Community Land, dated September 2004, particularly as the eastern part of the allotment (shown in figure 6 above) has primarily been used for continued access into both No. 3 & 5 McLure Circuit for over forty years. The direction to reclassify and rezone the land is also consistent with the Draft Report on the Review of all Council owned land undertaken by the former Snowy River Shire Council. This review identifies this part lot for disposal as it has minimal open space value or wider community benefit.

The land provides no value as open space or community land as it does not provide any sporting facilities or recreational opportunities (active or passive), does not provide a link between public areas, does not provide any substantive aesthetic or general amenity and does not provide any environmental value as it has no habitat value, remnant vegetation or environmental conservation attributes. The eastern portion of the lot is effectively surplus public land that has been used for extensive periods for private access and therefore it is surplus to Councils and the community's needs.

##### ***Question 2 is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?***



The planning proposal is the only means of achieving the intended outcome.

### **Section B – Relationship to strategic planning framework**

#### ***Question 3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?***

The planning proposal relates to the re-classification of part of an allotment. The planning proposal does not originate from regional strategic content. There is no regional or sub-regional strategy specifically for Snowy River Shire.

There is a Draft South East and Tablelands Regional Plan which is currently on public exhibition. The plan is aimed at high level, strategic actions. The current proposal to reclassify and rezone a part lot is not inconsistent with the regional plan and will have negligible impact on the goals of the draft plan.

#### ***Question 4(a) Is the planning proposal consistent with a council's local strategy or other local strategic plan?***

The proposal is a minor change and as the part lot provides little benefit to open space or community recreational opportunities it is considered consistent with The Community Strategic Plan, Jindabyne Action Plan and Jindabyne Growth Strategy.

#### ***Question 4(b) Is the planning proposal consistent with the local council's community plan, or other local strategic direction***

The planning proposal is to reclassify the eastern portion of an allotment of land currently not used for any public purpose and it is not driven by strategic objectives.

The planning proposal however is considered consistent with the Snowy River Community Strategic Plan 2013-32 goal for 'strengthening our local economy' as access over Councils land to the approved Shop-top housing development on the adjacent lot will provide additional high quality tourist accommodation with retail shops, invigorating this part of Kosciuszko Road.

This will also facilitate an improved vehicular and pedestrian access into three of the adjacent properties, thus helping create a 'safer, healthier and thriving community'.

#### ***Question 4(c) If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished should be provided?***

There are no interests to be extinguished.

**Question 4(d) the concurrence of the landowner, where the land is not owned by the relevant planning authority?**

The land is owned by the former Snowy River Shire Council.

**Question 5 Is the planning proposal consistent with the applicable State Environmental Planning Policies?**

The following State Environmental Planning Policies are considered relevant to the Planning Proposal:

State Environmental Planning Policies	Assessment
<b>SEPP (Kosciuszko National Park – Alpine Resorts) 2007</b>	<i>Consistent. The planning proposal does not seek any change to the provisions that apply to land within this SEPP or are currently Zone E1 National Parks and Nature Reserves under the LEP 2013.</i>
<b>SEPP 44 – Koala Habitat Protection</b>	<i>Consistent. The eastern portion of the subject lot is either devoid of vegetation or comprises of exotic vegetation, with no native vegetation and no suitable habitat for koala's.</i>
<b>SEPP 55 – Remediation of Land</b>	<i>Consistent. The eastern part of the subject allotment is vacant and has only been used to access the adjacent lots, which have been used for residential purposes only.</i>
<b>SEPP (Infrastructure) 2007</b>	<i>Consistent. The eastern portion of the subject lot is located within a developed area, already serviced by infrastructure, including roads, water, sewer &amp; electricity. The re-classification of the eastern portion of the subject lot will facilitate improved and safer access from an arterial road, which has been supported by the NSW Roads and Maritime Service, subject to conditions of consent.</i>

**Question 6 Is the planning proposal consistent with applicable Ministerial Directions?**

Direction	Assessment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	<i>Not applicable.</i>

1.2 Rural Zones	<i>Not applicable.</i>
1.3 Mining, Petroleum Production and Extractive Industries	<i>Not applicable.</i>
1.4 Oyster Aquaculture	<i>Not applicable.</i>
1.5 Rural Lands	<i>Not applicable.</i>
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	<i>This site is not zoned for an Environmental Protection purpose and is not considered environmentally sensitive with no 'biodiversity' land</i>
2.2 Coastal Protection	<i>Not applicable.</i>
2.3 Heritage Conservation	<i>Not applicable. The site is not a heritage item or located adjacent to a heritage item or conservation area.</i>
2.4 Recreation Vehicle Areas	<i>The land is not currently used or will be used for recreation vehicles.</i>
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	<i>The planning proposal will facilitate the opportunity for the development of shop-top housing on the adjacent allotment, by providing direct access from Kosciuszko Road to the approved shops.</i>
3.2 Caravan Parks and Manufactured Home Estates	<i>Although the subject site is adjacent to a Caravan park, the eastern portion of the site, which is subject to the planning proposal is not located adjacent and therefore it will have no impact on the Jindabyne Holiday Park, to the north-west.</i>
3.3 Home Occupations	<i>Not applicable.</i>
3.4 Integrating Land Use and Transport	<i>Not applicable.</i>
3.5 Development Near Licensed Aerodromes	<i>Not applicable.</i>
3.6 Shooting Ranges	<i>Not applicable.</i>
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<i>Not applicable. The site is not mapped as having an Acid Sulfate Soils.</i>
4.2 Mine Subsidence and Unstable Land	<i>Not applicable.</i>

4.3 Flood Prone Land	<i>Not applicable. The site is not mapped or located within Flood Prone Land.</i>
4.4 Planning for Bushfire Protection	<i>Not applicable. The site is not mapped as being within Bushfire Prone Land</i>
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies (NB: <i>This Direction has been revised to include previous Directions 5.6 and 5.7).</i>	<i>Not applicable. There is currently no Regional Strategy that applies to the Snowy River Shire.</i>
5.2 Sydney Drinking Water Catchments	<i>Not applicable.</i>
5.3 Significance on the NSW Far North Coast	<i>Not applicable.</i>
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	<i>Not applicable.</i>
5.8 Second Sydney Airport: Badgerys Creek	<i>Not applicable.</i>
5.9 North West Rail Link Corridor Strategy	<i>Not applicable.</i>
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	<i>Consistent.</i>
6.2 Reserving Land for Public Purposes	<p><i>Generally consistent. The planning proposal does not seek to rezone the land from its current RE1 – Public Recreation zoning.</i></p> <p><i>The planning proposal also does not seek to acquire additional public land.</i></p> <p><i>The planning proposal only seeks to re-classify part of an allotment of public land as operational to facilitate continued vehicle access over the land.</i></p> <p><i>Council is the relevant public authority.</i></p> <p><i>Director General’s concurrence could be sought through this Planning Proposal, if required.</i></p>
6.3 Site Specific Provisions	<i>Consistent. The proposal does not contain any restrictive site specific planning controls.</i>

**Section C – Environmental, social and economic impact**

***Question 7. Is there any likelihood that critical habitat or threatened species populations or ecological communities or their habitats will be adversely affected as a result of the proposal?***

The eastern portion of the lot has been used to provide access to No. 3 & 5 Mclure Circuit for over forty (40) years and is mostly disturbed, comprising of no native vegetation and particularly no habitat suitable for threatened species.

Given this, it is concluded that it is highly unlikely that there are threatened species or endangered ecological communities. A flora and fauna report has not been prepared.

There is no critical habitat as listed in NSW legislation in the Snowy River local government area.

***Question 8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?***

No other environmental effects are anticipated to result from the proposed re-classification of the eastern part of the subject allotment sought through this planning proposal.

***Question 9. Has the planning proposal adequately addressed any social and economic effects***

The planning proposal will allow for continued access from Kosciuszko Road to No. 3 and 5 Mclure Circuit, in which providing legal access to the approved Shop-top housing development at No. 3 Mclure Circuit.

This will allow for the vehicular and pedestrian access into No. 3 & 5 Mclure Circuit to be upgraded and improved and also better manage access into the Service Station adjacent.

Overall this provides a positive social and economic impact for the three land sites and the wider locality.

With regard to European heritage, the subject allotment is not listed or located adjacent to a heritage item or located within a heritage conservation area.

With regard to Aboriginal heritage, the site has been heavily disturbed for several decades and is within an established residential area. An archaeological assessment has not been undertaken. A check of the Aboriginal Heritage Information Management System (AHIMS) database did not find any listed artefacts or places of significance.

**Section D - State and Commonwealth interests**

***Question 10. Is there adequate public Infrastructure for the planning proposal***

The planning proposal does not generate additional demand upon infrastructure.

***Question 11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination***

It is considered due to the minor nature of the planning proposal that the re-classification and rezoning would not be of consequence for State and Commonwealth public authorities. No consultation with these entities has taken place to date, however the Roads and Maritime Service did provide comments and support for the upgraded access over the subject land into No. 3 McLure Circuit as part of the development consent granted under DA 0126/2015.

**Part 4 – Mapping**

There will be no mapping required.

**Part 5 – Community Consultation**

Council has not undertaken any community consultation concerning this planning proposal to date. It is anticipated that this will occur as part of the formal exhibition and public hearing and as directed through the gateway determination process.

**Part 6 – Project Timeline**

No additional strategic work will be required for the successful implementation of the planning proposal. Community Consultation including a Public Hearing will be undertaken as outlined if a Gateway Determination is successful. As a result Council intends to undertake the planning proposal immediately in the event Gateway approval is granted.

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## 9.9 DRAFT CONDITIONS OF APPROVAL DA0014/2015

Record No:

Responsible Officer:	Manager Development Assessment
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP 6.29 Ensure development assessment is undertaken in accordance with adopted Local Environmental Plans, Development Control Plans, Council Policy and State and Federal legislation.
Attachments:	Nil

### FURTHER OPERATIONAL PLAN ACTIONS: EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement for draft conditions of consent for DA0014/2015 – Conversion of short term sites to long term sites at Buckenderra Holiday Village.

The proposal sought to convert 50 of the designated short-term caravan sites to long-term spaces allowing year-round accommodation at Buckenderra Holiday Village. In a report presented to the Snowy River Shire Delivery and Operations Committee Meeting of 10 May 2016, Council officers recommended refusal for the development application. The recommendation was not accepted and an amendment was made to the original motion to approve the application with a requirement that Council staff provide a report to the next Council meeting supplying conditions of consent.

As Council officers recommended refusal an outside consultant was appointed to provide the draft conditions. Those draft conditions are reproduced within the body of this report.

It is recommended that Council endorse the draft conditions contained herein and allow for the notice of determination to be released to the applicant.

### RECOMMENDATION

That

- A. Council endorse the draft conditions of consent for DA0014/2015 contained in this report.

### BACKGROUND

A report was presented to the Snowy River Shire Delivery and Operations Committee meeting 10 May 2016 recommending refusal of DA0014/2015. The application sought to convert 50 of the current short term sites within the caravan park to long term sites. This would effectively allow for permanent accommodation of 50 sites within Buckenderra Holiday Village. The recommendation to refuse the application was not endorsed by the Council and an amended motion (becoming Committee Recommendation DOC76/16) was moved that:

- A. Pursuant to section 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) it is recommended that the consent for Change of Use - Approval for Short Term

Sites into Long Term Sites on Lot 23 DP 776342 Ph Middlingbank be approved, subject to staff providing a report on the additional conditions to the next council meeting.

Moved Clr Smits Seconded Clr Beer CARRIED

The draft conditions as required by committee recommendation DOC76/16 are as follows:

Draft Conditions of Consent DA0014/2016

**APPROVAL IN ACCORDANCE WITH APPROVED PLANS AND SUPPORTING INFORMATION**

1. The development is carried out in accordance with the following approved plans and supporting information, as amended by conditions of this consent:

<i>Drawings prepared by ADW Johnson</i>			
Drawing No	Revision	Name of Plan	Date
11848-COMMAP - 001-A	A	Buckenderra Caravan Holliday Village	09/09/15

- Statement of Environmental Effects – Minor Development date stamped 18 August 2014
  - Buckenderra Holiday Village – Social Impact Assessment – Key Insights Pty Ltd – August 2015
  - Assessment of Effluent Management – Buckenderra Holiday Village – Soil and Land Conservation Consulting – June 2015
2. This consent is limited to the conversion of 50 existing short term to long term sites as identified on the approved plans.

**PRIOR TO THE COMMENCEMENT OF USE OF LONG TERM SITES**

3. The developer is to provide a current audit of evidence of compliance with conditions of DA0133/2006 approved by Council on the 29 July 2008.
4. A community support management plan is to be prepared and submitted to Council for approval to implement recommendations 1, 2, 3 and 4 of the *Buckenderra Holiday Village – Social Impact Assessment prepared by Key Insights Pty Ltd – August 2015*. This plan is to be developed in consultation with:
  - Snowy River Shire Council
  - Community service and support providers
  - Bus operators servicing the local area



- Other relevant agencies and organisations

All matters raised by the relevant stakeholders are to be identified and addressed within the support management plan.

5. Concept plans and associated details are to be provided to Council, for approval, that demonstrate the proposed conversion of the existing café into a community centre contained in recommendation 5 of the *Buckenderra Holiday Village – Social Impact Assessment prepared by Key Insights Pty Ltd – August 2015*. These plans and details are to identify demonstrate engagement with relevant community support organisations to identify and meet current and future needs of residents of the site.
6. The following approvals are to be obtained from Council pursuant to Section 68 of the Local Government Act 1993 for the proposed development:
  - a. Proposed alterations to the existing sewage management system
7. Consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road
8. The applicant is to prepare an audit and where required develop a program of works, for approval of Council, outlining compliance with the requirements of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds, and Moveable Dwellings) Regulation 2005* for the proposed long term sites.
9. The applicant is to provide a bus service from the site to local service centres (being Jindabyne, Berridale and Cooma) for park residents. The bus shall be located on the site and available for use when needed.

## USE OF SITE

10. The applicant/operator shall ensure that those sites nominated as “long term” be occupied only by the owner of the subject site.

## PRIOR TO COMMENCEMENT OF CONSTRUCTION

11. A Construction Certificate must be obtained prior to the commencement of any works on site.
12. At least 2 days prior to commencement of works on-site, a notice of commencement (refer attached form) is to be submitted to Council in accordance with the provisions of section 81(2)(c) of the Environmental Planning & Assessment Act 1979.

## DURING CONSTRUCTION

13. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times during construction and will be readily available for perusal by any officer of the Council or the PCA.
14. The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geo fabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices as outlined in the NSW Department of Housing "Soils and Construction, Managing Urban Stormwater 4th Edition, March 2004 the Blue Book".
15. The developer is to ensure that all builder' sheds, including temporary sanitary closets, must at all times be located wholly within the site; properly constructed and maintained to industry standards; securely anchored to the ground, and removed upon completion of the project.
16. The applicant must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction. Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council. The burning of builders waste on site by open fire is prohibited.
17. A hoarding or fence must be erected between any work site and adjoining public places. The work site must be kept lit between sunset and sunrise and the hoarding or fence is to be removed when the work has been completed.
18. The developer is to ensure that work on the development site by all persons using power tools and equipment is limited to the following hours:
  - Mon Fri 7.00am to 8.00pm
  - Saturday 7.00am to 8.00pm
  - Sunday 8.00am to 8.00pm
  - Public Holidays 8.00am to 8.00pm
19. The Principal Certifying Authority (PCA) (i.e. Council or Private Certifier) is to be given a minimum of 48 hours notice prior to any critical stage inspection or any other inspection nominated by the PCA via the notice under Section 81A of the Environmental Planning and Assessment Act 1979

20. The developer is to ensure that at all times all excavations and backfilling associated with the development is executed safely and in accordance with professional standards. The developer is to ensure that site excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.
21. The developer is to ensure that prior to any plumbing work being commenced the licensed plumber / drainer must lodge with Council a starting docket and a dimensioned schematic layout of the sanitary drainage lines. The developer is to ensure that all plumbing and drainage work is in accordance with the Australian Standard 3500 and the NSW Codes of Practice for Plumbing and Drainage.
22. Adequate measures will be taken to prevent dust from affecting the amenity of the existing caravan park during any construction.
23. Toilet facilities are to be provided within the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be a standard flushing toilet and connected to either: an accredited sewage management facility or an approved chemical closet. The toilet facilities shall be provided on-site, prior to the commencement of any works.

#### **PRIOR TO OCCUPATION OF THE BUILDING**

24. An Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an Occupation Certificate, the Principal Certifying Authority must be satisfied that the requirements of Section 109H of the Environmental Planning and Assessment Act 1997 have been complied with as well as all of the conditions of the Development Consent.

#### **ADMINISTRATIVE CONDITIONS**

25. In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.
26. The developer shall comply with any relevant prescribed conditions of development consent under the Environmental Planning and Assessment Regulation. The following conditions are prescribed in relation to a development consent for development that involves any building work:
  - The work must be carried out in accordance with the requirements of the Building Code of Australia
  - A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out showing the name, address and telephone number of the principal certifying authority for the work,

and showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and stating that unauthorised entry to the work site is prohibited. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

27. This consent does not imply or confer compliance with the requirements of the Disability Discrimination Act 1992. It is the responsibility of the applicant to guarantee compliance with the requirements of the Disability Discrimination Act 1992.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The report raises no adverse social impacts for Council.

### **2. Environmental**

The report raises no adverse environmental impacts for Council.

### **3. Economic**

The preparation of the draft conditions of consent by an outside consultant was paid by the Development Assessment Unit as such the report had a minor economic impact on Councils budget. However the expenditure was within the threshold of allocated funds.

### **4. Civic Leadership**

The report was prepared as required by a Council resolution to provide conditions that would accompany an approval for DA0014/2015.

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## 9.10 LGNSW MEMBERSHIP

Record No:

Responsible Officer:	Director Corporate Services
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest
Operational Plan Action:	OP7.5 Provide timely, accurate and relevant information to Council to enable informed decision making.
Attachments:	Nil
Cost Centre	3110 Mayor & Council
Project	Membership
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

Previously, all former Councils of Snowy Monaro Regional Council were members of Local Government NSW (LGNSW). LGNSW are requesting membership subscriptions for the 2017 Financial Year.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Renews LGNSW Membership for all Regions
- B. Takes up the Part Bundled Management Services Offer as per the Snowy River Invoice

### BACKGROUND

Prior to the amalgamation to form Snowy Monaro Regional Council, the former Councils each received Invoices for Membership Subscriptions for 1 July 2016 to 30 June 2017.

LGNSW were contacted after the merger and they advised that, although there was now only one council, all three membership subscriptions are payable. LGNSW is the industry body for NSW Councils, however membership is voluntary. In 2016 all NSW Councils were members.

### QUADRUPLE BOTTOM LINE REPORTING

#### 1. Social

Staff will have access to the expertise offered by LGNSW.

No external social implications

## 2. Environmental

No known Environmental implications.

## 3. Economic

LGNSW base their rates on the budgeted funding required by their organisation in any particular year. Membership calculations are based on three components - a Flat rate; Population base; Expenditure. The flat rate for 2017 is \$13,600. The rates applied to population and expenditure are on a scaled basis. Full details of this were not available.

Former Council	2016 Membership	2017 Membership	% increase	2017 Invoice (including GST)
Bombala	15,775	17,890	13.41%	\$19,679
Cooma-Monaro	24,909	25,121	0.85%	\$27,633
Snowy River	23,614	24,132	2.19%	\$26,545
<b>Total</b>	<b>64,298</b>	<b>67,143</b>	<b>4.42%</b>	<b>\$73,857</b>

The increase for Bombala is a result of a one off subsidy of \$1,793 provided by LGNSW in 2016. Taking this into account the real increase is 1.83% for Bombala or 1.59% in total.

In addition to general membership fees, LGNSW offers services. In previous years the following have been utilised by the former Councils.

Service	Cost	Bombala	Cooma	Snowy
General Manager's Performance Plan & review	\$6,000			Yes
Remuneration Report	\$1,250			Yes
HR Benchmarking Report	\$1,250			Yes
Tailored recruitment or Improvement progress audit	\$5,000			

LGNSW are offering the above services to be bundled, paid upfront and potentially receive a rebate of up between 20% (>50) to 40% (>100) depending on how many Councils participate.

The part Bundle includes all the above with the exception of the Tailored recruitment or Improvement progress audit. The initial cost is \$8,500 ex GST as per the Snowy River Invoice.

## 4. Civic Leadership

LGNSW is the industry body for NSW Councils. In 2016, all NSW Councils were members of LGNSW.



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**9.11 REQUEST FOR ADDITIONAL PURPOSE TO RESERVE 97830 - OLD DALGETY FIRE SHED**

Record No:

Responsible Officer:	Director Technical Services & Operations
Author:	Property Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.10 Council ensures through its efficient operations that it can claim to be a value for money organisation for the community
Operational Plan Action:	OP7.28 Crown Reserves in Council's Trusteeship constructed and maintained to meet Council's service requirements.
Attachments:	Nil
Cost Centre	1940 – Rural Fire Service
Project	No identified Project
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

Council has been approached by the Lessee of the Snowy River Holiday Park at Dalgety to have Crown Reserve 97830 (Crown Reserve for Fire Fighting adjoining the Holiday Park) added to the Lease for the Snowy River Holiday Park.

Crown Reserve 97830 is a reserve for firefighting comprising only 0.0395ha, the site of the old three bay Dalgety Fire Shed. The fire shed, although in good condition, has been standing empty and unused for a number of years and the addition of Reserve 97830 into the lease for the Snowy River Holiday Park would ensure that the asset is maintained and protected from vandalism.

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

**OFFICER'S RECOMMENDATION**

That Council

- A. Request that the Minister consent to a new purpose of 'public recreation' being added to Reserve 97830 (Reserve for firefighting)
- B. To subsequently seek the concurrence of the Minister to add Reserve 97830 to the Lease for Reserve 97831(Dalgety Caravan Park & Camping Ground Reserve Trust) through a variance to the lease or the method advised by the Crown.

**BACKGROUND**

Council has been approached by the Lessee of the Snowy River Holiday Park at Dalgety to have Crown Reserve 97830 (Crown Reserve for Fire Fighting adjoining the Holiday Park) added to the Lease for the Snowy River Holiday Park.

Crown Reserve 97830 is a reserve for firefighting comprising only 0.0395ha, the site of the old three bay Dalgety Fire Shed. The fire shed has been standing empty and unused for a number of years and the addition of Reserve 97830 into the lease for the Snowy River Holiday Park would ensure that the asset is maintained and protected from vandalism.



The lessees of the Park intend to use the old fire shed for storage purposes and it is proposed that the maintenance of the building would be the responsibility of the lessees under the terms of an addendum to the lease.

Advice from the Crown was for Council to request an additional purpose 'for public recreation' to be added to the Reserve in accordance with Section 121A of the Crown Lands Act (CLA) and to request the Ministers concurrence to add Reserve 97830 to the Lease for the Snowy River Holiday Park under Section 88 of the CLA.

The fire shed is in good condition and would support the operation of the Snowy River Holiday Park.

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

The Snowy River Holiday Park plays an important role in the tourist visitation to the isolated township of Dalgety. The flow on effect of tourism in Dalgety is substantial and supports other small business within the township.

The Lessees of the Holiday Park believe that obtaining the use of the old fire shed under their lease will enhance the operation of the Park.

### 2. Environmental

The effect on the environment will be substantially positive.

### 3. Economic

When Reserve 97830 containing the three bay fire shed is added to the lease of the Snowy River Holiday Park the maintenance of that asset will be the responsibility of the Lessees of the Park.

### 4. Civic Leadership

Council, as Trustee of Reserve 97830, has a responsibility to the Crown and the community to administer and maintain any assets on the Reserve. The addition of Reserve 97830 to the Lease of the Snowy River Holiday Park will not only enhance the operation of the Holiday Park but it will transfer the care and maintenance of the Crown asset to the Lessee of the Holiday Park.

Sections of the Crown Lands Act 1989 attached to this report are as follows:

- **Section 121A – Minister may authorise reserve to be used for additional purpose**

- (1) In this section, ***declared purpose*** has the same meaning as in section 112A
- (2) The Minister may, by order published in the Gazette, authorise a reserve specified in the order to be used for a purpose that is additional to the declared purpose of the reserve.
- (3) The Minister may not authorise a reserve to be used for any such additional purpose unless the Minister is satisfied that:
  - (a) The additional purpose is compatible with the declared purpose of the reserve, and
  - (b) The use of the reserve for the additional purpose is consistent with the principles of Crown land management, and

- (c) It is in the public interest for the reserve to be used for the additional purpose.
- (4) The Minister is to consult the following persons or bodies before making an order under this section in relation to a reserve:
  - (a) The person or body managing the affairs of the reserve trust (if any) appointed as trustee for the reserve,
  - (b) If the reserve is being used or occupied by, or is being administered by, a government agency – the Minister to whom that agency is responsible.
- (5) Failure to comply with subsection (4) does not affect the validity of the order.
- (6) An order under this section may relate to any number of reserves or to a specified group of reserves.

- **Section 88 – Addition to reserved land**

- (1) The Minister may, by notification in the Gazette, add Crown land to any land reserved under this Act.
- (2) On publication of the notification in the Gazette, add Crown land to any land reserved under this Act.
  - (a) The added land becomes part of the reserved land,
  - (b) The added land becomes subject to the same reservation and trusts as the reserved land,
  - (c) Any rules, regulations or by-laws applicable to the reserved land become applicable to the added land, and
  - (d) A reserve trust which is trustee of the reserved land becomes trustee of the added land.

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## 9.12 MONTHLY FUNDS MANAGEMENT REPORT - MAY 2016 - SNOWY MONARO REGIONAL COUNCIL

Record No:

Responsible Officer: Director Corporate Services  
Author: Management Accountant  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.6 Increase and improve Council's financial sustainability.  
Operational Plan Action: OP7.17 Effective management of Council funds to ensure financial sustainability.

Attachments:

Cost Centre 4010 Financial Services  
Project Fund Management

Further Operational Plan Actions:

OP7.1 Completion of reporting requirements in accordance with legislation

### EXECUTIVE SUMMARY

The following details funds management position for the reporting period ending 31 May 2016. Cash and Investments as at 31 May 2016 are \$54,782,611.

### Certification

*The Responsible Accounting Officer of Snowy Monaro Regional Council hereby certify, as required by Regulation 212 of the Local Government (General) Regulation 2005, that investments as detailed in the attached listings were invested in accordance with Section 625 of the Local Government Act 1993, the Regulations and Council's Investment Policies.*

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

### OFFICER'S RECOMMENDATION

That Council:

- A. Receive and note the report indicating Council's Funds Management position as at 31 May 2016
- B. Receive and note the Certificate of the Responsible Accounting Officer.

### BACKGROUND

As per Legislation, the Investment Register is reported to Council within a month.

Council's Cash and Investments 31 May 2016 consists of:

31/05/2016	Cash at Bank	Investments	Total
Bombala	2,544,632	9,000,000	11,544,632

Cooma	208,334	22,651,894	22,860,228
Snowy	666,104	19,711,648	20,377,752
<b>Total</b>	<b>3,419,069</b>	<b>51,363,542</b>	<b>54,782,611</b>

## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

Total Cash and Investments are available to provide services and Infrastructure to the community in accordance with the 2016 budget, Council resolutions and other external restrictions.

### 2. Environmental

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

### 3. Economic

Total investments of the three combined branches of Bombala, Cooma and Snowy were \$51,363,542 on 31 May 2016. The below table represent where funds were invested.

Branch	DATE INVEST	FIN INST.	Rating	TYPE	CURRENT INVESTMENT	INT RATE	MATURITY
Bombala	17-Feb-16	NAB	A1+/AA-	TD	1,500,000	3.01%	17-Jun-16
Bombala	13-Jan-16	NAB	A1+/AA-	TD	2,000,000	3.10%	14-Jun-16
Bombala	15-Mar-16	NAB	A1+/AA-	TD	3,500,000	3.10%	15-Jul-16
Bombala	11-Apr-16	NAB	A1+/AA-	TD	1,000,000	3.11%	10-Aug-16
Bombala	14-Apr-16	NAB	A1+/AA-	TD	1,000,000	3.11%	14-Sep-16
Cooma	n/a	NAB - At Call	A1+/AA-	Cash Account	1,329,089	1.65%	At Call
Cooma	n/a	AMP Bank - At Call	A1/A+	Cash Account	1,268,315	2.30%	At Call
Cooma	n/a	AMP Bank - 31 days Notice Account	A1/A+	Cash Account	1,054,490	2.45%	31 days
Cooma	05-Sep-11	NAB	A1+/AA-	Bank Bill (Floating)	4,000,000	3.49%	21-Jun-16
Cooma	04-Apr-16	Bankwest	A1+/AA	TD	1,000,000	3.00%	04-Jul-16

Branch	DATE INVEST	FIN INST.	Rating	TYPE	CURRENT INVESTMENT	INT RATE	MATURITY
Cooma	04-Apr-16	Suncorp Bank	A1/A+	TD	1,000,000	2.95%	04-Jul-16
Cooma	09-May-16	NAB	A1+/AA-	TD	1,000,000	2.90%	08-Aug-16
Cooma	02-Mar-16	Rural Bank	A2/A-	TD	1,000,000	3.00%	29-Aug-16
Cooma	29-Aug-15	Westpac Banking Corporation	A1+/AA-	TD	1,000,000	2.52%	29-Aug-16
Cooma	30-Mar-16	Bank of Queensland	A2/A-	TD	1,000,000	3.05%	26-Oct-16
Cooma	14-Aug-15	AMP Bank	A1/A+	TD	1,000,000	2.90%	07-Feb-17
Cooma	03-Mar-15	AMP Bank	A1/A+	TD	1,000,000	3.20%	02-Mar-17
Cooma	10-Mar-16	NAB	A1+/AA-	TD	2,000,000	3.07%	10-Mar-17
Cooma	23-May-16	AMP Bank	A1/A+	TD	1,000,000	3.00%	23-May-17
Cooma	12-Sep-14	RaboDirect (RaboBank Australia Limited)	P-1/Aa2 Moody's	TD	2,000,000	4.10%	11-Sep-18
Cooma	16-Sep-15	Bank of Queensland	A2/A-	TD	1,000,000	3.20%	17-Sep-19
Cooma	23-Mar-16	ING Bank (Australia)	A2/A-	TD	1,000,000	3.66%	22-Mar-21
Snowy	NA	Westpac Maxi-Account	A1+/AA-	At-Call	308,001	1.75%	Maturity Date
Snowy	06-Jan-16	NAB	A1+/AA-	TD	1,500,000	2.95%	15-Jun-16
Snowy	06-Jan-16	NAB	A1+/AA-	TD	400,000	2.95%	08-Jun-16
Snowy	10-Feb-16	Bank of Queensland	A2/A-	TD	700,000	2.95%	22-Jun-16
Snowy	17-Feb-16	Rural Bank	A2/A-	TD	1,000,000	2.88%	29-Jun-16
Snowy	17-Feb-16	Bankwest	A1+/AA	TD	600,000	2.95%	01-Jun-16
Snowy	24-Feb-16	Rural Bank	A2/A-	TD	403,647	2.85%	29-Jun-16
Snowy	25-Feb-16	Auswide	A2/BBB	TD	500,000	3.00%	01-Jun-16
Snowy	03-Mar-16	Rural Bank	A2/A-	TD	750,000	3.00%	29-Jun-16
Snowy	09-Mar-16	NAB	A1+/AA-	TD	450,000	3.11%	08-Jun-16
Snowy	16-Mar-16	Bankwest	A1+/AA	TD	1,000,000	2.95%	08-Jun-16

Branch	DATE INVEST	FIN INST.	Rating	TYPE	CURRENT INVESTMENT	INT RATE	MATURITY
Snowy	16-Mar-16	IMB	BBB+/A-2	TD	750,000	2.85%	15-Jun-16
Snowy	16-Mar-16	Bank of Queensland	A2/A-	TD	750,000	2.90%	29-Jun-16
Snowy	16-Mar-16	NAB	A1+/AA-	TD	1,200,000	3.10%	22-Jun-16
Snowy	23-Mar-16	NAB	A1+/AA-	TD	750,000	3.09%	22-Jun-16
Snowy	23-Mar-16	Auswide	A2/BBB	TD	350,000	2.85%	22-Jun-16
Snowy	30-Mar-16	Bankwest	A1+/AA	TD	1,300,000	2.95%	22-Jun-16
Snowy	30-Mar-16	Beyond Bank	BBB+	TD	1,500,000	3.02%	29-Jun-16
Snowy	20-Apr-16	ME Bank	A2/BBB+	TD	500,000	3.06%	13-Jul-16
Snowy	11-May-16	ME Bank	A2/BBB+	TD	600,000	3.06%	20-Jul-16
Snowy	18-May-16	NAB	A1+/AA-	TD	700,000	2.14%	29-Jun-16
Snowy	25-May-16	NAB	A1+/AA-	TD	450,000	2.94%	24-Aug-16
Snowy	25-May-16	Rural Bank	A2/A-	TD	750,000	2.85%	21-Sep-16
Snowy	25-May-16	Bankwest	A1+/AA	TD	500,000	2.60%	06-Jul-16
Snowy	25-May-16	ME Bank	A2/BBB+	TD	500,000	2.75%	03-Aug-16
Snowy	25-May-16	ME Bank	A2/BBB+	TD	700,000	2.75%	10-Aug-16
Snowy	30-May-16	Bankwest	A1+/AA	TD	800,000	2.85%	27-Jul-16
<b>TOTAL</b>					<b>51,363,542</b>		

Council's investment portfolio returned 3.01% (annualised) for May, compared to the benchmark (90 day Bank Bills) of 1.99%. Consolidated interest income on investments to May 31 2016 is \$873,798.

31/05/2016	Interest Income (Actual)	Interest Income (Budget)	Average Return
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Bombala	215,639	235,520	3.08%
Cooma	658,159	636,075	3.08%
Snowy	557,293	529,153	2.88%
<b>Total</b>	<b>873,798</b>	<b>871,595</b>	<b>3.01%</b>

#### 4. Civic Leadership

In accordance with Regulation 212 of the Local Government (General) Regulation 2005, a report setting out details of money invested must be presented to Council on a monthly basis. This report is referred directly to Council in order to comply with Local Government Regulations that state that the Investment Register must be reported to Council in the following month.

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

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### 9.13 PLACING THE SNOWY MONARO REGIONAL COUNCIL DRAFT SUITE OF INTEGRATED PLANNING AND REPORTING DOCUMENTS ON PUBLIC EXHIBITION

Record No:

Responsible Officer:	Director Governance & Executive Services
Author:	Governance Officer
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.13 Through clear and consistent communications, Council provides the community with timely feedback in progress towards goals.
Operational Plan Action:	OP7.37 Council's monitoring and reporting mechanisms enable timely and accurate information on progress towards achieving the community's goals identified in the adopted strategic and operational plans in accordance with the IPR framework.
Attachments:	<ol style="list-style-type: none"><li>1. 2017 Fees &amp; Charges (<i>Under Separate Cover</i>)</li><li>2. 2017 Revenue Policy (<i>Under Separate Cover</i>)</li><li>3. 2017 SMRC Delivery Program &amp; Operational Plan (<i>Under Separate Cover</i>)</li></ol>
Cost Centre	0389 Corporate Governance
Project	Integrated Planning & Reporting
Further Operational Plan Actions:	<p>OP7.5 Provide timely, accurate and relevant information to Council to enable informed decision making.</p> <p>OP7.6 Ensure that governance structures are open, transparent and fully accountable and that these are supported by relevant instruments.</p> <p>OP7.39 Support and encourage public engagement methods which invite comment from community and informs the decision making.</p>

#### EXECUTIVE SUMMARY

Snowy Monaro Regional Council (SMRC) was established on the 12 May 2016 through the merger of the former Bombala, Cooma Monaro and Snowy River Shire Council's. As of this date each of the former council areas draft Integrated Planning and Reporting (IPR) documents; that had been placed upon public exhibition for consultation with their communities, were removed as the individual documents did not represent the new entity.

A review of each of the former council area 2017 Operational Plan's was undertaken resulting in the creation of the draft SMRC 2017 Operational Plan. In accordance with the guidelines handed down by the NSW Government, all newly merged councils must place their IPR documents on public exhibition for a minimum period of 28 days and have the suite of documents adopted by the 1 August 2016.



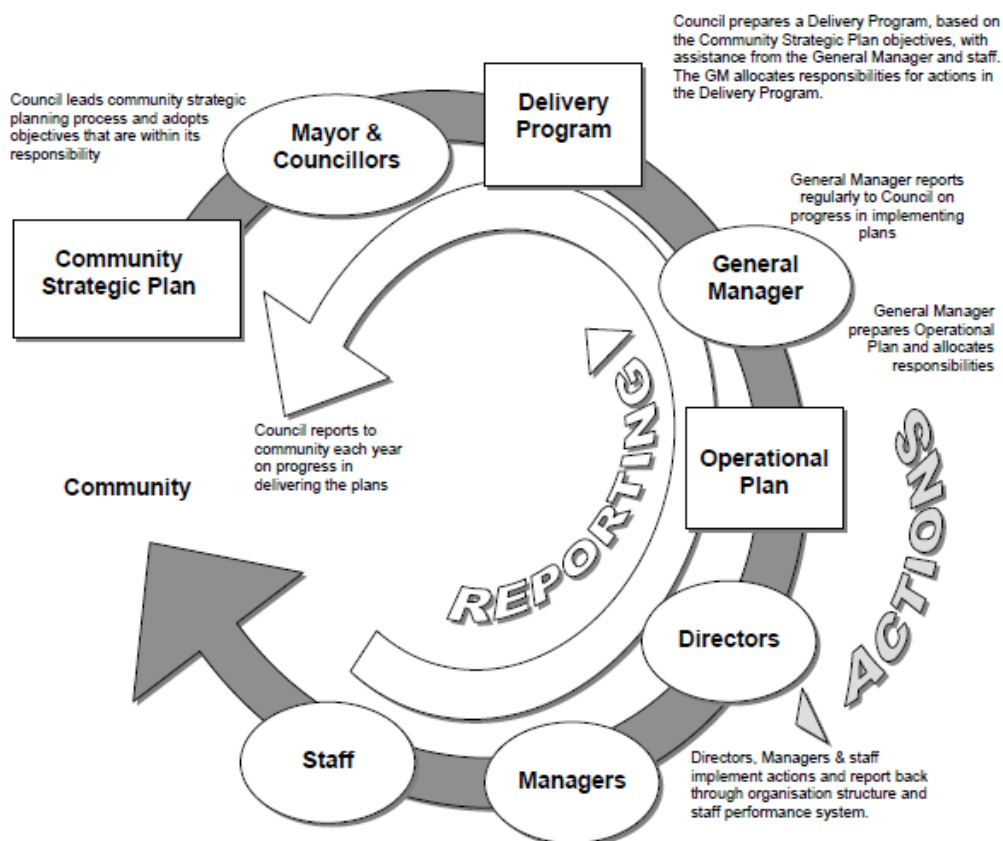
The following officer's recommendation is submitted for Council's consideration.

### OFFICER'S RECOMMENDATION

That Council:

- A. Endorse the draft suite of IPR Documents and authorise them to be placed on public exhibition for a period of 28 days during this period submissions covering the Suite of IPR Documents may be made and received up until close of business on 27 July 2016;
- B. Receive a further report concerning all submissions received following the exhibition period, to enable consideration of any submissions prior to the formal adoption of the 2014-2017 Delivery Program and 2017 Operational Plan; and
- C. Undertake community consultation during the period of public exhibition.

### BACKGROUND



In accordance with the Local Government Act 1993 section 405, Council must have an annual Operational Plan, adopted before the beginning of each financial year, outlining the activities to be undertaken that year, as per the Delivery Program developed and adopted by each term of Council. This adoption normally takes place before the 30 June each year, with the new plans commencing on 1 July, the start of the financial year. However due to the merger proclamations

headed down by the NSW Government, the deadline for merged councils to completed their IPR documents has been pushed out until 1 August.

As outlined by the NSW Government, the Operational Plan and associated budget, revenue policy and fees and charges should be based primarily on the direction provided in the delivery programs and long term financial plans of the former council. The review process identified a number of similarities between the three former council's plans, allowing the plans to be merged into one document.

The draft 2017 Operational Plan, while developed with minimal consultation, is an extension of the former council areas forth, and final, year of the Delivery Program 2014 – 2017. Council has been directed to continue operates "business as usual", the actions within these plans will allow Council to delivery services and provide infrastructure to our communities. Over the next 12 months Council will undertake meaningful consultation with our community to develop a suite of IPR documents that incorporates the needs and aspirations of the new regional council community.

The processes by which Council undertakes our corporate planning and community consultation will continue to evolve and improve throughout the merger implementation, informing and guiding the development of our Integrated Planning and Reporting documents continuing to ensure the long term sustainability of the Snowy Monaro Regional Council.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

The content of the IPR suite of documents enables Council to work toward achieving its aims in relation to access and equity. Access and equity activities are those which promote fairness in the distribution of resources to those most in need; recognise and promote people's rights and; improve the accountability of decision makers.

The plans ensure that people have fairer access to the economic resources and services essential to meeting their basic needs and improving the quality of life; give people better opportunities for genuine participation and the opportunity to be involved in the decisions affecting their lives.

### **2. Environmental**

A key direction of the Community Strategic Plan is to "Sustain Our Environment for Life". In addition, the content of the IPR suite of documents is underpinned by sustainability principles. The quadruple bottom line, a requirement of the IPR Framework is in place to ensure Council considers the impacts of decisions on four key areas; this includes consideration of any impacts on the environment.

### **3. Economic**

The recommended 2017 draft budget presented is a balanced budget (income equals expenditure). For the 2017 Financial Year budget was developed based on information provided from each of the former council areas draft Operational Plans.

9.13 PLACING THE SNOWY MONARO REGIONAL COUNCIL DRAFT SUITE OF INTEGRATED PLANNING AND REPORTING  
DOCUMENTS ON PUBLIC EXHIBITION

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

In accordance with the guidelines handed down by the NSW Government, all newly merged councils must place their IPR documents on public exhibition for a minimum period of 28 days and have the suite of documents adopted by the 1 August 2016.

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**9.14 PARKING OF TRAILERS AND TRUCKS AT THE COOMA LIVESTOCK SELLING CENTRE (CLSC)**

Record No:

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.1 Ensure that legislative obligations are met throughout all Council departments.
Operational Plan Action:	OP7.2 Completion of reporting requirements in accordance with legislation.
Attachments:	Nil
Cooma Branch:	Author: Recreation and Property Manager Responsible Manager: Director of Engineering Services
Cost Centre	W49.3
Project	Implementation of fees for the parking of trailers and trucks at the Cooma Livestock Selling Centre
Further Operational Plan Actions:	DP - 3.1.2 Provide an appropriate regional facility for livestock selling for all of the Monaro by providing a viable self-funded livestock selling centre. OP - 3.1.2 Facilities and support for livestock trade are provided.

**EXECUTIVE SUMMARY**

For Council to consider adopting a fee for the parking of Trailers and Trucks at the Cooma Livestock Selling Centre (CLSC).

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

**OFFICER'S RECOMMENDATION**

That Council:

- A. Approve an annual fee of \$1,000 for parking up to two trailers and/or trucks at any time at the Cooma Livestock Selling Centre; and
- B. Approve a casual fee of \$50 for periods longer than 48 hours for parking of one trailer and/or truck at the Cooma Livestock Selling Centre.

**BACKGROUND**

At the Saleyards Section 355 Committee Meeting held on the 17 December 2015 it was noted that more livestock and other carriers are using the saleyards as a depot and it was recommended that annual and casual parking fees for trailers and/or trucks be introduced. It was considered that whilst the parking of trailers and trucks does not interrupt the operation of the saleyards, a fee should be levied to cover maintenance of the parking area and ensure equity for all users of the saleyards.

The recommendation was that an annual fee of \$1,000 for parking up to two trailers at any time and a \$50 per day per trailer casual parking fee be set.

This proposal was subsequently advertised in the local newspapers for over 28 days and comments invited. At the end of this period Council had received 7 written submissions and a summary of these comments are shown below.

#### Comment 1

“We represent livestock transporters throughout New South Wales and Victoria who service the Cooma-Monaro Shire and we would like to oppose the proposed truck and trailer parking fees at the Cooma saleyards.

As you would be aware, the Cooma saleyards play a critical role in servicing the Cooma-Monaro Shire Council with efficient, effective and safe livestock transporting services.

The imposition of truck and trailer parking fees would not be the best interests of the people of the Cooma-Monaro Shire including primary producers, the Monbeef abattoir, the broader community or livestock transporters.

Such a truck and trailer parking fee would be unique in Australia which surely speaks to efficacy of the proposed impost.

The standing area at the Cooma saleyard is routinely used as a staging post by livestock transporters. It greatly facilitates the efficient and cost effective operation of livestock transporting, with little or no additional costs being generated.

Drivers, for instance, use the saleyards as standing area to manage their fatigue. They rest in their trucks so that they can operate safely and efficiently.

In addition, the work horse of the modern livestock transporting sector is the B-Double combination which consists of two closely coupled trailers. This efficient truck combination is not permitted to operate throughout the Shire. Consequently, the sale yards serve as a convenient place to store one of the trailers while the other trailer picks up and delivers livestock.

We will also note that the saleyard are used by other sectors including transport vehicles servicing Cooma supermarkets, recreational vehicles and horse floats carrying horses to the very popular Gymkhanas in the area which, in effect, are part of the valuable tourist industry.

Imposing an additional charge would drive users away from the saleyard and increase costs to many key businesses including the Monbeef abattoir, supermarkets, and local consumers of supermarket products and livestock transporters. The charges proposed would also tend to diminish the success of the Cooma-Monaro Shire in attracting a disproportionate level of horse-riding activity.

In our view, the trucks and trailers and horse floats which use the standing area of the Cooma sale yards effectively create no significant additional costs and make an enormous contribution to the viability of the local community.

For all points of view, we would suggest that parking fees of \$1000 a year for two units or a casual parking fee of \$50 a day is excessive. Such charges would be to the detriment of the Shire and its people”.

#### Comment 2

“In regards to the proposed parking fees at Cooma Saleyards I would urge Council to consider the following points. Does the parking of trucks within the saleyards complex obstruct traffic or cause danger to vehicles or persons? NO.

Does Council incur any additional costs for repairs & maintenance if livestock trucks are parked inside the complex? NO.

How will fees be collected? Will collection be an additional cost to Council? YES.

Are the majority of trucks parked there owned by locally operated business employing local people paying council rates? Do any other sale yards charge a parking fee? With increased competition from other livestock selling centres will this increase in charges that will be passed on to the producer, further reducing the Cooma yards competitiveness and future viability? YES.

We own a livestock breeding business and sell around 2000 sheep annually at the Cooma saleyards. I have spoken to our livestock carrier about this issue and any additional costs they incur will be passed on to the producer.

The CMSC has been spending a considerable amount of money on promoting the area with their “So Much to Love” campaign aimed at encouraging people and businesses to the area. This proposed parking fee goes against this idea by placing additional costs on existing local businesses. Consider these points before making a decision”.

### Comment 3

As a Director of a locally family owned transport business I wish to register my strong objection to charging a fee to park trailers/trucks at the Cooma saleyard on the following grounds:

- No security is provided
- No lighting
- No concrete base for parking
- No toilets/showers.

While the truck stop at Polo Flat does have these facilities it is private property and with trailers/trucks left there it will cause constant interruption to their trading due to lack of room.

- 40-50% of our clients are CMSC based. Not all roads in the area are B-Double rated thereby creating a need to split the trailers to be able to provide a service to our local farmers in the most economical way this also reduces carbon emissions and road wear and tear.
- There is no designated truck parking area in Cooma. This will result in trucks and trailers being parked on the side of the road – not aesthetically pleasing for a town with a large tourist trade.
- Many trucks both livestock and general use the area of the saleyards – making it impossible to “police” these fees effectively putting all the costs on to the local trucking businesses. Trucking companies inject \$500,000-\$375,000 into the local economy via wages, fuel, tyres, repairs, maintenance, food, clothes and school for their families. Our community does not need to lose this income.
- The saleyards are located on a major highway providing easy access for the trucks on the edge of town and help show that Cooma is a major stock sale centre.
- Fatigue Management

This is by far one of today's major concerns both for the general public and the trucking industry itself. This is a national law and it is imperative that the drivers can park and rest safely. As mentioned earlier, Cooma does not have a designated truck parking area.

With all due respect I ask that you reconsider and dismiss this proposal. The few trucks and/or trailers that are parked at the saleyard do no damage to the surrounds and cause no extra costs to Council therefore making these fees totally unwarranted and unacceptable to our small local family owned businesses".

#### Comment 4

"The owners of the Truck Stop located on Polo Flat Road have commented. They have been operating the business for over 27 years and are aware of the new changes that Council is looking at implementing in relation to the parking area at the sale yards.

Some time ago, they were approached by one of your (CMSC) representatives asking if it was possible for the trucks (those who normally park at the sale yards) to be parked in my parking area. As I have already explained to him, please note as follows:

The Truck Stop business operates 7 days per week;

The parking provided at the premises is for the patrons of the restaurant ONLY and it is by NO means long term parking or PUBLIC parking;

All drivers have been told that they are not allowed to park in the Truck Stop premises, not only because some companies are not patrons of the business but also because there is simply not have enough parking to accommodate them on a long term basis;

I write this letter because it has come to my attention that some truck drivers were told that they could park at the truck stop all night or long term, just want to make it clear to you, as I explained to you representative, that is simple not possible for the reasons outline above".

#### Comment 5

"As a rural business the proposed truck and trailer parking fees to be imposed at the Cooma saleyards would have a significant impact on our family business.

Based on a casual rate of \$50 a day this new fee would cost our company thousands of dollars per year; money that in the current climate would be difficult to find or justify.

Both farmers and abattoirs are already struggling; passing on this fee would be another impost on these individuals and companies that provide valuable employment to locals.

If imposed and to avoid passing on the new fee, other areas of business including sponsorships will need to be evaluated, detrimental outcomes for these sponsored individuals and community groups would be hard to avoid.

Possible impacts of trying to avoid the new fee by parking elsewhere?

- Traffic management issues as trucks and trailers would then be arriving over a condensed period of time on the day of the sale.
- Less business for locals as trucks would transit the area in a much shorter period of time. (less down time means less dollars spent by drivers)
- Rested drivers are safe drivers.....charges to park up at the Cooma saleyards will result in altering driving/resting schedules, to the detriment of desired Fatigue Management outcomes(all in an attempt to avoid the fee).

I appreciate you taking the time to read my submission and would be more than happy to discuss any issues arising”.

#### Comment 6

“We refer your proposal to introduce a fee for parking of trucks and trailers within the Cooma Livestock Selling Centre. Our transport association is made up of over 180 members, many of whom frequent the Cooma Livestock Selling Centre.

It is our firm belief that charges should not be imposed for the parking of trucks and trailers within the Cooma Livestock Selling Centre for the following reasons:

1. It is currently unsafe and illegal to reverse a B-Double into the current truck wash as it is over a road. Accordingly, trucks are now required to unhook their trailers to safely wash out and therefore require a parking place whilst doing so
2. Within the Cooma-Monaro Shire there are presently very limited places where trailers are able to be left when trucks are required to drive on non B-Double routed roads to access farms, the current arrangement allows a safe place for the operators and the public
3. There are also limited places where trucks are able to pull up fully loaded to check loads; and or have a rest break
4. No other Livestock Selling Centres that we are aware of charge parking fees.

Driver and animal welfare are key initiatives for our Association and we believe that both of these will be compromised with the introduction of parking fees, at least until such time that the Council provides adequate rest places for rural transporters.

We are happy to discuss our reasons more fully should you wish for one of our delegates to meet with you”.

#### Comment 7

“I am writing in response to the proposed fees to be charged for truck parking at the Cooma Livestock Selling Centre. The part of the proposal that concerns me the most is the \$50.00 per day per trailer fee.

Trucks and trailers that unload at Monbeef at all times during the night & day, have often travelled long distances, meaning that in order to safely continue their journey they must take their required rest period. The sale yard complex provides an ideal venue for the drivers to safely & legally park their vehicles for their rest periods. Without such a venue the result may be that council would encounter the issue of B- Double trucks parked on the road side of streets throughout the shire. I cannot see any problem with the current practice of utilizing the Sale yard area as the trucks are normally parked for such a short period of time.

The other issue of trailers parked on a more permanent basis in one corner of sale yard complex, is again an issue of little harm to anyone. These trailers are owned by local ratepayers who are sensibly parking off the road and away from local streets of the shire, so as to limit the disruption that truck or trailers can cause to small streets.

If you travel to any rural town throughout NSW and you will find local stock trucks & trailers parked in their sale yard complex.

I ask Council to reconsider this proposal”.

#### Comment 8



“I am of the opinion that you have a lot of nerve charging farmers to park their trucks at the Cooma Livestock Selling Centre when you cannot even use the rates farmers already pay you to grade the dirt roads they live on”

### **Summary of Comments**

A lot of the comments raise the issue of a suitable location to park B-Doubles when trucks are traversing roads in the shire that are not B-Double compliant. If this is the reason trailers are being parked at the CLSC it is most likely that this stock is being transported outside of the region. They would therefore be providing no income to the CLSC through sale fees, despite using the facilities.

It is estimated from the current parking of trucks and trailers at the CLSC that there are only up to about 4 livestock transport companies that regularly have what can be called long term parking of their trucks or trailers. Most of these companies are based within the region but their depot is some distance from the CLSC so they are using it as a de-facto depot.

In regards to the lack of security and facilities at the CLSC, council have capital plans to provide CCTV surveillance at the CLSC shortly. Other suggestions, which includes access to showers and toilets at all times is also being investigated.

The other major concern is the fatigue management and again this does not apply to the trailers parked for extended periods of time at the CLSC. If the objective of the fee is to ensure some income is received from companies using the CLSC as a de-facto depot, exemptions could be made for short term parking particularly when drivers are using this for fatigue management and still in their vehicles.

The introduction of the annual fee could therefore be implemented and a stipulation that the casual parking fee of \$50 be levied for periods longer than 48 hours.

### **QUADRUPLE BOTTOM LINE REPORTING**

#### **1. Social**

The adoption of these fees will provide access to the CLSC for parking of trailers and trucks on a more equitable basis.

#### **2. Environmental**

The formalisation of an area for the parking of stock trucks will reduce the environmental impact of trucks parking in other areas of the Shire.

#### **3. Economic**

The implementation of these fees will provide income to the CLSC to offset maintenance costs. It is expected to provide an annual income of \$5,000.

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

The new fees provide equity to users of the CLSC and ensures as user pays system for services.

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## 9.15 NOMINATIONS TO THE JOINT REGIONAL PLANNING PANEL

Record No:

Responsible Officer: General Manager  
Author: Secretary Council & Committees  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.1 Ensure that legislative obligations are met throughout all Council departments.  
Operational Plan Action: OP7.4 Manage Council's community and land use planning processes to achieve regulatory requirements and community aspirations.  
Attachments: Nil  
Cooma Branch: Author: Director of Environmental Services  
Responsible Officer: General Manager  
Cost Centre  
Project  
Further Operational Plan Actions:

### EXECUTIVE SUMMARY

Following the formation of the Snowy Monaro Regional Council, nominations to the Joint Regional Planning Panel are required.

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

#### OFFICER'S RECOMMENDATION

That Council approve the Administrator and General Manager be nominated to the Joint Regional Planning Panel.

#### BACKGROUND

Joint Regional Planning Panels (JRPP's) were established in 2009. The role of JRPP's is to strengthen decision making on regionally significant Development Applications and other specified Planning matters.

With the formation of the Snowy Monaro Regional Council, the Council nominations to the JRPP are required to be renewed.

Advice previously received from the NSW Department of Planning regarding nominations was that the Department's view was:

*"..that it would be very difficult, and in many cases not possible, for a Council staff member to be able to manage the conflict of duties and responsibilities between their role with Council and their membership of the JRPP. Even if the actual conflict of duties could be managed, there may remain*

*a perception in the community that the Council staff member could not effectively fulfil both responsibilities, particularly where a Council has already made a submission before the JRPP.”*

The Council is free to appoint and revoke its nominees at any time as it sees fit, although the Guidelines for JRPPs produced by NSW Planning recommend an appointed term of 3 years.

It is suggested that Council nominates the Administrator and the General Manager, noting that nominations can be amended as required in the future.

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

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

There are no social implications of nominating these positions to the JRPP.

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

Council is fulfilling its duties to ensure that applications requiring assessment by the JRPP are considered by appropriately experienced panel members.

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

There are no economic implications of nominating these positions to the JRPP, as the Administrator and General Manager are funded through Council.

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

5. Council is fulfilling its legislative responsibilities by nominating positions to the JRPP

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**9.16 LOCAL HERITAGE FUND 2015 - 2016**

Record No:

Responsible Officer: General Manager  
Author: Secretary Council & Committees  
Key Direction: 7. Providing Effective Civic Leadership and Citizen Participation  
Delivery Plan Strategy: DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest  
Operational Plan Action: OP7.5 Provide timely, accurate and relevant information to Council to enable informed decision making.  
Attachments: Nil  
Cooma Branch Author: Planning Officer  
Responsible Officer: Director of Environmental Services  
Cost Centre 4015 Strategic Planning  
Project SC736 Local Heritage fund 2015 – 2016  
Further Operational Plan Actions: OP2.4.1 Seeking grant opportunities in collaboration with other organisations.

**EXECUTIVE SUMMARY**

To advise Council of the acquittal of the Local Heritage Fund 2015 – 2016

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

**OFFICER'S RECOMMENDATION**

That Council receive and note the Local Heritage Fund 2015 – 2016 report.

**BACKGROUND**

The former Cooma-Monaro Shire Council, Local Heritage Fund 2015 – 2016 was established with assistance from the NSW Office of Environment & Heritage (OEH), to assist property owners/managers to carry out restoration, maintenance and conservation works to listed heritage properties throughout the Shire.

The total amount of funding offered for the 2015-2016 financial year was \$20, 000 consisting of a \$10, 000 OEH grant and \$10, 000 from Council. Applications for grant funding to the public were made available on a dollar-for-dollar basis to a maximum contribution of \$4, 000.

Eligible projects were those that were considered to contribute to the conservation of items and/or contribute to the streetscape. This may have included structural repairs, control of damaging stormwater, the repair, maintenance or reinstatement of missing historic and/or decorative details to heritage buildings.

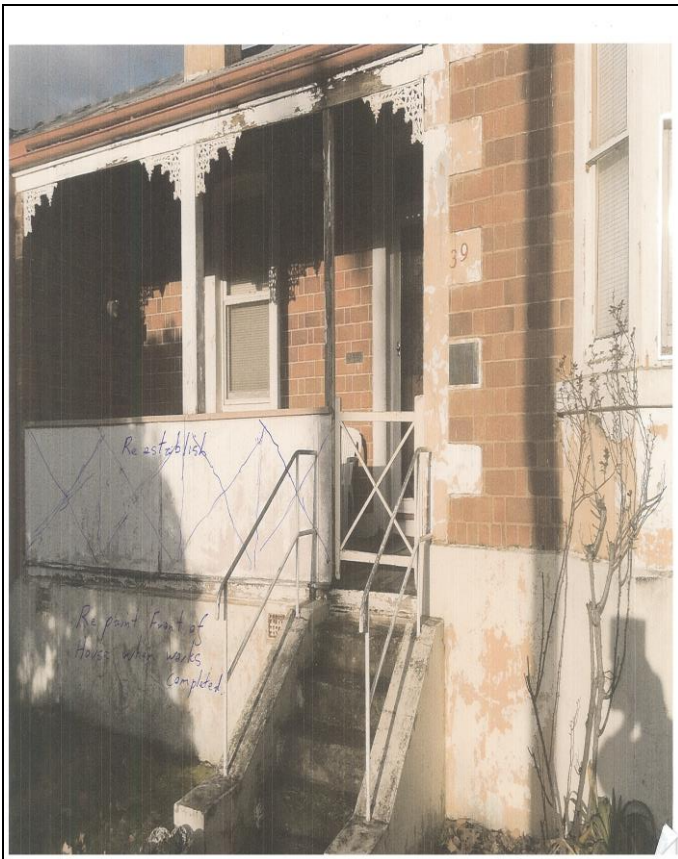
Council offered funding to five projects undertaking repairs and painting, and verandah restoration. The total cost of the works undertaken was \$58, 640.71, with the applicant contributing \$38, 703.99 and Council reimbursing \$19, 936.73.

It should be noted the total cost of works undertaken did not take into account the owners' individual labour which contributed to the outstanding improvements demonstrated in the following 'before' and 'after' photographs, or that conservation and restoration work continues to be undertaken at these properties.

The program is considered a great success and Council has sought funding from OEH to operate the local heritage fund in 2016 but to-date no confirmation has been received.













## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

In recognition of the benefit that heritage places make to the whole community (creating attractive streetscapes, enhancing tourism, reinforcing social pride etc.), Council offered funding to the owners and managers only of heritage items that are listed in the *Cooma-Monaro Local Environmental Plan 2013*.

### **2. Environmental**

The contents and recommendations of this report is not considered to have any environmental impacts.

### **3. Economic**

Council's contribution to the Fund was accounted for in the former Cooma-Monaro Shire Council's last budget and has now been acquitted.

### **4. Civic Leadership**

The objective of item 5 – Local heritage incentives fund of the *Cooma-Monaro Council Heritage Strategy 2014-17* was achieved by the former Cooma-Monaro Shire Council coordinating and part financing a local heritage fund to provide small grants to support owners of heritage items in maintaining and conserving their property.

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**9.17 DA 10.2016.551.1 - NITHOLM ROAD, MIDDLE FLAT 2630 - 2 LOT SUBDIVISION**

Record No:

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	6. Managing Development and Service Delivery to Retain the Things We Value
Delivery Plan Strategy:	DP6.10 Ensure that Council's policy, land use planning, development assessment enhance liveability.
Operational Plan Action:	OP6.30 Ensure that the local planning framework enhances amenity, safety and sustainability of community neighbourhoods.
Attachments:	Nil
Cooma Branch	Author: Urban and Rural Planner Responsible Manager: Planning Manager
Cost Centre	GL 4010
Project	
Further Operational Plan Actions:	

**EXECUTIVE SUMMARY**

The purpose of this Report is to provide Council with an assessment of the matters it is required to consider in making its determination of the proposed development under the *Environmental Planning and Assessment Act 1979 (the Act)*.

This Application is reported to Council for a decision because it involves non-compliances with *Cooma-Monaro Development Control Plan 2014 (Amendment 1) (DCP 2014)*, which fall outside the authority of staff delegations.

This Report considers an application for a rural subdivision of 5 allotments, including lots 7, 8, 9 and 10 DP216316 and lot 138 DP750530, into two separate allotments. One lot is proposed to have an area of approximately 20 hectares and contain a residential dwelling, which is currently sited on lot 10 DP216316. The other proposed lot will have an area of approximately 140 hectares and consist of farm buildings, agricultural land and a single dwelling (workers cottage). No building works or further utility connections are proposed.

The site is located at Nitholm Road MIDDLE FLAT 2630. It is zoned RU1 - Primary Production under the provisions of *Cooma-Monaro Local Environmental Plan 2013*. The proposed development is defined as a subdivision and is permissible with consent in the zone.

The major issues associated with this Application concern non-compliances with:

- requirements of 2.3.3 in DCP 2014, which prescribes a 50m minimum setback from all boundaries is required for buildings in RU1 Primary Production zones and;
- requirements of 4.1.3 in DCP 2014, which prescribes new lots in Zone RU1 must have a minimum width of 150m in any direction.

The proposed Lot 1 will have a minimum side setback of 20m and rear setback of 40m. These distances represent a variation from the DCP 2014 requirements, of 60% and 20% respectively.

Additionally the proposed Lot 1 will have a minimum width of 110m in some directions, which represents a variation of approximately 27% to the requirements of 4.1.3 DCP 2014.

No public submissions were received in relation to the proposal.

It is recommended that the proposed development be approved subject to appropriate Conditions of Consent shown in full in the draft Consent ATTACHED.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Vary Clause 2.3.3 of the *Cooma-Monaro Development Control Plan 2014 (Amendment 1)* to allow the siting of a dwelling 20 metres from the proposed northern boundary and 40 metres from the proposed eastern boundary of proposed Lot1; and
- B. That the Development Application 10.2016.551.1 for Torrens title subdivision of the site that will result in 2 new lots at Nitholm Road MIDDLE FLAT 2630 be determined under delegated authority in accordance with the attached *draft* Notice of Determination subject to signature (and minor corrective change/s if necessary) by the Planning Manager.

#### BACKGROUND

<b>Application:</b>	<b>10.2016.551.1</b>
<b>Officer:</b>	Urban and Rural Planner
<b>Land:</b>	Nitholm Road MIDDLE FLAT 2630 Lot: 7 DP: 216316, Lot: 8 DP: 216316, Lot: 9 DP: 216316, Lot: 10 DP: 216316, Lot: 138 DP: 750530
<b>Zone:</b>	RU1 - Primary Production
<b>Proposal:</b>	2 lot subdivision
<b>Type of Development:</b>	2 lot subdivision Torrens Title
<b>Estimated Cost:</b>	\$0.00

#### Existing Site Features

<b>Location</b>	Nitholm Road MIDDLE FLAT 2630 - Lot: 7 DP: 216316, Lot: 8 DP: 216316, Lot: 9 DP: 216316, Lot: 10 DP: 216316, Lot: 138 DP: 750530
<b>Site Inspection</b>	03/03/2016
<b>Size</b>	162.897ha
<b>Topography</b>	Rolling hills

<b>Existing buildings</b>	Main residence building and garage with several outlying sheds (approximately 5) and a cottage.
<b>Existing vegetation cover</b>	Screening trees around residence and shed. Remaining area is comprised of pasture and native grasses.
<b>Access arrangements</b>	There is an existing unsealed driveway leading off Nitholm Rd.
<b>Existing/available utility services</b>	Electricity utilities are currently available and an underground bore provides water services for the properties.
<b>Any easements and/or restrictions of note</b>	Council managed Nitholm Road terminates at the North Western corner of the site. The remainder of Nitholm Road is considered Crown Road Reserve and runs through the site. The beginning of the access driveway utilises a section of the Crown Road Reserve
<b>Crown ownership</b>	The site has a Crown Road Reserve running through it. The site, including lots 7, 8, & 10 DP216316 and Lot 138 DP750530, contain two Property Vegetation Plans (PVP) which are PVP No. 4271 and PVP No. 15723.
<b>Other</b>	Zoned RU1- Primary Production
<b>Surrounding development</b>	The surrounding area consists of large rural lots used primarily for agriculture and rural residential properties.

### Proposal

The proposed development involves a rural subdivision of 5 allotments, including lots 7, 8, 9 and 10 DP216316 and lot 138 DP750530, into two separate allotments. One lot is proposed to have an area of approximately 20 hectares and contain a residential dwelling, which is currently sited on lot 10 DP216316. The other proposed lot will have an area of approximately 140 hectares and consist of farm buildings, agricultural land and a single dwelling (workers cottage). No building works or further utility connections are proposed.

The estimated cost of the proposal according to the applicant is \$0.00. Council considers the applicants estimate to be accurate and acceptable.

### Background/History

There is no development applications associated with this site. It is noted that under the provisions of the *Local Government Act 1919 (as made)*, the erection of a rural dwelling and cottage did not require development consent. As the existing dwellings and farm sheds on the site

were erected prior to the requirement of development consent (Circa 1950) it is considered to have been erected lawfully.

### **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 applicant did not submit a report on potential threatened species impact

The site is predicted to contain Temperate Montane Grasslands under Council's predictive native vegetation mapping.

An inspection of the site noted that the site is primarily an impacted site consisting of grazing land and native grassland. The proposed development will not involve the disturbance of any area that is considered likely to provide habitat to the species on the site.

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.

<b>Species</b>	<b>Type</b>	<b>Level of threat listed</b>	<b>Particular listed threats to survival</b>	<b>Potential impact of proposal</b>
Pink-tailed Legless Lizard <i>(Aprasia parpulchella)</i>	Reptile	Vulnerable	Habitat loss and fragmentation resulting from land clearing for developments.	Although development is proposed within areas identified as

			<p>Habitat degradation as a result of rock removal which are a primary source of habitat.</p> <p>Farming practices such as pasture improvements, intensive grazing and cultivation of non-native flora. Resulting in loss of biodiversity and erosion which significantly contribute towards habitat destruction.</p> <p>Predation and degradation of habitat resulting from escaped pasture species and invasive flora and fauna.</p> <p>Uninformed habitat management practices resulting in modification of natural habitats.</p> <p>Changed fire regimes that result in changes to vegetation structure and composition.</p>	<p>potentially containing Pink-tailed Legless lizard, there is no proposed site works as it is essentially a boundary change. In addition the area that the development is proposed is dominantly managed agricultural land which is already highly disturbed. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Spotted Harrier <i>(Circus assimilis)</i></p>	<p>Bird</p>	<p>Vulnerable</p>	<p>Loss of habitat used for foraging and breeding, especially in regards to those that affect prey densities.</p> <p>Loss of mature trees from rural landscapes due to clearing and rural development.</p>	<p>The proposed development is sited within an area identified as potentially containing <i>Circus assimilis</i> habitat. However the development is an adjustment to the lot</p>

			<p>Secondary poisoning from the use of pindone and rodenticides used for invasive/noxious species control rabbit control.</p> <p>Lack of knowledge of locations of key breeding habitat and breeding ecology and success.</p>	<p>boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Mauve Burr-daisy <i>(Calotis glandulosa)</i></p>	<p>Forb</p>	<p>Vulnerable</p>	<p>Loss and degradation of habitat and/or populations from road works (particularly widening or re-routing).</p> <p>Loss and degradation of habitat and/or populations by clearing of habitat for residential and agricultural developments.</p> <p>Loss and degradation of habitat and/or populations by intensification of grazing regimes.</p> <p>Loss and degradation of habitat and/or populations by invasion of weeds.</p> <p>Potential encroachment and competition from <i>Kunzea ericoides</i> and <i>Kunzea parvifolia</i>.</p>	<p>The proposed development is sited within an area identified as potentially containing Mauve –Burr daisy habitat. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening</p>



			Grazing and digging by livestock and pigs is a threat to plants while the plants are actively growing, flowering or in fruit.	processes.
Dwarf Kerrawang <i>(Commersonia prostrata)</i>	Shrub	Endangered	<p>Vulnerable to road works and other maintenance activities.</p> <p>Vulnerable to grazing and trampling by both livestock and walkers</p> <p>Vulnerable to rural subdivision development.</p> <p>Poor understanding of responses to environmental conditions and management practices could result in inappropriate management actions or inactions.</p> <p>Vulnerable to invasive weeds, rabbits and other non-native flora and fauna.</p> <p>Lack of fire to stimulate germination and open up canopy.</p>	The proposed development is sited within an area identified as potentially containing Dwarf Kerrawang. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.
Varied Sittella <i>(Daphoenositta chrysoptera)</i>	Bird	Vulnerable	Apparent decline has been attributed to declining habitat. The sedentary nature of the Varied Sittella makes cleared land a potential barrier to movement.	The proposed development is sited within an area identified as potentially containing Varied Sittella.

			<p>The Varied Sittella is also adversely affected by the dominance of Noisy Miners in woodland patches.</p> <p>Threats include habitat degradation through small-scale clearing for fence lines and road verges, rural tree decline, loss of paddock trees and connectivity, 'tidying up' on farms, and firewood collection.</p> <p>Infestation of habitat by invasive weeds.</p> <p>Inappropriate fire regimes.</p> <p>Climate change impacts including reduction in resources due to drought.</p> <p>Overgrazing by stock impacting on leaf litter and shrub layer.</p>	<p>However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Spotted-tailed Quoll <i>(Dasyurus maculatus)</i></p>	Marsupial	Vulnerable	<p>Loss, fragmentation and degradation of habitat.</p> <p>Competition with introduced predators such as cats and foxes.</p> <p>Road kill and deliberate poisoning, shooting and trapping, primarily in response to chicken predation.</p>	<p>The proposed development is sited within an area identified as potentially containing Spotted-tailed Quoll. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the</p>

				site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.
<p>Striped Legless Lizard <i>(Delma impar)</i></p>	Reptile	Vulnerable	<p>Habitat loss and fragmentation.</p> <p>Habitat degradation through pasture improvement including rock removal, slashing, ploughing and sowing of non-native species and intensive grazing by stock.</p> <p>Habitat degradation through invasion of habitat by weeds or escaped pasture species.</p> <p>Lack of knowledge of how habitat management practices influence site occupancy and species persistence.</p> <p>Predation by feral or domestic cats and foxes.</p> <p>Changed fire regimes that result in changes to vegetation structure and composition.</p>	<p>The proposed development is sited within an area identified as potentially containing Striped Legless Lizard. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>

<p>Michelago Parrot-pea <i>(Dillwynia glaucula)</i></p>	<p>Shrub</p>	<p>Endangered</p>	<p>Clearing of habitat in rural - residential subdivisions.</p> <p>Pasture improvement and grazing and trampling by stock causing root damage, prevention of seedling establishment and erosion.</p> <p>Weeds and roadside spraying of herbicides for weed and fire control may be a threat.</p> <p>Off-road vehicle use and illegal dumping.</p> <p>Goats and possibly macropods browsing the plants.</p> <p>Populations on private land may be threatened by clearing, pasture creation and rural subdivision.</p>	<p>The proposed development is sited within an area identified as potentially containing Michelago Parrot-pea. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Creeping Hop-bush <i>(Dodonaea procumbens)</i></p>	<p>Shrub</p>	<p>Vulnerable</p>	<p>Loss and degradation of habitat and/or populations from road works (particularly widening or re-routing).</p> <p>Loss and degradation of habitat and/or populations by clearing of habitat for residential and agricultural developments.</p>	<p>The proposed development is sited within an area identified as potentially containing Creeping Hop-bush. However the development is an adjustment to the lot boundaries</p>

			<p>Loss and degradation of habitat and/or populations by intensification of grazing regimes.</p> <p>Loss and degradation of habitat and/or populations by invasion of weeds.</p> <p>The area of the species occurrence is restricted and isolated.</p>	<p>and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>White-fronted Chat <i>(Epthianura albifrons)</i></p>	Bird	Vulnerable	<p>Reduction in habitat size and quality.</p> <p>Human disturbance (particularly in urban areas) and elevated nest-predation levels.</p> <p>Much of their natural habitat is prone to alteration due to modification of river flows and floodplains.</p> <p>Prone to predation from snakes and mammals, particularly Feral Cats, European Red Foxes and rodents, as well as birds, particularly ravens.</p> <p>In coastal areas mangrove encroachment and sea-level rise associated with global warming present an additional future threat to their preferred habitat.</p>	<p>The proposed development is sited within an area identified as potentially containing White-fronted Chat. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening</p>

				processes.
<p>Black Gum  <i>(Eucalyptus aggregate)</i></p>	<p>Tree</p>	<p>Vulnerable</p>	<p>Clearing for cropping and grazing and subdivision. The naturally small area and patchiness of its habitat is under pressure from further reduction in area.</p> <p>Lack of recruitment, especially as older trees are gradually being removed by wind-storms, natural attrition, grazing and competition with weeds.</p> <p>In small populations, hybridisation with related species (e.g. Candlebark (<i>Eucalyptus rubida</i>) and Manna Gum (<i>E. viminalis</i>)), is causing lowering of genetic fitness, and is increasing the risk of extinction.</p> <p>Climate change effects (i.e. increasing average temperatures and reductions in effective rainfall) may reduce the species' viability through reduction of suitable conditions for recruitment/establishment and increased invasion of Candlebark and Manna Gum seedlings.</p> <p>Herbicide control of fire weed &amp; serrated tussock may negatively impact recruitment of the species.</p>	<p>The proposed development is sited within an area identified as potentially containing Black Gum. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>

<p>Little Eagle <i>(Hieraetus morphnoides)</i></p>	<p>Bird</p>	<p>Vulnerable</p>	<p>Secondary poisoning from rabbit baiting.</p> <p>Clearing and degradation of foraging and breeding habitat.</p>	<p>The proposed development is sited within an area identified as potentially containing Little Eagle. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Aromatic Peppercress <i>(Lepidium hyssopifolium)</i></p>	<p>Forb</p>	<p>Endangered</p>	<p>Populations on private land and could be threatened by future changes in land use.</p> <p>Unrecorded populations maybe threatened by inadvertent spraying with herbicide, as this species is similar to a number of weeds.</p> <p>Competition from invading weeds is a threat.</p>	<p>The proposed development is sited within an area identified as potentially containing Aromatic Peppercress. However the development is an adjustment to the lot boundaries and will not incur any physical</p>

			<p>Grazing by cattle and sheep appears to be the major threat. Rabbit grazing is a major threat.</p> <p>It is possible that predation by Cabbage White Butterflies may be a threat.</p>	<p>impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Green and Golden Bell Frog <i>(Litoria aurea)</i></p>	<p>Amphibian</p>	<p>Endangered</p>	<p>Loss of suitable breeding habitat through alteration by infilling and destruction of wetlands and changes to drainage patterns and stormwater runoff.</p> <p>A fungal pathogen known as Frog Chytrid Fungus and heavy metal pollution.</p> <p>Predation by feral animals such as foxes, exotic fish such as Plague Minnow and herbicides and other weed-control measures</p> <p>Road mortality, where populations are already small due to other threats.</p> <p>Current knowledge of the status of the population, habitat permanency and threats to the population is poor.</p> <p>Species occurrences on private land where land</p>	<p>The proposed development is sited within an area identified as potentially containing Green and Golden Bell Frog. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>



			<p>management practices may not be suitable for the species, e.g. grazing and loss of breeding habitat.</p> <p>Changes in salinity due to sea level rise. Frogs are unable to breed in waters with salt concentrations of greater than 6 parts per 1000.</p> <p>Overgrowth of pond vegetation leading to declining water temperature.</p> <p>Small population size</p> <p>Drying of breeding habitat as a result of increased temperatures and more frequent droughts</p> <p>Lack of landscape connectivity leading to isolation of small populations</p>	
<p>Southern Bell Frog <i>(Litoria raniformis)</i></p>	<p>Amphibian</p>	<p>Endangered</p>	<p>Removal of ground cover, fallen timber, leaf litter, etc. as a result of fire, direct clearing, overgrazing, trampling, etc.</p> <p>Lack of appropriate flooding regime i.e. flooding at the wrong time of the year and alteration to natural flooding regimes from irrigation and river</p>	<p>The proposed development is sited within an area identified as potentially containing Southern Bell Frog. However the development is an adjustment to the lot boundaries</p>

			<p>regulation.</p> <p>Predation from exotic fish species such as carp, goldfish and mosquito fish.</p> <p>Possible introduction of amphibian diseases such as Chytrid fungus, which is a waterborne pathogen.</p> <p>Introduction of chemicals (pesticides, defoliants, etc) either into water bodies or directly onto animals.</p> <p>Loss of aquatic and/or terrestrial habitat through draining of water bodies or clearing for agricultural development.</p> <p>Degradation of aquatic and/or terrestrial habitat from pollution or salinisation of water bodies.</p> <p>Removal of aquatic vegetation e.g. from farm dams, disturbance to waterside vegetation and decreased water quality from stock and pest animals e.g. pigs rooting up vegetation and muddying up the water.</p> <p>Road kills, particularly during wet weather.</p>	<p>and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
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<p>Alpine Tree Frog <i>(Litoria verreauxii alpine)</i></p>	<p>Amphibian</p>	<p>Endangered</p>	<p>Loss or modification of habitat including damage by feral horses.</p> <p>Changes to natural water flows as a result of groundwater extraction.</p> <p>Disease - chytrid fungus.</p> <p>Climate change including increased UV-B radiation.</p> <p>Poor knowledge of the species' distribution and population dynamics across its range.</p>	<p>The proposed development is sited within an area identified as potentially containing Alpine Tree Frog. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Hooded Robin (south Eastern Form) <i>(Melanodryas cucullata cucullata)</i></p>	<p>Bird</p>	<p>Vulnerable</p>	<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> <p>Aggressive exclusion from forest and woodland habitat</p>	<p>The proposed development is sited within an area identified as potentially containing Hooded Robin. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the</p>

			<p>by over abundant Noisy Miners.</p> <p>Reduction in resources due to drought.</p> <p>Disturbance and changes to vegetation structure due to forestry activities (e.g. fire and harvesting).</p>	<p>site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Eastern Bentwing-bat <i>(Miniopterus schreibersii oceanensis)</i></p>	Mammal	Vulnerable	<p>Disturbance by recreational cavers and general public accessing caves and adjacent areas particularly during winter or breeding.</p> <p>Loss of high productivity foraging habitat.</p> <p>Introduction of exotic pathogens, particularly white-nose fungus.</p> <p>Cave entrances being blocked for human health and safety reasons, or vegetation (particularly blackberries) encroaching on and blocking cave entrances.</p> <p>Hazard reduction and wildfire fires during the breeding season.</p>	<p>The proposed development is sited within an area identified as potentially containing Eastern Bentwing-bat. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Blue-billed Duck <i>(Oxyura australis)</i></p>	Bird	Vulnerable	<p>Destruction or degradation of breeding habitat through drainage, flood mitigation</p>	<p>The proposed development is sited within an</p>

			<p>works, ground water extraction and rubbish dumping.</p> <p>Frequent burning which reduces the floristic diversity and simplifies the structure of the breeding and foraging habitat.</p> <p>Regulation of river flows and water harvesting schemes can poses a major threat to flooding regimes of wetland breeding areas.</p> <p>Clearing and overgrazing of Cumbungi and Lignum.</p> <p>Increased salinity can result in degradation and loss of tall dense wetland vegetation used for nesting .</p> <p>Illegal hunting.</p> <p>Pesticides and herbicide pollution of wetlands.</p>	<p>area identified as potentially containing Blue-billed Duck. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Scarlet Robin <i>(Petroica boodang)</i></p>	<p>Bird</p>	<p>Vulnerable</p>	<p>Historical habitat clearing and degradation.</p> <p>Habitat modification due to overgrazing.</p> <p>Reduction of size of remnant patches.</p> <p>Reduction in the structural complexity of habitat,</p>	<p>The proposed development is sited within an area identified as potentially containing Scarlet Robin.</p> <p>In autumn and winter many Scarlet Robins live in open grassy</p>

			<p>including reductions in canopy cover, shrub cover, ground cover, logs, fallen branches and leaf litter.</p> <p>Reduction of the native ground cover in favour of exotic grasses.</p> <p>Loss of nest sites, food sources and foraging sites, such as standing dead timber, logs and coarse woody debris from depletion by grazing, firewood collection and 'tidying up' of rough pasture.</p> <p>Predation by over-abundant populations of Pied Currawong (<i>Strepera graculina</i>) which are supported by planted exotic berry-producing shrubs; this pressure, in addition to that from other native and exotic predators, may be a potentially severe threat to the breeding success of Scarlet Robin populations.</p> <p>Predation by feral cats (<i>Felis catus</i>).</p> <p>Robbing of nests and predation of fledglings by rats.</p> <p>Isolation of patches of habitat, particularly where these patches are smaller than 10 ha, and in</p>	<p>woodlands and grasslands or grazed paddocks with scattered trees. In this respect it is possible the site could be considered habitat.</p> <p>However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
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			<p>landscapes where clearing has been heavy or where remnants are surrounded by cropping or stock grazing.</p> <p>Habitat for the Scarlet Robin may become unsuitable if dense regeneration occurs after bushfires or other disturbances.</p> <p>Competitive exclusion by over-abundant Noisy Miners (<i>Manorina melanocephala</i>) within habitat.</p>	
<p>Flame Robin <i>(Petroica phoenicea)</i></p>	Bird	Vulnerable	<p>Degradation and simplification of habitat and breeding areas by clearing, removal of standing dead timber, logs and coarse woody debris.</p> <p>Nest predation by native and exotic predators, including artificially large populations of Pied Currawong (<i>Strepera graculina</i>) in some areas.</p> <p>Habitat for this species may become unsuitable if dense regeneration occurs after bushfires or other disturbances.</p> <p>Competitive exclusion by over-abundant Noisy Miners (<i>Manorina melanocephala</i>) within habitat.</p>	<p>The proposed development is sited within an area identified as potentially containing Flame Robin. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key</p>

			<p>Isolation of patches of habitat, particularly where these patches are smaller than 10 ha, and in landscapes where clearing has been heavy or where remnants are surrounded by cropping or stock grazing.</p> <p>Degradation and simplification of habitat due to overgrazing.</p> <p>Reduction of the native ground cover in favour of exotic grasses.</p> <p>Reduction in the structural complexity of habitat, including reductions in canopy cover, shrub cover, ground cover, logs, fallen branches and leaf litter.</p> <p>Reduction of size of remnant patches.</p>	threatening processes.
<p>Monaro Golden Daisy <i>(Rutidosia leiolepis)</i></p>	Forb	Vulnerable	<p>Loss and degradation of habitat and/or populations from residential and infrastructure developments.</p> <p>Loss and degradation of habitat and/or populations by introduction of grazing or the intensification of grazing regimes.</p> <p>Loss and degradation of habitat and/or populations</p>	<p>The proposed development is sited within an area identified as potentially containing Monaro Golden Daisy.</p> <p>Apparently highly susceptible to grazing, being retained in only a small</p>



			<p>by invasion of weeds.</p> <p>Loss and degradation of habitat and/or populations from road works (particularly widening or re-routing).</p> <p>Loss and degradation of local habitat and/or populations in Kosciuszko National Park by pigs.</p> <p>Loss and degradation of habitat due to trampling and grazing by horses.</p> <p>Loss and degradation of habitat and/or populations for agricultural developments.</p>	<p>number of populations on roadsides, ungrazed reserves and very lightly grazed pastures on private lands. In this respect it is possible the site could be potential habitat.</p> <p>However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Button Wrinklewort (<i>Rutidosis leptorrhynchoides</i>)</p>	<p>Forb</p>	<p>Endangered</p>	<p>Loss, degradation and fragmentation of habitat and/or populations from residential and other developments.</p> <p>Loss and degradation of habitat and/or populations</p>	<p>The proposed development is sited within an area identified as potentially containing Button Wrinklewort.</p>

			<p>by intensification of grazing regimes.</p> <p>Loss and degradation of habitat and/or populations by invasion of weeds.</p> <p>Increased competition from other native grassland species within the habitat because of adverse increases of biomass due to absence of fire or grazing and the resultant closing up of the inter-tussock spaces that this species requires.</p> <p>Research by CSIRO has shown that related individuals are unable to cross pollinate. Thus smaller populations, particularly those of less than 200 plants can be threatened in the long term due to reduced genetic diversity within the population and a resulting reduction in seed production.</p> <p>Loss and degradation of habitat and/or populations from rail reserve maintenance and road works (particularly widening or re-routing).</p> <p>Inherent risk of loss of small populations from natural or un-natural catastrophic events.</p> <p>Physical damage from BMX</p>	<p>Apparently susceptible to grazing, being retained in only a small number of populations on roadsides, rail reserves and other un-grazed or very lightly grazed sites. In this respect it is possible the site could be potential habitat.</p> <p>However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
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			<p>users and horse riders creating tracks.</p> <p>Competition from native trees that will shade the species</p>	
<p>Diamond Firetail <i>(Stagonopleura guttata)</i></p>	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> <p>Risk of local extinction due to small, isolated</p>	<p>The proposed development is sited within an area identified as potentially containing Diamond Firetail. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>

			<p>populations.</p> <p>Aggressive exclusion from forest and woodland habitat by over abundant Noisy Miners.</p>	
<p>Little Whip Snake (<i>Suta flagellum</i>)</p>	Reptile	Vulnerable	<p>Habitat loss and fragmentation as land is cleared for residential, agricultural and industrial developments.</p> <p>Removal of habitat elements, such as rocks and fallen timber.</p> <p>Invasion of habitat by weeds or escaped pasture species that degrade habitat.</p> <p>Changed fire regimes that result in changes to vegetation structure and composition.</p> <p>Feral animals and domestic cats and dogs from neighbouring properties.</p> <p>Loss and degradation of grassland habitat from long-term overgrazing.</p>	<p>The proposed development is sited within an area identified as potentially containing Little Whip Snake. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Small Purple-pea (<i>Swainsona recta</i>)</p>	Forb	Endangered	<p>Grazing and trampling by cattle, sheep and goats.</p> <p>Loss, degradation and fragmentation of habitat and/or populations for residential and agricultural</p>	<p>The proposed development is sited within an area identified as potentially containing Small Purple-</p>

			<p>developments.</p> <p>Loss and degradation of habitat and/or populations by invasion of weeds, mainly exotic grasses, but at some sites also Bridal Creeper and St. Johns Wort.</p> <p>Increased competition from other native grassland species within the habitat because of reduced fire frequency.</p> <p>Increased competition from Black Cypress Pine (<i>Callitris endlicheri</i>) within the habitat possibly because of exclusion of fire from some northern sites.</p> <p>Loss and degradation of habitat and/or populations from inappropriate rail reserve maintenance.</p> <p>Inherent risk of loss of small populations from natural or un-natural catastrophic events.</p> <p>Accidental damage at some sites from recreational vehicles such as 4WDs and trail bikes.</p> <p>Construction of inappropriate hazard reduction control lines.</p> <p>Erosion of some railway</p>	<p>pea. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
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			embankments is causing the direct loss of habitat and individual plants.	
Silky Swainson-pea <i>(Swainsona sericea)</i>	Forb	Vulnerable	<p>Loss and degradation of habitat and/or populations for residential developments.</p> <p>Loss and degradation of habitat and/or populations by intensification of grazing regimes.</p> <p>Loss and degradation of habitat and/or populations by invasion of weeds.</p> <p>Loss and degradation of habitat and/or populations from road works (particularly widening or re-routing).</p> <p>Loss and degradation of habitat and/or populations for agricultural developments.</p> <p>Infrastructure developments such as the Googong to Murrumbidgee pipeline project are known to have destroyed populations of the Silky Swainson-pea.</p>	The proposed development is sited within an area identified as potentially containing Silky Swainson-pea. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.
Golden Sun Moth <i>(Synemon plana)</i>	Moth	Endangered	Loss and degradation of habitat by urban, residential, infrastructure and agricultural development.	The proposed development is sited within an area identified as potentially containing

			<p>Modifications to agricultural practices (e.g. fertiliser application, ploughing and inappropriate grazing).</p> <p>Overstocking that results in modification of soil structure through compaction, increased nutrient loads, and promotion of weeds.</p> <p>Invasion of habitat by weeds, particularly exotic pasture species (e.g. <i>Phalaris aquatica</i>, <i>Paspalum dilatatum</i> and <i>Avena</i> spp.).</p> <p>Colonisation of wallaby grass grassland habitat by dense Kangaroo Grass tussocks.</p> <p>Fragmentation and small size of remnants</p> <p>Invasion of habitat by St John's Wort.</p>	<p>Golden Sun Moth.</p> <p>However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
Bioregion	Ecological community	Endangered	<p>Anthropogenic climate change, including trends towards hotter, drier environments, resulting in adverse changes to the composition and structure of remnants.</p> <p>Historic and ongoing clearing and degradation of remnants for agricultural, forestry, infrastructure and</p>	<p>The proposed development is sited within an area identified as potentially containing Bioregions. However the development is an adjustment to the lot boundaries and will not</p>

			<p>residential development.</p> <p>Fragmentation and isolation of remnants, leading to genetic isolation of the community's component species.</p> <p>Application of fertilisers, which changes soil properties and thus changes the floral and faunal composition of the community.</p> <p>Tree dieback from a variety of causes, including enrichment of the soil by stock dung and increased levels of insect attack due to loss of ecological function in the community.</p> <p>Ongoing heavy grazing and trampling by domestic livestock, which have the effect of changing the ground layer composition and the hydrology of sites, resulting in losses of plant species (simplification of the understorey and ground layer and suppression of overstorey) and erosion and other soil changes (including increased nutrient status).</p> <p>Invasion by a range of weeds including noxious weeds (e.g. African Love-grass, Serrated Tussock, Chilean Needle-grass, St John's Wort), environmental</p>	<p>incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
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			<p>weeds (e.g. Sweet Briar, Blackberry, English Hawthorn), aggressive pasture grasses (e.g. Phalaris, Cocksfoot and Paspalum) and escapes from horticulture or silviculture (e.g. Cotoneaster, Radiata Pine).</p> <p>Invasion of remnants by feral animals, resulting in the loss or modification of habitat.</p> <p>Disturbance and clearance of remnants during road, rail and infrastructure maintenance and upgrades.</p> <p>Harvesting of firewood (either living or standing dead trees and material on the ground), resulting in the loss of habitat for a range of hollow-nesting, bark-dependant and ground-living fauna species.</p> <p>Collection of on-ground woody debris in the guise of 'cleaning-up'.</p>	
<p>Austral Toadflax <i>(Thesium austral)</i></p>	<p>Forb</p>	<p>Vulnerable</p>	<p>Loss and degradation of habitat and/or populations for residential, infrastructure and agricultural developments.</p> <p>Loss and degradation of habitat and/or populations by intensification of grazing</p>	<p>The proposed development is sited within an area identified as potentially containing Austral Toadflax. However the development is</p>

			<p>regimes.</p> <p>Loss and degradation of habitat and/or populations by invasion of weeds.</p> <p>Loss and degradation of habitat and/or populations from road works (particularly widening or re-routing).</p>	<p>an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
<p>Grassland Earless Dragon <i>(Tympanocryptis pinguicolla)</i></p>	Reptile	Endangered	<p>Habitat loss and fragmentation as land is cleared or otherwise impacted for residential, agricultural, rural lifestyle subdivision and industrial developments.</p> <p>Collection of bush rock and rock-removal for pasture management purposes.</p> <p>Habitat degradation through ploughing, grazing and trampling by stock and rabbits, causing habitat degradation through root damage, prevention of seedling establishment and erosion.</p> <p>Invasion of habitat by weeds or escaped pasture species</p>	<p>The proposed development is sited within an area identified as potentially containing Grassland Earless Dragon.</p> <p>Introduced pasture grasses occur at many of the sites supporting this species, which has also been captured in secondary grassland. In this respect it is possible the site could be potential habitat.</p>

			<p>that degrade habitat.</p> <p>Changed fire regimes that result in changes to vegetation structure and composition and also to invertebrate populations that are the food source for this species.</p> <p>Feral animals and domestic cats and dogs from neighbouring properties.</p> <p>Erection of fences within known habitat, providing perches for predatory birds (e.g. Brown Falcon - Falco berigora).</p> <p>Modification and shading of habitat through tree-planting in native grasslands.</p> <p>Addition of fertilisers and application of other agricultural chemicals that modify grassland flora and fauna.</p> <p>Changed hydrology from activities such as irrigation and effluent disposal.</p> <p>Landholders unaware of the impact of management practices on the species like removal of natural grazers and changes to historical grazing patterns.</p>	<p>However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>
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			<p>Poor knowledge of the species' distribution and population sizes.</p> <p>Kangaroo grazing in the nature reserve reducing tussock cover for the dragons.</p>	
<p>Rosenberg's Goanna <i>(Varanus rosenbergi)</i></p>	Reptile	Vulnerable	<p>Habitat loss and fragmentation as land is cleared for residential, agricultural and industrial developments.</p> <p>Removal of habitat elements, such as termite mounds and fallen timber.</p> <p>Animals are killed by moving vehicles - upgrading of dirt roads to bitumen, which increases the speed of through traffic, is likely to increase the instances of road kills.</p> <p>Predation by cats and dogs.</p>	<p>The proposed development is sited within an area identified as potentially containing Rosenberg's Goanna. However the development is an adjustment to the lot boundaries and will not incur any physical impacts to the site or potential habitats. In this regard it is considered unlikely that the proposed development will result in any of the species key threatening processes.</p>

As can be seen from the above table six 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>Pink-tailed Legless Lizard <i>(Aprasia parpulchella)</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"> <li>• Retain imbedded and surface rock in suitable habitat throughout the species range; protect rocky habitat through management agreements and incentives.</li> <li>• Encourage landholders to implement grazing regimes that minimise trampling, compaction and disturbance to rocky habitat and to maintain native groundcover and grass tussock structure.</li> <li>• Control invasions of weeds and pasture species where they are</li> </ul>	<p>The proposed development is consistent with the current control actions.</p>	<p><b>Nil</b></p>

	<p>impacting on known populations, using best practice control methods that minimise impacts on non-target native species.</p>		
<p>Striped Legless Lizard  <i>(Delma impar)</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"> <li>• Encourage landholders to implement grazing regimes that maintain native groundcover and grass tussock structure.</li> <li>• Control invasions of weeds and pasture species where there are impacts on known populations, using best practice control methods that minimise impacts on non-target native species.</li> </ul>	<p>The proposed development is consistent with the current control actions.</p>	<p><b>Nil</b></p>

<p>Grassland Earless Dragon <i>(Tympanocryptis pinguicollis)</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"> <li>• Reduce pest species densities and maintain at low levels.</li> <li>• Ensure grazing regime is appropriate for the species.</li> <li>• Reduce and maintain weed densities at low levels.</li> <li>• Track species abundance and condition over time.</li> </ul>	<p>The proposed development is consistent with the current control actions.</p>	<p><b>Nil</b></p>
<p>Mauve Burr-daisy <i>(Calotis glandulosa)</i></p>	<p>A targeted strategy for managing this species has been developed by OEH, for certain areas, under the Saving Our Species program. The Cooma area is not included in these managed areas, however the following activities can be used by stakeholders, where applicable to assist these species at</p>	<p>The proposed development is consistent with the current control actions.</p>	<p><b>Nil</b></p>

	<p>a site:</p> <ul style="list-style-type: none"><li>• Undertake pig control in areas that surround populations.</li><li>• Protect known populations from changes to land use.</li><li>• Do not undertake road works, pasture modification or other changes in land use that may affect populations.</li><li>• Do not increase grazing pressures on sites where populations persist - reduce grazing pressures where possible.</li><li>• Undertake weed control in and adjacent to populations, taking care to spray or dig out only target weeds.</li><li>• Mark sites and potential habitat onto maps (of the farm, shire, region, etc) used for planning (e.g. road works, residential and infrastructure developments, remnant protection, rehabilitation).</li><li>• Search for new</li></ul>		
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	populations in potential habitat.		
Monaro Golden Daisy <i>(Rutidosia leiolepis)</i>	<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"> <li>• Ensure grazing regime is appropriate for the species.</li> <li>• Reduce and maintain weed densities at low levels.</li> <li>• Track species abundance and condition over time.</li> </ul>	The proposed development is consistent with the current control actions.	<b>Nil</b>
Button Wrinklewort <i>(Rutidosia leptorrhynchoides)</i>	<p>A targeted strategy for managing this species has been developed by OEH, for certain areas, under the Saving Our Species program. The Cooma area is not included in these managed areas, however the following activities can be used by stakeholders, where applicable to assist these species at a site:</p>	The proposed development is consistent with the current control actions.	<b>Nil</b>

	<ul style="list-style-type: none"><li>• Protect known populations from changes to land use.</li><li>• Do not undertake road works, pasture modification or other changes in land use that may affect populations.</li><li>• Limit grazing on sites where populations occur; light grazing by sheep, particularly after the peak flowering season, appears to be tolerated (following the removal of domestic stock, significant recruitment has been observed in some populations).</li><li>• Do not increase grazing pressures on sites where populations persist - reduce grazing pressures where possible.</li><li>• Undertake weed control in and adjacent to populations, taking care to spray or dig out only target weeds.</li><li>• Undertake burning trials on sites to establish a suitable</li></ul>		
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	<p>biomass control regime.</p> <ul style="list-style-type: none"> <li>• Mark sites and potential habitat onto maps (of the farm, shire, region, etc) used for planning (e.g. road works, residential and infrastructure developments, remnant protection, rehabilitation).</li> <li>• Search for new populations in potential habitat.</li> </ul>		
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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:

<b>Seven Part Test</b>	<b>Potentially impacted species</b>		
	<b>Pink-tailed Legless Lizard</b>	<b>Striped Legless lizard</b>	<b>Grassland Earless Dragon</b>

Seven Part Test	Potentially impacted species		
	Pink-tailed Legless Lizard	Striped Legless lizard	Grassland Earless Dragon
<p><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></p>	<p>While the proposed development will be occurring within the areas identified as potentially containing Pink-tailed Legless Lizard habitat, the proposed development site did not contain any key habitat requirements; such as open woodland areas with predominantly native grassy ground layers, particularly those dominated by Kangaroo Grass; and rocky outcrops, or scattered, or partially-buried rocks. As such the proposed development will not adversely affect the life cycle of the species or the continued existence of the species.</p>	<p>While the proposed development will be occurring within the areas identified as potentially containing Striped Legless Lizard habitat, i.e. modified grasslands with a significant content of exotic grasses, the proposed development site did not contain any key habitat requirements; such as large areas of surface rocks and perennial, tussock-forming grasses including Kangaroo Grass, spear-grasses and poa tussocks. As such the proposed development will not adversely affect the life cycle of the species or the continued existence of the species.</p>	<p>Not Applicable</p>

Seven Part Test	Potentially impacted species		
	Pink-tailed Legless Lizard	Striped Legless lizard	Grassland Earless Dragon
<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	While the proposed development will be occurring within the areas identified as potentially containing Grassland Earless Dragon habitat, including introduced pasture grasses and secondary grassland, the proposed development site did not contain any key habitat requirements; such as grassland dominated by wallaby grasses, spear grasses, Poa Tussock, Red Grass and occasionally Kangaroo Grass. As such the proposed development will not adversely affect the life cycle of the species or the continued existence of the species.

Seven Part Test	Potentially impacted species		
	Pink-tailed Legless Lizard	Striped Legless lizard	Grassland Earless Dragon
<p><i>In (c)(i) the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:</i></p> <p><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></p>	Not Applicable	Not Applicable	Not Applicable
<p><i>in (c)(ii) the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:</i></p> <p><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></p>	Not Applicable	Not Applicable	No Applicable
<p><i>(d)(i) in relation to the habitat of a threatened species, population or ecological community:</i></p> <p><i>the extent to which habitat is likely to be removed or modified as a result of the action proposed, and</i></p>	No known habitat will be removed or modified by the proposed development.	No known habitat will be removed or modified by the proposed development.	No Known habitat will be removed or modified by the proposed development.

Seven Part Test	Potentially impacted species		
	Pink-tailed Legless Lizard	Striped Legless lizard	Grassland Earless Dragon
<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>	The habitat of the Pink-tailed Legless Lizard will not become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.	The habitat of the Striped Legless Lizard will not become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.	The habitat of the Grassland Earless Dragon will not 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: 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>	No known habitat will be removed, modified, fragmented or isolated as a result of this proposed development.	No known habitat will be removed, modified, fragmented or isolated as a result of this proposed development.	No known habitat will be removed, modified, fragmented or isolated as a result of this proposed development.
<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 is consistent with the objectives and actions of the recovery plan and the threat abatement plan.	The proposed development is consistent with the objectives and actions of the recovery plan and the threat abatement plan.	The proposed development is consistent with the objectives and actions of the recovery plan and the threat abatement plan.

Seven Part Test	Potentially impacted species		
	Pink-tailed Legless Lizard	Striped Legless lizard	Grassland Earless Dragon
<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 Pink-tailed Lizard, the proposed development does not involve the removal of any areas of Kangaroo Grass, rocky outcrops, or scattered and partially-buried rocks. As such the proposed development will not constitute part of a key threatening process 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 Striped Legless Lizard, the proposed development does not involve the removal of any areas of surface rocks and or perennial, tussock-forming grasses. As such the proposed development will not constitute part of a key threatening process 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 Grassland Earless Dragon, the proposed development does not involve the removal of any perennial, tussock-forming grasses or pasture grasses. As such the proposed development will not constitute part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

Seven Part Test	Potentially impacted species		
	Mauve Burr-daisy	Monaro Golden Daisy	Button Wrinklewort



Seven Part Test	Potentially impacted species		
	Mauve Burr-daisy	Monaro Golden Daisy	Button Wrinklewort
<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>	While the proposed development will be occurring within the areas identified as potentially containing Mauve Burr-daisy habitat, the proposed development site did not contain any key habitat requirements; such as grassland dominated by Kangaroo Grass. As such the proposed development will not adversely affect the life cycle of the species or the continued existence of the species.	While the proposed development will be occurring within the areas identified as potentially containing Monaro Golden Daisy habitat, the proposed development site did not contain any key habitat requirements; such as Natural Temperate Grassland or un-grazed and lightly grazed pastures. As such the proposed development will not adversely affect the life cycle of the species or the continued existence of the species.	Not Applicable

Seven Part Test	Potentially impacted species		
	Mauve Burr-daisy	Monaro Golden Daisy	Button Wrinklewort
<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	While the proposed development will be occurring within the areas identified as potentially containing Button Wrinklewort habitat, the proposed development site did not contain any key habitat requirements; such as Natural Temperate Grassland or un-grazed and lightly grazed pastures. As such the proposed development will not adversely affect the life cycle of the species or the continued existence of the species.
<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	Not Applicable	Not Applicable

Seven Part Test	Potentially impacted species		
	Mauve Burr-daisy	Monaro Golden Daisy	Button Wrinklewort
<p><i>in (c)(ii) the case of an endangered ecological community or critically endangered ecological community, whether the action proposed:</i></p> <p><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></p>	Not Applicable	Not Applicable	Not Applicable
<p><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></p>	No known habitat will be removed or modified by the proposed development.	No known habitat will be removed or modified by the proposed development.	No known habitat will be removed or modified by the proposed development.
<p><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></p>	The habitat of the Mauve Burr-daisy will not become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.	The habitat of the Monaro Golden Daisy will not become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.	The habitat of the Button Wrinklewort will not become fragmented or isolated as a result of the proposed development as the development will take place within a previously disturbed area.

Seven Part Test	Potentially impacted species		
	Mauve Burr-daisy	Monaro Golden Daisy	Button Wrinklewort
<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>	No known habitat will be removed, modified, fragmented or isolated as a result of this proposed development.	No known habitat will be removed, modified, fragmented or isolated as a result of this proposed development.	No known habitat will be removed, modified, fragmented or isolated as a result of this proposed development.
<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 is consistent with the objectives and actions of the recovery plan and the threat abatement plan.	The proposed development is consistent with the objectives and actions of the recovery plan and the threat abatement plan.	The proposed development is consistent with the objectives and actions of the recovery plan and the threat abatement plan.

Seven Part Test	Potentially impacted species		
	Mauve Burr-daisy	Monaro Golden Daisy	Button Wrinklewort
<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>	The proposed development will be occurring within the areas identified as potentially containing Mauve Burr-daisy. However the proposed development does not involve further impact on, or removal of any areas of significant habitat; such as Natural Temperate Grassland dominated by Kangaroo Grass. As such the proposed development will not constitute part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.	The proposed development will be occurring within the areas identified as potentially containing Monaro Golden Daisy. However the proposed development does not involve further impact on, or removal of any areas of significant habitat, particularly Natural Temperate Grassland. As such the proposed development will not constitute part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.	The proposed development will be occurring within the areas identified as potentially containing Button Wrinklewort. However the proposed development does not involve further impact on, or removal of any areas of significant habitat, particularly Natural Temperate Grassland. As such the proposed development will not constitute part of a key threatening process 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 developed area.

*Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

The following five flora and fauna species are listed as being threatened under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. As such Council is required to consider the likelihood of the proposed development in result in any significant impacts upon the species. In the event that any development is likely to result in significant impacts upon any species listed under the EPBC Act Council is required to refer such an application to Australian

Government's Minister for the Environment. The following actions are listed as particular threats under the EPBC Act to the ongoing survival of these five threatened species.

#### **Pink-tailed Legless Lizard (*Aprasia parpulchella*)**

*Pink-tailed Worm-lizard is threatened by a reduction in the cover of native grasses (Osborne & Jones 1995; Osborne & McKergow 1993). Sites which have undergone pasture improvement typically have a thick cover of introduced grasses and weeds, and support few, if any, lizards (Osborne & McKergow 1993). Heavy grazing can degrade habitat by selective removal of native grasses and nitrification from faeces, leading to a reduced cover of native species (Osborne & McKergow 1993). Stock may also degrade the soil fabric through trampling (Barrer 1992). However, the species still persists at some sites with a long grazing history (Barrer 1992; Osborne & Jones 1995).*

*Clearing of land for grazing may have benefited the species by increasing the available habitat (Barrer 1992; Osborne & McKergow 1993). Regeneration of woodlands may threaten the long-term survival of some populations (Barrer 1992).*

*The removal of rocks for landscaping may threaten some populations (Osborne & McKergow 1993).*

*The invasion of the woody shrub Burgan (*Kunzea ericoides*) into grasslands may threaten the long-term viability of some sites (Osborne & Jones 1995).*

#### **Striped Legless Lizard (*Delma impar*)**

*The extent of natural temperate grassland, including those known to support the striped legless lizard, has declined severely across Australia (Carter et al. 2003). The loss and degradation of native grassland, through a variety of processes, is the main threat to the survival of the Striped Legless Lizard. Other potentially threatening processes include inappropriate burning regimes and feral animals (Smith & Robertson 1999).*

#### **Habitat loss**

*Approximately 99.5% of natural temperate grassland in south-eastern Australia has been destroyed or drastically altered since European settlement (Carter et al. 2003). Threats such as clearance for agricultural and urban development, rock removal, inappropriate fire regimes, habitat fragmentation and weed invasion by Serrated Tussock (*Nassella trichotoma*), Chilean Needle Grass (*N. neesiana*) and related species continue to diminish the quantity and quality of this species' habitat (Cogger et al. 1993; Coulson 1995; Webster et al. 2003). Heavy habitat modification by extended intense grazing, pasture improvement, ploughing, and drought can eliminate this species from a site, however, recolonisation and recovery may be possible if the threat is short-term, not too intense and there is undisturbed refuge habitat nearby (Smith & Robertson 1999).*

*The creation of barriers to lizard movements such as the construction of buildings, roads, and fences can cause populations to become fragmented and isolated from each other. The loss or degradation of habitat can also have the effect of limiting dispersal between patches. Ploughed, overgrazed and bare ground, such as roads or paths, might represent a barrier to dispersal of Striped Legless Lizards and may fragment habitats (Dorrrough & Ash 1999).*

*At the Commonwealth Defence Land, Lawson (ACT), survey results indicate a decline in population that is compounded when grassland is grazed. The change in cover is likely to reduce refuge*

*opportunities for Striped Legless Lizards and their potential prey. Habitat loss also occurs due to increased urban development and fire in the grasslands. It is observed that the present populations at this location may increase as the habitat quality improves (McElhinney 2002).*

### **Fire**

*Fire can be detrimental to this species in two ways: it may increase the risk of predation of this species and its prey (due to loss of cover); or it may cause death directly (Smith & Robertson 1999). Cogger and colleagues (1993) recorded mortality following cool fires in grassland reserves, but the extent to which fire is a threat to populations is unknown (Smith & Robertson 1999). The behavioural reaction of Striped Legless Lizards to fire is also unknown, although it seems likely that survivors would either move into unburnt areas or remain relatively inactive in the soil or under rocks until the vegetation recovers enough to provide shelter (Smith & Robertson 1999).*

*Burning is not necessarily negative for the species and in most situations a degree of burning is required as a management tool. Burning regimes with a frequency greater than once every five years are likely to negatively influence Striped Legless Lizard survivorship (O'Shea 2005). However, it appears that the degree of mortality may vary with timing and the amount of soil cracking and fire type, where autumn/winter burns and wild fire are low impact and spring/summer and control/convection burns are high impact (Coulson 1990; O'Shea 2005).*

### **Predation**

*Smith and Robertson (1999, report that there may be a number of natural and introduced predators of this species. It is assumed that a range of native predators including snakes, other lizards, raptors, magpies and other predatory birds, and possibly dunnarts (*Sminthopsis* spp.), will prey on Striped Legless Lizards, but the extent of this predation is unknown. High densities of introduced predators may be more of a concern, as urban development surrounds many Striped Legless Lizard populations. Anecdotal evidence suggests that foxes may prey upon the species (S. Walton n.d., pers comm., cited in Smith & Robertson 1999), and in urban areas cats may also be a threat to populations. Despite this, whether or not predation is a significant threatening process is yet to be thoroughly investigated as this species is both highly cryptic and secretive (Smith & Robertson 1999).*

### **Mauve Burr-daisy (*Calotis glandulosa*)**

### **Agriculture and Aquaculture**

*Land clearing, habitat fragmentation and/or habitat degradation, Grazing pressures and associated habitat changes (Threatened Species Scientific Committee, 2008jy) [Conservation Advice].*

### **Invasive and Other Problematic Species and Genes**

*Competition and/or habitat degradation from; *Eragrostis curvula* (African Lovegrass, Weeping Lovegrass, Weeping Love Grass, Boer Lovegrass, Weeping Grass; *Rosa rubiginosa* (Sweet Briar, Briar Rose, Sweet Briar Rose, Eglantine); *Nassella trichotoma* (Serrated Tussock, Yass River Tussock, Yass Tussock, Nassella Tussock (NZ); *Hypericum perforatum* (St John's Wort, Common St John's*

*Wort, Perforate St John's Wort, St John's Grass, St John's Blood, Klamath Weed, Witch's Herb, Devil's Flight, Tipton Weed, Gammock, Goatsbeard, Goatweed, Herb John, Penny John, Rosin Rose, Touch and Heal*) (Department of the Environment and Heritage (DEH), 2006em).

*Grazing, tramping, competition and/or habitat degradation from Sus scrofa (Pig)* (Coutts-Smith, A.J., P.S. Mahon, M. Letnic & P.O. Downey, 2007).

*Additionally, slashing and herbicide application for weed control of these species can have a noticeable impact* (Department of the Environment and Heritage (DEH), 2006em).

### **Residential and Commercial Development**

*Modification of habitat (clearance and degradation,) due to urban development, including development and/or maintenance of roads* (Threatened Species Scientific Committee, 2008jy).

### **Monaro Golden Daisy (Rutidosis leiolepis)**

### **Agriculture and Aquaculture**

*Habitat fragmentation and/or habitat degradation through; land clearing, grazing pressures and associated habitat change; and pollution from agricultural effluents* (Threatened Species Scientific Committee, 2008jy).

### **Invasive and Other Problematic Species and Genes**

*Grazing, tramping, competition and/or habitat degradation from Sus scrofa (Pig) and Equus caballus and in addition slashing and herbicide application for weed control of these species can have a noticeable impact* (Department of the Environment and Heritage (DEH), 2006em).

### **Human Intrusions and Disturbance**

*Mechanical disturbances during construction, maintenance or recreational activities including, habitat degradation associated with recreational activities such as horse riding and vehicle use* (Department of the Environment and Heritage (DEH), 2006uc).

### **Natural System Modification and Stresses**

*Fire and fire suppression modifications including, inappropriate and/or changed frequency, timing and intensity of fire regimes* (Department of the Environment and Heritage (DEH), 2006uc).



*Species pressure due to low genetic diversity and genetic inbreeding (Threatened Species Scientific Committee, 2008ug).*

**Button Wrinklewort (*Rutidosis Leptorrhynchoides*)**

*The major threats to Button Wrinklewort have been identified as habitat loss due to urban development, infrastructure and agricultural expansion; competition with weeds; reduced fire frequency and lack of disturbance; fire protection activity; intensive and/or persistent grazing; the application of superphosphate; mowing and ploughing; and stochastic events causing localised extinction (Briggs et al. 1998; Leigh et al. 1984; NSW DECC 2005ae).*

*Australian grasslands and grassy woodlands have been highly degraded. It is estimated that 95% of Victoria's native lowland grasslands have been substantially altered since European settlement (Humphries & Webster 2003). Alterations include clearing, fertilisation, introduced pasture species and the introduction of persistent grazing regimes.*

*This species is palatable to stock (Humphries & Webster 2003). Grazing has been identified as a threatening process, with isolated populations occurring on non-grazed roadsides, rail reserves and other non-grazed or lightly grazed sites (NSW DECC 2005ae). Intensification of grazing is a particular threat and intensive grazing at adjacent sites limits the expansion or establishment of further populations (NSW DECC 2005ae). At sites where grazing has ceased, significant recruitment has been observed (Humphries & Webster 2003).*

*Threatening weeds include grasses: *Phalaris* spp., *Paspalum* spp., Cocksfoot (*Dactylis glomerata*), African Lovegrass (*Eragrostis curvula*), Chilean Needlegrass (*Nassella neesiana*) and Serrated Tussock (*N. trichotoma*), and some woody weeds: Sweet Briar (*Rosa rubiginosa*) and Firethorn (*Pyracantha crenulata*) (Briggs et al. 1998; Leigh et al. 1984). Weed invasion reduces inter-tussock spaces, thus limiting recruitment potential (NSW DECC 2005ae). Reduced fire frequency allows for native and exotic grasses to dominate a site, thus limiting Button Wrinklewort recruitment (NSW DECC 2005ae).*

*As this species occurs on road and rail reserves, there are potential adverse impacts from infrastructure maintenance (NSW DECC 2005ae).*

*Inappropriate fire regimes threaten the Button Wrinklewort as infrequent fire limits the ability for recruitment events and too frequent fire may deplete the soil seed bank and lead to localised extinction (Humphries & Webster 2003).*

The proposed development does not involve the disturbance of any area that is considered likely to provide habitat to the species on the site. As such is considered unlikely that the proposed development will result in any of the species key threatening processes. Therefore the proposed

development is considered unlikely to result in any of the significant threats to the species. Based on the above assessment the proposed development is unlikely to result in any significant impacts upon any species listed under the EPBC Act. As such referral to Minister for the Environment is not required for the purposes of the subject application

### **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. No agencies have a concurrence role in this application because no Species Impact Statement (SIS) is required and no Clause 4.6 variation has been applied for.

#### ***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.

There is **No** bushfire prone land on the subject site.

#### ***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.

<b>Act</b>	<b>Approval required?</b>	<b>Reason</b>	<b>Responsible Authority</b>	<b>Comment on response</b>
Fisheries Management Act 1994	No	No works in or near creek	NSW Trade & Investment - Primary Industries - Fisheries and Aquaculture	-

<b>Act</b>	<b>Approval required?</b>	<b>Reason</b>	<b>Responsible Authority</b>	<b>Comment on response</b>
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	-
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	-

Act	Approval required?	Reason	Responsible Authority	Comment on response
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	<b>Published:</b> 21.1.11 <b>Commences:</b> 1.3.11 <b>Abstract:</b> Replaces the Regional Environmental Plan which applied to the Sydney Drinking Water Catchment. <i>(see file EP/CAT/8 for further info)</i>	No
SEPP (Affordable Rental Housing) 2009	<b>Published:</b> 31.07.09 <b>Abstract:</b> 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

State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP (Exempt and Complying Development Codes) 2008	<p><b>Gazetted:</b> 12.12.08; commences 27.02.09</p> <p><b>Abstract:</b> 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 <a href="#">Environmental Planning and Assessment Act 1979</a>.</p>	No
SEPP (Rural Lands) 2008	<p><b>Published:</b> 09.05.08</p> <p><b>Abstract:</b> 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</p>	Yes
SEPP (Infrastructure) 2007	<p><b>Gazetted:</b> 21.12.07; commences 1.1.08</p> <p><b>Abstract:</b> 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.</p>	No
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	<p><b>Gazetted:</b> 16.02.07</p> <p><b>Abstract:</b> 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

State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP (Major Development) 2005	<p><b>Gazetted:</b> 01.08.05</p> <p><b>Abstract:</b> 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><b>Gazetted:</b> 25.06.04</p> <p><b>Abstract:</b> 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><b>Gazetted:</b> 31.03.04</p> <p><b>Abstract:</b> 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

State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP No. 65 - Design Quality of Residential Flat Development	<p><b>Gazetted:</b> 26.07.02</p> <p><b>Abstract:</b> 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><b>Gazetted:</b> 16.03.01</p> <p><b>Abstract:</b> 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. <a href="#">Transport Corridor Outdoor Advertising and Signage Guidelines</a> (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><b>Gazetted:</b> 25.08.00</p> <p><b>Abstract:</b> 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

State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP No. 55 - Remediation of Land	<p><b>Gazetted:</b> 28.08.98</p> <p><b>Abstract:</b> 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 <a href="#">Managing Land Contamination: Planning Guidelines</a></p>	No
SEPP No. 44 - Koala Habitat Protection	<p><b>Gazetted:</b> 06.01.95</p> <p><b>Abstract:</b> 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



State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP No. 36 - Manufactured Home Estates	<p><b>Gazetted:</b> 16.07.93</p> <p><b>Abstract:</b> 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

State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP No. 33 - Hazardous and Offensive Development	<p><b>Gazetted:</b> 13.03.92</p> <p><b>Abstract:</b> 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

State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	<p><b>Gazetted:</b> 15.11.91</p> <p><b>Abstract:</b> 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><b>Gazetted:</b> 08.12.89</p> <p><b>Abstract:</b> 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

State Environmental Planning Policy	Summary notes	Applies to proposed development ?
SEPP No. 21 - Caravan Parks	<p><b>Gazetted:</b> 24.04.92</p> <p><b>Abstract:</b> 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><b>Gazetted:</b> 09.04.98</p> <p><b>Abstract:</b> 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 development 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 objectives have been taken into consideration, points (a) and (c) are most relevant to this development as the site is not identified as containing State significant agricultural land or high agricultural potential. 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 development is a subdivision by boundary change that allows the continued orderly and economic use of the land whilst also facilitating the development of rural land. The development will also help to reduce potential land use conflicts by defining the different types of current land use more accurately.

*Section 10 of the SEPP (Rural Lands) 2008 identifies matters that need to be considered by the consent authority when determining rural dwellings in rural residential 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).*

Point 3 outlines matters that need to be taken into account when determining a dwelling in a rural residential or an environment protection zone. Point 3(a) refers to the surrounding land uses; the subject site is surrounded by land zoned RU1 Primary Production with similar rural residential developments. As the site is surrounded by similar development it is unlikely that the proposal will impact upon the predominant land uses of the area. As such point 3(b) has been taken into account. Points 3(c), (d) and (e) do not apply to the proposed development.

### **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 a rural subdivision of 5 allotments, including lots 7, 8, 9 and 10 DP216316 and lot 138 DP750530, into two separate allotments. One lot is proposed to have an area of approximately 20 hectares and contain a residential dwelling, which is currently sited on lot 10 DP216316. The other proposed lot will have an area of approximately 140 hectares and consist of farm buildings and agricultural land. 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 use that is 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 subdivision is considered to not be in conflict with any of the objectives listed above and will facilitate the maintaining of the current primary industry use and minimise conflict between the two current land uses.

Subdivision is permissible with consent within the RU1 zone. Sheet *LSZ\_013* outlines that the minimum lot size associated with the site is 80 Hectares. Proposed Lot 1 will have an area of 20 Hectares. As such a subdivision of the site under the provisions of Cl4.1 is not permissible.

While the proposed subdivision of the site is not permissible under the provisions of Cl4.1, the provisions of Cl4.1B may enable the proposed development.

#### **4.1B Subdivision using average lot sizes**

*(1) The objectives of this clause are to facilitate alternative subdivision controls that:*

*(a) Facilitate a subdivision design that takes into consideration the values and constraints on the land and achieves the best environmental and agricultural outcomes possible, and*

*(b) Limit the subdivision of land in certain circumstances where the lots created are proposed to be used for residential accommodation.*

*(2) This clause applies to land in the following zones (other than land identified as "Area A" on the Lot Size Map):*

*(a) Zone RU1 Primary Production,*

*(b) Zone R5 Large Lot Residential,*

*(c) Zone E4 Environmental Living.*

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

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

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

*(c) for land in Zone E4 Environmental Living, each lot created by the subdivision will have an area of at least 10 hectares, and*

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

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

*(a) the lots to be created will not be used for the purpose of residential accommodation, and*

*(b) the subdivision will not result in any significant adverse environmental impacts on the land being subdivided.*

*(5) In this clause, resulting lot means a lot created under this clause being land in Zone RU1 Primary Production or Zone E4 Environmental Living.*

The provisions of Cl4.1 outline that the size of any lot resulting from the subdivision of land is not to be less than the minimum size shown on the Lot Size Map. In accordance with Cl4.1B, development consent may be granted for the land subdivision of RU1 zoned land if the total number of lots created from the subdivision will not exceed the number of lots that could be created under Cl4.1 and each lot will have an area of at least 20 Hectares. As the total area of the site is approximately 163 Hectares the total number of lots that could be created under Cl4.1 is two (2) each with an area approximately 80 Hectares. As the proposed subdivision is proposing a total of two (2) allotments all with an area greater than 20 Hectares it complies with the provisions of Cl4.1B.

Sheet *HER\_013* has specified that Lot: 10 DP: 216316, contains an item with heritage significance. As the site contains a "Heritage" item the provisions of Cl5.10 must be taken into consideration when assessing this application. These provisions are listed below.

### **5.10 Heritage conservation**

*Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.*

#### **(1) Objectives**

*The objectives of this clause are as follows:*

*(a) to conserve the environmental heritage of Cooma-Monaro,*

*(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*

*(c) to conserve archaeological sites,*

*(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*



**(2) Requirement for consent**

*Development consent is required for any of the following:*

*(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):*

*(i) a heritage item,*

*(ii) an Aboriginal object,*

*(iii) a building, work, relic or tree within a heritage conservation area,*

*(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,*

*(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*

*(d) disturbing or excavating an Aboriginal place of heritage significance,*

*(e) erecting a building on land:*

*(i) on which a heritage item is located or that is within a heritage conservation area, or*

*(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

*(f) subdividing land:*

*(i) on which a heritage item is located or that is within a heritage conservation area, or*

*(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

**(3) When consent not required**

*However, development consent under this clause is not required if:*

*(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:*

*(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and*

*(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or*

*(b) the development is in a cemetery or burial ground and the proposed development:*

*(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and*

*(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or*

*(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or*

*(d) the development is exempt development.*

***(4) Effect of proposed development on heritage significance***

*The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

***(5) Heritage assessment***

*The consent authority may, before granting consent to any development:*

*(a) on land on which a heritage item is located, or*

*(b) on land that is within a heritage conservation area, or*

*(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

*require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

***(6) Heritage conservation management plans***

*The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.*

***(7) Archaeological sites***

*The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):*

*(a) notify the Heritage Council of its intention to grant consent, and*

*(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

***(8) Aboriginal places of heritage significance***

*The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:*

*(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and*

*(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.*

***(9) Demolition of nominated State heritage items***

*The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:*

*(a) notify the Heritage Council about the application, and*

*(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

***(10) Conservation incentives***

*The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:*

*(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*

*(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*

*(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*

*(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*

*(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

Heritage item I 22 known as 'Sheepfold' is within the land to be subdivided. As such the development needs consent as CI5.10(2)(f)(i) applies. However as the heritage item will not be impacted by the subdivision it is highly unlikely that there will be any adverse impact arising from the proposal. It has been recommended that as part of the proposal the location of the heritage item and its curtilage be mapped precisely and a 70 metre buffer applied to the resulting 'tighter' boundary. The existence of the curtilage does not prevent development within the boundary, but rather requires a developer to consult with Council to ensure the item's heritage values will not be adversely impacted. Note that it is appropriate to erect rural fencing within the curtilage providing the historic item is not impacted.

As a guide, Council's Heritage officer has conducted an inspection of the site and provided the following unofficial coordinates of the tighter curtilage:

- North Corner – 36°16'10.98"S, 149°12'14.43"E
- East Corner – 36°16'12.38"S, 149°12'15.87"E
- South Corner - 36°16'13.30"S, 149°12'14.63"E
- West Corner - 36°16'11.92"S, 149°12'13.18"E

Sheet *BIO\_013* has identified small areas in the North of the site and along the creek banks on the Eastern boundary of the site as containing "Biodiversity". As the site contains "Biodiversity" the provisions of Cl6.3 must be taken into consideration when assessing this application. These provisions are listed 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.*

The proposed development is a boundary change involving no works and as such no development will occur within the land identified as containing “Biodiversity”. As such it is considered that the proposed development is unlikely to have any adverse impact on the native fauna and flora of the site and will not fragment the biodiversity structure of the land.

Sheet CL1\_013 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.*

While the proposed development will occur within the land identified as containing groundwater vulnerability it is considered that the proposed development is unlikely to have any significant adverse impacts on the groundwater of the site as the proposed development will not result in any changes to the current land uses. In addition there is no additional water supply or waste disposal proposed for the development and no groundwater dependant ecosystems are present on the site.

Sheet CL1\_013 shows that the site is partly affected by Riparian Land along the Eastern boundary. 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\_013 shows that the site is partly affected by Riparian Land along the Eastern boundary. 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 effectively a boundary adjustment there is no works proposed and 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,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable vehicular access.*

Cl6.10 of the CMLEP 2013 ensures that all essential services are available to the proposed development. The existing dwelling is currently serviced by an underground bore and on-site sewage systems. The existing dwelling is also connected to the electrical utility service. The proposed subdivision will split the existing lots into an agricultural lot and a lot containing the existing dwelling. The lot containing the residence will be provided with easements to the existing services. As such all essential services will be provided to both proposed lots and no new services are proposed. A proposed right of carriage way over the existing driveway will provide access to lot 2.

There are no other provisions of the LEP 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.

<b>Chapter 2 Generic Development Controls</b>			
<b>DCP provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Complies</b>
2.1 Streetscape	No zincalume facades or roofing	<b>N/A</b>	-
	Carports or garages no wider than 6 metres (or 50% of dwelling width)	<b>N/A</b>	-
2.2 Building height and bulk	Lowest habitable floor no more than 1.2m above existing ground	<b>N/A</b>	-
	No basements >1m above existing ground	<b>N/A</b>	-
	Min 3.3m floor to ceiling height on ground floor and 2.7m on others in business zones	<b>N/A</b>	-



	Building two or more storeys in height – shadow diagrams required		N/A	-
	No Maximum height of Building in RU1 zone		N/A	-
2.3 Building setbacks (Increase by 1m for building above 2 storeys)	See table below			
<b>Zone</b>	<b>Setback</b>	<b>Distance (m)</b>	<b>Proposal</b>	<b>Complies</b>
<b>RU1</b>	Front Setback	50	90	Yes
	Side Setback	50	20	No See Comments Below
	Rear Setback	50	40	No See Comments Below
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		Both proposed Lots will be serviced by	Yes

	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).	an existing driveway access off Nitholm Road. A proposed right of carriage ways over the existing driveway will provide access to lot 2.	
2.6 Stormwater	Drainage to public stormwater drainage system	<b>N/A</b>	-
2.7 Energy efficiency	Outdoor clothes drying area	<b>N/A</b>	-
	Floor –to-ceiling height for flat suspended ceiling to be between 2.4m and 2.7m (NA for adds and alts)	<b>N/A</b>	-
2.8 Erosion and sediment control	Erosion and sediment control plan required for all development involving disturbance of land.	<b>N/A</b>	-
	Construction on slopes >15% to be avoided	<b>N/A</b>	-
	Use of hay-bales to be avoided in areas of high value native vegetation	<b>N/A</b>	-
2.9 Landscaping	Landscape plan required in R1, R2	<b>N/A</b>	-

	and B zones		
	35% free of hard-paved surfaces	N/A	-
	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)  <b>2 spaces per dwelling house</b>	N/A	Proposed development is not for new dwelling houses

The proposed development is considered to be not consistent with the relevant provisions of Chapter 2 of the Cooma-Monaro Shire DCP 2014 and will require variations to the DCP 2014.

Chapter 4.1 of the Cooma-Monaro Shire DCP 2014 provides specific development controls for Torrens Title Subdivisions that need to be considered when assessing this development application. The following table indicates compliance with the requirements of Chapter 4.1.

<b>Chapter 4.1 Land (Torrens Title) Subdivision</b>			
<b>DCP provision</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Complies</b>
4.1.1 Vehicular entrances to lots	<ul style="list-style-type: none"> <li>For subdivisions in RU1, R5, E2, E3 &amp; E4 a vehicular access point is to be constructed in accordance with Chapter 2.</li> <li>For subdivisions within RU1, R5, E2, E3 &amp; E4 the intended vehicular access point is to be shown on DA plans</li> </ul>	Existing vehicular access is via a private driveway leading off the end of Nitholm Road. The first section of driveway at the end of Council's Nitholm Road likely utilises a section of the Crown Road reserve for access. Plans show proposed right of carriage	Yes

		ways over the first half of the existing driveway through lots 13 and 1 will provide access to lot 2.	
4.1.2 Construction of roads	<ul style="list-style-type: none"> <li>Road construction standards will be required to comply with the tables in Chapter 2.</li> <li>New roads are to be dedicated to Council</li> </ul>	N/A	-
4.1.3 Design requirements for lots	In Zones R1, R2 and B4 all new lots are to have a minimum street frontage of 10m.	N/A	-
	For subdivisions creating <10 lots the majority of lots need to have direct frontage to a public road.	Lot 1 will front Nitholm Rd	Yes
	For subdivision creating 10 or more lots a minimum of 9 lots need to have direct frontage to a public road.	N/A	-
	In Zones IN1 and B5 all new lots must have a minimum street frontage of 20m.	N/A	-
	Corner lots in subdivisions are to provide a splay corner.	N/A	-
	The shape of new lots must allow for future buildings to comply with the relevant setbacks.	Lot 1 and 2 will allow for future building setbacks.	Yes
	New lots in RU1 zone must have a width in any direction of at least 150m, except for areas used primarily for vehicular access.	Lot 1 will not comply in all directions however the new lot boundary will allow for the best utilisation of the existing land uses.	No. See Comments Below.
	Subdivisions between 2-9 lots in R1, R2 and RU5 zones must not have more than 50% of their serviced by battle axe handle.	N/A	-
	Specific Battle axe handle requirements refer to Table 9 of	Battle axe created will be approximately 20m wide and 90m in length from end	Yes

	DCP 2014.	of Right of Way Access for Lot 2 and will be the existing driveway off Nitholm Road.	
4.1.4 Road widening, survey and dedication	Public roads located within a subdivision site but is not within the bounds of a legal road reserve must be created along the formed road.	N/A	-
	New fence to be constructed along the new legal road reserve.	N/A	-
	The road reserve will be required to be widened as part of the subdivision if existing road is fully within a legal road reserve but the road reserve is not the required minimum width.	N/A	-
	Council required future road widening	N/A	-
4.1.5 Provision of open space	For subdivision creating 10 or more lots within Zones R1, R2, R5 and RU5, a dedicated area of open space is to be provided.	N/A	-
	Proposed playgrounds must meet relevant principles in Council's <i>Playground Strategy</i> .	N/A	-
	New Parks should have street frontage	N/A	-
	Land provided as open space is to be dedicated to Council	N/A	-
	Open space may be provided as part of 'natural' stormwater drainage systems or public access to high conservation areas.	N/A	-
4.1.6 Landscaping and street trees	New subdivisions in Zones R1, R2, RU5, B4, B5 and IN1 must provide street trees.	N/A	-
	Street trees must be located so as	N/A	-

	not to interfere with sight lines		
	A basic landscaping plan is required with a DA for subdivisions where there is a requirement.	N/A	-
4.1.7 Stormwater	Inter-allotment drainage systems must be provided for every lot in Zones R1, R2, RU5, IN1 and all Business Zones where the lot does not drain directly to a street frontage.	N/A	-
	Inter-allotment drainage systems must provide a plan which shows the proposed location and basic design of the system at DA stage.	Plans indicate that there is a proposed easement to drain water through existing pipelines.	Yes
	Inter-allotment drainage systems are required to comply with Council's <i>Specification for Engineering Works</i> .	Water is to be diverted through existing drainage system.	Yes
4.1.8 Provision for Utility Services	Electricity supply involving the construction a new public road is to be underground.	N/A	-
	Electricity supply not involving the construction a new public road is to match existing supply arrangements.	There is a proposed easement for the supply of electricity from the existing overhead powerline and underground cable.	Yes
	A 'Notice of Arrangement for Electricity Supply to a new Subdivision' is required prior to release of Subdivision Certificate for new vacant lots.	A condition requiring the creation of any necessary easements will be required prior to the release of Subdivision Certificate.	Yes To be conditioned
	A 'Provisioning Confirmation' letter from a telephone service provider is required for all new subdivisions.	Existing supplies of services are to remain unchanged	Yes To be conditioned
	Easements will be required where utility services cross one lot to service another.	Easements are proposed for all existing utility services.	Yes

	Reticulated gas must be supplied to new subdivision within the town of Cooma.	N/A	-
4.1.9 Water Supply and Sewerage systems	Any new lot within a subdivision located within 225 metres of a water main must be connected to the reticulated water supply. This clause applies to any new proposed lot where any part of the lot is within the specified distance of the water main.	N/A	-
	Any new lot connected to a reticulated water supply must install a meter to Council's requirements prior to release of the Subdivision Certificate for that lot.	N/A	-
	Any new lot within a subdivision located within 75 metres of a wastewater main must be connected to the reticulated wastewater supply. This clause applies to any new proposed lot where any part of the lot is within the specified distance of the wastewater main.	N/A	-
	An application to Council under Section 68 of the Local Government Act 1993 shall be required for any new water supply works or wastewater (sewerage) works required for a subdivision.	N/A	-
	Where wastewater drainage for one lot will pass over another lot, an easement is to be created under Section 88B of the <i>Conveyancing Act 1919</i> . The minimum width of the easement shall be 3 metres.	N/A	-
	Where wastewater drainage collector mains are located inside	N/A	-

	private property, they shall be located a minimum 1.5 metres from the boundary.		
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Based on the above assessment the proposed development is considered to not be consistent with several relevant provisions of Chapter 4.1 of the Cooma-Monaro Shire DCP 2014 and will require variations to the DCP.

### 1.1 Variations to Development Standards

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;
- b) the impact that setting a precedent may have;
- c) the need for Council to make consistent decisions;
- 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;
- e) if there is some reason why meeting the DCP requirement would be unreasonable in the circumstances of the development application; and
- f) if the variation is so minor or insignificant as to be of little or no consequence.

The proposed development will require two variations to the DCP to allow approval of the proposed development. A variation will be required to the side and rear setbacks as the new boundaries of Lot 1 will not allow compliance with the DCP standard of 50m setbacks for buildings in a RU1 zone. The proposed development will also require a variation to the requirements of 4.1.3 in the DCP 2014 which prescribes new lots in Zone RU1 must have a minimum width of 150m in any direction. The proposed Lot 1 will have a minimum width of 110m in some directions.

The applicant is requesting a variation of approximately 20% for the rear setback and 60% for the side setback. This will allow the development to have a rear setback of 40m and a side setback of 20m. The variation requested for the minimum width is approximately 27% and will allow the



development to have a minimum width of approximately 110m in any direction excluding the parts of the lot used primarily for vehicular access.

In relation to the requirements of (a)-(f) outlined above, the two variations applied for all relate to the exceptional circumstances that will dictate the best arrangement of new lots and boundaries in regards to site specific factors such as, current land uses and the siting of the existing dwelling. The creation of the two lots will follow the existing landscape and allow for the site to retain the optimal area of valuable agricultural land for Lot 2 while still providing Lot 1 with adequate residential and open space. These two variations if considered would enable the proposed development to better comply with the DCP objectives. Specifically relevant is the objective to provide lots in subdivision which provide for the orderly development of land (4.1.3.2 DCP 2014). For example if variations for the proposed development are granted it would enable the following benefits in relation to (d); retention of the ordered and neat appearance of the site; and sensible siting of the new lot containing the existing dwelling so as to minimise the impact on the utilisation of land for favourable agricultural purposes. The variation would set a precedent in relation to (b), however due to the reasons for variation being unique to the site and unusual proposed lot orientation; it is unlikely the variation would be warranted elsewhere unless the exceptional circumstances were the same. This would therefore allow Council to make consistent decisions regarding other similar development applications that may quote a precedent. In this regard the variations are considered warranted in this instance.

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

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))**

<b>Context and setting</b>	<i>The proposed subdivision will not alter the existing context and setting as the site is currently being utilised as both residential and agricultural purposes and the subdivision is essentially a boundary adjustment to reflect the perimeters of each land use.</i>
<b>Access, transport and traffic</b>	<i>Both proposed lots will have access to Nitholm Road via a right of carriageway and as such it is unlikely that any access, transport or traffic impact will occur.</i>
<b>Public domain</b>	<b>N/A</b>
<b>Impacts on supply of utilities</b>	<i>The proposed subdivision will not alter the existing supply of utilities as easements will be created for essential utilities.</i>

<p><b>Heritage</b></p>	<p><i>Sheet HER_013 shows the presence of a heritage item of significance. It is listed in Schedule 5 of the LEP 2013 that Lot 10 DP216316 contains Heritage Item I22 (sheepfold) which is of local significance. It is considered that no impact will occur as there are no proposed changes to the current aspects of the heritage item site. It is recommended as part of this proposal that the location of the heritage item and its curtilage be more precisely defined so that only the significant aspects of the item are mapped, rather than the whole Lot. To this extent an inspection by the heritage adviser would be necessary, along with accurate GPS co-ordinates of the resulting 'tighter' boundary.</i></p>
<p><b>Natural and other land resources</b></p>	<p><i>The proposed subdivision will have no impact upon natural or other land resources.</i></p>
<p><b>Water supply and potential impacts on surface and ground water</b></p>	<p><i>The proposed development will be sited in an area classed as containing moderately vulnerable groundwater and minor water buffers for Flat Rock Creek. However, as there are no proposed changes to the site apart from boundary adjustments, it will create no impacts on surface or groundwater in the area. The proposed subdivision will not alter the existing water supply. An easement will be created to provide Lot 1 with access to the underground bore water supply.</i></p>
<p><b>Soils</b></p>	<p><b>Nil</b></p>
<p><b>Air quality, pollution and microclimate impacts (eg odour)</b></p>	<p><b>Nil</b></p>
<p><b>Flora and fauna</b></p>	<p><i>Although the development is predicted to possibly contain species of significance. The majority of the site is already highly disturbed agricultural land which is unlikely to contain any significant flora and fauna species and related habitats. In addition there are no impacts or changes to the site proposed that might affect any species that may possibly be present.</i></p>
<p><b>Waste facilities and controls</b></p>	<p><i>No changes to current waste facilities or controls are proposed by the development.</i></p>
<p><b>Energy efficiency and greenhouse gas emissions</b></p>	<p><b>Nil</b></p>
<p><b>Noise and vibration</b></p>	<p><b>Nil</b></p>

<b><i>Technological hazards and other risks to people, property and the environment</i></b>	<b><i>Nil</i></b>
<b><i>Safety, security and crime prevention</i></b>	<i>The proposed subdivision will not alter the existing security of the site.</i>
<b><i>Social impact in locality</i></b>	<b><i>Nil</i></b>
<b><i>Economic impact in locality</i></b>	<b><i>Nil</i></b>
<b><i>Site and internal design issues</i></b>	<i>The proposed subdivision will formalise the present use of the site as two different land uses, residential and agricultural. In this fashion the proposed subdivision will result in a more appropriate representation of the relevant perimeters.</i>
<b><i>Impacts during construction</i></b>	<b><i>Nil</i></b>
<b><i>Cumulative impacts</i></b>	<b><i>Nil</i></b>
<b><i>Impact on pedestrian movements and safety</i></b>	<b><i>Nil</i></b>
<b><i>Mineral resources and/or deposits in the vicinity</i></b>	<b><i>Nil</i></b>
<b><i>Impacts on aboriginal heritage</i></b>	<i>An Aboriginal Heritage Information Management System (AHIMS) Basic Search found no records of Aboriginal sites or places in or near the subject site. Council is not aware of any additional information that would suggest the presence of items or places of Aboriginal Heritage on the site.</i>
<b><i>Environmental impacts as a consequence of the development (whether direct or indirect)</i></b>	<b><i>Nil</i></b>
<b><i>Health Impacts of High Voltage Power Lines</i></b>	<b><i>Nil</i></b>

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

<b><i>Natural Hazards</i></b>	The site is not located in bushfire or flood prone areas.
<b><i>Potential contamination</i></b>	<b><i>Nil</i></b>

<b><i>Availability of utility services</i></b>	Water, electricity and phone services are available at present.
<b><i>Potential land use conflicts with surrounding development</i></b>	<b>Nil</b>
<b><i>Effluent disposal</i></b>	No new effluent disposal systems are required or proposed.
<b><i>Topography</i></b>	Gently sloping hills and relatively flat agricultural land.
<b><i>Suitability of the access arrangements</i></b>	The site has existing legal vehicular access to Nitholm Road.

#### **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 03/03/2016.

Following the close of the submission period **No** submissions were received.

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

<b><i>Impact on public infrastructure</i></b>	The proposed development will not result in any significant impacts on public infrastructure.
<b><i>Disabled Access</i></b>	<b>Not Applicable</b>
<b><i>Federal or State government policies</i></b>	<b>Nil</b>
<b><i>Planning studies, strategies or guidelines</i></b>	<b>Nil</b>
<b><i>Management Plans</i></b>	The site, including lots 7, 8, & 10 DP216316 and Lot 138 DP750530, contain two Property Vegetation Plans (PVP) which are PVP No. 4271 and PVP No. 15723. However as there are no works proposed or changes to the existing site, bar boundary changes, the circumstances and implementation of these PVP's will remain unaffected.
<b><i>Restrictions on the title and/or easements upon the land</i></b>	There is a Right of Carriage Way and easements for essential services proposed for the development. However this will not result in any issues or restrictions of note for the proposed development.

<b><i>Credible research findings applicable to the proposal</i></b>	<b>Nil</b>
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**Other Matters**

<b><i>Developer Contributions</i></b>	<b>Nil</b>
<b><i>Property Vegetation Plan (PVP)</i></b>	The site, including lots 7, 8, & 10 DP216316 and Lot 138 DP750530, contain two Property Vegetation Plans (PVP) which are PVP No. 4271 and PVP No. 15723. However as there are no works proposed or changes to the existing site, bar boundary changes, the circumstances of these PVP's will remain unaffected.
<b><i>Crown Land</i></b>	A Crown Road reserve runs through the development site. A section of this reserve has been utilised for access from the end of Council's Nitholm Road to the boundary of Lot: 10 DP: 216316 and the proposed Lot 1.
<b><i>Approvals under other Acts</i></b>	<b>Nil</b>
<b><i>Explanation of certain conditions to be imposed</i></b>	<b>Nil</b>
<b><i>Enforcement of conditions</i></b>	<b>Nil</b>
<b><i>Internal Referrals</i></b>	The proposed development was referred to the following internal Council officers. Their comments have also been summarised below:

<b>Officer</b>	<b>Issues raised</b>	<b>Addressed by</b>	<b>Conditions recommended?</b>
Health and Building Surveyor	<b>Nil</b>	-	No Conditions Applied
Roads and Stormwater Engineer			
Water and Wastewater Engineer	Not Consulted	-	-
Property Manager	Not Consulted	-	-
Heritage Officer	Heritage Item I22 Sheepfold requires	Defining more precisely the location	Envelope including a 70 metre buffer

	more accurate mapping	and curtilage of the heritage item so that only the significant aspects of the item are mapped, rather than the whole Lot. Including accurate GPS co-ordinates of the resulting 'tighter' boundary.	created around the redefined location of the Heritage item.
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## QUADRUPLE BOTTOM LINE REPORTING

### 1. Social

The proposed development will result in minimal social impact within the locality of the development.

### 2. Environmental

The proposed development will result in minimal environmental impact within the locality of the development.

### 3. Economic

The proposed development will result in minima; economic impact within the locality of the development.

### 4. Civic Leadership

In determining this DA Council is demonstrating effective governance in an efficient and consistent manner.

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## 9.18 SNOWY MONARO REGIONAL COUNCIL PRIVACY POLICY

Record No:

Responsible Officer:	Director Governance & Executive Services
Author:	Secretary Council & Committees
Key Direction:	7. Providing Effective Civic Leadership and Citizen Participation
Delivery Plan Strategy:	DP7.2 Council's leadership is based on ethics and integrity to enable informed and appropriate decisions in the community's best interest
Operational Plan Action:	OP7.6 Ensure that governance structures are open, transparent and fully accountable and that these are supported by relevant instruments.
Attachments:	<ol style="list-style-type: none"><li>1. SMRC0008 - Policy - Privacy Management (<i>Under Separate Cover</i>)</li><li>2. The Model Privacy Management Plan for Local Government (<i>Under Separate Cover</i>)</li><li>3. IPC Factsheet - Health Privacy Principles (<i>Under Separate Cover</i>)</li><li>4. IPC Factsheet - Information Protection Principles (<i>Under Separate Cover</i>)</li></ol>
Cost Centre	
Project	Corporate Governance
Further Operational Plan Actions:	

### EXECUTIVE SUMMARY

Snowy Monaro Regional Council (SMRC) was established on the 12 May 2016 through the merger of the former Bombala, Cooma Monaro and Snowy River Shire Councils.

As part of the merger the Governance Working Group are assessing policies from the three former Councils. The Working Group has reviewed the former Privacy Management Policies and has endorsed that a policy which adopts the OLG Model Privacy Management Plan and Code of Practice for Local Government, published in 2000 is the most suitable for Snowy Monaro Regional Council.

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

#### OFFICER'S RECOMMENDATION

That Council:

- A. Place SMRC 0008 – Policy – Privacy Management on public exhibition for a period of 28 days; and
- B. Adopt SMRC 0008 – Policy – Privacy Management should no submissions to be received;
- C. Should any submissions be received a further report come to Council at the end of the

exhibition period to enable Council to consider any submissions received.

## **BACKGROUND**

Section 33: Preparation and implementation of privacy management plans

- (1) *The privacy management plan of a public sector agency must include provisions relating to the following:*
  - (a) *the devising of policies and practices to ensure compliance by the agency with the requirements of this Act or the [Health Records and Information Privacy Act 2002](#), if applicable,*
  - (b) *the dissemination of those policies and practices to persons within the agency,*
  - (c) *the procedures that the agency proposes to provide in relation to internal review under Part 5,*
  - (d) *such other matters as are considered relevant by the agency in relation to privacy and the protection of personal information held by the agency.*

Upon adopting the Plan, Council is required, as soon as possible to provide a copy to the Privacy Commissioner. It is also possible for Council to amend its privacy management plan from time to time. Council must notify changes to the Privacy Commissioner as soon as practicable.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Council ensures that access and equity matters are considered and amended where required. A policy review is undertaken with a view that participation will be encouraged and in a manner that values and respects the community. This plan and policy affects all people in our community and as such the adopted plan should be published on our website and the policy put out for public comment.

### **2. Environmental**

Council adopting this Model Plan and management policy will not have a direct impact on environmental sustainability. The provisions in the plan may provide for management of information with regards to actions that may have or have had a detrimental impact on principles of sustainability.

### **3. Economic**

The review of the Privacy Management Plan is provided for in the Corporate Governance budget.

### **4. Civic Leadership**

Clear policies and guidelines promote structure and compliance within the organisation as to process and procedures. It is important that the policies and procedures are practical and reasonable to ensure that they can be applied and monitored in the workplace.

Policies that affect the public are available on Council's website for information and policies that relate to internal operations undergo internal consultation.



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## 9.19 BASKETBALL STADIUM DISABLED ACCESS

Record No:

Responsible Officer:	General Manager
Author:	Secretary Council & Committees
Key Direction:	4. Creating a Safer, Healthier and Thriving Community
Delivery Plan Strategy:	DP4.10 Provide appropriate services and facilities for people with a disability within the Shire.
Operational Plan Action:	OP4.19 Provide a suite of services that respond to the needs of people with a disability.
Attachments:	Nil
Cooma Branch	Author: Recreation and Property Manager Responsible Officer: Director of Engineering Services
Cost Centre	
Project	Basketball Stadium Disabled Access
Further Operational Plan Actions:	OP1.9.1 The existence of viable and active sporting groups is supported throughout the Shire.

### EXECUTIVE SUMMARY

The Cooma Basketball Association received a grant and donation from former Cooma-Monaro Shire Council for the construction of disabled facilities at the Cooma Basketball Stadium. There was a cost overrun, and the association has requested additional funds to cover this amount.

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

#### OFFICER'S RECOMMENDATION

That Council

- A. Allocate additional funds towards this project in the amount of \$7,568 (incl. GST) from the former Cooma-Monaro Shire Council's Building Infrastructure Reserve; and
- B. For future community projects an MOU is drafted between organisations stipulating the responsibility of every party to the MOU.

#### BACKGROUND

The Basketball Association requested a grant of \$30,000 from NSW Sport and Recreation for the construction of disabled facilities at the Cooma Basketball Stadium and was subsequently granted \$25,000 towards a total project cost of \$48,200. Council resolved on the 9 December 2013 (recommendation CMSC 481/13) to contribute the remaining \$23,200 towards this project. This contribution has been made by Council however the total building project cost exceeded the budget by \$7,568 (incl GST).

The builder Bruce Geach Constructions has explained that the over expenditure was due to the unavailability of their donated plumbing labour due to illness and additional steel materials to comply with the BCA. These costs have been verified by costing sheets and it should be noted include outgoings already paid by Bruce Geach Construction.

Council has also however contributed \$7,977 towards the construction of the concrete path access which was to be completed by volunteer community labour but due to other projects had to be completed by Council.

This group has delivered a vital piece of good quality infrastructure to the community, and it is recommended that the additional project funds of \$7,568.00 be allocated toward the project from the former Cooma-Monaro Shire Council Building Infrastructure Reserve.

## **QUADRUPLE BOTTOM LINE REPORTING**

### **1. Social**

Contribute and support Community Sporting Clubs to improving facilities.

### **2. Environmental**

Improve the road drainage of the road for the area.

### **3. Economic**

**Provide financial support to Community Sporting Clubs.4. Civic Leadership**

5. Providing support to Community Sporting Clubs to ensure their ongoing success, and growth of the Club for the benefit of the region.

#### 14. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

#### RECOMMENDATION

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

##### **14.1 Weed Control Services Tender**

Item 22.1 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

2. The press and public be excluded from the proceedings of the Council in Closed Session on the basis that these items are considered to be of a confidential nature.
3. That the Minutes and Business Papers including any reports, correspondence, documentation or information relating to such matter be treated as confidential and be withheld from access by the press and public, until such time as the Council resolves that the reason for confidentiality has passed or become irrelevant.
4. That the resolutions made by the Council in Closed Session be recorded in the Minutes of the Council Meeting.
5. That upon this recommendation being moved and seconded, the Chairperson invite representations from the public as to whether this part of the meeting should be closed to consider the nominated item.