



SNOWY MONARO
REGIONAL COUNCIL

BUSINESS PAPER

PUBLIC EXHIBITION COPY

Extraordinary Council Meeting
26 August 2021

CONFLICTS OF INTEREST

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

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

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

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

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

COUNCIL CODE OF CONDUCT

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

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

COUNCIL CODE OF MEETING PRACTICE

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

Acknowledgement of Country

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

Webcasting

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

**EXTRAORDINARY COUNCIL MEETING
TO BE HELD IN COOMA COUNCIL CHAMBERS AND VIA AUDIO-VISUAL LINK**

**ON THURSDAY 26 AUGUST 2021
COMMENCING AT 5:00PM**

BUSINESS PAPER

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	<i>Item 13.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	

1.1 COUNCILLOR REQUEST FOR ATTENDANCE VIA AUDIO-VISUAL LINK

Record No: I21/59

Responsible Officer:	Chief Strategy Officer
Author:	Acting Secretary Council and Committees
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	Nil

EXECUTIVE SUMMARY

Council adopted procedures for attendance by councillors at meetings by audio-visual link at its meeting on 15 April 2021 (Resolution No: 67/21).

The following requests have been made to attend remotely:

Councillor Name	Meeting Date	Reason	Request received within timeframe and reason(s) provided (Y/N)
Clr Castellari	19 August	Danger of animal collisions & as a septuagenarian, night vision is not great.	Y – 26/07/2021
Clr Rooney	19 August	To avoid the hazards of a late night drive home on the Monaro Highway and a kangaroo infested gravel road	Y – 04/08/2021
Clr Maslin	19 August	Because of the Covid situation shutting down Victoria.	N – 06/08/2021
Clr Old	19 August	Nil	N – 10/08/2021

OFFICER'S RECOMMENDATION

That Council

- A. Approve the remote attendance of Clr Castellari at the meeting on 19 August, via audio-visual link and accept his reason of "Danger of animal collisions & as a septuagenarian, night vision is not great";
 - B. Approve the remote attendance of Clr Rooney at the meeting on 19 August, via audio-visual link and accept his reason of "To avoid the hazards of a late night drive home on the Monaro Highway and a kangaroo infested gravel road";
 - C. Approve the remote attendance of Clr Maslin at the meeting on 19 August, via audio-visual link and her reason of "Because of the Covid situation shutting down Victoria", despite the request being received outside the adopted timeframes, as the legislation that led to Clr Masin being unable to attend came into place after the deadline for notice; and
 - D. Not approve the remote attendance of Clr Old at the meeting on 19 August, via audio-visual link, as the request was received outside the adopted timeframe and no reason was provided.
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8.1 DEVELOPMENT APPLICATION 10.2021.16.1 - ECO-TOURIST FACILITY (4 X CABINS + 1 MANAGERS RESIDENCE)

8.1 DEVELOPMENT APPLICATION 10.2021.16.1 - ECO-TOURIST FACILITY (4 X CABINS + 1 MANAGERS RESIDENCE)

Record No:

Responsible Officer: Chief Operating Officer

Author: Town Planner

Key Theme: 3. Environment Outcomes

CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to the region’s natural environment and heritage

Delivery Program Objectives: 8.1.3 Development assessment processes are streamlined to support regional development and growth

Attachments:

1. Draft Conditions of Consent (*Under Separate Cover*)
2. Plans (*Under Separate Cover*)
3. Statement of Environmental Effects (*Under Separate Cover*)
4. Bushfire Report (*Under Separate Cover*)
5. BASIX Certificate (*Under Separate Cover*)
6. Summary NatHERs Certificate (*Under Separate Cover*)
7. Energy Efficiency Report (1) (*Under Separate Cover*)
8. Energy Efficiency Report (2) (*Under Separate Cover*)
9. Submission 1 (*Under Separate Cover*)
10. Submission 2 (*Under Separate Cover*)
11. Submission 3 (*Under Separate Cover*)
12. Submission 4 (*Under Separate Cover*)
13. Submission 5 (*Under Separate Cover*)
14. Submission 6 (*Under Separate Cover*)
15. Applicant Response to Submissions (*Under Separate Cover*)
16. RFS - Bush Fire Safety Authority (*Under Separate Cover*)
17. Deposited Plan 841251 (*Under Separate Cover*)
18. Development Application Form (*Under Separate Cover*)
19. Procedure - Council Decision Contrary to Staff Recommendation (*Under Separate Cover*)

Further Operational Plan Actions:

Applicant Number:	10.2021.16.1
Applicant:	Niven Investments Pty Ltd
Owner:	Niven Investments Pty Ltd
DA Registered:	29/01/2021
Property Description:	Westons Road CRACKENBACK NSW 2627 Lot: 402 DP: 841251
Property Number:	261630
Area:	81.2 Hectares
Zone:	E3 - Environmental Management

Current Use:	Vacant land
Proposed Use:	Eco-Tourist Facility
Permitted in Zone:	Yes
Recommendation:	Approval

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for an Eco-tourist Facility, comprising of four (4) cabins and a two bedroom manager's residence on Westons Road, Jindabyne. The siting of the development components has been sensitively selected and responds to the topography of the land. The design of the cabins and manager's residence has applied modern alpine architecture including single storey skillion roof form, with views towards Lake Jindabyne. The cabins have been selected with sustainability in mind and to be consistent with the objectives for Eco Tourist Development (Clause 5.13) of the Snowy River Local Environmental Plan 2013.

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

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

It is recommended that the development application, DA 10.2021.16.1 for an Eco-tourist Facility (4 cabins and a manager's residence) on Lot 402 DP 841251 Ph Wallace be determined pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, by granting consent subject to conditions.

RECOMMENDATION

That pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2021.16.1 for an Eco-tourist Facility (4 cabins and a manager's residence) on Lot 402 DP 841251 Ph Wallace, with conditions of consent attached to this report.

BACKGROUND

Proposal in Detail:

The proposal is for the construction of an Eco-tourist facility on a forty hectare rural lot on Weston's Road, south-west of Jindabyne Township accessed via the Alpine Way.

Figure 1 – Location Map:

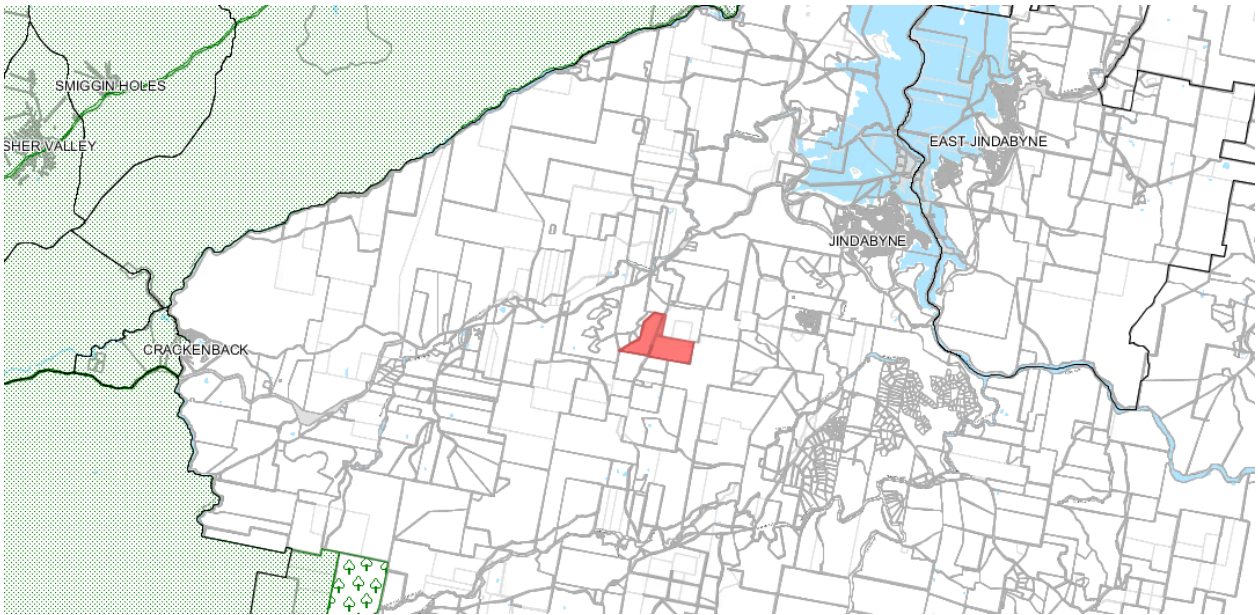
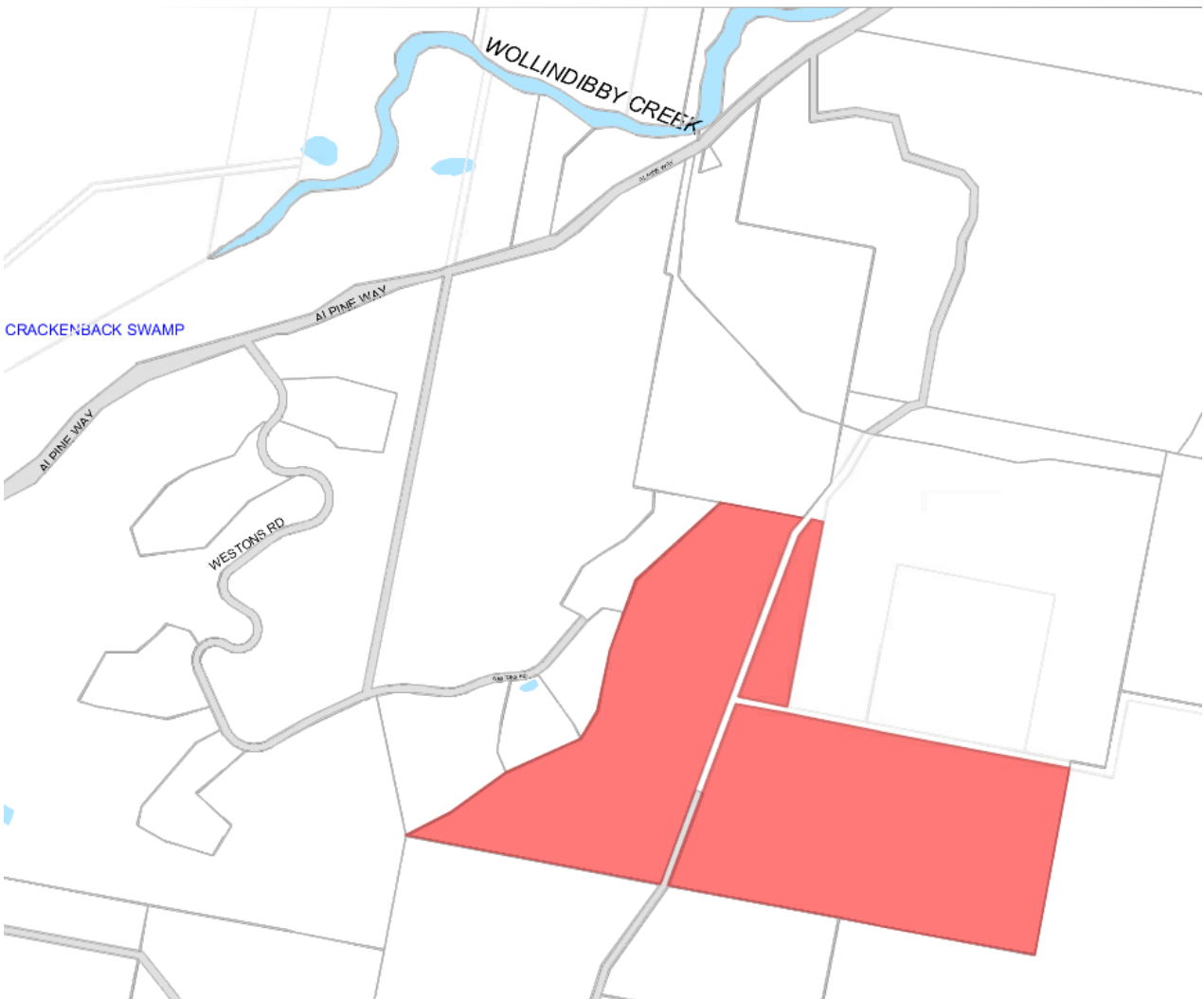


Figure 2 – Subject Lot:



The application seeks approval for the development of four (4) eco-tourist cabins and a manager's residence.

There are three (3) proposed two (2) bedroom cabins and one (1) cabin comprised of a single bedroom. The proposed occupancy number for the facility is fifteen (15) persons.

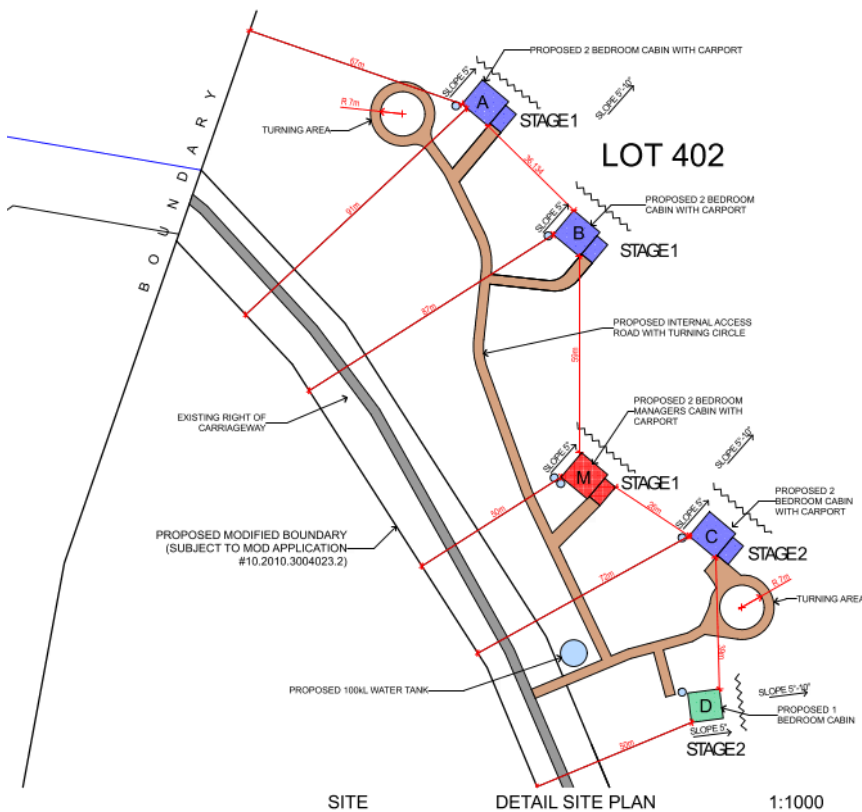
The manager's residence is proposed as two (2) bedrooms.

The development will be staged:

Stage 1: Cabins A, B & M (Manager's Residence)

Stage 2: Cabins C & D

Figure 3: Proposed Site layout



The land on which this development is proposed was a subdivision (DA4023/2019) which created two lots, one with a residential building entitlement and one as a residual allotment.

A subsequent approval was issued (MOD 10.2019.3004023.002) to amend the subdivision layout which re-aligned the boundaries of proposed lots one and two. The result being as outlined in Figure 2 Site plan on new lot plan.

Figure 4: Site plan on new lot plan

8.1 DEVELOPMENT APPLICATION 10.2021.16.1 - ECO-TOURIST FACILITY (4 X CABINS + 1 MANAGERS RESIDENCE)

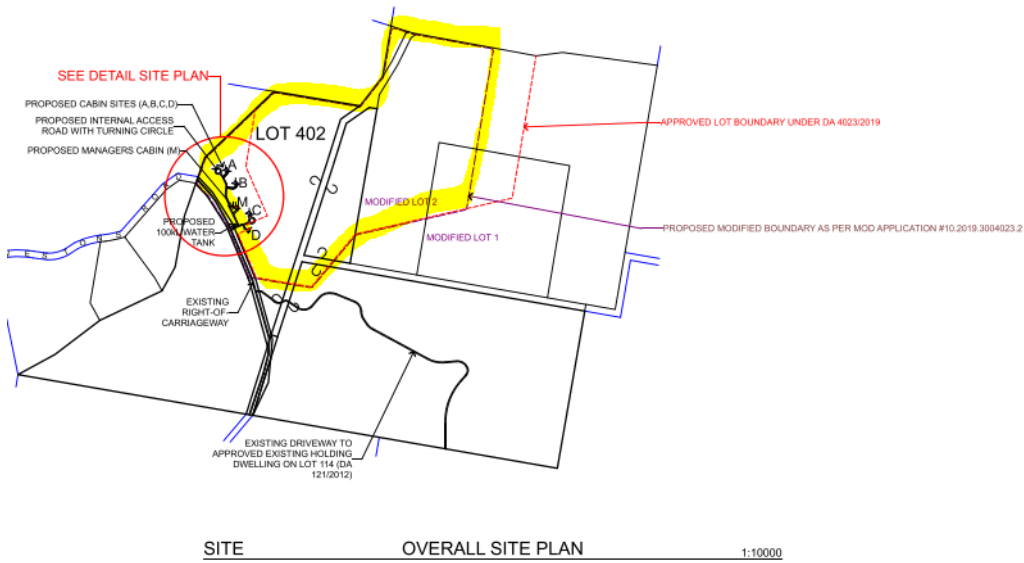


Figure 5: Perspectives – Manager’s Residence



Figure 6: Perspectives – Cabin Residence



ASSESSMENT

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

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

SECTION 4.15

Section 4.15 and EP&A Act Checklist

The suitability of the site for the development:	The surrounding land uses are consistent to the proposed development being a mixture of rural residential and tourist and visitor accommodation.
The provisions of any environmental planning instrument and draft environmental planning instrument:	<p>The proposal has been assessed against the provisions of all relevant SEPP's and the development has been found to achieve an acceptable level of compliance.</p> <p>The proposal has been examined in detail against the provisions of SRRLEP 2013 and has been found to achieve an acceptable level of compliance.</p> <p>The use proposed are permitted in the zone and consistent with the zone objectives.</p>
The provision of any development control plan:	The application generally complies with the provisions of Council's relevant development control plans.
Any matters prescribed by the regulations:	The application generally complies with the <i>EP&A Regulation 2000</i> .
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality:	The likely impacts of the development have been appropriately considered as part of this application.
Any submissions made in accordance with the EP&A Act or the regulations:	The application was notified for a period of 14 days in accordance with the provisions of the Snowy Monaro Planning and Development Community Participation Plan. Six (6) submissions were received, the submissions have been considered below.

<p>The public interest:</p>	<p>The proposal is not contrary to the public interest, as it complies with the Council's standards and will not contribute to creating an undesirable precedent.</p>
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Figure 6: The subject Site



INTEGRATED DEVELOPMENT

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

REFERRALS

External Referrals

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

Section	Comments
NSW Rural Fire Service	Response received, no objection to the development subject to conditions provided.

Internal Referrals

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

Section	Comments
Building	Disabled Access cabin not required
Development Engineering	No objection to the development subject to appropriate conditions of consent which have been provided.

LEGISLATIVE REQUIREMENTS ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

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

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

The suitability of the site for the development:

Slope	Sloping land
Significant vegetation	Terrestrial Biodiversity
Adjoining development	Similar in nature, scale and design to proposal

6.2.1 State Environmental Planning Policies

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

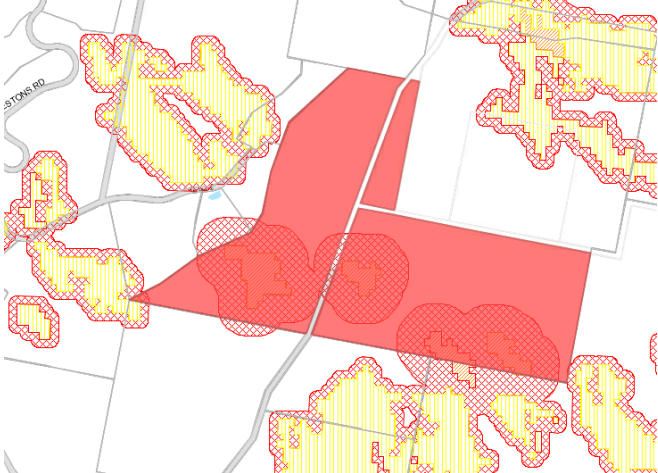
<i>State Environmental Planning Policies</i>	<i>Compliance/Relevance</i>
SEPP – Building Sustainability Index: BASIX 2004	Complies

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

- The subject land is zoned: Environmental Management – E3
- Definition of land usage under SRLEP 2013: *Eco-tourist facility*
- The proposal is permissible with development consent from Council pursuant to Zone E3 of the SRLEP 2013.
- The proposal is considered to be consistent with the aims and objectives of the plan.

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

Provision	Response/Acceptable Solution
PART 1 Preliminary	Snowy River Local Environmental Plan 2013
PART 2 Permitted or prohibited development	The proposal is permitted in the E3 zone
PART 3 Exempt and Complying Development	The application is not exempt or complying development.
PART 4 Principal development standards	The application does not include subdivision or an exemption to development standards
Clause 4.3 Height of building	Complies – 4m
PART 5 Miscellaneous provisions	

<p>Clause 5.11 Bush Fire hazard reduction</p> 	<p>The property is bushfire prone and has been referred to the RFS as integrated development. Under 100B of the Rural Fires Act a Bush fire safety authority (BFSA) is required Special Fire Protection Purpose development.</p> <p>RFS have provided conditions and a Bush Fire Safety Authority has been issued (see attachment 15).</p>
<p>Clause 5.13 Eco-tourism facility</p> <p>13 Eco-tourist facilities</p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) - to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,</p> <p>(b) - to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.</p> <p>(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.</p> <p>(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:</p> <p>(a) - there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and</p>	<p>The environmental and cultural values of the land will not be diminished by the proposed development.</p> <p>The cabins are of an environmentally sustainable design. It has incorporated passive heating and cooling, utilises renewable energy sources and rainwater supply.</p> <p>Additionally the proposal includes a Construction Management Plan outlining how the development will manage and minimise any environmental impacts.</p> <p>(2) The property is zoned E3 and Eco-tourist facilities are a permitted land use with consent from council.</p> <p>(3) (a) The subject site provides visitors with opportunities to undertake passive onsite activities including bird watching, walking, horse and mountain bike riding.</p> <p>There are a number of local heritage items which are examples European settlement of the high country on the Alpine Way.</p> <p>Additionally the property is located in close proximity to unique alpine areas and Kosciuszko NP and Lake Jindabyne providing external activities including</p>

<p>(b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and</p>	<p>boating activities, hiking, fishing and downhill mountain biking.</p> <p>Both the Kosciuszko National Park and Lake Jindabyne are sites that have both ecological and cultural value.</p> <p>(b) the siting of the development has been selected by the applicant to minimise its impact on the native flora and fauna. There is no clearing proposed and the cabins and manager's residence are to be established in previously disturbed areas. The site has been used in the past for grazing. The development will not seek to continue the use of the land for agricultural purposes but to utilise the value of the land for a low impact tourist use. This is in keeping with the objective of the E3 zone <i>to provide for high quality tourist development that is small scale, low impact and sympathetic to the unique landscape setting and scenic qualities of the area, including the approaches to Kosciuszko National Park.</i></p> <p>A Construction Management plan has been submitted to ensure that appropriate construction management is in place.</p>
<p>(c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and</p>	<p>(c) The development will allow for appreciation of environmental and cultural values as the cabins are orientated to achieve views of the Snowy Mountains and Lake Jindabyne. Those accommodated in the buildings can feel immersed in the natural environment due to the scale of the development and the number of occupants accommodated by the development.</p>
<p>(d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and</p>	<p>(d) Development has been located to ensure positive environmental outcomes by providing accommodation in a form</p>

<p>native flora and fauna will be minimal, and</p> <p>(e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and</p> <p>(f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and</p> <p>(g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and</p>	<p>which is low scale and allows guests to explore the natural environment within the site. The buildings have been located to ensure minimal impact on native flora & fauna as they are within an area of the site that is cleared. The cabins and the associated onsite effluent disposal systems are located a considerable distance from any water course. The locally listed heritage items are not within the visual curtilage of the proposed development and it will have no impact on the values of these buildings and places.</p> <p>(e) Satisfactory with appropriate conditions of consent. The developer will be required to maintain the site and for the ongoing management of the development.</p> <p>(f) The Construction Management Plan is considered to be satisfactory to ensure that during construction all waste is minimized and appropriately removed.</p> <p>Ongoing waste generation during operation will be managed by the onsite manager's of the facility. A draft condition of consent that all waste is removed from site and disposed of in a lawful manner has been proposed.</p> <p>(g) The applicant included a visual impact assessment in the statement of environmental effects submitted with the development application. It is considered that the applicant has adequately addressed the visual impact of the development on the surrounding landscape.</p> <p>The proposed cabins are low scale being</p>
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(h) any infrastructure services to the site will be provided without significant modification to the environment, and

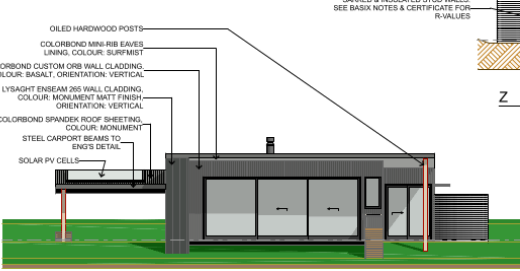
(i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and

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

single storey with the majority being two bedrooms and with one studio cabin. A total of 15 guests can be accommodated on site which allows for a low impact development on the site. No significant earthworks are proposed either for the establishment of the cabins or for road access within the site.

The location is below any ridgelines and avoids watercourses. The materials and colour choices are as follows:

Roof – Monument
Walls – Basalt and Monument
Eaves – Surfmist



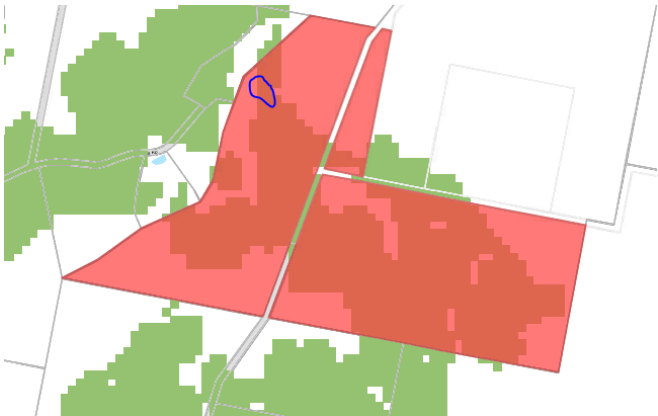
The drawing shows a single-story cabin with a gabled roof. Callouts point to various materials: Oiled hardwood posts, Colorbond mini-rib eaves lining (Surfmist), Colorbond custom orb wall cladding (Basalt), Lysaght E-Beam zinc wall cladding (Monument), Colorbond Spandek roof sheeting (Monument), steel carport beams to SMC's detail, and solar PV cells. A detail of a roof junction is shown with the note 'SEE BASIX NOTES & CERTIFICATE FOR R-VALUES'. A north arrow 'N' is also present.

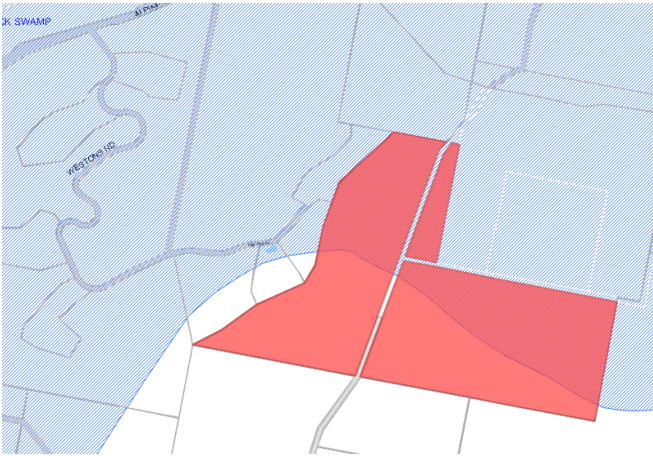
These colours blend into the mountain environment ensuring that the development does not dominate the landscape.

(h) Self-supporting and sustainable infrastructure is proposed. Being solar power, onsite sewerage management facilities and water tanks. These services will not require significant modification of the environment.

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

(j) There are no foreseen impacts on agricultural productivity as the subject lot is located away from agricultural areas. The development is proposed on land in the E3 Environmental Management zone

<p>(k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:</p> <ul style="list-style-type: none"> (i) measures to remove any threat of serious or irreversible environmental damage, (ii) the maintenance (or regeneration where necessary) of habitats, (iii) efficient and minimal energy and water use and waste output, (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment, (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control. 	<p>with the surrounding land uses being predominated by tourist and visitor accommodation and large residential holdings.</p> <p>(k) (i) The development is proposed on already managed land and away from areas with potential native flora and fauna, there are no foreseen environmental impacts.</p> <p>(ii) Not applicable.</p> <p>(iii) The development has complied with the requirement of the BASIX SEPP. Renewable energy is proposed, rainwater and an onsite sewer management system.</p> <p>(iv) The existing dwelling will be utilised as a manager’s residence to monitor and review any impacts.</p> <p>(v) The development will be centrally managed by onsite management who will be required to ensure that the development meets all relevant standards for ongoing management and quality control.</p>
<p>PART 7 Additional local provisions</p>	
<p>Clause 7.2 Terrestrial biodiversity</p> 	<p>The property is mapped with Terrestrial Biodiversity. The location of proposed of the development is predominantly cleared and will require minimal vegetation removal and no significant trees are to be interfered with.</p> <p>The development site is located close to the road and existing infrastructure to minimise any associated impact and leaving the remaining parts of the property untouched.</p> <p>There is no foreseen additional disturbance, fragmentation to the biodiversity or composition of the land or habitat connectivity.</p>

<p>Clause 7.7 Development within the eastern approaches to Kosciuszko National Park</p> 	<p>The development site is visible from the Alpine way (westbound traffic only). The applicant has adequately addressed the potential impact of the development on the Eastern Approaches.</p> <p>The cabins have been sited below Weston’s road in a cleared area and below any ridgeline. As there is higher land to the east the buildings will not protrude into the skyline.</p> <p>The design of the cabins are single storey, have used low profile skillion roofs and a colour schedule, which are compatible with the surrounding natural and built environment.</p>
<p>Clause 7.9 Essential services</p>	<p>Access – the property is accessed via Weston’s road which is a Council managed road terminating at the property boundary for lot 7 DP 703737 (adjoining the subject lot 9)</p> <p>There is a Right of Carriageway across Lot 7 DP 703737, which benefits the subject lot. (see attachment – DP 703737) The right of carriageway allows full and free right of access to subject lot (Lot 9) for any purpose including that proposed.</p> <p>Water – The proposed water provision for the cabins is solely rain water. Each cabin is proposed to have a 10,000litre tank for domestic use and all cabins are further connected to a combined 100,000 litre storage tank.</p> <p>The Rural Fire Service require a static water supply for each cabin of 15,000litres with a 30,000litre static supply for the manager’s residence.</p> <p>Sewage - The cabins will be connected to a new septic system. The location, size and type of system has been recommended by a qualified On-site Sewer Management Specialist (refer to the Site and Soil assessment -Water check Report). A further approval under S68 of the Local Government Act will be required to install</p>

	the system as well as an ongoing approval to operate the system.
SCHEDULE 5 Environmental heritage	There are no adjoining heritage items. An AHIMS search was carried out revealing zero (0) aboriginal sites or locations within 50m of the subject site. AHIMS report 561911.

6.3 Provision of any proposed Environmental Planning Instruments

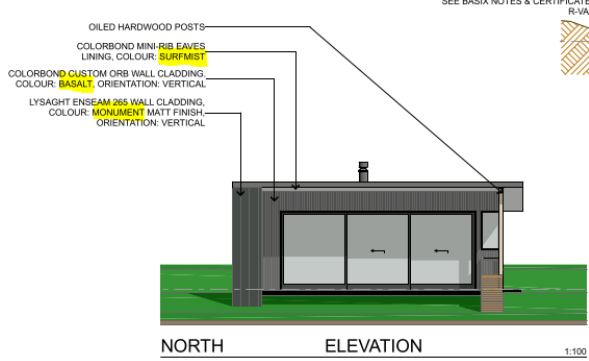
There are no proposed environmental planning instruments applying to this site which are relevant to the proposed development.

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

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

Provision	Response/Acceptable Solution
A1 Introduction	
A2 Development application requirements	Satisfactory
A3 Public Notification	16/02/2021 – 02/03/2021 Extension granted until 10/03/2021 Submissions are discussed further in the body of this report
B1 Rural localities, Towns & Villages	
1.7 – Crackenback	<i>Satisfactory</i>
C General planning considerations	
C2 Design	The design of the cabins and manager’s residence has applied modern alpine architecture including single storey skillion roof form, with views towards Lake Jindabyne. The design of the cabins are single storey, have used low profile roofs and a colour schedule, which are compatible with the surrounding natural and built environment.

8.1 DEVELOPMENT APPLICATION 10.2021.16.1 - ECO-TOURIST FACILITY (4 X CABINS + 1 MANAGERS RESIDENCE)

 <p>Colour Schedule</p> <p>Roof: Monument</p> <p>Wall: Surfmist, Basalt and Monument</p>	<p>The selected materials for the construction of the cabins and manager’s residence include timber frame, metal cladding, with a high level of insulation and double glazed windows paired with a concrete slab for thermal mass.</p> <p>The design of the cabins have incorporated passive solar design to allow for the buildings to gain heat in winter and reduce heat in summer.</p> <p>The primary energy source for the development will be renewable sources such as solar panels.</p>
<p>C3 Car-parking, Traffic & Access</p>	<p>Complies - In accordance with Table C3. 4-2 each cabin require one (1) space and one (1) additional space per two (2) employees.</p> <p>The proposal provides one car space per unit and a single carport for the manager’s residence. There is also more than adequate space on the subject lot for uncovered parking options if additional car parking is required.</p> <p>Access – the property is accessed via Westons Road which is a Council managed road terminating at the property boundary for lot 7 DP 703737.</p> <p>There is a Right of Carriageway across Lot 7 DP 703737, which benefits the subject lot.</p> <p>The internal driveway is located off the Right of Carriageway portion of Weston’s Road inside the property boundary.</p> <p>As the developer is intending to build five dwellings on a lot without a dwelling entitlement, Council considers the additional development to be traffic generating and as such requires a section of Westons Road to be upgraded by the developer to comply with the standard set in Council’s Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.</p>

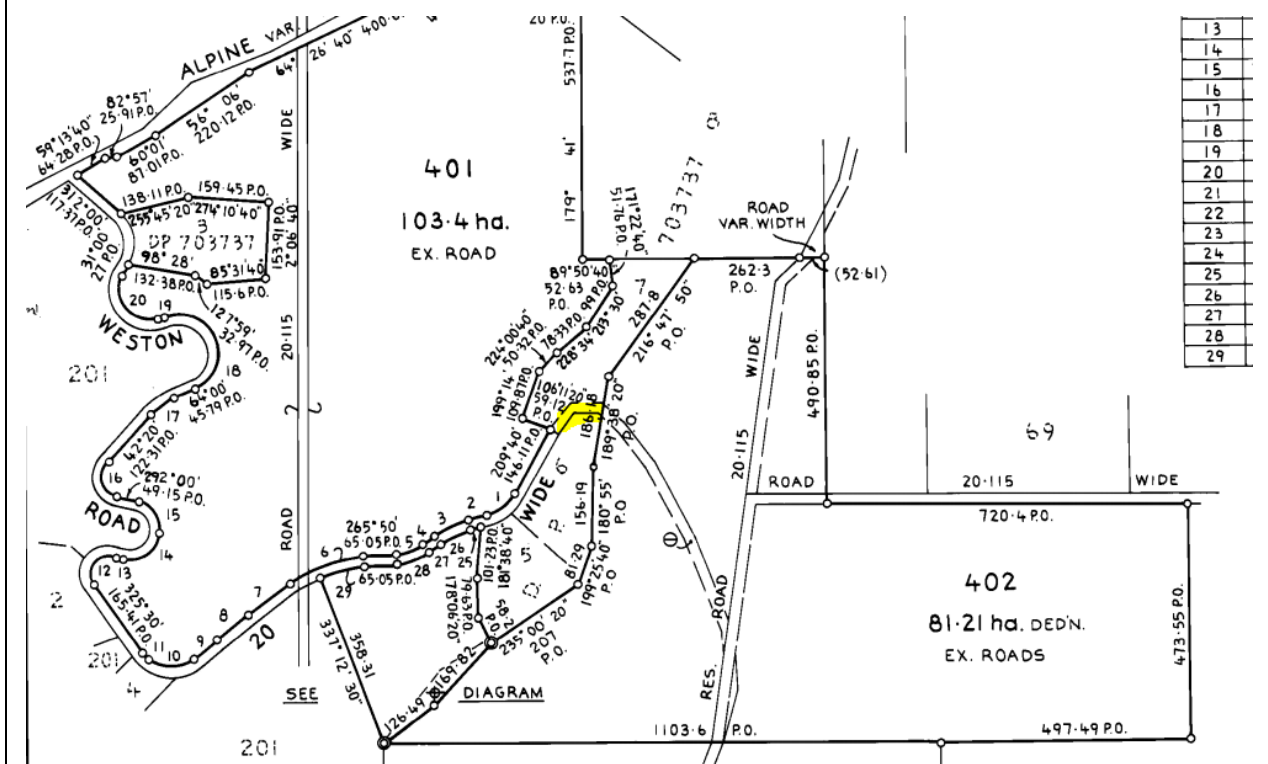
Conditions of consent are included in the draft conditions requiring the developer to;

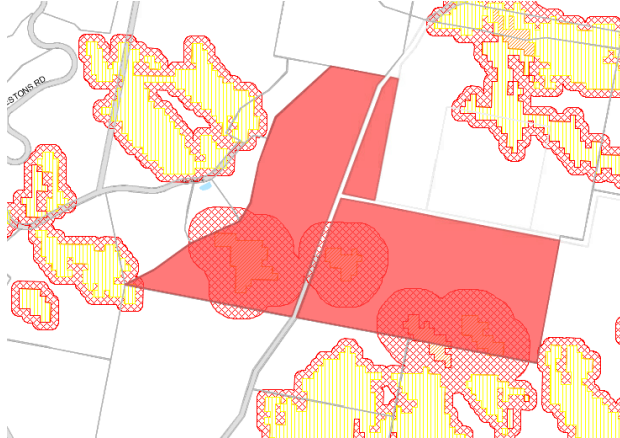
- Widen the Rural Right of Carriageway
- Road construction – two lane unsealed – light traffic

Council managed road in blue



Right of Carriage way in yellow



<p>C4 Heritage</p>	<p>There are no adjoining heritage items</p> <p>An AHIMS search was carried out revealing zero (0) aboriginal sites or locations within 50m of the subject site.</p> <p>AHIMS report 561911.</p>
<p>C5 Tree preservation & Landscaping</p>	<p>The development is proposed in an area with scattered trees and the application does not require the removal of any trees.</p>
<p>C6 Signage & Advertising</p>	<p>No signage is proposed as part of the development.</p> <p>Any future signage will be the subject of a separate development application, unless it meets the development standards of the Exempt and Complying Code SEPP 2008.</p>
<p>C7 Natural Hazard Management</p>  <p>The map displays several irregularly shaped areas with red and yellow hatching, indicating bushfire-prone land. A road labeled 'STONES RD' is visible on the left side of the map. The hatched areas are scattered across the site, with a large red hatched area in the center-right and several yellow hatched areas around the perimeter.</p>	<p>The land is mapped as being bushfire prone land and has been referred to the RFS as integrated development. Under 100B of the Rural Fires Act a Bush fire safety authority (BFSA) is required as the development is classified as a Special Fire Protection Purpose.</p> <p>RFS have provided conditions and a BFSA has been issued (see attachment 15).</p>
<p>C8 Environmental Management</p>	<p>The property is mapped with Terrestrial Biodiversity. The location of proposed of the development selected is predominantly cleared and will require minimal vegetation removal and no significant trees.</p> <p>The development site is located close to road and existing infrastructure to minimise any associated impact and leaving the remaining parts of the property untouched.</p> <p>There is no foreseen additional disturbance, fragmentation to the biodiversity or composition of the land or habitat connectivity.</p>
<p>C9 Energy & Waste Efficiency, Water Supply & Effluent Disposal</p>	<p>The applicant has provided a BASIX and NatHERs report for the cabin which demonstrates compliance with the principle</p>

	<p>of efficient building.</p> <p>As discussed in the assessment of cl 7.9 of the SRLEP water is to be provided by rainwater tanks, effluent disposal via an on-site management system and electricity from renewable solar power.</p>
C10 Waste management & Recycling	<p>There is no council waste collection service to the subject site.</p> <p>The proposed waste management of the development is either manual delivery to the Jindabyne landfill or via a private collection service.</p>
E Non-residential Development	
E1 Tourist Accommodation	
4. Eco-tourist Accommodation	<p>Complies</p> <p>The application falls within the objectives for eco tourist facilities as defined within the DCP. The locality is renowned for its environmental features and the site is suitable for the proposed use.</p> <p><u>Site Design</u> – the proposed materials are considered to be sympathetic to the surrounding environment and will blend with the landscape.</p> <p>The proposed development has been designed for eco-tourist purposes and demonstrates that there will be significant practical reliance on renewable energy and water use.</p> <p><u>Parking</u> - There is more than adequate provision for parking on the site. One (1) car park is proposed per cabin which is in accordance with the DCP.</p> <p><u>Education and awareness</u> – The development proposes to provide written information regarding the location of key natural off site features (eg National Parks).</p> <p><u>Access</u> – See assessment of C3</p> <p><u>Management</u> – The development proposes accommodation of fifteen (15) and in accordance with the requirements of the DCP an on-site manager’s residence has been</p>

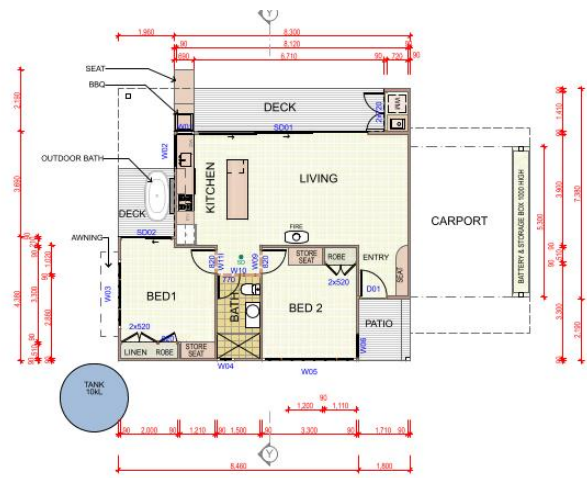
proposed.

Conditions relating to the DCP apply to the consent in terms of use of the eco tourist facility.

Occupation Rates

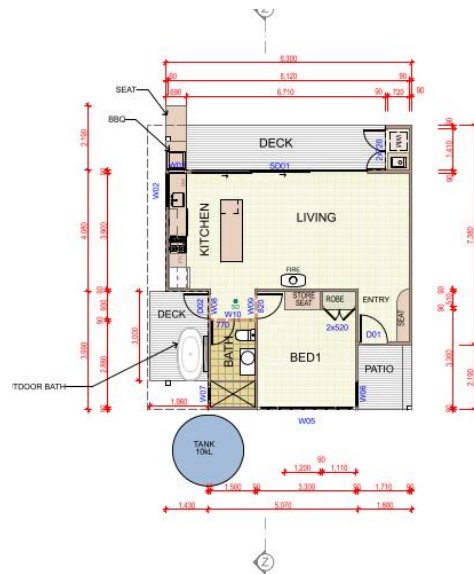
The development consisted of four (4) cabins to be used as an Eco-Tourist Facility and a manager’s residence.

The proposed cabins A, B, & C are a two (2) bedroom design and will be conditioned to sleep a maximum of four (4) people each.



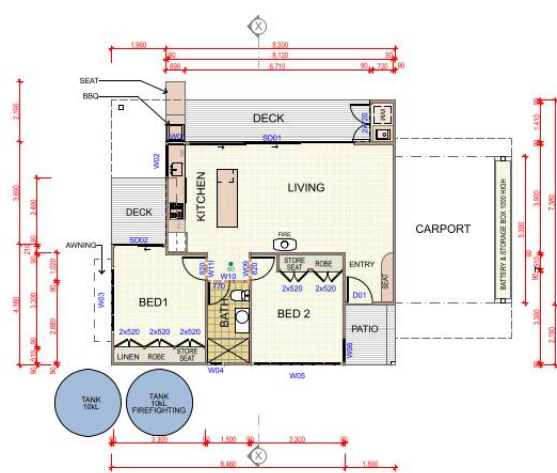
CABIN: 2 BEDROOM FLOOR PLAN 1:100

The proposed cabins D is a studio design and will be conditioned to sleep a maximum of three (3) people each.



CABIN: 1 BEDROOM FLOOR PLAN 1:100

8.1 DEVELOPMENT APPLICATION 10.2021.16.1 - ECO-TOURIST FACILITY (4 X CABINS + 1 MANAGERS RESIDENCE)

	<p>The proposed manager’s cabin is a two (2) bedroom design and will be conditioned to sleep a maximum of four (4) people.</p>  <p style="text-align: center;">MANAGERS CABIN FLOOR PLAN</p> <p>Contributions apply at a rate of 0.29ET per room.</p> <ul style="list-style-type: none"> - 0.29 ET x 6 (3 cabins - 2 bedroom) - 0.29 ET x 1 (1 cabin – 1 bedroom) <p>Contributions apply at a rate of 0.71 per 2 bedroom dwelling.</p> <ul style="list-style-type: none"> - 0.71 ET x 1 (Manager’s residence)
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6.5 Planning Agreements

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

6.6 Any matters prescribed by the regulations

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

Clause 92 (1)

(b) Demolition - provisions of AS 2601 have been taken into consideration	NA
(c) carrying out of development on land that is subject to a subdivision order made under Schedule 7 to the Act the provisions of that order and of any development plan prepared for the land by a relevant authority under that Schedule	NA

Clause 93 – Fire safety change of use of buildings where the applicant does not seek the rebuilding, alteration, enlargement or extension of a building

(1) Is the fire protection and structural	NA
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capacity of the building will be appropriate to the building's proposed use.	
(3) The building complies (or will, when completed, comply) with such of the Category 1 fire safety provisions as are applicable to the building's proposed use.	NA
Are upgrades required as per clause 94	NA

6.7 Impacts of the Development – Environmental, Social & Economic

Access, transport and traffic	Access is via public road Westons Lane and with right-of-carriage way across Lot 7 DP 703737, which benefits the subject lot. Each cabin has dedicated car spaces.
Easements/88B Restrictions on Use	There is a Right of Carriageway across Lot 7 DP 703737, which benefits the subject lot. The 88B has no restriction on the use of the carriageway.
Bushfire Assessment s4.14	The land is mapped as bushfire prone land and has been referred to the RFS as integrated development. Under 100B of the Rural Fires Act a Bush Fire Safety Authority (BFSA) is required and one has been issued.
Impacts on supply of utilities	The cabins have been designed utilising environmentally sustainable principles and solar panels are proposed.
Heritage	AHIMS Search ID: 561911 – nil results. There are no adjoining heritage items.
Natural and other land resources	The proposed development is considered unlikely to result in any significant impacts upon natural or other land resources within the locality as the proposal will not be drawing on the riparian access rights of the subject lot but proposes rain water to be the sole water supply.
Water supply and potential impacts on surface and ground water	No impact foreseen.
Soils	Not applicable.
Air quality, pollution and microclimate impacts (eg odour)	The proposed development is unlikely to have any significant impact on the air quality of the site and any surrounding properties due to the nature of the development.

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

Social impact in locality	<p>Whilst the proposed development will increase the number of tourists to the area, it is of a low scale allowing for only an additional fifteen (15) persons. In addition to the tourist accommodation, there is also a two (2) bedroom manager's residence proposed.</p> <p>The maximum number of tourists permitted at one time will be fifteen (15), this is significantly less tourists that can be accommodated currently at the Altitude 1260 Lodge.</p> <p>The existing Altitude 1260 Lodge, Rural Tourist Accommodation, offers accommodation for up to 48 people. Additionally, there is also Silvertop Snowy Mountains Retreat Lodge, 30 guests, and a Bed & Breakfast comprising of 5 bedrooms.</p> <p>Given the established tourist accommodation options along Weston's Road the proposal is considered to be reasonable in the locality.</p> <p>With appropriate signage, the potential of cars passing the accommodation and carrying on to other residences further on Weston's road is considered unlikely.</p>
Economic impact in locality	<p>The proposal for additional tourism accommodation is in line with the objectives of the wider area and will be a positive influence on the economy.</p>
Site and internal design issues	<p>Satisfactory.</p>
Impacts during construction	<p>It is unlikely that the construction of the proposed cabins will result in any significant impacts given the size of the lots in the area.</p>

Cumulative impacts	<p>The proposed development in conjunction with surrounding development is considered to result in significant cumulative impacts to the existing public road.</p> <p>As the developer is intending to build five dwellings on a lot without a dwelling entitlement, it is considered that the additional traffic generated by this development requires that a section of Westons Road which is of particular concern to adjoining residents should be upgraded by the developer to comply with the standard set in Council's Development Design Specification. It is considered that in order to facilitate the development an upgrade of the type proposed in the draft conditions of consent would mitigate the additional impact that the development will have on the public road. In addition to the works required on Westons Road it is considered that in order to provide a safe access to the development that the right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.</p>
Impact on pedestrian movements and safety	Not Applicable.
Mineral resources and/or deposits in the vicinity	There are no known mineral resources or deposits in the vicinity.
Impacts on aboriginal heritage	Nil
Health Impacts of High Voltage Power Lines	Not Applicable.

6.8 Public Interest

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

7.0 OTHER MATTERS

Developer Contributions	<p>Contributions apply at a rate of 0.29ET per eco-tourist room.</p> <ul style="list-style-type: none"> - 0.29 ET x 6 (3 cabins - 2 bedroom) - 0.29 ET x 1 (1 cabin – 1 bedroom) <p>Contributions apply at a rate of 0.71 per 2 bedroom dwelling.</p>
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	- 0.71 ET x 1 (Manager's residence)
Approvals under other Acts	RFS – 100B
Internal Referrals	<p>Development Engineer comments</p> <p>Westons Road is a Council public road, maintained by Council. It commences at the Alpine Way and rises at a steep and winding gradient for 2.6 km to Lot 7, DP 703737. Westons Road provides the only vehicular access to the development.</p> <p>There is a relatively straight section between Lot 302 (DP747746) and Lot 5 (DP703737) with a carriageway width generally between 4.0 and 4.6m. There is a small mound along the northern edge of the road after which it drops steeply. This section of road is too narrow to be functional as a two way, two lane rural road.</p> <p>Council's (Snowy River) Development Design Specification provides minimum carriageway widths for unsealed rural roads. For a minor road with up to 150 AADT, a 6.4m wide gravel pavement should be provided or be available.</p> <p>As the developer is intending to build five dwellings, it is considered that the additional traffic generated by this development requires that this section of Westons Road should be upgraded by the developer to comply with the standard set in Council's Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.</p> <p>The recommended conditions of consent have been provided.</p>

SUBMISSIONS

The proposed development was placed on public exhibition and adjoining landowners were notified in accordance with the provisions of the Snowy Monaro Planning and Development Community Participation Plan 2019 for a period of 14 days.

Submissions

Snowy Monaro Planning and Development Community Participation Plan requirements and the relevant statutory regulations required notification of the development. Notification letters were sent out to adjoining landowners and exhibited for a period of 14 days. Several interested parties contacted Council and requested additional time for the lodgement of submissions. Additional

time was provided and all submissions below were received either within the original time frame or within the additional time provided upon request.

The application was not required to be publicly advertised.

Six (6) submissions were received all objecting to the proposed development.

The main theme of the submissions related to the impact that the development would have on Westons Road from a traffic perspective and the safety of the road users.

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

Officer Response to Issues Raised by Submission 1

Traffic safety and Road condition

As the developer is intending to build five dwellings on a lot without a dwelling entitlement, Council considers the additional development to be traffic generating and that this should require a section of Westons Road to be upgraded by the developer to comply with the standard set in Council's Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.

Conditions of consent are included in the draft conditions requiring the developer to;

- Widening of Rural Right of Carriageway
- Road construction – two lane unsealed – light traffic

ROC contribution

The subject site is accessed via a legal easement (right-of-carriageway) over lot 7 DP 703737 therefore has legal and practical access.

The road then traverses through the subject site, owned by the applicant. The subject lot is both burdened and benefited by the easement which creates the road and provides a right-of-carriageway (ROC) (easement) access to the properties to the south.

The contribution to the maintenance of the ROC is not serviced by a Deed of Agreement and as such is a civil matter between the benefiting land owners.

Visual Impact from the Alpine Way

The corridor whilst travelling westbound along the Alpine way is the most visible location of the development, which is over 2km away shown in the photo below.

The view corridor from the Alpine way already comprises multiple buildings. The proposed individual cabins are smaller in design than other larger existing developments which dominate view corridor.

The siting of the development is below Westons Road and is not located near the top of a ridgeline or the top of the hill on which the property lies. It is considered that the location of the development will maintain the ridgeline and not protrude against the skyline.



The proposed colour schedule are considered to be complimentary to the natural surroundings and will blend with the existing built environment.

The spacing of the cabins ranges between 26 – 59m which is considered to create sufficient distance between the cabins so as not to present as a residential subdivision and still be close enough to be accessible to the on-site manager, share the same access and infrastructure.

Bushfire

The development is integrated development in accordance with the requirements of 100B of the Rural Fires Act. The RFS have provided conditions of consent and a Bush Fire Safety Authority has been issued.

Officer Response to Issues Raised by Submission 2

Traffic safety and Road condition

As the developer is intending to build five dwellings on a lot without a dwelling entitlement, Council considers the additional development to be traffic generating and that this should require a section of Westons Road to be upgraded by the developer to comply with the standard set in Council's Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.

Conditions of consent are included in the draft conditions requiring the developer to;

Widen the Rural Right of Carriageway

Road construction – two lane unsealed – light traffic

ROC contribution

The subject site is accessed via a legal easement (right-of-carriageway) over lot 7 DP 703737 therefore has legal and practical access.

The road then traverses through the subject site, owned by the applicant. The subject lot is both burdened and benefited by the easement which creates the road and provides a right-of-carriageway (ROC) (easement) access to the properties to the south.

The contribution to the maintenance of the ROC is not serviced by a Deed of Agreement and as such is a civil matter between the benefiting land owners.

Officer Response to Issues Raised by Submission 3

Traffic safety and Road condition

As the developer is intending to build five dwellings on a lot without a dwelling entitlement, Council considers the additional development to be traffic generating and that this should require a section of Westons Road to be upgraded by the developer to comply with the standard set in Council's Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.

Conditions of consent are included in the draft conditions requiring the developer to;

Widen the Rural Right of Carriageway

Road construction – two lane unsealed – light traffic

Officer Response to Issues Raised by Submission 4

Proximity to existing dwelling

The location of the proposed development site is approximately 125m south of the neighbouring development. The development will be visible from the adjoining property, however each cabin is orientated to the north east and the predominant view is away from the neighbouring property. The orientation of the neighbouring dwelling is orientated also to the north east and way from the development site. Therefore, given the development is located over 100m to the south away from the views and in a similar location to the previously approved dwelling 2 location mentioned in the Statement of Environmental Effect (DA 10.2019.3004023.1), the development site is considered satisfactory and does not unduly impact on neighbouring properties.



Traffic safety and Road condition

As the developer is intending to build five dwellings on a lot without a dwelling entitlement, Council considers the additional development to be traffic generating and that this should require a section of Westons Road to be upgraded by the developer to comply with the standard set in Council's Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.

Conditions of consent are included in the draft conditions requiring the developer to;

- Widen the Rural Right of Carriageway
- Road construction – two lane unsealed – light traffic

Visual Impact from the Alpine Way

The corridor whilst travelling westbound along the Alpine Way is the most visible location of the development, which is over 2km away.

The view corridor from the Alpine Way already comprises multiple buildings. The proposed individual cabins are smaller in design than other larger existing developments which dominate the view corridor.

The siting of the development is below Westons Road and is not located near the top of a ridgeline or the top of the hill on which the property lies. It is considered that the location of the development will maintain the ridgeline and not protrude against the skyline.

The proposed colour schedule are considered to be complimentary to the natural surroundings and will blend with the existing built environment.

The spacing of the cabins ranges between 26 – 59m which is considered to create sufficient distance between the cabins so as not to present as a residential subdivision and still be close enough to be accessible to the on-site manager, share the same access and infrastructure.

Design of buildings

The design of the cabins and manager's residence has applied modern alpine architecture including single storey skillion roof form, which is considered to be consistent with the established characteristics of the locality.

The design of the cabins are single storey, have used low profile skillion roofs and a colour schedule, which are compatible with the surrounding natural and built environment.

The selected materials for the construction of the cabins and manager's residence include timber frame, metal cladding, with a high level of insulation and double glazed windows paired with a concrete slab for thermal mass.

The design of the cabins have incorporated passive solar design to allow for the buildings to gain heat in winter and reduce heat in summer.

Bushfire

The development is integrated development in accordance with the requirements of 100B of the Rural Fires Act. The RFS have provided conditions of consent and a Bush Fire Safety Authority has been issued.

Impact on native fauna

The proposed development site is located within the paddocks with the most cleared areas and have undergone pasture improvement and grazed over a long period of time with no substantial clearing of natural vegetation required.

The development site is located close to the existing road and infrastructure, other buildings and utilising the existing entrance and internal access tracks, therefore mitigating the impacts associated with the clearing of natural vegetation.

Officer Response to Issues Raised by Submission 5

Traffic safety and Road condition

As the developer is intending to build five dwellings on a lot without a dwelling entitlement, Council considers the additional development to be traffic generating and that this should require a section of Westons Road to be upgraded by the developer to comply with the standard set in Council's Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.

Conditions of consent are included in the draft conditions requiring the developer to;

- Widen the Rural Right of Carriageway
- Road construction – two lane unsealed – light traffic

Visual Impact from the Alpine Way

The corridor whilst travelling westbound along the Alpine Way is the most visible location of the development, which is over 2km away.

The view corridor from the Alpine Way already comprises of multiple buildings. The proposed individual cabins are smaller in design than other larger existing developments which dominate the view corridor.

The siting of the development is below Westons Road and is not located near the top of a ridgeline or the top of the hill on which the property lies. It is considered that the location of the development will maintain the ridgeline and not protrude against the skyline.

The proposed colour schedule are considered to be complimentary to the natural surroundings and will blend with the existing built environment.

The spacing of the cabins ranges between 26 – 59m which is considered to create sufficient distance between the cabins so as not to present as a residential subdivision and still be close enough to be accessible to the on-site manager, share the same access and infrastructure.

Bushfire

The development is integrated development in accordance with the requirements of 100B of the Rural Fires Act. The RFS have provided conditions of consent and a Bush Fire Safety Authority has been issued.

Impact on native flora and fauna

The proposed development site is located within the paddocks with the most cleared areas and have undergone pasture improvement and grazed over a long period of time with no substantial clearing of natural vegetation required.

The development site is located close to the existing road and infrastructure, other buildings and utilising the existing entrance and internal access tracks, therefore mitigating the impacts associated with the clearing of natural vegetation.

Officer Response to Issues Raised by Submission 6

Traffic safety and Road condition

As the developer is intending to build five dwellings on a lot without a dwelling entitlement, Council considers the additional development to be traffic generating and that this should require a section of Westons Road to be upgraded by the developer to comply with the standard set in Council's Development Design Specification. The right of carriageway (particularly along the small radius curve in Lot 7, DP 703737) should also be upgraded to the development site.

Conditions of consent are included in the draft conditions requiring the developer to;

- Widen the Rural Right of Carriageway
- Road construction – two lane unsealed – light traffic

CONCLUSION

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

1. The proposed development is a permitted use in the zone of E3 - Environmental Management
2. The use of the subject lot as a form of tourist and visitor accommodation is one, which has been previously established on Weston's Road.
3. The development complies with the standards of the SRLEP and the SRDCP.

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

QUADRUPLE BOTTOM LINE REPORTING

1. Social

It is not considered that the development will have an overall negative social impact when compared to the surrounding land uses. Whilst holiday accommodation can have antisocial behaviour attached this can be managed through appropriate rental management. The proposed development has onsite management which will be available to deal with issues arising from the guests. The development is in keeping with established tourist accommodation options along Weston's road and within the Jindabyne context as a holiday destination.

2. Environmental

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

3. Economic

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

4. Civic Leadership

The application is referred to Council for determination rather than being determined by staff under delegation, as the development received six (6) submissions. This is in accordance with Councils Policy - "Referral of Development Applications to Council" which stipulates any

development application that receives more than five (5) objections requires determination by Council.

In accordance with section 4.16 (1) of the Environmental Planning and Assessment Act 1979; a consent authority is to determine a development application by—

- (a) granting consent to the application, either unconditionally or subject to conditions, or
- (b) refusing consent to the application.

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

If Council decides to make a determination contrary to the recommendation, it must follow the requirements of Council Procedure – *Council Decision Contrary to Staff Recommendation* (attached to this report).

8.2 DEVELOPMENT APPLICATION 10.2020.135.1 ECO-TOURIST FACILITY

Record No: I21/40

- Responsible Officer: Chief Operating Officer
- Author: Town Planner
- Key Theme: 3. Environment Outcomes
- CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to the region’s natural environment and heritage
- Delivery Program Objectives: 8.1.3 Development assessment processes are streamlined to support regional development and growth
- Attachments:
1. Legal Advice (*Under Separate Cover*)
 2. Plan for DP 861805 (*Under Separate Cover*)
 3. 88B for DP 861805 (*Under Separate Cover*)
 4. Renwick Service Deed (*Under Separate Cover*)
 5. Plans (*Under Separate Cover*)
 6. Draft Conditions (*Under Separate Cover*)
 7. Statement of Environmental Effects (*Under Separate Cover*)
 8. BASIX Certificate (*Under Separate Cover*)
 9. NatHERs 1 (*Under Separate Cover*)
 10. NatHERs 2 (*Under Separate Cover*)
 11. NatHERs 3 (*Under Separate Cover*)
 12. AHIMS Basic Search Results (*Under Separate Cover*)
 13. Site and Soil Assessment (*Under Separate Cover*)
 14. Applicant Response to Submissions (*Under Separate Cover*)
 15. Submission 1 (*Under Separate Cover*)
 16. Submission 2 (*Under Separate Cover*)
 17. Submission 3 (*Under Separate Cover*)
 18. Submission 4 (*Under Separate Cover*)
 19. Submission 5 (*Under Separate Cover*)
 20. Submission 6 (*Under Separate Cover*)
 21. Submission 7 (*Under Separate Cover*)
 22. Application Form (*Under Separate Cover*)

Further Operational Plan Actions:

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

Permitted in Zone:	Yes
Recommendation:	Approval

EXECUTIVE SUMMARY

The Ordinary meeting of Council held on 17 June 2021 considered an officer recommendation to approve an Eco-tourist Facility, comprising of three (3) cabins at Charlottes Lane, Jindabyne. The recommendation was not supported. Council did request further clarification in regards to the 88B instrument and the Renwick Service Deed to allow Council to determine the application.

Council has sort legal advice as requested as to the status of the Renwick Deed and whether the Renwick Deed can restrict development on the site. The legal advice received indicates that the Renwick Deed would have no impact on the owners of lot 9 as to prevent the proposed land use. A copy of the legal advice is attached.

The body of this report remains unchanged from the report presented to Council on 17 June 2021 with an additional appendix added providing clarification on legal status of the s88b instrument and Renwick Deed.

In line with the requirements of section 4.16 of the Environmental Planning and Assessment Act 1979 the application is required to be determined as either consent or refusal and therefore is required to return to Council for determination. Should the application be determined as a refusal that reasons for refusal are provided by Council as per the requirements of Council Procedure – *Council Decision Contrary to Staff Recommendation* (attached to this report).

RECOMMENDATION

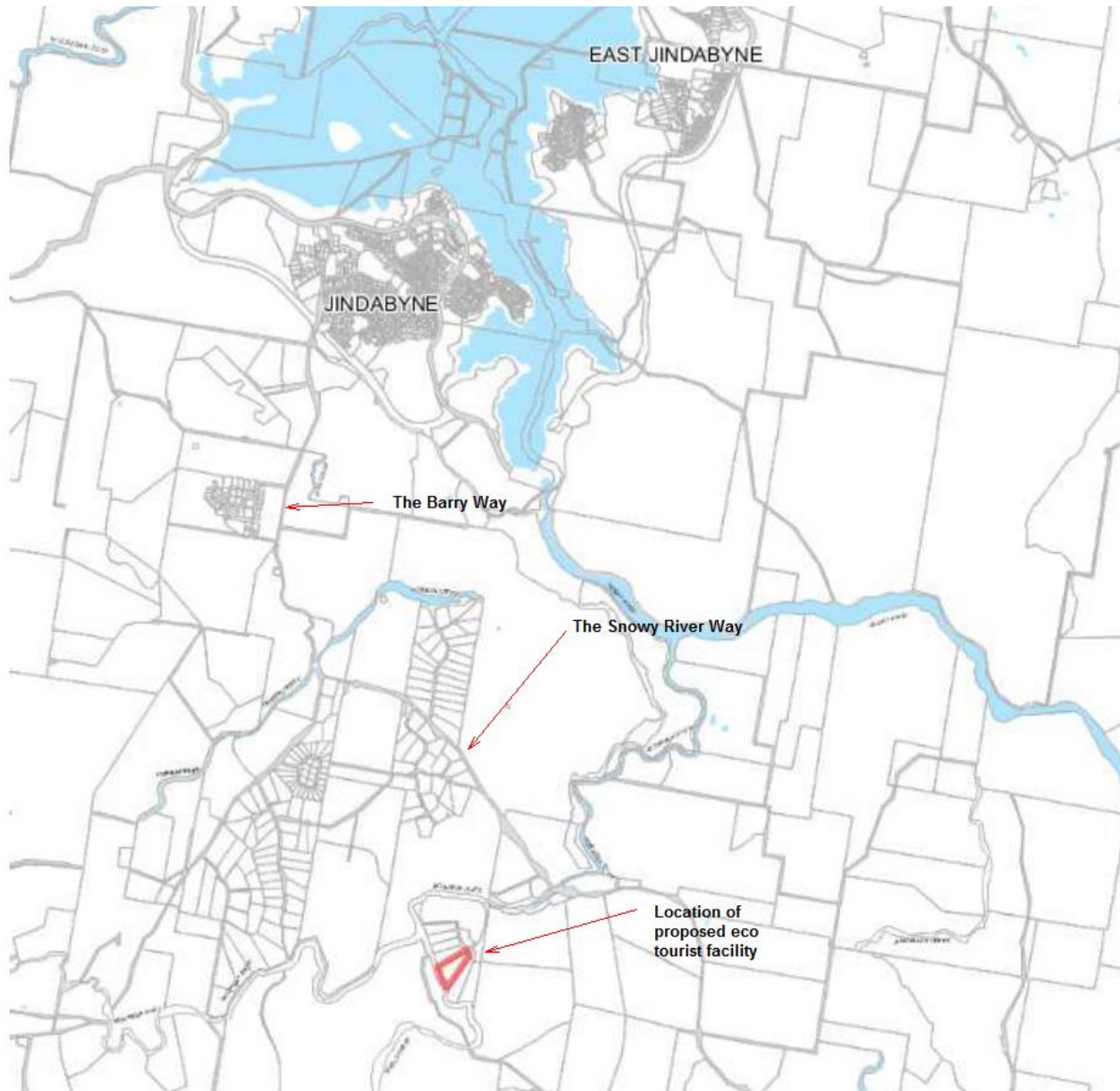
That the application, DA 10.2020.135.1 for an Eco-tourist Facility (3 cabins) on Lot 9 DP 861805 Ph Abington be determined pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, by granting consent subject to conditions attached to this report.

BACKGROUND

Proposal in Detail:

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

Figure 1 – Location Map:



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

Figure 4 – Cabin Elevations



ASSESSMENT

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

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

SECTION 79C

Section 4.15 and EP&A Act Checklist:

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

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

Figure 5 – The Subject Site



INTEGRATED DEVELOPMENT

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

REFERRALS

External Referrals

No external referrals were required.

Internal Referrals

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

Section	Comments
GIS Officer	Separate addressing not required

LEGISLATIVE REQUIREMENTS ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

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

- Suitability of the site;

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

The suitability of the site for the development:

Slope	Gentle slope exists – no impediment to development
Significant vegetation	The vegetation on site can be classed as grassland
Adjoining development	The proposed development is of a similar nature to the adjoining property of Carinya Alpine Village, the scale and design of the proposal are similar or smaller than neighbouring developments.
Suitability of proposed works / building	Generally acceptable having regard to constraints of the land
Streetscape	The proposal is generally compatible with adjoining development
Stormwater disposal	On-site via detention
Services	electricity / telephone/ rain water
Views	Nil impact to and from site
Contamination	Nil identified
Bushfire	Land not identified as being bushfire prone.
Flooding	Nil impact
Vehicular access	The site has coinciding legal and practical access
Easements and restriction on use	The property is burdened by a restriction on use. The restriction is the prohibition of livestock on the property without the lot being fenced.
Aboriginal sites	Nil identified on-site
Threatened species	Nil identified on-site
Grasslands	Nil identified on-site

Rivers/streams	The property is mapped with a watercourse on the south western boundary
Effluent disposal	Onsite
Prevailing winds	Nil impact
Easements	Nil affected by this proposal
Other matters	Nil

The provisions of any environmental planning instrument

State Environmental Planning Policies

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

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

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

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

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

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

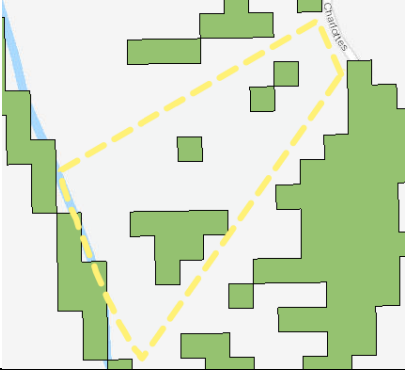

<p><i>(c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.</i></p>	<p>Additionally the land is adjacent to areas of natural and cultural significance such as Lake Jindabyne (part of the Snowy Mountains Scheme) and the Kosciuszko National Park.</p> <p>When defining the word adjacent, the case of <i>Mayor of Wellington v Mayor of Lower Hutt (1904) AC 773</i>, the judgment stated the following:</p> <p><i>“Adjacent is not a word to which a precise and uniform meaning is attached by ordinary usage. It is not confined to places adjoining and it includes places close to or near.”</i></p> <p>It is reasonably clear then that adjoining requires a connecting boundary, whilst adjacent is not attached but within the vicinity. As such it can be considered that the land is in the vicinity of special ecological and cultural features. The land is also adjoining a special ecological feature being Steels Creek which is part of the catchment of the Snowy River.</p> <p>In March 2010 the catchment of the Snowy River was listed as an ENDANGERED ECOLOGICAL COMMUNITY (EEC).</p> <p>The area included in the Snowy River catchment covers all natural rivers, creeks, streams of the Snowy River including the Mowamba River of which the land is situated on a tributary Steels Creek.</p> <p>As such, it is considered that the subject lands proximity to the Mowamba River and the Snowy River satisfy the requirement of <i>adjacent to an area with special ecological features</i>.</p> <p>(c) The cabins are located over 200m away from Steels Creek, with no onsite construction proposed which will</p>
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<p><i>It may include facilities that are used to provide information or education to visitors and to exhibit or display items.</i></p>	<p>result in less impact upon the environment with only footings being required to be installed and overall the development has a small physical foot print (the entire development being less than 41m²).</p> <p>The proposal has not listed specific information or education items to be provided as part of the development.</p> <p>This is not a requirement and it is considered given the small scale of the development that having the managers available to answer any questions is sufficient.</p>
<p>Clause 5.13 Eco-tourism facility</p> <p>13 Eco-tourist facilities</p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) - to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,</p> <p>(b) - to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.</p> <p>(2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.</p> <p>(3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:</p> <p>(a) - there is a demonstrated connection between the development and the ecological, environmental and cultural values</p>	<p>The environmental and cultural values of the land will not be diminished by the proposed development.</p> <p>The cabins are of an environmentally sustainable design. Being repurposed shipping containers there is no onsite construction resulting in less impact upon the environment with only footings being required to be installed. The use of a repurposed material also achieves a sustainably benefit with new material limited to the fit out of the building and not the overall structure.</p> <p>(2) The property is zoned RU1 and Eco-tourist facilities are a permitted land use with consent from council.</p> <p>(3) The application aims to conserve the natural environment by developing the site with sensitively considered cabins.</p> <p>(a) Being located close to the banks of the Mowamba River will provide a unique eco-tourism opportunity, including the</p>

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

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


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

Provision of any proposed Environmental Planning Instruments

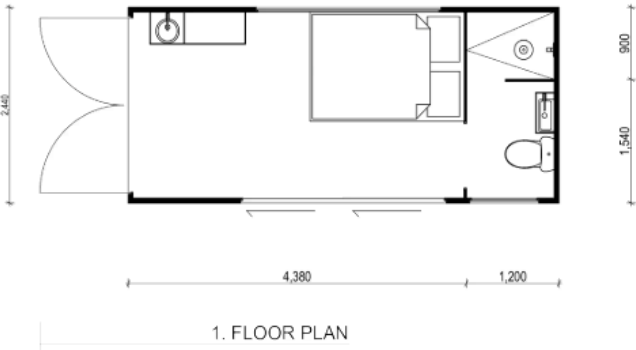
There are no proposed environmental planning instruments applying to this site.

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

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

Provision	Response/Acceptable Solution
A1 Introduction	
A2 Development application requirements	Satisfactory
A3 Public Notification (Snowy Monaro Community Participation Plan 2019)	Notification undertaken between 05/11/2020 – 19/11/2020 Extension of period granted until 30/11/2020.
B1 Rural localities, Towns & Villages	Not Applicable
B2 Town & Village Plans	Not Applicable
C General planning considerations	
C1 Subdivision	Not Applicable
C2 Design	<p>The size of the cabins are 2.44m wide x 5.5m long x 3.1m height. The size of the cabins is considered to be a small footprint.</p> <p>The proposed colour is woodland grey. This colour is in keeping with the colour of the existing dwelling. As such, it is considered that the selected colour will allow for the blending of the cabins into the surrounding landscape. In addition, the siting of the cabins are well below the ridgeline lower than the existing dwelling and located as far down the block as possible without entering into the restricted area.</p>  <p>=</p>
C3 Car-parking, Traffic & Access	Complies - In accordance with Table C3. 4-2 each cabin require one (1) space and one (1) additional

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

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

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

Impacts of the Development – Environmental, Social & Economic

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

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

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

Public Interest

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

OTHER MATTERS

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

SUBMISSIONS

Submissions

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

The application was not required to be publicly advertised.

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

Summary of Issues Raised by Submission 1

1. Rural residential zone land

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

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

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

Officers Response to issues raised in Submission 1

Zoning (rural Residential)

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

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

residence.

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

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

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

Summary of Issues Raised by Submission 2

1. Increased Traffic and Noise Generation

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

2. Damage to private or common land

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

3. Zoning (Rural Residential)

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

4. Renwick Deed – only 9 Dwellings

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

5. Water Supply

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

6. Effluent Disposal

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

7. Waste Management

Concerns regarding the availability of suitable waste collection facilities.

8. Security Issues

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

Officers Response to issues raised in Submission 2

Increased traffic and noise generation

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

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

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

Damage to private or common land

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

Zoning (rural Residential)

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

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

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

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

Renwick Deed – only nine dwellings

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

Water Supply

Applicants Response

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

Assessing Officers comments

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

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

Effluent Disposal

Applicants Response

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

Assessing Officers comments

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

Waste Management

Applicants Response

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

Assessing Officers comments

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

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

The proposed waste management of the development is either manual delivery to

the Jindabyne landfill or via a private collection service.

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

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Summary of Issues Raised by Submission 3

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

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

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

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

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

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

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

Officers Response to issues raised in Submission 3

Impact on Carinya Lane

Applicant Response (summarized below)

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

'Carinya lane was never designed to handle large numbers of movements per day' – the development is proposed on the same road that Carinya Alpine Village uses for its premises that is holiday accommodation for over 100 people, encouraging sports clubs, church groups or school groups – all of which generally involve large vehicles such as buses/coaches.

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

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

Assessing Officers Comments

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

Waste Management

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

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

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

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

Use of a Shipping Container as Eco-friendly Cabin

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

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

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

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

The proposed veranda overhangs the western face of the cabin by 1.7m at a slope of

10° and Council has not been provided any evidence that the veranda will create any noise and is of the option that the structure will no create and impact.

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



Figure 7: View from Carinya Lane



Solar Access and Over Shadowing

Applicant Response

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

Assessing Officers Response

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

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

Privacy – Overlooking from rear window into neighbouring properties

Applicant Response (summarised)

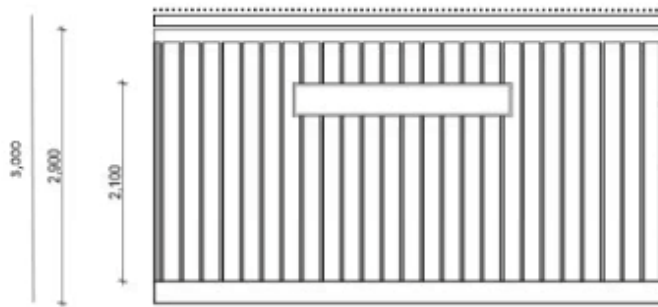
The distance between the dwellings aids visual and acoustic privacy. Additional screening will be provided between the cabins and the fence line.

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

Assessing Officers comments

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

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



E-01 ELEVATION - EAST

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

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

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

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



Noise

Applicant response (summarized)

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

Security and Privacy

Applicant Response (summarised)

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

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

Assessing Officers Comments

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

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

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

Summary of Issues Raised by Submission 4

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

Officers Response to issues raised in Submission 4

Increased Traffic

Applicant Response (summarized below)

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

Assessing Officers Comments

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

Lack of Managers on-site

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

Access – Road suitability

Applicant Response

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

Zoning (rural Residential)

Assessing Officers Comments:

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

This is the plan under which the active DA on adjoining Lot 12 DP 1067410 for a three (3) unit Rural Tourist facility with a manager's residence was approved. In 2013 the current SR LEP 2013 was gazetted and as such the land was zoned RU1 in accordance with the revised land zones provided by the state government, under which rural

tourist development was no longer an approvable use. In this change of legislation there was an introduced term 'Eco-tourist facility'. At this time that the proposed land use was introduced.

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

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

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

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

How will Council Police the Conditions of Consent?

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

Summary of Issues Raised by Submission 5

1. Zoning and Development controls for Eco-tourism

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

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

2. State Environmental Planning Policy - Short Term Rental Accommodation

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

3. Part B of the SR DCP - Rural Localities

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

4. Chapter C – Subdivision

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

5. Flora and Fauna Protection

Concerns for the welfare of native flora and fauna.

6. Provision of Services

Concerns regarding mobile network coverage

7. Access

Concerns regarding water access rights.

Concerned about who will be responsible for the upkeep of the road, the dust and noise

impacts generated by the increased traffic

8. Tourist Development Subdivision

Concerned about the additional demand for council services.

9. Design Considerations

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

10. Security and Safety

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

11. Car Parking

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

12. Landscaping

No details provided

13. Signage

No details provided

14. Environmental Management – conflict of land uses

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

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

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

16. Eco-tourist Facility Requirement

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

vistas of neighbouring properties.

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

17. Number of Guests on the property

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

18. Consistency with the provision of the Disability Discrimination Act

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

19. On-site Management

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

20. Waste Management

Concerns regarding the availability of suitable waste collection facilities.

21. Non Compliance with SEPPs

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

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

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

23. Proximity to Boundary

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

24. Renwick Deed service deed

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

9. Effluent Disposal

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

25. Notification Process

Insufficient time and information to make a submission

Officers Response to issues raised in Submission 5

Zoning and Development controls for Eco-tourism

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

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

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

State Environmental Planning Policy - Short Term Rental Accommodation

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

Part B of the SR DCP - Rural Localities

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

Chapter C – Subdivision

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

Flora and Fauna Protection

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

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

Provision of Services

Applicant Response

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

Assessing Officers Comments

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

Access

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

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

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

Tourist Development Subdivision

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

Visual Appearance

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

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

- Views

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

Figure 9: View west toward 131 Carinya Lane



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

Figure 10: View looking east from the proposed site development



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



Figure 12: View from Carinya Lane



- **Solar Access**

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

- **Over Shadowing**

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

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

- **Privacy**

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

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

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

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

A condition of consent will be in place to ensure that the screening

plants/landscaping are maintained and managed to ensure successful growth meeting the intent of the landscape design.

- **Vegetation Removal**

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

- **Excavation**

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

- **Storm water disposal**

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

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

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

The entry to the subject lot of the proposed development is located over 300m away from the heritage item.

As such, there is no foreseen impact from the development to the heritage item. An AHIMS search was carried out revealing zero (0) aboriginal sites or locations within 50m of the subject site. AHIMS: 567120

- **Bushfire hazard potential**

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

Security and Safety

Applicant Response (summarised)

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

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

Assessing Officers Comments

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

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

Car Parking

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

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

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

Landscaping

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

Figure 13: Existing managed Grassed area.



Signage

No signage is proposed as part of the development.

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

Environmental Management – conflict of land uses

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

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

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

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

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

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

Change of land use - Commercial enterprise in Rural Residential area

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

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

Eco-tourist Facility Requirement

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

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

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

8.2 DEVELOPMENT APPLICATION 10.2020.135.1 ECO-TOURIST FACILITY

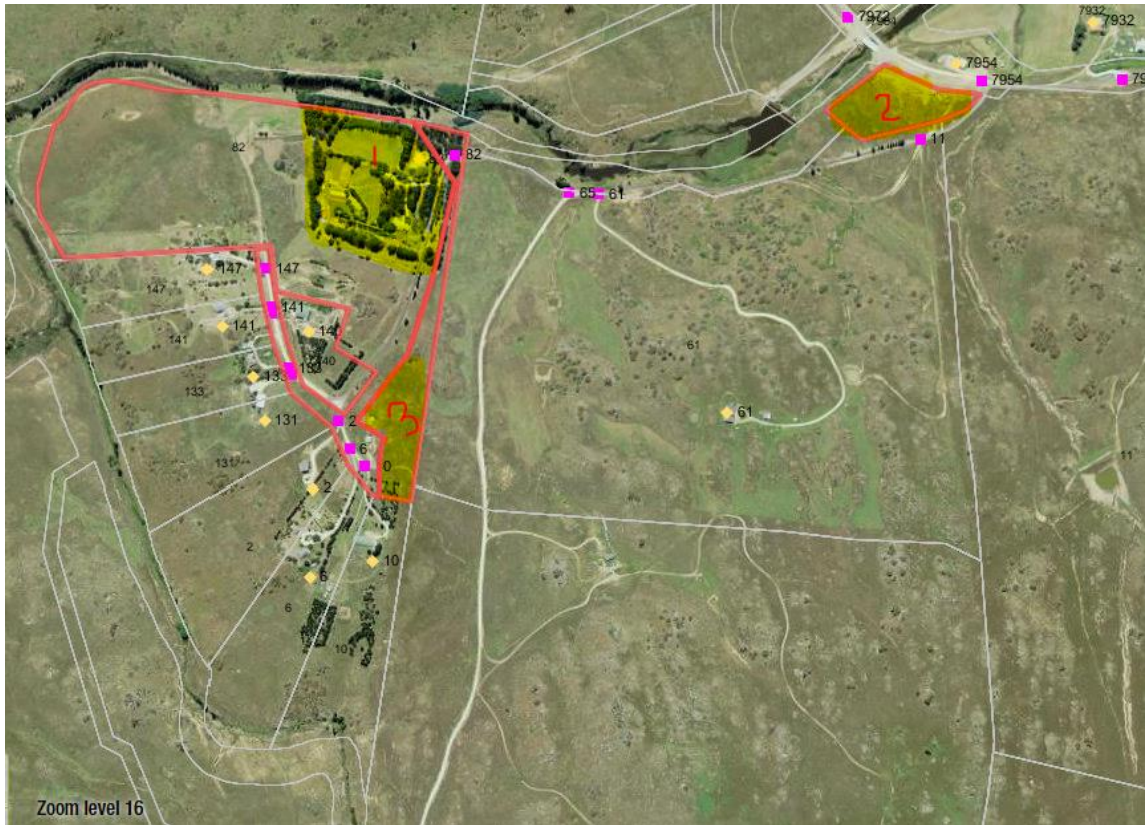
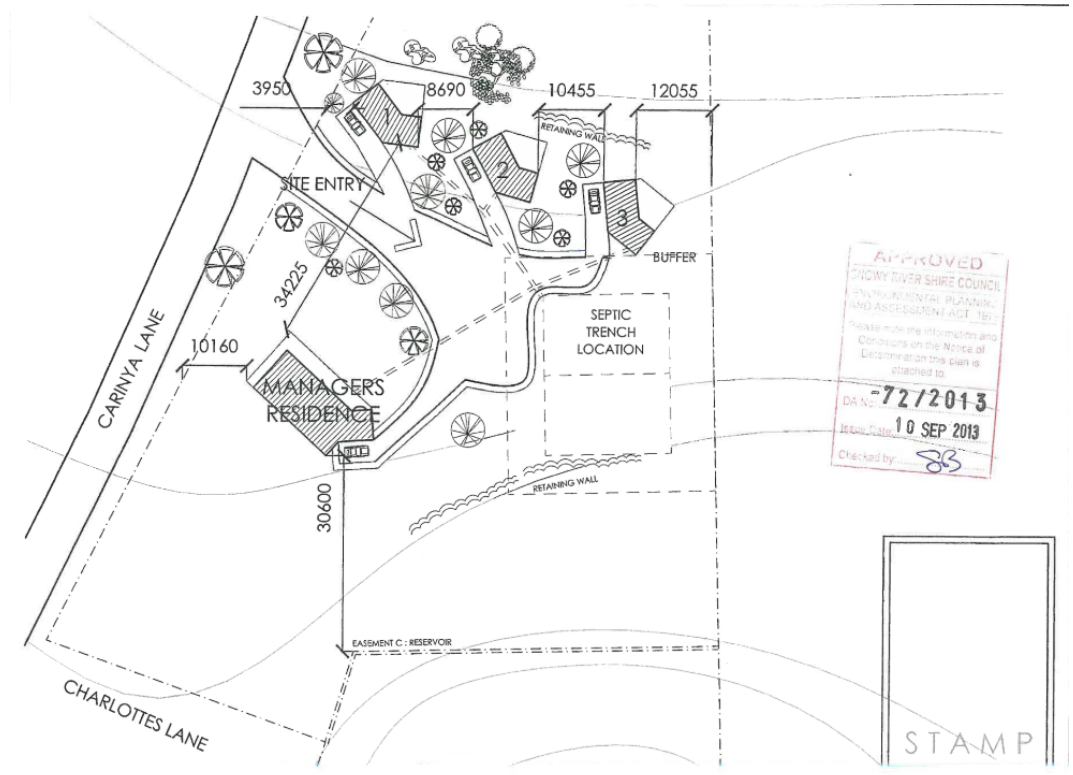


Figure 15: site map of approved DA72/2013 (3 Rural Tourist cabins and a Managers Residence)



- Not adjacent to an area of special ecological features

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

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

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

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

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

- **No educational facilities proposed;**

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

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

- **Close to property boundary;**

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

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

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

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

The development proposes the installation of 3 pre-manufactured cabins as such the installation of the cabins is covered by the Local Government Act. Under this Act the provision of a BASIX certificate is not required. The applicant has however

provided both a BASIX certificate and NAtHERs certificate, this shows that the cabins are compliant with the requirement of any new dwelling being built in NSW. There is no DCP or LEP requirement that stipulates a specific “star rating” for eco tourist facilities.

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

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

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

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

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

Number of Guests on the property

The SR DCP 2013 does not pre-define the number of guests permitted in relation to a m² ratio. However a condition of consent will reflect that a maximum of two people will be permitted per cabin. Thus the total number of people for the entire development is six (6).

Consistency with the provision of the Disability Discrimination Act

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

On-site Management

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

Waste Management

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

There is a bank of bins which the existing dwelling uses to dispose of their domestic

waste and recycling.

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

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

Non Compliance with SEPPs

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

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

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

Proximity to Boundary

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

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

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

Renwick Deed service deed

Applicant Response

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

Assessing Officers Comments

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

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

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

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

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

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

Effluent Disposal

Applicants Response

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

Assessing Officers comments

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

Notification Process

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

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

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

Summary of Issues Raised by Submission 6

1. Commercial enterprise in Rural Residential area

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

2. Renwick Deed – no B&B

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

3. Setbacks

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

Officers Response to issues raised in Submission 6

Zoning (rural Residential)

Assessing Officers Comments

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

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

Renwick Deed – no B&B, no Poultry Farms

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

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

Current Air B & B operations.

Applicant Response (summarised)

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

Assessing Officers Responses

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

Setbacks – Location

Assessing Officer Comments

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

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

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

Summary of Issues Raised by Submission 7

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

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

2. Access – Private Road

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

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

Concerned that the Airbnb will continue to operate after the Cabin are operational

Officers Response to issues raised in Submission 7

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

Applicant Response (summarised)

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

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

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

Assessing Officers Comments

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

Lack of mobile Coverage

Applicant Response

We have fine reception for making phone calls (and a landline) if guests need to use it.

000 calls work almost anywhere and there would be no problem making a 000 call in an emergency. We also supply and have working internet for additional communication.

Assessing Officers Comments

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

Road use and maintenance

Applicant Response

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

Assessing Officers Comments

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

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

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

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

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

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

Granny Flat – Airbnb

Assessing Officer comments

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

CONCLUSION

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

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

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

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The social impacts of the development have been considered in the assessment of the development application. The proposed development will increase the number of tourists to the area, it is of a low scale allowing for only an additional six (6) persons to be accommodated above that which is already onsite in the existing dwelling.

The location of the subject site is at the start of Charlottes Lane which is a dead end road. With appropriate signage, the potential of cars passing other residences on Charlottes Lane is considered minimal.

2. Environmental

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

3. Economic

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

4. Civic Leadership

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

In accordance with section 4.16 (1) of the Environmental Planning and Assessment Act 1979; a consent authority is to determine a development application by—

- (a) granting consent to the application, either unconditionally or subject to conditions, or
- (b) refusing consent to the application.

If Council decides to make a determination contrary to the recommendation, it must follow the procedure adopted through resolution 18/18 on February 2018.

8.3 DEVELOPMENT APPLICATION 10.2020.3004045.1 - JINDABYNE SHARED TRAIL EXTENSION

Record No: I21/57

Responsible Officer: Chief Operating Officer

Author: Coordinator Development

Key Theme: 3. Environment Outcomes

CSP Community Strategy: 8.1 Plan for rural, urban and industrial development that is sensitive to the region’s natural environment and heritage

Delivery Program Objectives: 8.1.2 Land use is optimised to meet the social, environment and economic needs of the region

Attachments:

1. Draft Conditions of Consent 10.2020.3004045.1
2. Project Scope
3. Statement of Environmental Effects
4. Addendum to Aboriginal Cultural Heritage Assessment Report (ACHAR)
5. Original Aboriginal Cultural Heritage Assessment Report
6. Response from Heritage NSW
7. Flora Assessment
8. Options Report
9. Redacted Submissions
10. Lot 9 Deposited Plan
11. Lot 2 Deposited Plan
12. Development Application Form

Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Monaro Regional Council and Snowy Hydro Ltd
DA Registered:	13/09/2019
Property Description:	Lot 9 DP1216028, 55 Rainbow Drive Tyrolean Village & Lot 2 DP816051
Area:	36 hectares
Zone:	RE2 – Private Recreation & Zone SP1 - Special Activities
Current Use:	Vacant Land
Proposed Use:	Community Facility/Environmental facilities – Shared Trail
Permitted in Zone:	Yes
Recommendation:	Approved with Conditions
Applicant:	Snowy Monaro Regional Council

EXECUTIVE SUMMARY

Applicant Number:	10.2020.3004045.1
Applicant:	Snowy Monaro Regional Council
Owner:	Snowy Monaro Regional Council and Snowy Hydro Ltd
DA Registered:	13/09/2019
Property Description:	Lot 9 DP1216028, 55 Rainbow Drive Tyrolean Village & Lot 2 DP816051
Area:	36 hectares
Zone:	RE2 – Private Recreation & Zone SP1 - Special Activities
Current Use:	Vacant Land
Proposed Use:	Community Facility/Environmental facilities – Shared Trail
Permitted in Zone:	Yes
Recommendation:	Approved with Conditions

EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the construction of a Community Facility/ Environmental facilities – Shared Trail to be constructed in three sections (stages) at 55 Rainbow Drive and a portion of Lake Jindabyne foreshore at East Jindabyne.

The application is referred to Council for determination in line with Councils' Policy "Referral of Development Applications to Council" as the application is located on Council owned land and was submitted by Council officers for assessment.

The application was notified and publicly advertised for a period of 30 days, two submissions were received, and they are discussed in the body of the report.

The application was referred to state agencies for comment. The referral response from Heritage NSW due to potential impacts on Aboriginal Cultural Heritage caused considerable delays in the processing of the development application. Final resolution of the issues surrounding the referral was received 26/7/2021 with Heritage NSW providing recommended conditions of consent which have been included in the draft conditions attached to this report.

Upon assessment, the assessing officer is satisfied that the development complies with the provisions of the Snowy River Local Environmental Plan 2013 and Snowy River Development Control Plan 2013, and it is recommended that the application be approved subject to conditions.

If Council decide to make a determination other than as included in the recommendation, it must follow the requirements of Council Procedure – Council Decision Contrary to Staff Recommendation (attached to this report).

RECOMMENDATION

That pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* Council grants consent to DA 10.2020.3004045.1 for the **Community Facility/ Environmental facilities – Shared Trail** at 55 Rainbow Drive, East Jindabyne being lot 9 DP1216028 and lot 2 DP816051, with conditions of consent attached to this report.

ASSESSMENT

1.0 SITE DESCRIPTION & SITE HISTORY

The subject site is an approximately 36-hectare vacant parcel of land in East Jindabyne accessed principally via Rainbow Drive at Tyrolean Village. The development also extends onto the foreshore of Lake Jindabyne for a short distance in the vicinity of Rainbow Beach.

Figure 1 – Site Map.



Figure 2 – Location Map



Previous Development History

The site is vacant and not subject to previous development approvals.

2.0 PROPOSED DEVELOPMENT IN DETAIL

The proposal is for an outdoor mountain bike/shared trail that will be constructed within Council owned reserve land in East Jindabyne (lot 9 DP1216028) and a small portion within Snowy Hydro Ltd land on the foreshore of Lake Jindabyne (being lot 2 DP816051). Lot 9 was transferred to Council as part of the final stage of the Tyrolean Village subdivision development for the purpose of public recreation. The construction of a section of the trail was part of the Voluntary Planning Agreement with the developer of the subdivision. The proposed trail will be approximately 2.4 kilometres in length and will be carried out in three sections/stages. The proposed trail will primarily be a firm, stable bare earth surface. Crushed rock will be used where required. This includes platform approaches and areas of unstable ground. The corridor will be 2 metres in width with a 1.5 metre trail bed. Trail design will follow the Australian Guidelines for Trail Planning, Design and Management. The International Mountain Bike Association (IMBA) principles for sustainable trails are adopted in these Guidelines.

The trail will be constructed using the following construction types:

- Benched Trails, following the contour of the trail.
- Berms/switchbacks.
- Creek and tributary crossings, using platforms constructed in steel with fibreglass reinforced plastic mesh decks.

- Platform approaches will be used if sufficient suitable local rock can be found during excavation.
- Rehabilitation Works will include the revegetation of all disturbed areas outside of the trail head and decommissioned old trail alignments.

It is noted that in the documents there is an additional section (shown in blue) in Figure 3 below that is not part of this development application but is listed as “under investigation”. The trail proposed to be constructed as part of this development application is shown in red.

Figure 3 – Trail Location

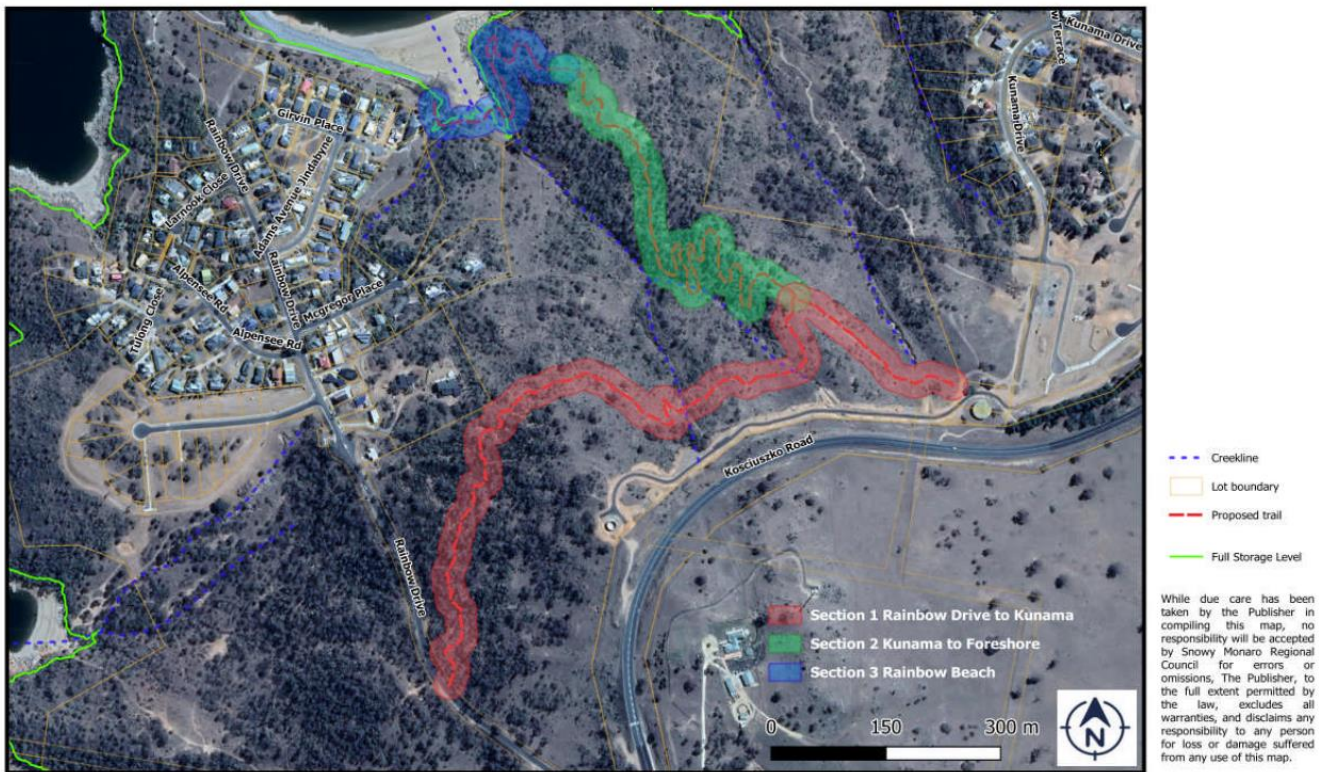


The shared trail will allow for an extension of the linkages currently from Jindabyne to Tyrolean Village and on to the newly developed area of Kunama Ridge. The trail is proposed to be a shared trail allowing for both mountain biking and walking.

Figure 4 shows stage one is broken up into three sections the project is proposed to be divided into, which are:

- Section 1- Rainbow Drive to Kunama Ridge (red)
- Section 2- Lake foreshore to Kunama Ridge (green)
- Section 3- Lake foreshore to rainbow beach (blue)

Figure 4 – Plan depicting three sections of the proposed shared trail



Further detail of the trail sections and their construction is outlined below:

Figure 5 - Section 1: Rainbow Drive to Kunama Ridge

Section 1 will involve the construction of 1240 metres of trail. Rock armoured stairs will also be constructed strategically between switchbacks in steeper sections. This allows for the separation of walkers and riders. Stairs will be staggered allowing for the most practical walking trail alignment whilst limiting the temptation for riders to use a continual vertical stair alignment.



Figure 6 - Section 2: Lake foreshore to Kunama Ridge

Section 2 will involve the construction of 720 metres of trail to the International Mountain Bike Association standards (flow trail). This section will also require 250m of rock armoured stairs/walking track.

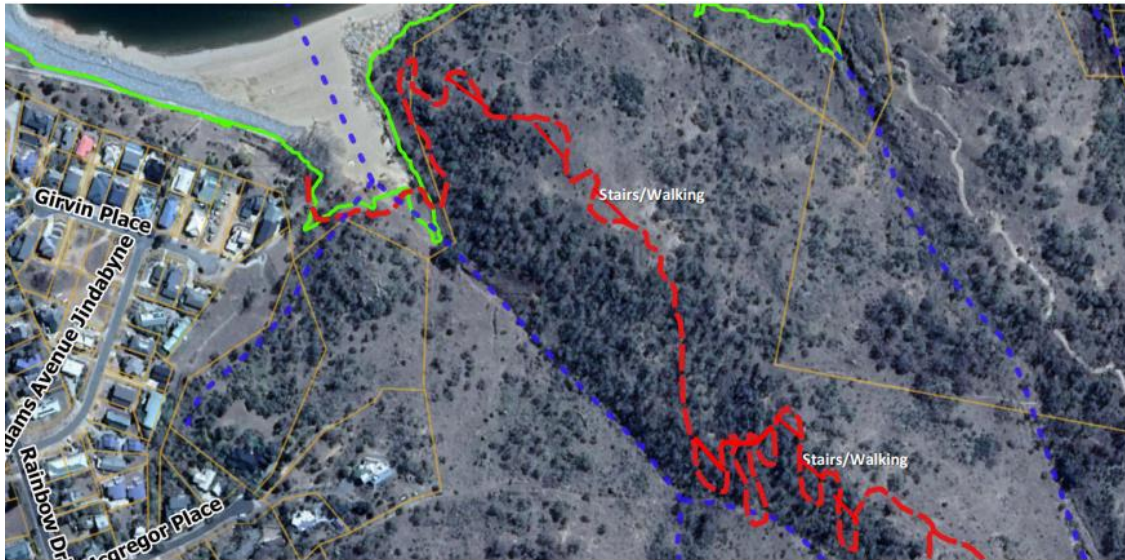


Figure 7 - Section 3: Lake foreshore to rainbow beach

Section 3 will consist of approximately 430m of trail construction, due to the topography of this section of the site and its proximity to Lake Jindabyne an option report for gully crossings was prepared by GHD Engineering. The preferred sites take into consideration, long term sustainability/low level maintenance, impacts from rising lake levels and storm water run-off, suitability for both walkers and rider traveling from both directions.



The application was submitted to Council with associated, flora assessment, an Aboriginal Cultural Heritage Report (and later addendum to the report based on a reduced scope of works). The Scope of Works including engineering details of the proposed structures on the trail and options paper.

4.0 INTEGRATED DEVELOPMENT

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

5.0 REFERRALS

5.1 External Referrals

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

State or Federal Agency	Comments
Department of Planning Industry and Environment (Biodiversity and Conservation)	The department provided comments only and does not have an integrated approval role in the assessment of the application. The comments were considered, and the information provided by the applicant was considered appropriate to determine the application as submitted. No recommended conditions of consent were provided by Biodiversity and Conservation however conditions recommended by the department in previous development applications were included in the draft conditions of consent to ensure mitigation and protections measures be employed during construction to protect the environmental values of the site.
Heritage NSW	Recommended conditions of consent were provided by the department and included in the draft conditions of consent.
Natural Resources Access Regulator	The Natural Resources Access Regulator reviewed documents for the development application and considered that, for the purposes of the Water Management Act 2000 (WM Act), general terms of approval and / or a controlled activity approval is not required, and no further assessment by the agency is necessary.

5.2 Internal Referrals

Internal referrals had no objection of the proposal subject to suitable conditions of consent be imposed.

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

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

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

6.1 The suitability of the site for the development:

Slope	The land slopes towards lake Jindabyne allowing for the use of the site for downhill mountain bike trails. It is therefore suitable for the development proposed.
Significant vegetation	There is to be no impact to significant vegetation on site.
Adjoining development	Mixed residential and open space.
Suitability of proposed works / building	The site is an area set aside for passive and active recreation; it is therefore an appropriate site for the proposed development.
Streetscape	No impact
Stormwater disposal	No specific stormwater disposal is required however the rainwater runoff from the site will be managed both during construction with appropriate erosion and sediment controls and in use with trail formation at grade which shed water appropriately so as not cause erosion and trail degradation.
Services	None required.
Views	The development will not hinder the views from adjoining

	properties.
Contamination	Nil identified.
Bushfire	The site is considered bushfire prone however this does not impact the use of the land for the purpose of the active recreational use and the development itself does not require a referral to the NSW Rural Fire Service.
Flooding	Nil impact.
Vehicular access	The site is accessed via Rainbow Drive and forms a link to the existing Mill Creek Trail which is accessed both from Tyrolean Village and Jindabyne.
Easements and restriction on use	There are no easements that restrict development on the site.
Aboriginal sites	<p>A number have been identified on site through an Aboriginal Cultural Heritage Report (ACHAR) and an additional Addendum ACHAR (specific to the scope of works proposed by this development application) was provided with the development application. Through the investigations of the ACHAR it has been demonstrated that all identified sites are able to be avoided and as such there is not a requirement for an Aboriginal Heritage Impact Permit (AHIP) to be issued by Heritage NSW under the provisions of the National Parks and Wildlife Act.</p> <p>The revised ACHAR was submitted to Heritage NSW for review and recommended conditions of consent have been issued by the department. These recommended conditions of consent have been included in the draft conditions of consent.</p>
Threatened species & Grasslands	A flora and fauna assessment was provided with the application. It identified that the development is considered suitable as no impact will occur to threatened species or endangered ecological communities as the development can avoid such areas of the site and did not require tree removal to facilitate the trail construction.
Rivers/streams	No impact proposed on Lake Jindabyne.
Effluent disposal	Not applicable.
Prevailing winds	Nil impact.
Easements	Nil affected by this proposal.

6.2 The provisions of any environmental planning instrument

6.2.1 State Environmental Planning Policies

The proposal has been assessed against the provisions of all known SEPP's and the development has been found to achieve an acceptable level of compliance.

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

- The area to be developed falls within two zones:
 - **RE2 – Private Recreation** of which the majority of the land to be developed falls within.



Zone RE2 Private Recreation

1 Objectives of zone

- To enable land to be used for private open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent

Nil

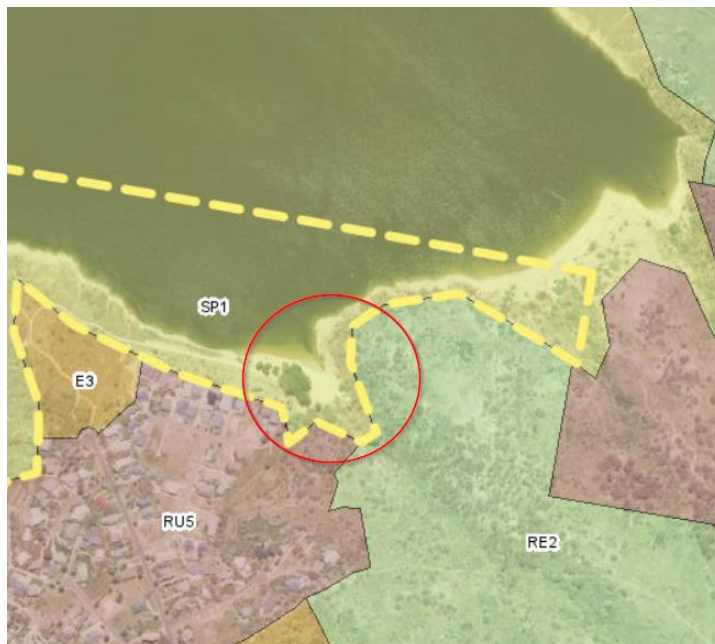
3 Permitted with consent

*Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Car parks; **Community facilities**; Emergency services facilities; **Environmental facilities**; Environmental protection works; Information and education facilities; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Research stations; Restaurants or cafes; Roads; Water recreation structures*

4 Prohibited

Any development not specified in item 2 or 3

- **SP1 Special Activities** of which a small portion is to be developed on the foreshore of Lake Jindabyne.



Zone SP1 Special Activities

1 Objectives of zone

- *To provide for special land uses that are not provided for in other zones.*
- *To provide for sites with special natural characteristics that are not provided for in other zones.*
- *To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.*

2 Permitted without consent

Extensive agriculture

3 Permitted with consent

*Aquaculture; Boat building and repair facilities; Boat launching ramps; Boat sheds; Charter and tourism boating facilities; **Environmental facilities**; Environmental protection works; Jetties; Marinas; Mooring pens; Moorings; Roads; Water recreation structures; Wharf or boating facilities; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose*

4 Prohibited

Any development not specified in item 2 or 3

By way of clarification, Council owned recreation land is more often zoned RE1 Public Recreation, in this case the land within lot 9 DP 1216028 was not owned by Council when the Snowy River LEP

was gazetted in 2013 and which has resulted in a RE2 Private Recreation zone. This zone however does not preclude the development of the shared trail as the landuses most appropriately associated with the subject development is permissible in the RE2 zone.

There are small portions of lot 9 which are zoned RU5 and E3 respectively. This does not impact on the assessment of the development as no trails are proposed within these areas.

- Definition of land usage under SRLEP 2013:

community facility means a building or place—

- *owned or controlled by a public authority or non-profit community organisation, and*
- *used for the physical, social, cultural or intellectual development or welfare of the community,*

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

The extension of the shared trails is considered to be a mixed use predominately categorised as a *community facility*. However there are also elements that would place it within the definition of *environmental facility*.

Defined as a *community facility/environmental facility* the development provides a place which can be used for the physical and social development and welfare of the community and a place that provides for the recreational use of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like.

- It is considered that the proposal is permissible with development consent from Council pursuant to Zone RE2 – Private Recreation and Zone SP1 – Special Activities of the SRLEP 2013.
- The proposal is considered consistent with the aims of the plan.

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

PART 1 PRELIMINARY
Clause 1.2 Aims of Plan
The development is consistent with the aims of the plan, by providing a development that will aid in strengthening a year-round economy by encouraging a landuse that will attract tourist outside of the winter months. This development is proposed to be constructed and managed

in an environmentally responsible manner. It seeks through thoughtful placement of the trail to value, protect and promote the natural, cultural, and archaeological heritage of Snowy River. It will ensure good management of public assets and to promote opportunities for social, cultural and community activities and retains and enhances public access to the Lake Jindabyne foreshore at Tyrolean Village and links existing open space areas and trail networks for environmental benefits, health benefits and public enjoyment.

PART 2 PERMITTED OR PROHIBITED DEVELOPMENT

Community Facility/Environmental Facility - Shared Trail is permissible in RE2 and SP1 Zone

PART 5 MISCELLANEOUS PROVISIONS

Clause 5.10 Heritage conservation

The development application as originally submitted was for a trail to be constructed through Council owned land at 55 Rainbow Drive, and an area of investigation of further trail infrastructure to allow for a connection through to East Jindabyne via a network of trails that run adjacent to Lake Jindabyne. In addition, the original report included the realignment work to some of the existing trails in the network. Due to this broader scope the original Aboriginal Cultural Heritage Assessment Report (ACHAR) and had areas in which site disturbance would require an AHIP (Aboriginal Heritage Impact Permit) to be issued. Further information was required by NSW Heritage to allow for the issue of this AHIP and due to this a revised Addendum to the ACHAR was prepared to reduce the scope down to only that which is proposed to construct as part of this development application. That being the trail which is shown above to be constructed in three stages and not the investigation area nor the realignment of existing trails. This Addendum provided recommendations to ensure that there would be no disturbance to the known sites and allow for the development application to proceed without the requirement of an AHIP. This documentation was referred to Heritage NSW in October 2020 with a response provided in July 2021 that included recommended conditions of consent to be included with an approval issued by Council.

As such it is considered that extensive investigative work has been carried out on the impact of the development on the heritage of the site and that the development as proposed will have minimal impacts. The draft conditions of consent will include both mitigation measures and requirements for work to cease should additional artefacts be found on site during construction and the requirements of AHIP issue should this occur.

The addendum to the ACHAR submitted in October 2020 provided the following comments regarding the need for an AHIP and further investigations:

A re-survey of the East Tyrolean trail was conducted with the aim of realigning the route to avoid all known sites and negating the need for an Aboriginal Heritage Impact Permit. The realigned sections of trail were found not to contain any Aboriginal objects. The new artefact scatter recorded during the survey (TVE 23) is outside all alignments and will not be impacted.

Recommendations (as amended)

- *As a result of this updated cultural heritage assessment, it is recommended that no further archaeological investigation is required.*

- *As it has been possible to avoid all recorded sites by realigning the route of the trails where required, an AHIP will not be necessary in order for the trails to be constructed.*
- *If suspected human remains are encountered during development, works must cease and Heritage NSW and the Police must be notified.*
- *If Aboriginal objects are encountered, works must cease at that location and Heritage NSW notified.*

The last two of the recommendations will be included as draft conditions of consent.

PART 7 ADDITIONAL LOCAL PROVISIONS

Clause 7.2 Terrestrial biodiversity



The subject site is on land that is identified as having areas mapped as “Biodiversity” on the Terrestrial Biodiversity Map. The objective of clause 7.2 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.

Consideration has been undertaken as to whether the development will have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and whether it will have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna. The application was supported with a Flora Assessment which outlined the impact of the proposed trail on species on site and determined that minimal impact would occur. There were several recommendations made as part of this report that will be implemented as conditions of consent. These are considered to be appropriate measures which will avoid, minimise and or mitigate the impacts of the development.

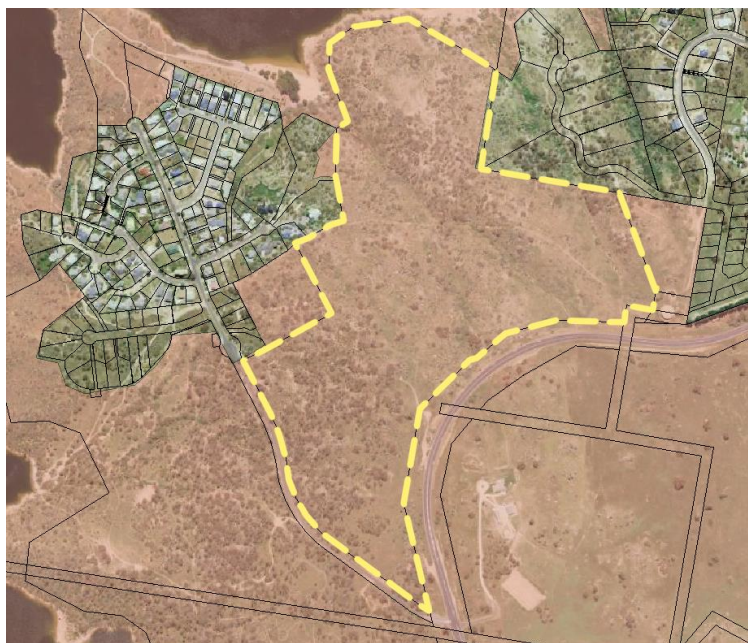
The development is of a type that is likely to have minimal impact due to its scale and the type

of construction proposed. No structures other than minor platforms to be constructed over land depressions are proposed.

It is considered that there is unlikely to be any potential to fragment, disturb or diminish the biodiversity structure, function, and composition of the land, nor will the proposal adversely impact on the habitat elements providing connectivity on the land.

The development has been designed, sited and will be managed to avoid any significant adverse environmental impact.

Clause 7.6 Development within the Lake Eucumbene and Lake Jindabyne scenic protection areas



The subject site is on land that is identified as “Lake Jindabyne” on the Scenic Protection Area Map. The objective of clause 7.6 is to protect the following attributes within the catchment of and Lake Jindabyne—

- (a) the visual qualities and scenery,
- (b) the sense of isolation that can be enjoyed in many areas on and adjacent to the lakes,
- (c) the recreational functions of the lakes, including its attraction as a fishing destination,
- (d) the water storage functions of the lakes.

The development as proposed will meet the objectives above as it is of low scale with no structures visible when viewed from the lake. The trail network will be visible however it is not considered to detract from the scenic quality of the area and is in keeping with adjoining landuses and the broader trail network.

It is not considered that the development will not have an unacceptable visual impact on the scenic quality of the area when viewed from Lake Jindabyne at its full supply level or from a public place. The development has been designed to prevent any intrusion into the view from the lake at its full supply level due to its low scale nature and the minimal disturbance required

for its construction. The Flora Assessment submitted with the development application confirms that no tree removal is required to facilitate the development and minimal vegetation removal is also required due to the width and length of the trail proposed.

Clause 7.9 Essential services

The development is not proposing to install any essential services infrastructure and due to the nature of the shared trail it not required. Access to the site will be principally via Rainbow Drive but it is accessible through adjoining residential developments allowing for use by residents and visitors.

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

6.3 Provision of any proposed Environmental Planning Instruments

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

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

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

Provision	Response/Acceptable Solution
C General planning considerations	
C3 Car-parking, Traffic & Access	No additional parking is proposed for the development, nor is it required by the DCP. The shared trail is to allow for non-mechanised vehicle linkages from Jindabyne to East Jindabyne.
C4 Heritage	The development is on land with identified Aboriginal Cultural Heritage. An ACHR was submitted and the impacts of the development on heritage are discussed above. No European cultural heritage was identified on site.
C5 Tree preservation & Landscaping	Consideration of the impact of the development on threatened species has been undertaken and no significant impact is expected. No significant tree removal will be required as the trail will avoid existing trees and just require the removal of

	lower-level vegetation.
C7 Natural Hazard Management	Whilst the land is mapped as bushfire prone in the current bushfire prone land map, it was not at the time of the lodgement of the development application. The development is for groundworks only and therefore does not trigger any further assessment or requirements other than those usually associated with the management of public land. This however falls outside of the development assessment process.
C8 Environmental Management	The development is designed to have minimal environmental impact and will be managed in the same way as the existing trail network. The runoff from the trail is managed through its design and requires minimal maintenance. Any disturbed areas are to be rehabilitated and revegetated at the conclusion of construction.

6.5 Planning Agreements

A Voluntary Planning Agreement (VPA) was entered into that related to the subject land. It has now ceased as the money for the trail construction was provided to Council by the developer in accordance with the agreement. This development application does not include a request for a further VPA to be entered into.

6.6 Any matters prescribed by the regulations

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

6.7 Submissions

The development application was notified in accordance with the requirements of the Snowy River Development Control Plan 2013 and the Environmental Planning and Assessment Regulation 2000. At the time of the notification the Snowy Monaro Planning and Development Community Participation Plan 2019 was not yet in place.

The proposed development was placed on public exhibition and adjoining landowners were notified in accordance with the provisions of the Snowy Monaro Planning and Development Community Participation Plan 2019 for a period of 30 days.

Two submissions were received and are considered below. Both submissions raised similar issues and these have been addressed together.

Submission – issues raised	Assessing Officer response
Need for further biodiversity assessment and exceedance of thresholds for clearing.	The Flora Assessment has concluded that there is not a requirement for a BDAR (Biodiversity Development Assessment Report), due to the

	<p>scale of the development and the amount of clearing proposed. It is considered that this has been addressed by the applicant. The Ecologist who prepared the assessment is an accredited ecologist under the provisions of the Biodiversity Conservation Act and therefore it is considered that this assessment is appropriate and can be relied upon.</p>
<p>Use of the shared trail will be biased toward mountain biking and not be true shared community infrastructure.</p> <p>The trails need to consider the end user in their design including for children and over 55s.</p> <p>Walking visitors need to be catered for</p>	<p>The shared trail in this case has been designed for both bikes and pedestrians there are areas specifically in the first and third sections that would be more attractive to pedestrians, whilst the second section is proposed to have some more technical aspects included. In the case of the second section stairways are proposed to ensure a better pedestrian experience. The design of trails is a balancing of differing use groups and expectations. The Jindabyne region has a number of walking trails/pathways that are available for all levels of users and this proposal will add to that network.</p>
<p>Width of the trail and use by pedestrians it should be widened to allow for better access to the foreshore areas.</p>	<p>A widening of the trail would increase the amount of ground disturbance and as such is not supported. A further consideration of access to foreshore areas may occur in the future however this is not a consideration for this development application.</p>
<p>Amount of documentation provided to the community for consideration.</p>	<p>Only minimal information is sent directly to neighbours due to printing and environmental considerations. All information is however available upon request at council offices either in hard copy or electronically. This ability to request the full application documentation is on the notification letter and can be provided at any time.</p>
<p>A plan of management should be put in place to protect and preserve the environmental values of the area.</p>	<p>There is a plan of management for the subject site and however this may need to be updated to encompass any new infrastructure. Maintenance of the trail will be carried out as with existing trail maintenance arrangements.</p>
<p>Installation of separate footpaths in addition to the trails in areas where the rock armoured stairs are proposed to allow for an easier walking track.</p>	<p>Additional footpaths are not in the scope of this development application. Limiting site works is supported, and the addition of further walking trails outside of those assessed would not be appropriate in this case.</p>

Additional trails in the Mill Creek area	There are no proposals as part of this development approval to do any further works in the Mill Creek area. Any additional works in that area will require Part 5 approvals.
Need for toilets to be installed in the area	There are no toilet facilities proposed or required as part of this development application. These types of facilities may be installed in the future and will require associated approvals at that time.

6.8 Impacts of the Development – Environmental, Social & Economic

Access, transport and traffic	Access to the site is via public roads.
Easements/88B Restrictions on Use	None that would impact development of the type proposed
Bushfire Assessment s4.14	Whilst the land is mapped as bushfire prone in the current bushfire prone land map, it was not at the time of the lodgement of the development application. The development is for groundworks only and therefore does not trigger any further assessment or requirements other than those usually associated with the management of public land. This however falls outside of the development assessment process.
Impacts on supply of utilities	No impact due to the scale and type of the development.
Heritage	The development is on land with identified Aboriginal Cultural Heritage. An ACHR was submitted and the impacts of the development on heritage are discussed above. No European cultural heritage was identified on site.
Natural and other land resources	No impact due to the scale and type of the development.
Water supply and potential impacts on surface and ground water	No impact due to the scale and type of the development.
Soils	Appropriate sediment and erosion control measures will be in place during construction of the trails and the trails are constructed to manage stormwater run off in their design.
Air quality, pollution and microclimate impacts (eg odour)	No impact.
Flora and fauna & Consideration of Threatened Species	Consideration of the impact of the development on threatened species has been undertaken and no significant impact is expected.
Waste facilities and controls	No impact.

Noise and vibration	Some noise and vibration will be expected during the construction phase however this can be managed through the conditions of consent for hours of construction. The ongoing impacts of noise for the development will be minimal due to the open nature of the area and is not considered to be over that which would be reasonably expected in an area set aside for outside public recreation.
Safety, security and crime prevention	No impact the development is in an open recreation area with minimal infrastructure that could be damaged through antisocial behaviour.
Social impact in locality	Positive social impacts are expected as the development will encourage healthy outdoor recreation pursuits
Economic impact in locality	Positive economic impacts by providing an addition to the existing trail networks which are a tourist draw for the area.
Site and internal design issues	No impact, the development has been designed keeping in mind the topography and vegetation of the site.
Impacts during construction	Minimal due to the low scale nature of the development and can be managed through appropriate conditions of consent.
Cumulative impacts	No adverse cumulative impacts are expected from the development.
Impact on pedestrian movements and safety	The development will lead to improved pedestrian linkages and safely allowing for a shared trail link between Jindabyne and East Jindabyne that will not require the use of the Kosciuszko Road.
Mineral resources and/or deposits in the vicinity	None on site.
Impacts on aboriginal heritage	The development is on land with identified Aboriginal Cultural Heritage. An ACHR was submitted and the impacts of the development on heritage are discussed above.
Health Impacts of High Voltage Power Lines	Nil.

6.9 Public Interest

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

7.0 CONCLUSION:

The Snowy Monaro Regional Council is the consent authority for this application.

It is considered that the proposed development generally complies with the relevant provisions of Section 4.15 of the Act, LEP, DCPs and Policies and it is generally aesthetically, economically, socially, and environmentally acceptable having regard to the surrounding natural & built environment. Accordingly, approval is recommended subject to the imposition of the conditions of consent.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

It is considered that the development will have positive social impacts providing community infrastructure that promotes healthy lifestyle.

2. Environmental

It is considered that the development will have only minor environmental impacts as it is low impact development. The application was accompanied by a flora and fauna assessment which demonstrated that the development would not have a significant environmental impact. Recommendations from the flora and fauna assessment have been included as draft conditions of consent.

3. Economic

The proposed development will have minimal economic impact on Council. Part of the funds for the project were paid by the developer of the final stage of Tyrolean Village through a Voluntary Planning Agreement which was to provide a trail through the subject property. The balance is grant funded. The ongoing maintenance of the trails is part of Councils wider trail network and trail stewardship agreements. The establishment of trail networks such as this can have a positive economic impact by offering additional options for tourist use of the Jindabyne.

4. Civic Leadership

In accordance with Councils Policy – *Referral of Development Applications to Council*, this application has been referred to Council for determination, as the development is proposed is a Council project on land owned by Council.

In accordance with section 4.16 (1) of the Environmental Planning and Assessment Act 1979; a consent authority is to determine a development application by—

- (a) granting consent to the application, either unconditionally or subject to conditions, or
 - (b) refusing consent to the application.
-

If Council decides to make a determination other than as included in the recommendation, it must follow the requirements of Council Procedure – *Council Decision Contrary to Staff Recommendation* (attached to this report).



CONDITIONS OF CONSENT
 10.2020.3004045.1

Part A – Administrative Conditions

Reason for imposition of conditions: Unrestricted consent may affect the environmental amenity of the area and would not be in the public interest.

ADM_01 Endorsed plans and supporting documentation:

Development must be carried out in accordance with the following plans and documentation, except where amended by Council and/or the conditions of this development consent.

Document Title.	Prepared By.	Dated.
Proposed Extension and realignment of Mountain Bike trails and Shared Paths, East Jindabyne Aboriginal Cultural Heritage Assessment Addendum Report	Sue Feary	October 2018
Proposed Extension and realignment of Mountain Bike trails and Shared Paths, East Jindabyne Aboriginal Cultural Heritage Assessment Addendum Report	Sue Feary	October 2020
Tyrolean to East Jindabyne Shared Trail – Project Scope of Works Stage	Alannah Dickeson	Undated
East Jindabyne Trail Options Report	GHD	June 2019
Flora Assessment Report	Dave Woods	June 2018
Statement of Environmental Effects	Alannah Dickeson	September 2019

In the event of any inconsistency between the approved plans and the supporting documentation, the plans will prevail.

Reason: It is in the public interest that work is carried out in accordance with the approved plans. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

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ADM_04 Development Stages

The development is approved, with each stage comprising the following elements:

Section 1- Rainbow Drive to Kunama Ridge

Section 2-Lake foreshore to Kunama Ridge

Section 3- Lake foreshore to Rainbow Beach

Reason: To allow for the orderly sequencing of the development

ADM_05 Staging of development

Notwithstanding any other condition of this consent, the consent permits separate Construction Certificates and Occupation Certificates to be issued for the approved development in stages, provided that all conditions of consent relevant to the development incorporated within each stage have been complied with prior to the release of the Construction Certificate or Occupation Certificate for that stage.

Reason: To allow for the orderly sequencing of the development and compliance with relevant conditions for each stage.

Part B – Prior To the Issue of the Relevant Construction Certificate

PCC_06 Long service levy

In accordance with Section 6.8(1)(b) of the Environmental Planning and Assessment Act 1979, a Construction Certificate must not be issued until any long service levy payable under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 (or where such levy is payable by instalments, the first instalment of the levy) has been paid. Council is authorised to accept payment. Where payment has been made elsewhere, proof of payment must be provided to Council.

PCC_07 Compliance with Australian Standards and Building Code of Australia

The development is required to be carried out in accordance with all relevant Australian Standards and the requirements of the Building Code of Australia. Details demonstrating compliance must be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Part C – Prior To the Commencement of Works

PCW_01 Prior to the commencement of works

No construction works approved by this consent are to commence unless the

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following have been satisfied:

- A. A Construction Certificate has been issued by a certifying authority.
- B. A Principal Certifying Authority has been appointed by the person having benefit of the development consent.
- C. A notice of commencement of building or subdivision works, and details of the appointed Principal Certifying Authority (in the event that Council is not appointed), are issued to Council at least 48 hours prior to the commencement of works.
- D. The Principal Certifying Authority is notified in writing of the name and contractor license number of the owner/builder intending to carry out the approved works.

PCW_03 Erection of signage

A sign must be erected in a prominent position on any site on which any approved work is to be carried out:

- showing the name, address and telephone number of the certifying authority for the work;
- showing the name of the principal contractor (if any) for any demolition or 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.

The sign must be maintained while the approved work is being carried out and must be removed when the work has been completed

Reason: To ensure the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended.

PCW_05 Erosion and drainage management

Earthworks must not commence until an erosion and sediment control plan is submitted to, and to the satisfaction of the Principal Certifying Authority. The plan must comply with the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (The Blue Book).

Erosion and sediment control works must be implemented in accordance with the

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erosion and sediment control plan.

Reason: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

PCW_12 Temporary Sanitary Facilities

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.
- C. Located on the site so as to minimise the visual and sensory impacts to neighbouring properties.

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

PCW_19 Enclosure of the Site

The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

Part D – During Construction

DC_01 Erosion and drainage management

Erosion and sediment control works must be implemented in accordance with the endorsed erosion and sediment control plan and maintained throughout the construction process.

Reason: It is in the public interest that the development works do not damage existing Council infrastructure and accordingly a record of existing conditions is required. Section 4.15(e) of the Environmental Planning and Assessment Act 1979.

DC_05 Use of Power Tools - Residential and Village Areas

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:

Monday to Friday: 7.00am to 6.00pm

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Saturday: 7.00am to 5.00pm

Sunday: No work

Public Holidays: No work

Reason: To ensure building works do not have adverse effects on the amenity of the area.

DC_06 Principal Certifying Authority

A Principal Certifying Authority appointed to replace another must ensure that notice of the appointment and of the approval of the appointment is given to the consent authority and Council (if not the relevant consent authority) within 48 hours of the appointment.

DC_07 Inspections

All mandatory inspections required by the Environmental Planning and Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifying Authority must be carried out during the relevant stage of construction. Work must not proceed beyond each critical stage until the Principal Certifying Authority is satisfied that work is proceeding in accordance with this consent, the Construction Certificate(s) and the Act. Council must be given 48 hours' notice to undertake the inspections.

Reason: It is in the public interest that critical stage inspections be issued for these components of the development in accordance with Section 162A of the Environmental Planning and Assessment Regulations 2000 as amended.

DC_08 Items not to be placed on roadway

The following items must not be placed on the footpath, roadway or nature strip at any time throughout the construction process:

- building materials, sand, waste materials or construction equipment;
- bulk bins/waste skips/containers; or
- other items that may cause a hazard to pedestrians.

DC_09 Site maintenance

The principal contractor, or any other person having benefit of the development consent must ensure that:

- approved sediment and erosion control measures are installed and maintained

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during the construction period;

- building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held; and
- the site is clear of waste and debris at the completion of works.

Such measures will be in place throughout the construction process.

DC_11 Archaeology

If any unexpected archaeological finds (relics/foundations associated with early European occupation) or Aboriginal relics are encountered during excavation, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval shall be completed if required to disturb relics, based on the nature of the discovery.

DC_16 Cut and fill

Soil removed from or imported to the site must be managed in accordance with the following principles:

- A. All excavated material removed from the site must be classified in accordance with the Department of Environment, Climate Change and Water NSW's Waste Classification Guidelines prior to disposal to an approved waste management facility and reported to the Principal Certifying Authority.
- B. All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material approved under the Department of Environment and Climate Change's general resource recovery exemption.

DC_23 Approved Plans on Site

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.

DC_24 Public Access and Site Security

It is the responsibility of the applicant to restrict public access to the building site, building works or materials or equipment on the site when building work is not in progress or the site is otherwise unoccupied.

DC_25 Excavation

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1. 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.
2. The developer is to ensure that all excavations are properly guarded and protected at all times to prevent them from being a danger to life or property.
3. The developer is to ensure that if an excavation associated with the development extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:
 - a. preserve and protect the adjoining building from damage, and if necessary, underpin and support the building in an approved manner; and
 - b. at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
4. The owner of the adjoining allotment of land is not liable for any part of the cost of the work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land. An allotment of land includes a public road and any other public place.
5. The developer is to ensure that the toe of any embankment to a site excavation is a minimum 900mm from the external walls and graded to drain all surface water away from the building. The ground level adjacent to the building is to be no less than 150mm below the top of the reinforced concrete floor slab.

Reason: To ensure the development complies with the requirements of Clause 98E of the Environmental Planning and Assessment Regulations 2000, and Section 4.17(11) of the Environmental Planning and Assessment Act 1979, as amended

DC_26

Dust Control Measures

Adequate measures will be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:

- a) Physical barriers will be erected at right angles to the prevailing wind direction or will be placed around or over dust sources to prevent wind or activity from generating dust emissions,
- b) Earthworks and scheduling activities will be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or

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exposed, All materials will be stored or stockpiled at the best locations,

- c) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs,
- d) All vehicles carrying spoil or rubble to or from the site will at all times be covered to prevent the escape of dust or other material,
- e) All equipment wheels will be washed before exiting the site using manual or automated sprayers and drive-through washing bays,
- f) Gates will be closed between vehicle movements and will be fitted with shade cloth, and Cleaning of footpaths and roadways will be carried out regularly.

Reason: to reduce impact on surrounding properties during construction.

DC_28 All-weather Access

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 accessway.

DC_29 Trade Waste

- (a) 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
- (b) 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.
- (c) The burning of builders waste on site by open fire is prohibited.

DC_29 Tree preservation

A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree to which any such development control plan applies, unless conferred by a development consent or a permit granted by Council.

Part E – Prior To the Issue of an Occupation Certificate

POC_01 Occupation Certificates

The owner, principal contractor or owner-builder must meet all costs associated with the foregoing conditions which must be completed prior to the issue of the relevant Occupation Certificate, unless otherwise stated.

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POC_04 Infrastructure repair

Prior to the issue of an Occupation Certificate, any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concrete vehicles) must be fully repaired to the satisfaction of Council and at no cost to Council.

POC_09 Waste management

All refuse, spoil and/or material unsuitable for use must be removed from the site and lawfully disposed of upon completion of the building works and prior to the issue of the relevant Occupation Certificate.

PCU_05 Completion of landscape works

Prior to the issue of the final Occupation Certificate, the Council must be satisfied that all landscape works, including the removal of all noxious and/or environmental weed species, have been undertaken in accordance with the approved plans and any relevant conditions of consent.

Part F – TRAIL AND BRIDGE CONSTRUCTION

- OU_01** The developer is to ensure that the trail is constructed in accordance with methods outlined in the statement of environmental effects, attached to this development application.
- OU_02** The developer is to ensure that trail construction is in accordance with the International Mountain Bike Association (IMBA) principles of sustainable trails
- OU_03** The developer is to ensure that the bridges/platforms proposed are constructed in accordance with approved engineering design specifications.

PART G – AGENCY SPECIFIC CONDITIONS

AS_01 Agency Specific

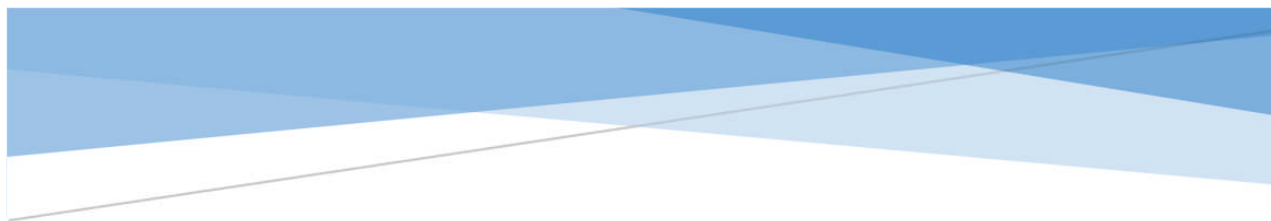
1. No Aboriginal objects may be harmed without an approval from Heritage NSW under the National Parks and Wildlife Act 1974.
2. To ensure no Aboriginal objects are impacted by the development the following must occur prior to any works occurring:
 - a. A Heritage Management Plan must be prepared prior to any works commencing.
 - b. All known Aboriginal sites with a site extent within 50 metres of the trail including those identified in Table 2 (pg. 19) of Feary 2020,

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- Proposed Extension and Realignment of Mountain Bike Trails and Shared Paths, East Jindabyne. Aboriginal Cultural Heritage Assessment. Addendum Report- October 2020, unpublished report prepared for Snowy Monaro Regional Council, must be buffered by a minimum of 10 metres. The 10 metre buffer must be demarcated with visual markers and identified as "no go zones" on all maps associated with the development.
- c. Monitors from the Registered Aboriginal Parties and/or an archaeologist must be onsite when any ground disturbance is occurring, in line with the recommendations of Feary 2018, Proposed Extension and Realignment Of Mountain Bike Trails And Shared Paths, East Jindabyne. Aboriginal Cultural Heritage Assessment, unpublished report prepared for Snowy Monaro Regional Council.
 - d. All staff and contractors undertaking any actions onsite must be inducted in relation to the Aboriginal cultural heritage constraints of the development and instructed regarding unexpected finds protocols.
 - e. A map of the heritage constraints must be included in all construction and management plans and a copy must be provided to all persons undertaking work within the site.
3. If any Aboriginal object(s) is discovered and/or harmed in, on or under the land, while undertaking the proposed development activities, the proponent must:
- a. Not further harm the object(s)
 - b. Immediately cease all work at the particular location
 - c. Secure the area so as to avoid further harm to the Aboriginal object(s)
 - d. Notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object(s) and its location
 - e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
 - f. If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.

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4. In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.



APPENDIX A

TYROLEAN TO EAST JINDABYNE SHARED TRAIL

Project Scope of Works-Stage 1

Alannah Dickeson
Recreation Planner

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INTRODUCTION

Expert advice has been provided by trail builders at Jindabyne Landscaping for proposed trail design and construction methodology. Minor gully crossing option analysis and concept designs have been undertaken by GHD Engineering and John Scurr Consulting Engineers. This document provides the detail for construction providing the relevant approvals are granted. Figure 1 below provides an overview of the proposal.



FIGURE 1 OVERVIEW MAP

The new trail proposal is stage 1 of the overall concept. SMRC are working on the planning phases for the full foreshore connection to East Jindabyne as well as trail options to avoid using existing roads within Kunama Estate. The proposed trail surface will primarily be a firm, stable bare earth surface. Crushed rock will be used where required. This includes platform approaches and areas of unstable ground. The corridor will be 2 metres in width with a 1.5 metre trail bed.

The following scope of works provides a link between the Lake Jindabyne shared trail network, Kunama Estate and Rainbow beach. The project scope has been divided into 3 sections, refer to figure 1 below.



Section 1 to Section 3 Proposed Corridors

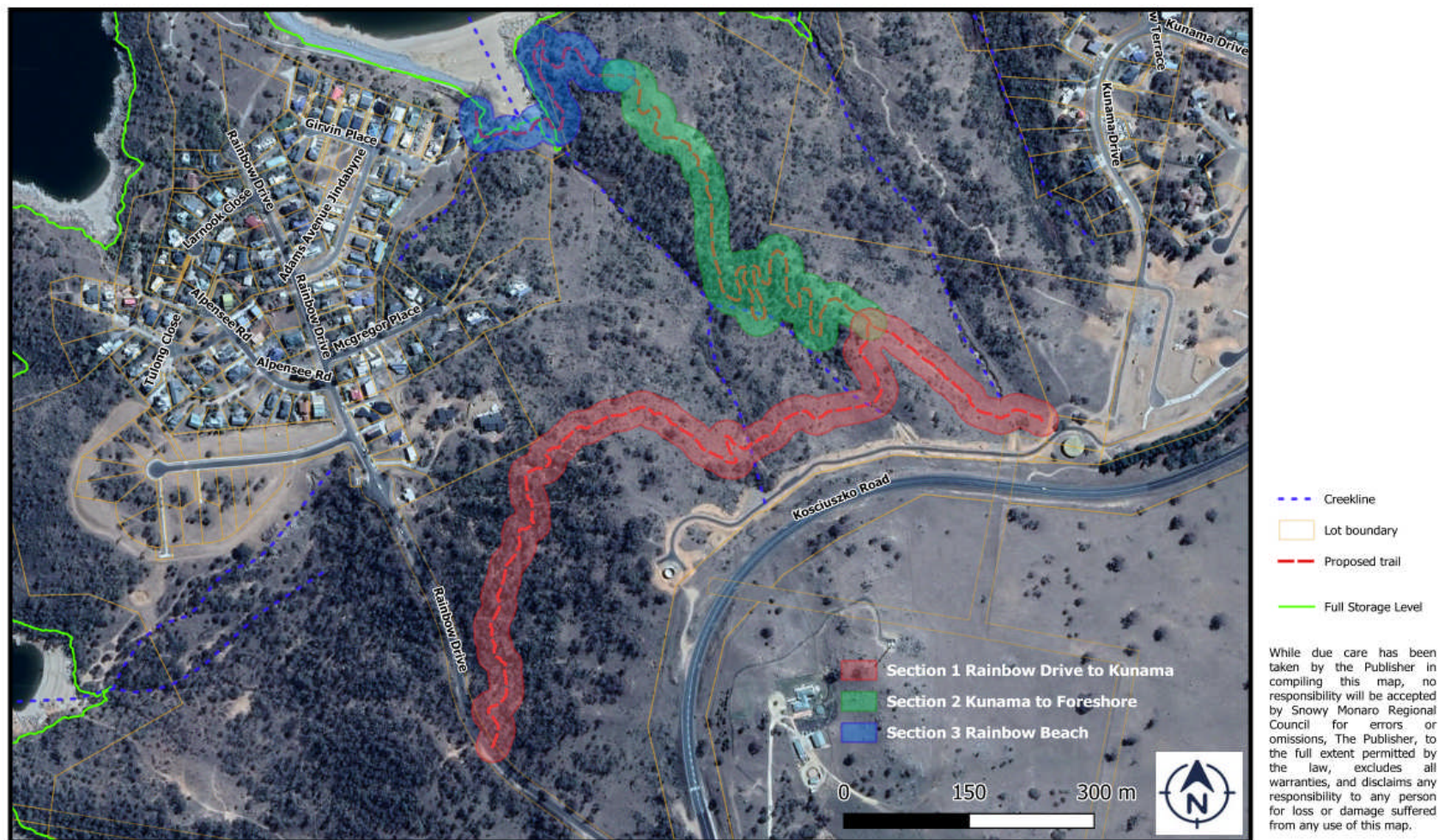


FIGURE 1- SECTION 1-3 MAP OVERVIEW

SECTION 1- RAINBOW DRIVE TO KUNAMA

This section will involve the construction of 1240 metres of trail. Rock armoured stairs will also be constructed strategically between switchbacks in steeper sections. This allows for the separation of walkers and riders. Stairs will be staggered allowing for the most practical walking trail alignment whilst limiting the temptation for riders to use a continual vertical stair alignment.



SECTION	METRES	TRAIL TYPE	DESCRIPTION
1	1,240	Bench trail	Clearing of trail corridor (2m width) and machine excavation of trail tread (1.5m). There is an existing over-grown 4wd track for approximately 200m near the water tank at the Kunama estate entrance (refer to figure 2 below). This provides a suitable contour for the shared trial alignment reducing excavation works
	100m (approximately)	Rock armoured stairs	Refer to figure 3 methodology example
	14		Steel Mesh Platform- As per specification. Refer to figure 4 and construction methodology.



FIGURE 2- EXISTING 4WD DRIVE TRACK- 2 METRE WIDE BENCHED CONTOUR IN PLACE

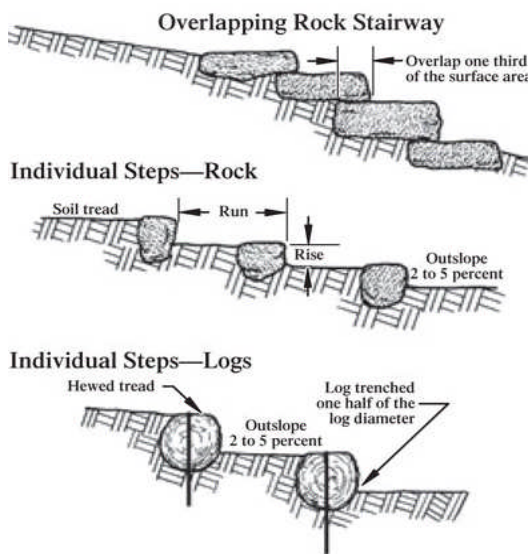


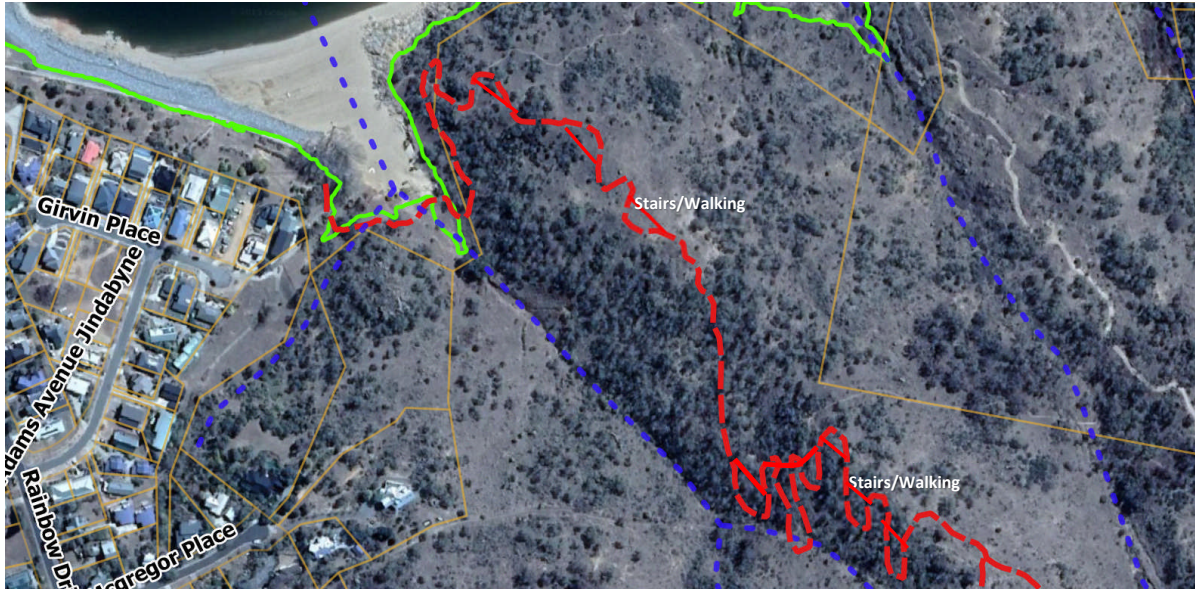
FIGURE 3- STAIR METHODOLOGY EXAMPLE



FIGURE 4. PLATFORM EXAMPLE- THREDBO VALLEY
TRACK CREEK CROSSING

SECTION 2-LAKE FORESHORE TO KUNAMA

This section will involve the construction of 720 metres of trail to the International Mountain Bike Association standards (flow trail). This section will also require 250m of rock armoured stairs/walking track



SECTION	METRES	TRAIL TYPE	COMMENTS
2	720	Bench trail	Clearing of trail corridor and machine excavation of trail tread.
	250m	Walking trail- rock armored steps	Local rock material sourced refer to figure 3 methodology example. (Further detail on exact location and distance required).

SECTION 3- LAKE FORESHORE TO RAINBOW BEACH

Approximately 430m of trail construction as specified in the table below. An option report for gully crossings was prepared by GHD Engineering. The preferred sites take into consideration, long term sustainability/low level maintenance, impacts from rising lake levels and storm water run-off, suitability for both walkers and rider traveling from both directions.



SECTION	METRES	TRAIL TYPE	DESCRIPTION
3	20	Re-alignment of fence	Existing fenced area is Council land. Re-alignment is required. This ensures trail construction to platform crossing is above full supply levels of lake Jindabyne. (Refer to figure 5 below).
	430	Bench trail	Clearing of trail corridor and machine excavation of trail tread.
	10	FRP Platform	Supply and installation as per design specification
	12	FRP Platform	Supply and installation as per design specification (refer figure 6 below)



FIGURE 5- FENCE RE-ALIGNMENT

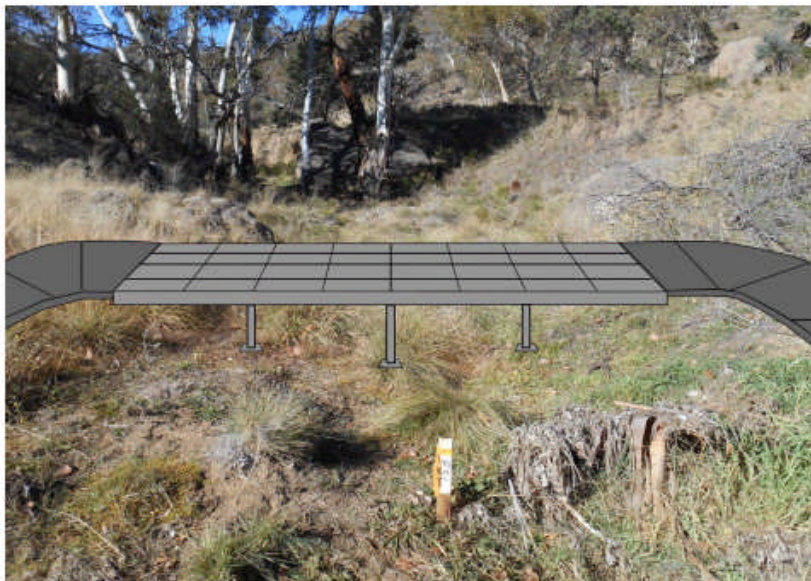


FIGURE 6- PLATFORM CROSSING RAINBOW BEACH- *GHD Engineering Options Report*

CONSTRUCTION METHOD

Trail design will follow the Australian Gridlines for Trail Planning, Design and Management. The International Mountain Bike Association (IMBA) principles for sustainable trails are adopted in these Guidelines.

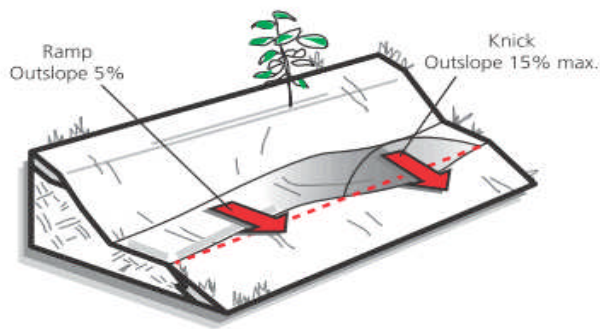
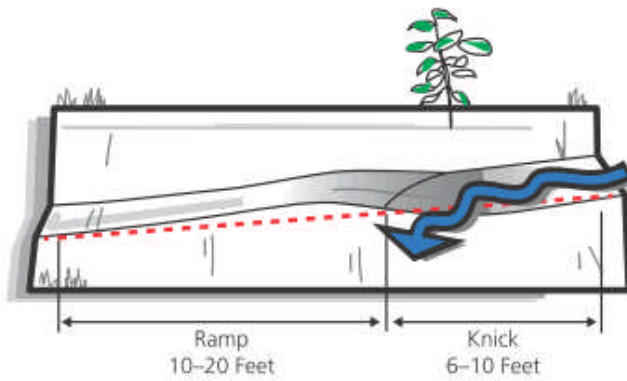
The following information below outlines the types of construction required within the scope, and the methods for installation of each type of trail to be constructed.

BENCHED TRAIL

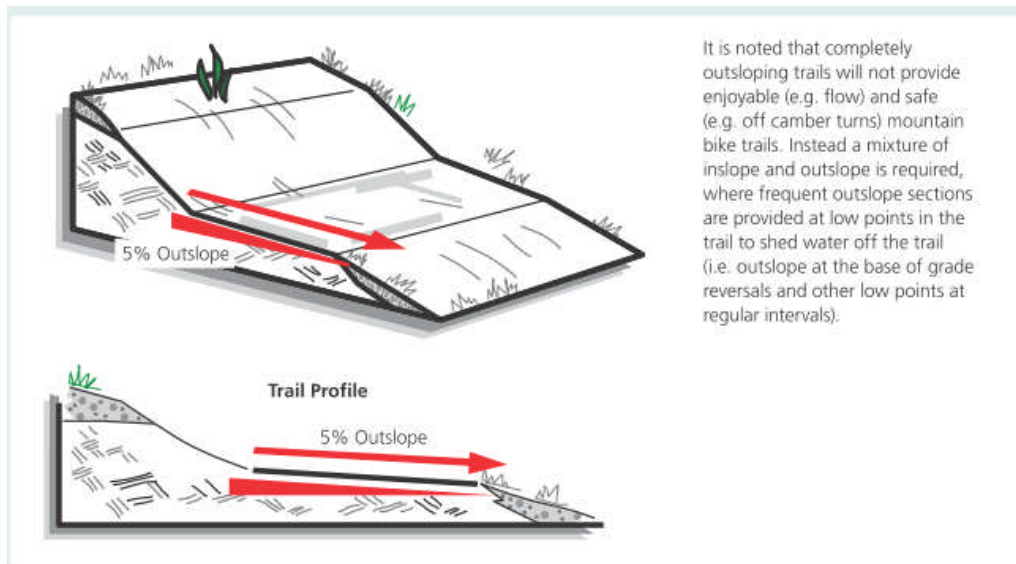
Follows the contour with a trail out-slope or in-slope depending on the terrain and site specific drainage requirements. The gentle out-slope of no more than 5% allows for water to sheet off the before it can accumulate and run causing erosion issues. Due to the rolling contours of the trail, where an in-slope is required, grade reversal will be situated to ensure correct drainage.

Installation of new trail;

- Marking of trail alignment to IMBA guidelines for rolling contour trail, to minimise erosion and environmental impacts.
- Submission and approval of draft alignment.
- Installation of barricade fencing and warning signage at all trail entrances.
- Installation of sediment control measures.
- Implementation of procedures as outlined in WHS Management Plan and Environmental Management Plan.
- Identification and location of all underground and overhead services where identified.
- Pre-clearing walk-through survey and identification of existing flora and fauna.
- Clearing and pruning of 2m wide trail corridor to a height of 2.4m. Removed vegetation will be stockpiled within cleared corridor for later use in revegetation (thatching) of disturbed areas.
- Removal of topsoil and grasses from trail tread area. This material will be stockpiled and used in revegetation of disturbed areas.
- Excavation of 1.5 wide trail tread, using excavator or manual labor.
- Excavation of rollovers, grade reversals, berms and switchbacks where required using excavator.
- Hand finishing and mechanical compaction of new trail tread.
- Revegetation as per Rehabilitation works described below.



Example Grade reversal/ average trail segment grade



Example of out-slope trail design (*guidelines for trail planning, design and Management, TRC Tourism*)

BERMS / SWITCHBACKS

Installation of trail features;

- Marking of trail alignment to IMBA guidelines for rolling contour trail, to minimise erosion and environmental impacts.
- Submission and approval of proposed features.
- Installation of barricade fencing and warning signage at all trail entrances.
- Installation of sediment control measures.
- Implementation of procedures as outlined in WHS Management Plan and Environmental Management Plan.
- Identification and location of underground and overhead services where identified.
- Excavation of rollovers, grade reversals, berms and switchbacks where required using excavator. Local rock will be used where required to both support and armor features.
- Hand finishing and mechanical compaction of new trail features.
- Revegetation as per Rehabilitation works described below.

CREEK AND TRIBUTARY CROSSINGS

Platform crossings will be 1.4-2 metres in width to allow for shared use from both directions. Structures will be steel with fibreglass reinforced plastic (FRP) mesh deck. The platform design prepared by John Skurr Consulting Pty Ltd for the Thredbo Valley Track with Kosciuszko National Park will be suitable for the specified crossing sites.

Further information on exact location and concept is presented below.

- Off-site pre-fabrication of metal framework to specification
- Installation of sediment control measures where required
- Implement WHS and EMP procedures
- Marking of platform location and finishing treat heights
- Delivery of materials to specific sites may require transport to the site by helicopter
Where vehicle access is not available
- Installation of Support posts driven to refusal or bolt connection rock
- Installation of pre-fabrication framework
- Installation of RFP decking and fasteners
- Final site inspection of installed platforms by certified engineer

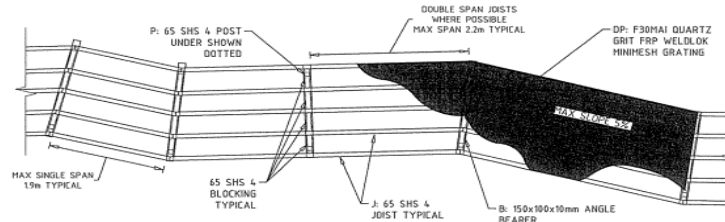
PLATFORM DESIGN

GENERAL NOTES

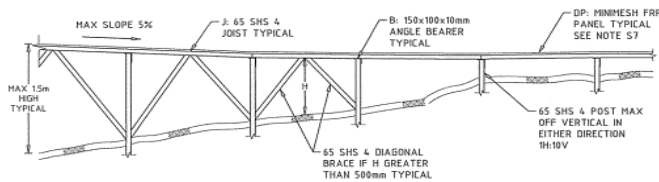
- G1 ALL CONSTRUCTION TO THE BUILDING CODE OF AUSTRALIA VOLUME 1 FOR GENERAL CONDITIONS & VOLUME 2 FOR WORKMANSHIP & MATERIALS
- G2 DURING CONSTRUCTION, THE STRUCTURE SHALL BE MAINTAINED IN A STABLE CONDITION AND NO PART SHALL BE OVERSTRESSED.
- G3 ALL DIMENSIONS ARE IN MILLIMETERS, UNO.
- G4 THE STRUCTURAL WORK SHOWN ON THE DRAWINGS HAS BEEN DESIGNED FOR THE FOLLOWING LOADS IN ACCORDANCE WITH AS1170 2002
 - DECKING LIVE LOAD 5kPa WORKING AND 1.5kN POINT LOAD WORKING OVER 100x100mm.
 - WIND LOAD CATEGORY 1 TO AS1170.2 Vp=50m/s OR CLASSIFICATION N4 TO AS1684
 - SNOW LOAD TO AS1170.3 MAX ELEVATION 1400m 5kPa WORKING ON DECK (7.5kPa U/LTIMATE).
 - 2 TONNE EXCAVATOR WITH 20% DYNAMIC FORCE, MIN 600mm LONG CONTACT LENGTH EACH END TRACKS SPACED 1m APART.
- G5 CONTRACTOR TO CONFORM TO NPWS ENVIRONMENTAL MANAGEMENT REQUIREMENTS & OH-S REQUIREMENTS WITH SWMS COMPLETED PRIOR TO COMMENCEMENT OF THE PROJECT.

STEELWORK NOTES

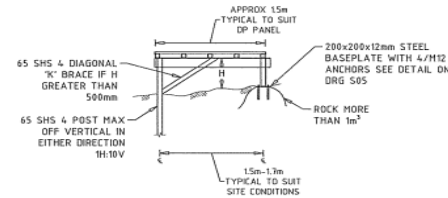
- S1 ALL WORKMANSHIP AND MATERIALS SHALL BE IN ACCORDANCE WITH AS4100.
- S2 ALL STEEL SHALL BE IN ACCORDANCE WITH AS3679 GRADE 300 OR AS1163 GRADE C350LD FOR RECTANGULAR AND SQUARE HOLLOW SECTIONS.
- S3 WELD TYPE ABBREVIATION, CPW = COMPLETE FILLET WELD
- S4 WELDING SHALL BE 4mm CPW AND SHALL COMPLY WITH AS1554. UNO.
- S5 ELECTRODES SHALL BE E41XX OR E48XX.
- S6 ALL STEELWORK TO BE LEFT BLACK I.E. UNPAINTED AND NO SURFACE PROTECTION. ALL EXISTING PRIMER ETC TO BE REMOVED.
- S7 MINIMESH TO BE SUPPLIED BY NPWS AND WILL BE WELDLOK MINIMESH F301MAI QUARTZ GRIT FINISH. PANELS TO BE INSTALLED AS PER MANUFACTURERS SPECIFICATION.



TYPICAL WALKWAY PLAN
1:50 @ A3



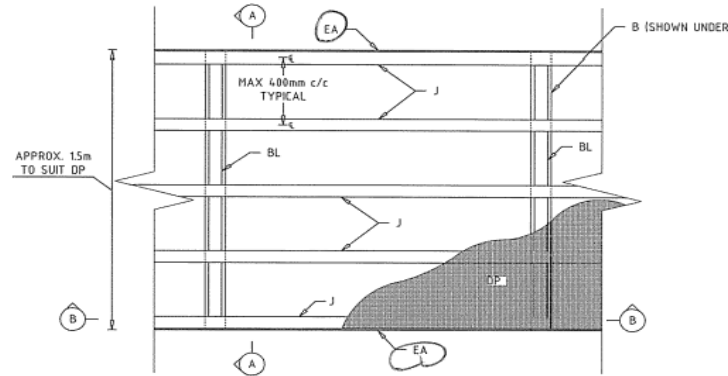
WALKWAY ELEVATION
1:150 @ A3



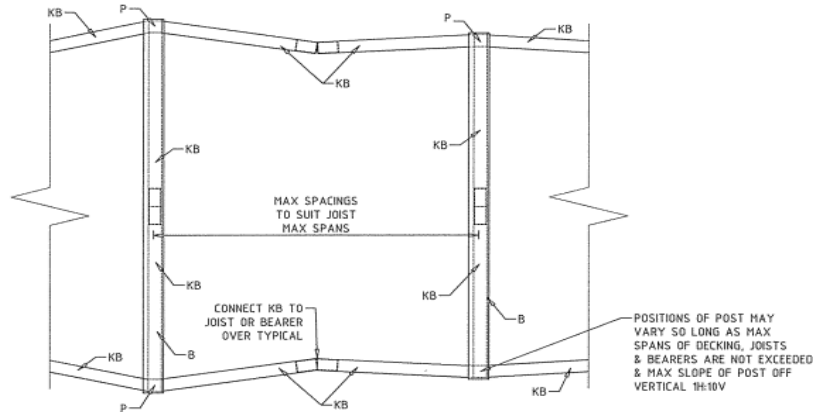
TYPICAL CROSS SECTION
1:50 @ A3

CIVIL & STRUCTURAL ENGINEERS JSCE JOHN SKURR CONSULTING ENGINEERS John Skurr Consulting Engineers Pty Ltd UNIT 2 / 23 BENTHAM STREET YARRALUMLA ACT 2600 CONTACT JOHN SKURR PH 1021 6282 4620 john@jshskurr.com.au	
CLIENT SJ & LM CONTRACTING 80 McARTHUR ST MULLWALA NSW 2647 MOB: 0409 982 971 EMAIL: aaron@sjlmcontracting.com.au	
CLIENT NPWS JINDABYNE PO BOX 2228 JINDABYNE NSW 2627 CONTACT: DANNY COCORAN PH: 0450 5557 MOB: 0428 691 055 EMAIL: danny.cocoran@environment.nsw.gov	
PROJECT LOWER THREDBO VALLEY WALKING TRACK	
TITLE STRUCTURAL NOTES, PLAN, ELEVATION & SECTION	
DESIGN	DRAWN DATE DRG NO.
JS	SK 24/02/2016 S01

- KEY: (FROM TOP TO BOTTOM)
 DP: 1527mm WIDE WELDLOK F30MAI FRP MINIMESH DECK PANEL WITH M6 TEK SCREW & WASHER @400mm c/c ALONG EACH JOIST TYPICAL. PANEL TO BE QUARTZ GRIT FINISH & COLOUR TO BE CONFIRMED BY NPWS TYPICAL.
 EA: 40 EA 3 FRP ANGLE EDGE STRIP SAFETY YELLOW WITH TEK TO SIDE OF PANEL @400mm c/c TYPICAL. CUT TOP FLANGE OF ANGLE FOR INSTALLATION ON DIFFICULT RADIUS BENDS.
 J: 65 SHS 4 JOIST @400mm c/c MAX, 4mm CFW TO BEARER, MAX SINGLE SPAN 1900mm c/c, MAX DOUBLE SPAN 2200mm c/c
 B: 150x100x10mm APPROX 1700mm LONG ANGLE BEARER AT CENTERS TO ENSURE JOIST SPANS ARE NOT EXCEEDED. MIN SPAN 1400mm, MAX SPAN 1570mm. TRIM BEARER ENDS TO SUIT JOIST & PANEL EDGE ONCE JOIST INSTALLED TYPICAL
 BL: 65 SHS 4 BLOCKING BETWEEN EACH JOIST 6mm CFW TO BEARER AND JOIST EACH END WITH 100mm LONG 3mm STITCH WELD CENTRAL EACH SIDE TYPICAL. NOTE: B AND BL ACT TOGETHER WHEN CONSTRUCTION COMPLETE I.E. COMPOSITE BEAM.
 P: 65 SHS 4 POST @ 1650-1800mm c/c RAMMED INTO GROUND UNTIL REFUSAL WITH MARCHANT PICKET POST DRIVER OR EQUAL. OPTIONALLY USE 6kg SLEDGE HAMMER FROM 1.5m HIGH MIN SET 10 BLOWS FOR 10mm.
 KB: 65 SHS 4 DIAGONAL 'K' BRACE IF DECK HEIGHT GREATER THAN 500mm ABOVE GROUND. 'K' BRACE 4mm CFW TO POST & JOIST TYPICAL.

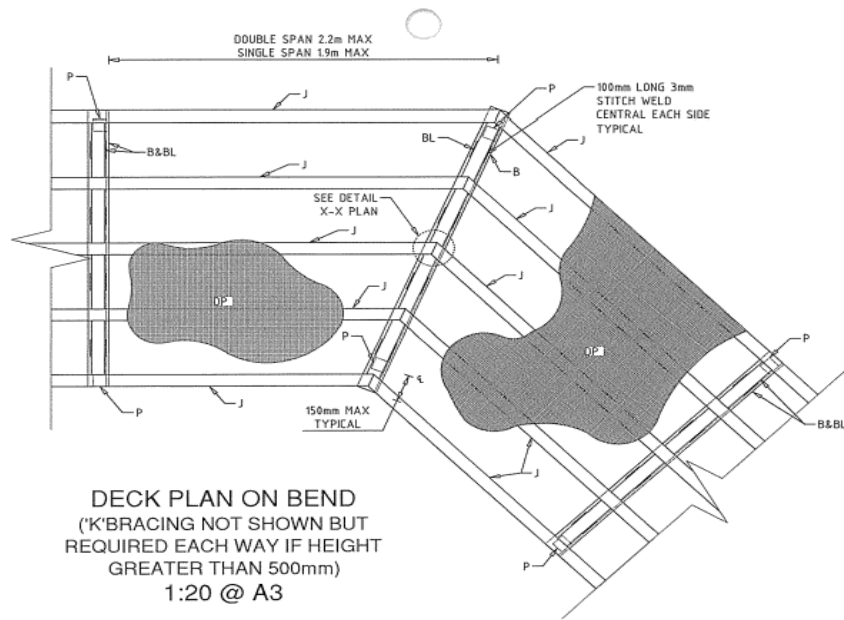


DECK PLAN ON STRAIGHT
 1:20 @ A3

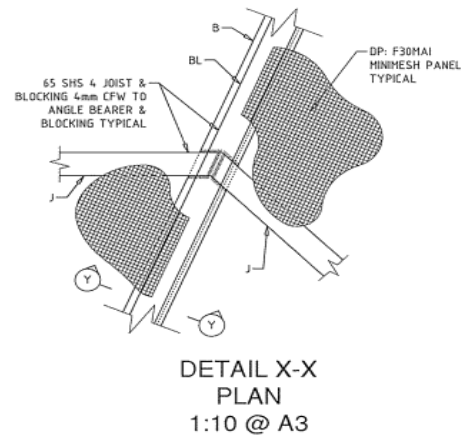
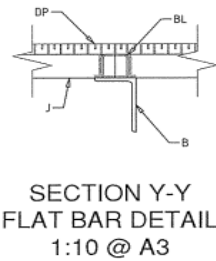


POST, BEARER & BRACE PLAN
 ON STRAIGHT
 1:20 @ A3

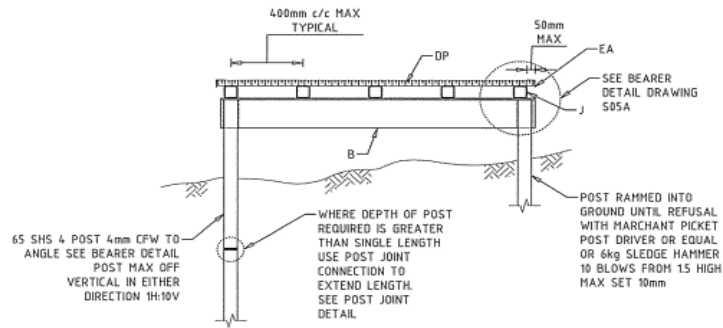
CIVIL & STRUCTURAL ENGINEERS			
JSCE JOHN SKURR CONSULTING ENGINEERS John Skurr Consulting Engineers Pty Ltd UNIT 2 / 23 BENTHAM STREET YARRALLUMLA ACT 2600			
CONTACT JOHN SKURR PH (02) 6282 4620 john@johnskurr.com.au			
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CLIENT NPWS JINDABYNE PO BOX 2228 JINDABYNE NSW 2627 CONTACT: DANNY COCORAN PH: 6450 5557 MOB: 0428 691 056 EMAIL: danny.cocoran@environment.nsw.gov			
PROJECT LOWER THREDBO VALLEY WALKING TRACK			
TITLE BASE STRUCTURE & DECK PLAN			
DESIGN	DRAWN	DATE	DRG NO.
JS	SK	24/02/2016	S02



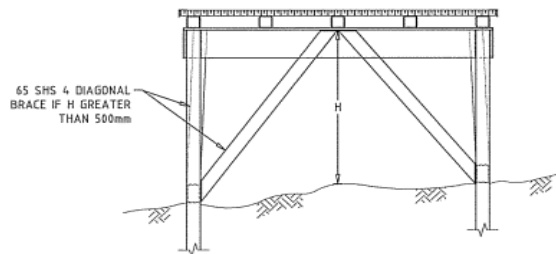
FOR KEY REFER TO DRAWING S02



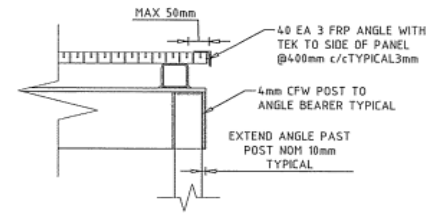
CIVIL & STRUCTURAL ENGINEERS			
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John Skurr Consulting Engineers Pty Ltd UNIT 2 / 23 BENTHAM STREET YARRALUMLA ACT 2600			
CONTACT JOHN SKURR PH (02) 6262 4620 john@johnskurr.com.au			
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CLIENT			
NPWS JINDABYNE			
PO BOX 2228 JINDABYNE NSW 2627 CONTACT: DANNY CORCORAN PH: 6450 5557 MOB: 0428 891 055 EMAIL: danny.corcoran@environment.nsw.gov			
PROJECT			
LOWER THREDBO VALLEY WALKING TRACK			
TITLE			
PLAN & STRUCTURAL DETAILS			
DESIGN	DRAWN	DATE	DRG NO.
JS	SK	24/02/2016	S03



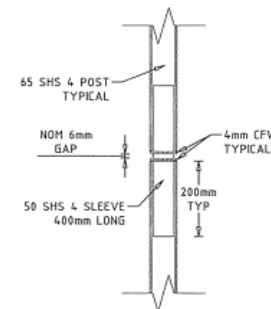
SECTION A-A
 (IF DECK HEIGHT LESS THAN 500mm FROM GROUND)
 1:20 @ A3



SECTION A-A
 (IF DECK HEIGHT ABOVE 500mm FROM GROUND)
 1:20 @ A3

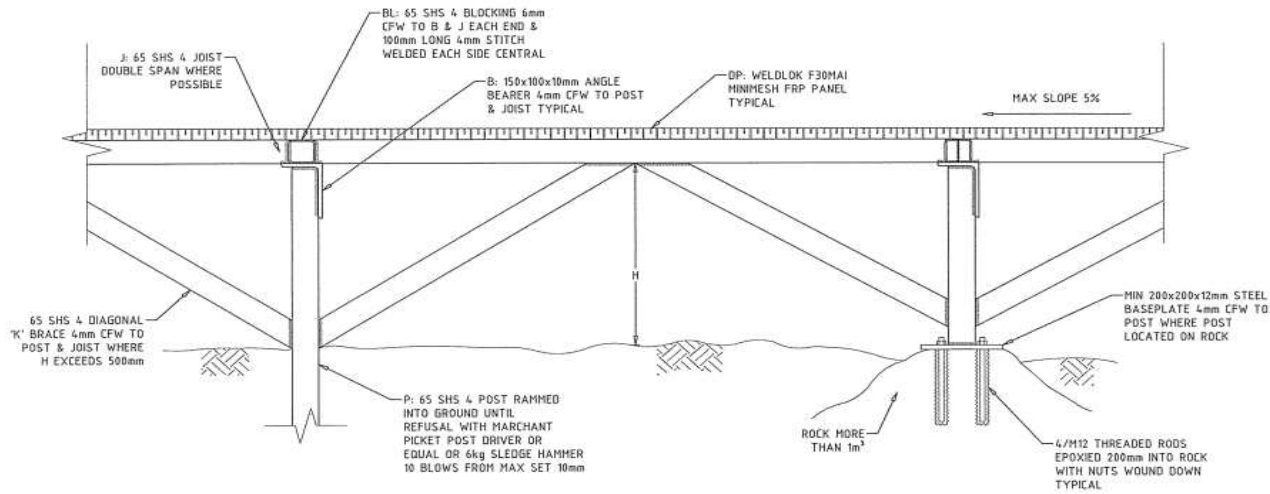


BEARER DETAIL
 1:10 @ A3



POST JOINT DETAIL
 (IF REQUIRED)
 1:10 @ A3

CIVIL & STRUCTURAL ENGINEERS			
JSCE JOHN SKURR CONSULTING ENGINEERS			
John Skurr Consulting Engineers Pty Ltd UNIT 2 / 23 BENTHAM STREET YARRALUMULA ACT 2600			
CONTACT JOHN SKURR PH (02) 6282 4620 john@johnskurr.com.au			
CLIENT SJ & LM CONTRACTING 50 MCCARTHY ST MULWALA NSW 2647 MOB 0409 982 971 EMAIL: aaron@sjmcontracting.com.au			
CLIENT NPWS JINDABYNE PO BOX 2228 JINDABYNE NSW 2827 CONTACT: DANNY COCORAN PH: 6450 5557 MOB: 0428 691 055 EMAIL: danny.cocoran@environment.nsw.gov			
PROJECT LOWER THREDBO VALLEY WALKING TRACK			
TITLE STRUCTURAL DETAILS			
DESIGN	DRAWN	DATE	DRG NO.
JS	SK	24/02/2016	S04



SECTION B-B
 (LONG SECTION)
 1:10 @ A3

CIVIL & STRUCTURAL ENGINEERS			
JSCE JOHN SKURR CONSULTING ENGINEERS			
John Skurr Consulting Engineers Pty Ltd UNIT 2 / 23 BENTHAM STREET YARRALLUMLA ACT 2600			
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CLIENT			
NPWS JINDABYNE			
PO BOX 2228 JINDABYNE NSW 2627 CONTACT: DANNY CORCORAN PH: 6450 5557 MOB: 0428 691 055 EMAIL: danny.cocoran@environment.nsw.gov			
PROJECT			
LOWER THREDBO VALLEY WALKING TRACK			
TITLE			
SECTION B-B			
DESIGN	DRAWN	DATE	DRG NO.
JS	SK	24/02/2016	S05

PLATFORM APPROACHES

If sufficient suitable local rock can be found during excavation then the following method will be used:

- Locally sourced rock from trail corridor or sourced from approved quarry and transport to designated area using powered wheelbarrow or similar.
- Install rock using stone pitching to finished deck height and width to corral users onto the platform.
- Back fill between rocks and to finished height with stockpiled excavated material.
- Revegetation as per Rehabilitation scope of works described below.

REHABILITATION WORKS

Revegetation of all disturbed areas outside of trail tread and decommissioned old trail alignments including;

- Spreading (without compaction) of stockpiled excess soil to depth of 100mm on all exposed areas outside trail tread.
- Thatching of bare areas using excavated grass sods and cuttings (including branches, leaf litter and natural debris), if insufficient material available then additional weed-free rice straw will be incorporated to provide complete cover

WORKS PROGRAM

SITE ESTABLISHMENT

Prior to commencement, a temporary site compound will be established at a pre-approved site, including;

- Temporary fencing, with a lockable entry gate and contractor information signage.
- Site office containing first aid, supervisor job folder, and site plans.
- Lockable container, for storage outside work hours of machinery, hand tools / firefighting equipment.
- Rubbish / recycling bins.
- Meals area.

SITE INDUCTION

Prior to commencement of works, the following training / inductions will occur:

- Site specific induction, including WHS, traffic, communications, and environmental management plans.
- **Work Health & Safety Plan** - Safe Work Method Statement / Site Safety Management Plan – All staff & site visitors to be inducted to site prior to worksite entry.
- **Environmental Management Plan** – Erection of erosion / sediment control & fortnightly environmental checklist.
- **Traffic Management Plan** –Traffic management on internal road network. Management of traffic and other users around trail networks

- **'Dial before you dig'** search registered and where necessary, location of services within area.
- **Toolbox / Pre –start Form** – to be completed daily by site supervisor prior to commencement of work.
- **Daily fire ratings** are to be obtained, with no machinery to be used in Very High Fire Danger AND Total Fire Ban periods. All machinery will carry firefighting devices.
- **Communication Plan** – UHF radio, supervisor satellite phone, Epirb, and mobile phones.
- Erection of construction signage and barrier fencing as required

DAILY PROCEDURES

ENTRY

Access will be to each site be at the following locations:

SECTION 1- RAINBOW DRIVE TO KUNAMA

Rainbow Drive, Kunama estate access road, Council reservoir road

SECTION 2- KUNAMA TO LAKE FORESHORE

Council reservoir road, Kunama Estate access road, existing 4wd track from water tank near Kunama Estate

SECTION 3- RAINBOW BEACH

Council access road from Girvin Place, truck access from drive via private property (with permission) to Lake Foreshore

- On site pre-start meeting at site office. Completion of daily work sheet and discussion on daily work schedule and milestones.
- Travel to daily worksite via approved corridors only.
- Erection of barricades and warning signs at specific day work

EXIT

- Securing and barricading of machinery to be left on site.
 - Check of site-specific barricades and warning signage.
 - Check and maintain environmental erosion/sediment controls.
 - Travel out from site via approved corridors only.
-

ON COMPLETION

- It is recommended that all trails will be closed upon completion of each for a minimum period of one month, to allow for consolidation of trail material. During this time trail will be barricaded and signposted to inform users.
- WAE (work as executed drawings) will be prepared including GPS mapping of trail alignment and main trail features and submitted as part of hand over documentation.
- Removal of temporary signage and barricading prior to trail opening

Lake Jindabyne Shared Trail Extension Tyrolean Village to East Jindabyne



Statement of Environmental Effects

September 2019

1.0 Author

Name	Alannah Dickeson
Company	Snowy Monaro Regional Council
Position	Recreation Planner
Contact Details	64511559 alannah.dickeson@snowymonaro.nsw.gov.au

2.0 Proposal

Snowy Monaro Regional Council proposes to undertake an extension of the Lake Jindabyne Shared Trail between Tyrolean Village and East Jindabyne. The shared trail connection will provide a vital link between the two growing villages (figure 1 below site overview). The project has been strongly supported by the Community and is identified as a key direction in Council’s Development and Operational Plans.

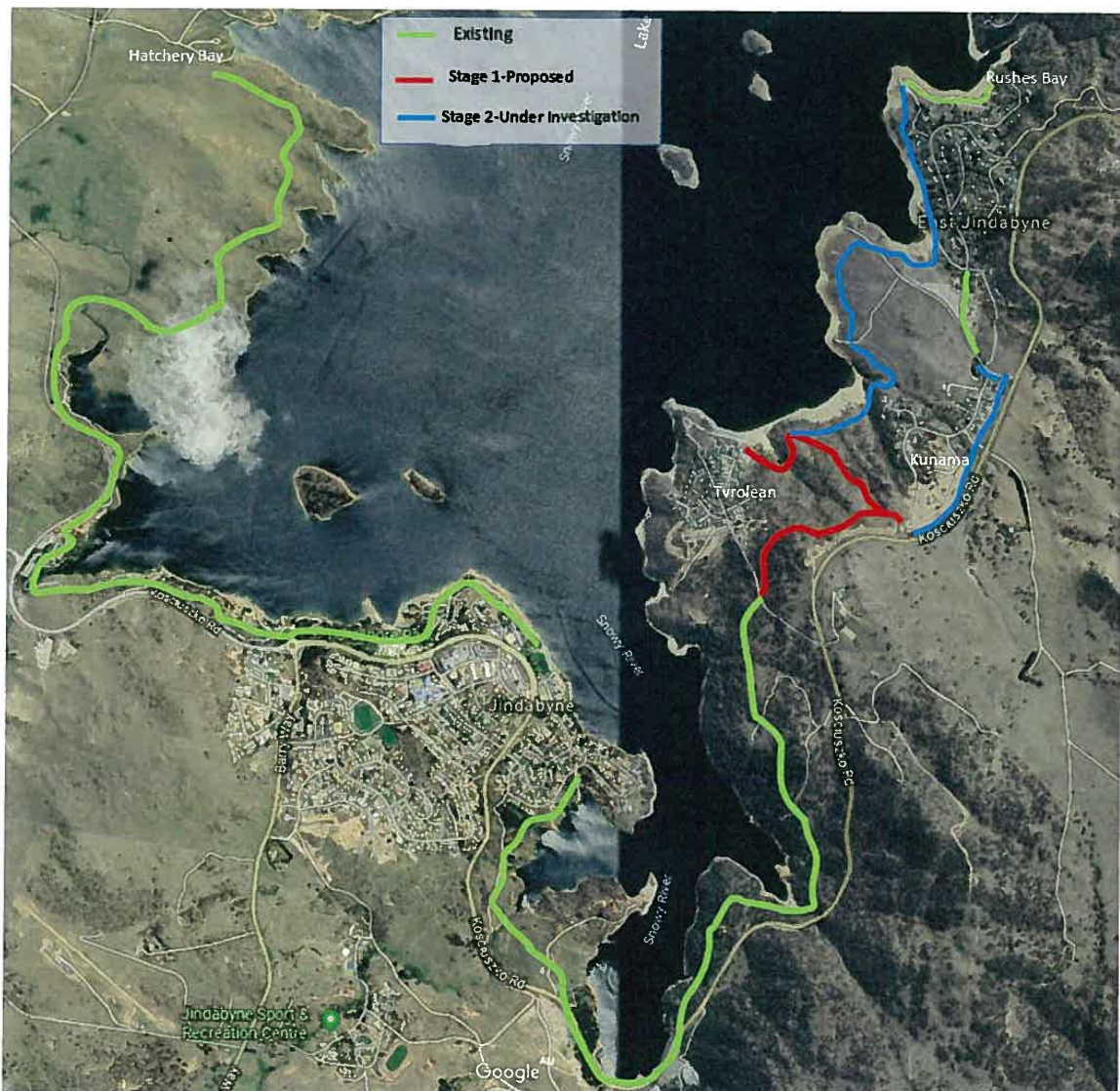


Figure 1. Overview Map-Stage 1

The proposed shared trail extension will connect with the existing trail network from Jindabyne Township to Rainbow Drive. This not only provides connectivity for local residents at Tyrolean Village and East Jindabyne but also forms part of a greater summer tourism product. This proposal is the next step in a bigger vision to provide full trail network to Kalkite and beyond.

The new trail proposal is stage 1 of the overall concept. SMRC are working on the planning phases for the full foreshore connection to East Jindabyne as well as trail options to avoid using existing roads with Kunama Estate.

2.0 Site and Surrounding Area

Lot DP	Land Owner	Description of Land
Lot 2 DP816051	Snowy Hydro	SP1-Special Activities: Water Supply System
Lot 9 DP1216028	Snowy Monaro Regional Council	55 Rainbow Drive East Jindabyne RE2 Private Recreation E3 Environmental Management

2.1 Site Description

The proposed works will be located on both Council owned land and Snowy Hydro (SHL) Foreshore land. The area is bounded to the east by Kosciuszko Road, the north by Kunama Drive and the South by Mill Creek inlet. Both residential areas of Tyrolean and East Jindabyne are expanding with several new developments have been complete or are underway.

The subject area is characterised by gentle sloping flats topped ridges descending into the Jindabyne valley, with numerous rocky outcrops of granite. Numerous dry creek beds have cut deep in narrow gullies. Generally the topography is more gentle and undulating at the norther end of the subject area.

Soils are typically shallow granite gravels with some sand and clay, comprising both alluvial and colluvial deposits. Vegetation on the eastern side of the valley is Snowgum Woodland and Natural Temperate Grassland, much of which is still intact with the exception of localised clearing to the north. Many introduced species have invaded the grasslands.

3. Work Description

Shared trail construction and design experts were engaged to identify suitable routes and prepare a trail design scope of works (Appendix A scope of works-stage 1). The proposed trail surface will primarily be a firm, stable bare earth surface. Crushed rock material will be used where required. This includes platform approaches and through areas of unstable ground. Trail design will follow the Australian Gridlines for Trail Planning, Design and Management. The International Mountain Bike Association (IMBA) principles for sustainable trails are adopted in the Guidelines.

Proposed works will involve a 2 metre wide cleared corridor with a 1.5 metre trail bed. Rock armoured walking trail and stairs will be constructed between switchback at sections 1 and 2 of the trail corridor areas to allow separation of walkers and riders.

Three trail sections have been identified with this proposed scope of works. This includes;

- **Section 1 Rainbow Drive to Kunama-**
Construction of 1240 metres of trail and 100m of rock armoured walking trail. Two platform crossings as per concept plan provided in Scope of Works report (Appendix A).
- **Section 2 Lake Foreshore to Kunama-**
720m of trail and 250 metres of rock armoured walking track/stairs.
Finding a link to the foreshore and allowing residents from East Jindabyne (particularly Kunama, Alpine Sands and Lake View Terrace areas) has been requested by the community and local residents for some time. Design solutions to accommodate both walkers and riders within the construction budget has been investigated and included in the scope of works.
- **Section 3 Rainbow Beach**
There are two minor gully crossings. Several options were considered. GHD Engineering were consulted to provide professional advice on crossing sites and structures. Refer to Appendix B- Crossing Options Report. The report also investigates the crossing options at the northern part (Jerrara Drive) of the subject area. The options near Tyrolean Village are relevant to this proposal. The preferred option will include two steel mesh platform crossings. Appendix A provides further detail on the design specifications.

GHD made recommendation for a concrete causeway (option 3) as the preferred crossing treatment. After further discussion with Council Engineer staff Option 1 (low level platform) has been included in the scope as the preferred option for the following reasons:

- The site is difficult to access. Getting a concrete truck onsite will be difficult
- Culverts may become filled with debris following storm event. This will require monitoring and maintenance
- The steel mesh platform will be easier and more practical to fabricate and install onsite. Similar structures have worked well on the Thredbo Valley Track

This section of trail requires owners consent from SHL. SMRC have a license agreement with SHL for all existing sections of the Lake Jindabyne Shared trail. An amendment to the license agreement is underway. SHL have signed the landowners consent section of the DA application.

A number of factors have been taken into consideration during the trail planning phases of this project. They include:

- Terrain
- Level of use and user type
- Connectivity for local residents
- Neighbouring land owners
- Quality tourism product- linking with future strategic vision for linking outer villages and beyond
- Sustainability (affordable, safe and lower level maintenance)
- lake Jindabyne Full supply and maximum probable flood levels
- Erosion control and major gully crossings

Building techniques will have very little impact on the environment, resist erosion through appropriate design and blend in with the surrounding area. The proposed trail will be constructed as a natural surface combining areas of rock armouring and raised platform where required. The Scope of Works document (Appendix A) includes the detail on construction methodology, Creek and Tributary Crossings, Access and works program.

3.5 Timing of the Proposal

Subject to the relevant approvals and funding the work would be undertaken over 3 months. It is anticipated that construction would be carried out during standard construction hours in accordance with the *Interim Construction Noise Guidelines* (DECC, 2009).

Monday to Friday: 7am to 6pm;
Saturday: 8am to 1pm; and
Sunday and public holidays; no work.

4.0 Statutory and Planning Framework

4.1 Environmental Planning and Assessment Act 1979

The proposed works require development consent. This SEE has been prepared in accordance with Section 4.15 of the EP&A Act and will support submission of a Development Application.

4.2 Snowy River Local Environmental Plan 2013

SP1 –Special Activities

The development is permissible with consent as an environmental facility. The SRLEP 2013 defines an environmental facility as *a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or like, and associated display structures.*

RE2-Private Recreation

The development is permissible with consent as a community and outdoor recreation facility. The following objectives are stated in the LEP 2013:

- To enable the land to be used for private open space or recreation purposes
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes

Under the Snowy River LEP 2013 land zoning, the proposed development is classes as development permitted with consent under Division 4.1 of the EP&A Act.

E3- Environmental Management

The development is permissible with consent as an outdoor recreation facility. The following objectives are stated in the LEP 2013:

- To provide for quality tourist development that is small scale, low impact and sympathetic to the unique landscape setting and scenic qualities

The proposed trail extension will be part of a broader tourism development. Trail design will also complement the existing environment without impacting on the scenic and environmental qualities of the area.

Scenic Protection Zone

The area of the proposed trail is within a scenic protection zone. A number of measures will be undertaken to ensure scenic qualities are not impacted. They include:

- The trail will be constructed as a rolling contour and with natural earth surface. This will aim to blend in with the existing landscape.
- The trail will not be highly visible from the Kosciuszko road or Lake Jindabyne. Most of the proposed alignment will be within the vegetated areas and will follow the natural contour of the land.
- Platforms will be galvanised and not painted to give a weathered steel look rather than shiny and silver in colour. This will assist blending in with the natural environment rather than standing out.

Bushfire Risk

No part of this site is deemed bush fire prone and thus there is no requirement for the proposed development to be assessed under the *Planning for Bush Fire Protection 2006* document (PBP).

Riparian Land and Water Courses

Lot 2 DP816051 (SHL Foreshore) is identified as containing Riparian Lands. The proposed trail easement does not traverse the area mapped as Riparian Land. Environmental safeguard measures will be undertaken to ensure minimal impact. This has been address in section 6.0 Environmental Management.

4.3 Environmental Protection and Biodiversity Conservation Act 1999

A search of the EPBC Act Protected Matters and BioNet data was undertaken as part of the Flora and Fauna Assessment (Appendix C).

BioNet data records for the 10 km search domain show 128 native vertebrate fauna and 271 native flora. This includes 100 birds, 12 reptiles, seven amphibians and nine mammals. Fifteen vertebrate species are considered significant; 14 under the *Biodiversity Conservation Act, 2016 (BC Act)*, five shared with the *EPBC Act* and one solely listed under the *EPBC Act* as a species under the Commonwealth's Migratory Bird Agreements. Three significant plant species were listed under the *BC Act*.

Summary- Matters of National Environmental Significance

World Heritage Properties:	None
National Heritage Places:	2
Wetlands of International Importance:	None
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	3
Listed Threatened Species:	32
Listed Migratory Species:	12

Significant impacts on MNES are not anticipated and therefore a referral to the Department of the Environment & Energy (DE&E).

4.4 EP&A Act

The works require consent under Division 4.1 of the Act.

4.5 Biodiversity Conservation Act 2016 (BC Act)

A BioNet search was also undertaken and presented in Table 1 of the Flora Assessment report. BioNet data records for the 10 km search domain show 128 native vertebrate fauna and 271 native flora. This includes 100 birds, 12 reptiles, seven amphibians and nine mammals. Fifteen vertebrate species are considered significant; 14 under the *Biodiversity Conservation Act, 2016 (BC Act)*, five shared with the *EPBC Act* and one solely listed under the *EPBC Act* as a species under the Commonwealth's Migratory Bird Agreements. Three significant plant species were listed under the *BC Act*. Refer to Appendix C Flora and Fauna Report)

4.6 National Parks and Wildlife Act 1974

Part 6 of the act provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of Harm.

An AHIMS search identified a number of areas of Aboriginal Cultural Heritage Significance. An Aboriginal Archaeological Assessment was complete for the proposed trail corridor (Refer to Appendix D). The ACHA report combines the full scope of the project along with a new trail addition at the Mill Creek/Tyrolean mountain bike trail network. Discussions have been made of OEH staff regarding the issue of separate AHIP's relevant to the scope of stage one.

An AHIP is required as part of the consent process.

4.8 State Environmental Planning Policy (SEPP No.44-Koala Habitat Protection)

Snowy River LGA is listed within Schedule 1 of Sepp 44. No evident of Koala occupation were found within the study area during field surveys. The proposed would require removal of ground vegetation, saplings and small shrubs. Clearing of mature large trees will not be required. It is therefore unlikely that any impact on Koala habitat.

4.9 NSW Fisheries Management Act 1994

The proposed works will require a low level causeway and platform crossings over drainage lines and storm water gullies within 'water land.' Under the Fisheries Act 1994, 'water land' means land submerged by water, whether permanently or intermittently or whether forming an artificial or natural body of water. Existing drainage lines are dry creek beds however may become submerged during storm and flood activity.

The proposal would involve the clearing of surface vegetation and some minor reclamation works only.

4.9 Heritage Act 1977

A search of the HHIMS has been undertaken (Appendix E). Heritage items listed under the Act are not located within the proposed trail corridor.

5.0 Stakeholder and Community Consultation

Consultation has taken place directly with landholders directly bordering the proposed trail alignment. Stakeholder consultation has also taken place with the East Jindabyne Residential Committee (JERKS), The Lake Jindabyne Shared Trail 355 Committee and the Snowies MTB Destination Group (consisting of representative from Thredbo, Perisher, Lake Crackenback resort, Jindabyne Trail Stewardship, National Parks and Wildlife, Bungarra Alpine Learning Centre).

Consultation was undertaken in the form of e-mail correspondence, telephone discussions and meetings. Several onsite meetings were undertaken with 2 landholders at Lakeview Drive where a trail easement was negotiated via their property. Onsite discussion was also undertaken with the landholder near Rainbow Beach.

Responses from most stakeholders were supportive of the proposed trail alignment. Some concerns raised by landholders and the JERKS group include;

Concerns/comments	Addressed
Provision of regular access points for residents living in the area	Access options include old Kosciuszko road (near Council pump station), Rushes Bay, Kunama Drive, Rainbow Drive. Terrain and private property make it difficult to provide regular access points. Additional car parking and trail head points have been included in Lake Jindabyne shared trail detail design (East Jindabyne to Kalkite) project. The Lake Jindabyne Trail project is an evolving process. The Scope for this project is stage 1. Council are already continuing with plans to extend the foreshore link and find other options for residential access and ancillary needs. This includes car parking/trail heads, access points, design option to accommodate both the needs of walkers and riders.
Rubbish and equipment (kayaks etc) currently left on foreshore	Any illegal dumping of rubbish can be reported to Council and will be dealt with by our Compliance unit. Interpretive signage can be placed alert the public of fines incurred due to illegal dumping.
Impact to privacy	All landholder in principle support the trail project. The trail alignment has been scoped to minimise impact on residential homes as much as possible. Neighbouring landholders have been consulted and the proposed alignment negotiated.
Shared Trail Design	Some feedback was given on the need to cater for both walkers and riders travelling at both directions. The trail has been designed for shared use. The corridor will be at least 2 metres wide and will follow a gradient of not more than 5%.

Councillors were presented with the project scope at the Council workshop held in Cooma on 6 June 2019. Feedback was positive for construction of stage 1 and the consultation approach for further planning.

6.0 Environmental Management

The table below summarised the potential impacts and remediation measures.

Item	Potential impacts	Safeguard/Mitigation measures
Biodiversity	<p>A flora and Fauna Assessment was conducted for the proposed trail corridor (Appendix C). The field survey was conducted on 13 April 2018. No threatened plant species were recorded during the field survey.</p> <p>The author of the fauna and flora survey was confident to summarise that the proposed trail would not have a significant impact on the elements associated with Tablelands Snow Gum Grassy Woodland.</p> <p>Pages 7-8 the report provides recommendations specifically related to flora and fauna. These recommendations will be adopted in the trail scope and construction methods.</p> <p>Some of the potential impacts to biodiversity include:</p> <ul style="list-style-type: none"> - Sediment, weed and contaminant migration from development area into adjacent areas of native vegetation - Vegetation clearing - Increase noise and light pollution during development 	<ul style="list-style-type: none"> - Felled material (limbs and branches) will be left on the ground as potential habitat for the wider benefit of general fauna - All machinery is to be cleaned of weeds and soil prior to construction - Sediment fencing is to be installed within drainage lines below areas of exposed soil during works - Timing of works during favourable weather condition. Works will not proceed during or after heavy rain fall - An Environmental Management Plan (EMP) will be developed by the contractor and will be implemented before during and after construction - Vegetation clearing would comprise mostly shrubs and ground cover vegetation with a corridor of 2.5m. The proposed trail corridor has utilised areas that are already cleared and disturbed to minimise the need clearing. There will be no removal of mature trees.

<p>Water Quality and Hydrology</p>	<p>The proposed trail route passes over several drainage lines and borders Lake Jindabyne. All drainage lines are dry creek beds and comprise of shallow depressions with some variable grass cover. This proved little habitat value for aquatic and riparian species.</p> <p>The potential impacts to water quality and riparian lands are of a scale and type than can be readily managed through standard civil construction controls and good industry practice.</p> <p>Some of the potential impacts include:</p> <ul style="list-style-type: none"> - During periods of heavy rainfall, the proposed works may be at risk of flooding - Chance for erosion and sediment in drainage lines and lake Jindabyne - Litter from construction activities - Pollution of waterway by a chemical, fuel or lubricant - Risk of Bank collapse 	<ul style="list-style-type: none"> - Project manager will regularly check flood warnings and local rain conditions and will put in place measures to stop work during heavy rain event - Erosion and sedimentation mitigation measures put in place - Refuelling of plant and equipment, or any other activity which may result in the spillage of a chemical, fuel or Lubricant, will be undertaken away from any location with direct drainage to a waterway where possible and within a designated re-fuelling area - No maintenance of plant or equipment is to be undertaken within 30m of drainage lines - Spill kit will be kept onsite and staff trained in its use - The project manager will undertake a review of bridge and trail construction phase risk prior to commencing works. Risk of bank collapse and flood will be considered
<p>Cultural Heritage</p>	<p>An Aboriginal Archaeological Assessment was complete for the proposed trail. (Refer to Appendix D- ACHAR). Artefacts were found during the Survey and an AHIP will be required form OEH.</p>	<p>SMRC would implement any mitigation measures as described in the ACHAR. This includes the requirement for an AHIP.</p>
<p>Topography, geology and Soils</p>	<p>Disturbance to soil may result in sediment migration to waterways and drainage lines. Site disturbance works such as vegetation removal and construction of the shared trail may result in minor increase risk of erosion during construction phases. The will be no removal of mature</p>	<ul style="list-style-type: none"> - IMBA standards will be followed for sustainable trails - The contractor is to develop and implement an Erosion and Sediment Control Plan that is to form part of the Environmental Management Plan - Sediment controls will be installed by the contractor around stockpiles and o the track prior to construction

	<p>trees. The limited size and scale of clearing required would limit the quantity of any sediment migration.</p>	<ul style="list-style-type: none"> - A variety of sediment interception measures are to be installed down slope from disturbed areas depending on erosion risk. Some techniques may include weed-free rice straw bales, sediment filtration fences, coir logs - Sediment control will be inspected by Council staff during the construction phases - Contractor, through site inductions, would make all personnel aware of risks related to spills of fuel and oil - The work team would carry and be fully conversant in the use of petrochemical and spills kit
Climate and air quality	<p>The proposed works are not anticipated to significantly affect climate or air quality within the local surrounds or wider area. However, there is some potential for a small increase in dust associated with vegetation removal and construction works</p>	<ul style="list-style-type: none"> - Regular, scheduled visual inspections of weather conditions/forecasts and dust levels will be conducted during the construction phase - Works that may generate dust will cease during periods of strong winds - Care will be taken with stockpiled materials during storage, transportation and removal to prevent unnecessary dust pollution (e.g. covering loose material).
Noise and Vibration	<p>The Interim Construction Noise Guidelines (INCG) (DECC, 2009) provides guidance and standard construction hours as:</p> <ul style="list-style-type: none"> ➢ Monday to Friday 7am to 6pm; ➢ Saturday: 8to 1pm and ➢ No work on Sunday and Public Holidays <p>Increased noise within the proposed trial area would occur as a result of machinery expected to be used during construction.</p>	<ul style="list-style-type: none"> - All construction will be undertaken during hours recommended under the INCG - Construction contractor will be required to implement all best practise noise control measures - Notification of the works will be provided in advance to all potentially affected residents. Council's recreation Planner contact details will be provided to all affected parties

	The use of 2 tonne excavator is required for trail construction. There will be no other requirement for heavy machinery. No operational vibration impacts are expected	- Signage will be erected at the construction site with contact details for a person responsible for complaints and enquiries
Traffic and Access	<p>Access to the site will be via the following locations</p> <ul style="list-style-type: none"> - Council access via Girvin Place Tyrolean Village - Rainbow Drive - Council's Reservoir access road via Kunama Estate - Old Kosciuszko road <p>The proposed works will not require traffic management and will not impact on traffic in local residential areas. All parts of Council's Recreation Reserve can be accessed without the need to store equipment or vehicles within the public road reserves.</p>	<ul style="list-style-type: none"> - Plant and equipment will be stored in a designated area away from property accesses - Heavy vehicle movements on local roads will be minimised as far as possible and restricted to designated transport routes - Neighbouring landholders will be notified regarding access and vehicle movement where necessary
Landscape and visual amenity	The Majority of the area of the proposed activity is within Council owned recreation reserve. The area falls within the Scenic protection Zone under the LEP. Some sections of the proposed trail extension will be seen from Lake Jindabyne.	The majority of the trail network will not be visible as the area is heavily vegetated. There will be no removal of large trees which limits the impact of the visual
Social Setting	The proposed activity is likely to have a positive impact on social setting by providing access for walkers and riders through the existing recreation reserve. There is the possibility of some negative impacts directly to neighbouring landholders bordering the reserve.	<ul style="list-style-type: none"> - Consultation has taken place with neighbouring landowner owners during the planning phases. Consultation will continue prior to and during construction - A complaints register will be established for the duration of the works to record any community complaints. Any complaints will be responded to promptly and appropriately by Council staff
Utilities and Services	Potential damage could occur to unidentified utilities and services as a result of the construction activity	- Construction construct will undertake a Dial Before You Dig immediately prior to commencement

Waste Management	Waste material including green waste, construction waste maybe generated during construction. Waste oils and other materials from machinery may also be generated	<ul style="list-style-type: none"> - Green waste will be used as thatch and will not require removal - Any other waste materials removed form site will be directed to a waste management facility lawfully permitted to accept materials - The works area will be maintained, kept free of rubbish and cleaned up at the end of each working day - Maintenance and servicing of equipment on site will be avoided. If waste oils and other contaminated materials are generated they are not to be stored onsite and will be removed immediately - The construction contractor will have an emergency response spill kits- on site at all times with all staff trained in its use.
Cumulative Impacts	Due to the scale and spatial location of the proposed trail it is unlikely that the proposed works will have any significant cumulative impact. However, cumulative impacts may include: <ul style="list-style-type: none"> - Addition traffic impacts as a result of multiple construction projects in the area - Multiple residential development project may have the potential to increase the area ecological disturbance - Noise, vibration and air quality impacts associated with multiple construction projects 	<ul style="list-style-type: none"> - The majority of the proposed works will be within the recreation reserve. The area is vegetated and will cause minimal disturbance to neighbouring residential homes. - Alternate access point for machinery can be used to avoid residential streets - Construction will not require the use of more than one machine. Materials required for delivery are minimal

PROPOSED EXTENSION AND REALIGNMENT OF MOUNTAIN BIKE TRAILS AND SHARED PATHS, EAST JINDABYNE. ABORIGINAL CULTURAL HERITAGE ASSESSMENT. ADDENDUM REPORT- OCTOBER 2020



Sue Feary

October 2020

ADDENDUM Report to Snowy Monaro Regional Council

Jindabyne



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ABN: 68 866 296 524

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Title page photo: Realignment of East Tyrolean trail looking towards Lake Jindabyne. Photo: S.
Feary

Executive summary

Snowy Monaro Regional Council [hereafter 'Council' or SMRC] intends to improve cycling and walking opportunities on Council and Snowy Hydro owned land on the eastern side of Lake Jindabyne, by creating approximately six kilometres of new trails that will link with existing to form a continuous network of trails (Mill Creek, East Tyrolean, and East Jindabyne Link)

Consultant archaeologist Dr Sue Feary was engaged by Council to conduct an Aboriginal cultural heritage assessment and provide recommendations regarding future management of any identified sites. A final ACHAR was provided to Council in late 2018 (Feary, 2018).

The ACHAR and AHIP application were received by Office of Environment and Heritage (now Heritage NSW) on 10 December 2018 but both were rejected and Council received a Notice to Supply Further Information (NTSFI) on 2nd April 2019. As a consequence in part, the scope of the project was substantially reduced and no longer includes the proposed shared path linking the Tyrolean and East Jindabyne villages.

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This addendum report presents the outcomes of the September 2020 investigations and addresses matters raised in the NTSFI insofar as they relate to the reduced scope of the project. It should be read in conjunction with the original ACHAR by Feary (Feary, 2018).

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1. Introduction

[Additional information]

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Gerard Niemoeller provided maps for the addendum report and input to the final text.

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The Mill Creek trails are all within Council recreation reserve and were therefore assessed under Part 5 of the *Environmental Planning and Assessment Act 1979*. An REF has been prepared and approved.

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2.1. Project updates

Due to the length of time that has elapsed since completion of the original ACHAR, and the proposed changes to the project, SMRC has provided updates to RAPs as follows;¹

RAPs were notified that there had been a delay in project development application process	18 April 2019	Response/acknowledgment from Murrabidgee Mullangari
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See Appendix 1 for update reports.

3. Material evidence

3.1. AHIMS search

An new AHIMS search was conducted for the addendum report on 26/05/2020 which identified 82 recorded Aboriginal sites within an area defined by Z55 GDA datum Eastings: 645500 - 649500 and Northings: 5965500 – 5971500. There is an Aboriginal Place (AP) on the western side of Lake Jindabyne. Previously recorded AHIMS sites within the search area and within proximity to the proposal are shown at Figure 1. A large number of AHIMS grid references in the East Tyrolean area have been found to be incorrect as part of this assessment. That is the grid references recorded

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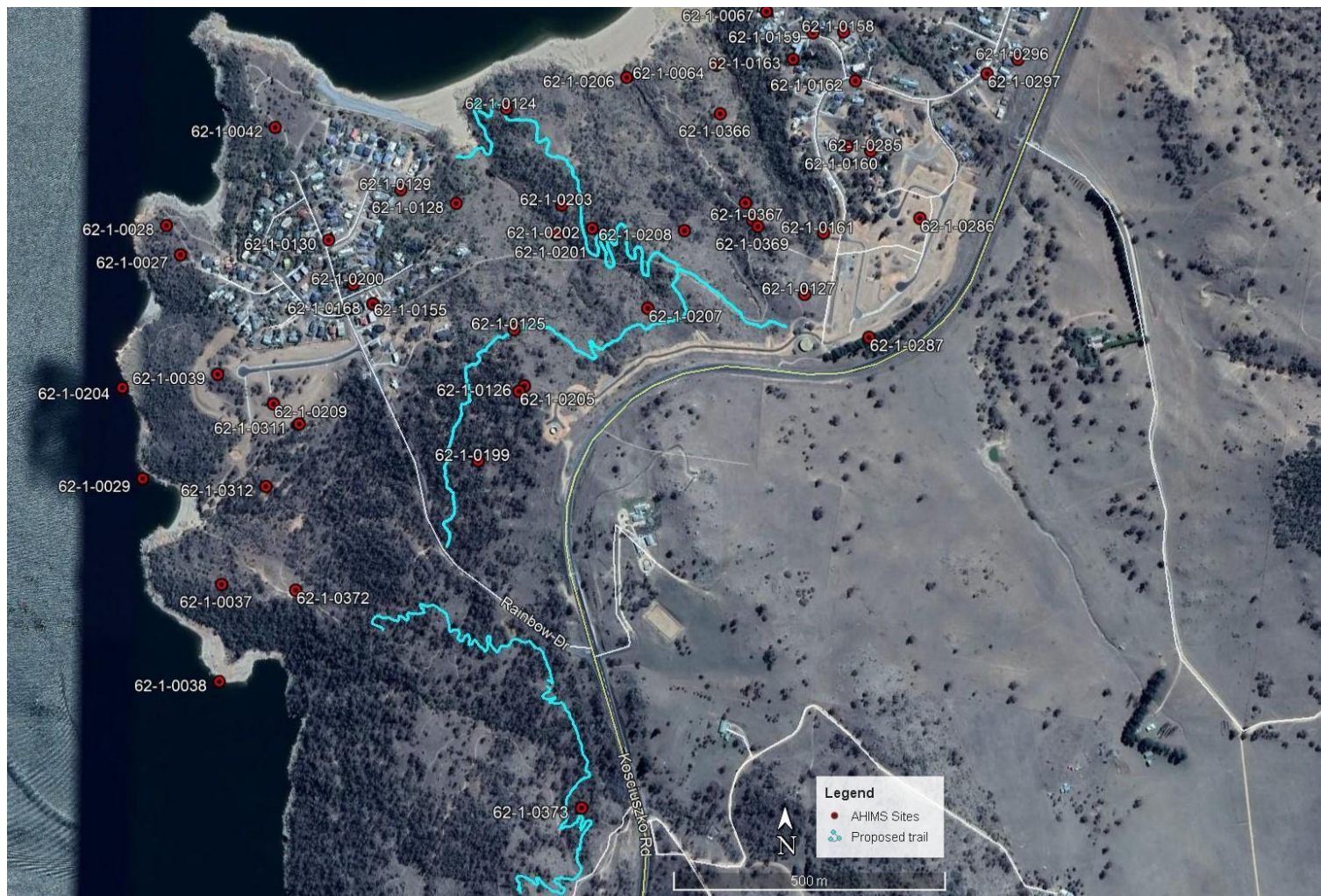


Figure 1: AHIMS extensive search results

3.2. Regional archaeological context

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Saunders (2005) assessed a proposed 31 lot subdivision at East Jindabyne (Kunama Ridge Estate), located on a broad spur overlooking the valley, just north of the subject area. Two new sites and a PAD were identified during the survey. Subsequent test excavation indicated a low density and patchy subsurface artefact distribution (62-1-0286) (Saunders, 2007).

Further investigations and salvage of site 62-1-0286 were conducted by Biosis (Biosis 2017a,b,2019). Test excavations and the adjacent crest area identified a moderate to high density subsurface archaeological deposit within the crest landform unit. 23 units were excavated within the study area and 165 artefacts were identified within 17 of the test excavation units. The stratigraphy comprised three layers with the artefact deposit generally confined to the second stratigraphic soil profile. The archaeological assemblage included evidence of bipolar flake production, freehand direct hard-hammer percussion flaking, heat treatment, and implement production (geometric microliths). The presence of three knapping events identified in three different test excavation units indicated that the deposit had been subject to minimal ground disturbance (Biosis Pty Ltd, 2019).

Although apparently intact and of high scientific value, the proposed development could not avoid the site and approval was given to salvage the site prior to subdivision of the area. The salvage involved both mechanical and hand excavation across 102 square metres of land from which nearly 5000 artefacts were extracted. Radiocarbon dating of charcoal associated with the basal cultural layer produced a radiocarbon date of c. 4,000 years BP. The site was interpreted by Biosis as representing long term intensive backed blade production, and that its salvage and analysis has made a substantive contribution to knowledge of the local archaeological record (Biosis 2019).

3.3. Local archaeological context

[additional information]

In 2016 Biosis Pty Ltd was engaged to conduct a due diligence assessment of Stage 4 of the same Alpine Sands subdivision development. The assessment identified three previously recorded sites within Stage 4, one of which was incorrectly recorded on AHIMS. A predictive model was developed and field survey was carried out which re-located the position of all previously recorded sites but did not find any artefacts. Two new sites were found, both being isolated quartz artefacts. The report recommended avoidance of site 62-1-0064 or further investigation, and permits to be issued for other sites within Stage 4 (Biosis Pty Ltd, 2016).

In 2018 further archaeological investigations were undertaken in relation to Stage 4 of the Alpine Sands subdivision (Past Traces PL 2018). Surface survey identified previously recorded sites and recorded two new small scatters of artefacts. Test pitting and surface survey of 62-1-0064

demonstrated many more artefacts over a much larger area, compared to the original recording, but a low density of subsurface material. The report recommended collection of artefacts from surface sites and modification of the subdivision to avoid harm to a portion of 62-1-0064 (Past Traces PL 2018).

4. Field investigation of the amended/reduced project

Correction of grid references from earlier site recordings and the ability to overlay the 2003 mapped extent of sites on a map of the proposed route enabled a more accurate evaluation of the potential impacts of the East Tyrolean trail on recorded sites. In addition to the sites listed in Table 2 of the original ACHAR, several other sites plotted using AHIMS grid references were subsequently identified as being close to or on the proposed route while others were found not to be close. Table 1 shows all sites subsequently identified as close to or within the development corridor, based on comparison of AHIMS spatial information and their mapped extent in the NOHC 1990 and 2003 assessment reports. Figure 2 shows the proposed route in relation to the mapped extent of previously recorded sites and subsequent corrections based on information at Table 1.

In response to this information, SMRC realigned sections of the proposed East Tyrolean trail to totally avoid the mapped extent of all sites listed in Table 1. Another field inspection of the proposed East Tyrolean trail was undertaken by Sue Feary and Alannah Dickeson on 2nd September 2020. The aim of the inspection was to identify and map realignments of the route to totally avoid all the sites (and associated landforms) listed in Table 1 and to survey the realignments for any new sites. The mapped extent and descriptions of sites provided in the 2003 and 1990 NOHC assessment reports, together with related landform descriptions enabled a higher degree of accuracy in determining the likely extent of artefact scatters while in the field.

At the location of each site listed in Table 1, the track was re-aligned to avoid the mapped extent of the site and associated landform and the new route carefully surveyed for archaeological evidence. Ground visibility was comparable to that during the 2018 survey (see Table 7 in the original ACHAR for survey coverage data). The proposed realignments are further discussed at Section 4.1 and shown at Figures 3 and 4.

Table 1: Recorded sites in proximity to the proposed trail alignment

SITE NAME	SITE ID	GRID COORDS [Z55 GDA E/N] [reflecting spatial mapping in NOHC reports)	ARTEFACT DENSITY	COMMENTS
TVE3	62-1-0129	646783/5969752	high	Site is within the built subdivision for which an AHIP was issued. Track starts on other side of creek line 60m from site.
TVE8	62-1-0124	646992/5969909	high	Mapped site straddles trail. NOHC (2003) noted the site had potential for subsurface cultural materials and recommended further investigation if site was going to impacted by subdivision
TVE14	62-1-0201	646980/5969460	low	Adjacent to trail
TVE9	62-1-0125	647011/5969459	med	Mapped site is 80m from trail
TVE15	62-1-0202	647050/5969470	low	Close to trail
TVE19	62-1-0206	647086/5969835 to 647128/5969780	med	TEV8, TVE 19 and East Tyrolean site are all part of same site. NOHC (2003) noted the site had potential for subsurface cultural materials recommended further investigation if site was going to impacted by subdivision
TVE 21	62-1-0208	647230/5969460	low	Close to trail
East Tyrolean		647046/5969818	IF	Recorded 2018, part of TVE8/TVE19



Figure 2: Aerial photo showing proposed East Tyrolean trail alignment and mapped extent of previously recorded sites (grid references have been corrected where relevant)

4.1. Results of re-survey of amended development

Figure 3 shows the transect walked and assessed on 2nd September 2020, relative to the previous alignment.

The survey transect of approximately 2.0 kilometres long by 20 metres wide aimed to find a new trail alignment that would totally avoid the mapped extent of all previously recorded sites and associated landforms. The new transect is within previously identified Survey Units (SU) 9, 10 and 11 (see Table 3 in the original ACHA for SU descriptions). Examination of the ground along the transect focused on locations where the mapped extent of previously recorded sites potentially encroached on the development corridor.

Visibility along the new route was variable; ranging from < 20% where leaf litter, grasses, herbs and bushes obscured the ground (Plate 1) to 100% where granite gravels were fully exposed (Plate 2).

No artefacts were found that could be definitely associated with previously recorded sites, consistent with the 2018 investigation. This is probably due to the 17 years that have elapsed since the initial site recordings, substantial erosion in some areas and more vegetation cover in other areas.

One new site was found, TVE 23, comprising two quartz artefacts (Plate 3) on a distinctive flat spur on the upper slopes of on a NNW trending ridgeline. Given the inaccuracy of previous recordings, it is possible that these artefacts represent previously recorded site TVE9 (62-1-0125). The existing trail alignment will not impact either TVE 23 or the mapped extent of TVE 9 (62-1-0125).



Plate 1: Visibility on a typical side slope

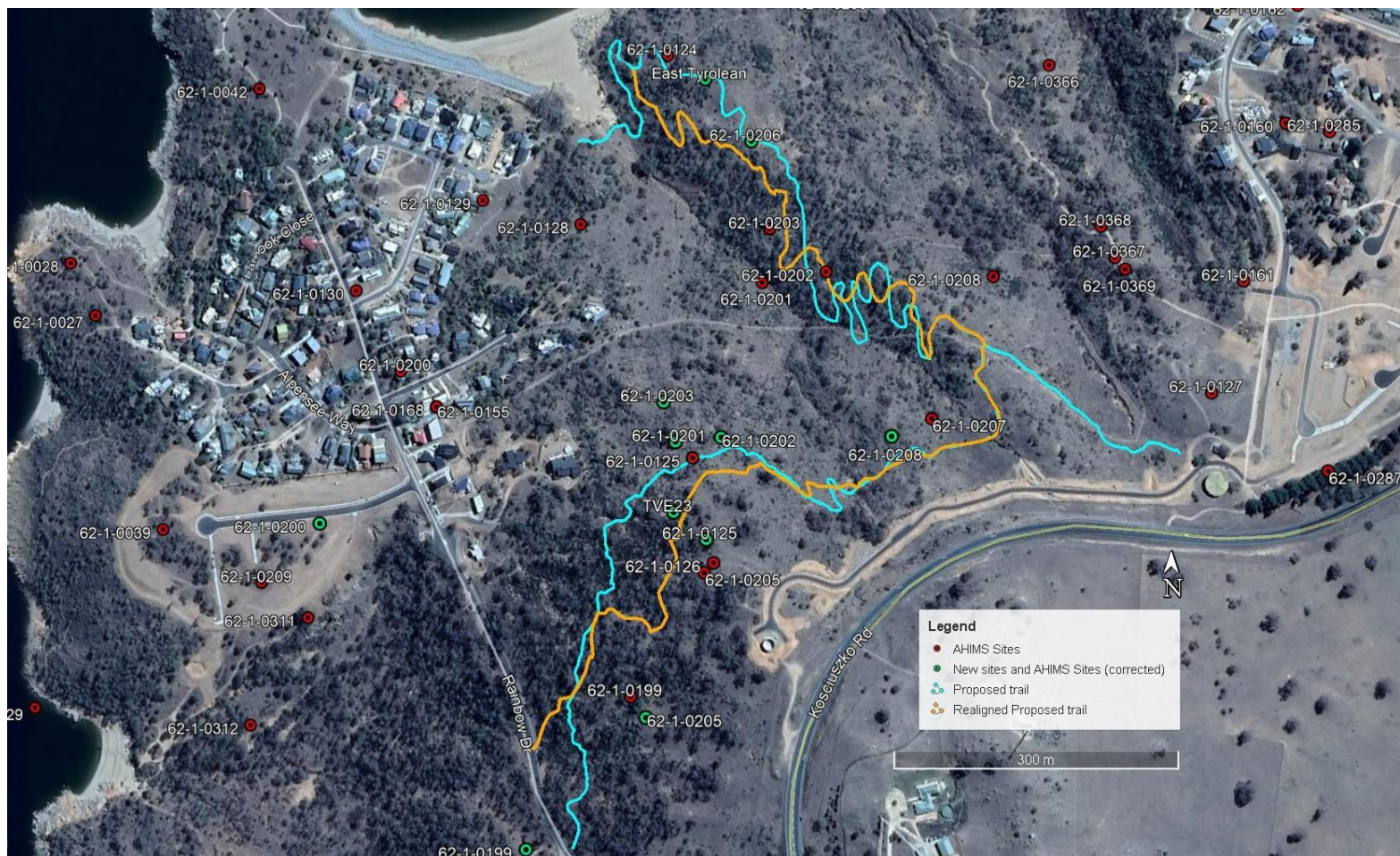


Figure 3: Survey transect along revised alignment in September 2020 (orange line) and original proposed alignment (blue line)



Plate 2: High visibility due to absence of vegetation on a flat spur

Site description

TVE23

Grid Coordinates: Z55 GDA 94 646992E 5969399N

Environmental Context: flat, rocky spur, 1000m asl, open woodland, shallow granite gravels, 100% visibility

Description: two small quartz flakes, high quality material (Plate 3).

Significance: Isolated find has low archaeological significance

Condition: probably relatively undisturbed, except by frost heave and downslope movement.

The proposed realigned trail was adjusted to avoid the mapped extent of several sites including: - the site complex TVE 8/TVE 19/ East Tyrolean; Site TVE 21 (62-1-0208), Site TVE 14 (62-1-0201) and Site TVE 15 (62-1-0202). Adjustment to avoid TVE 14 brought the route closer to TVE 9 and TVE 23 and further, minor changes were undertaken in the field to also avoid these sites. The final adjusted alignment, avoiding the mapped extent of all sites is shown by the orange line in Figure 4.



Plate 3: Quartz flakes, TVE23

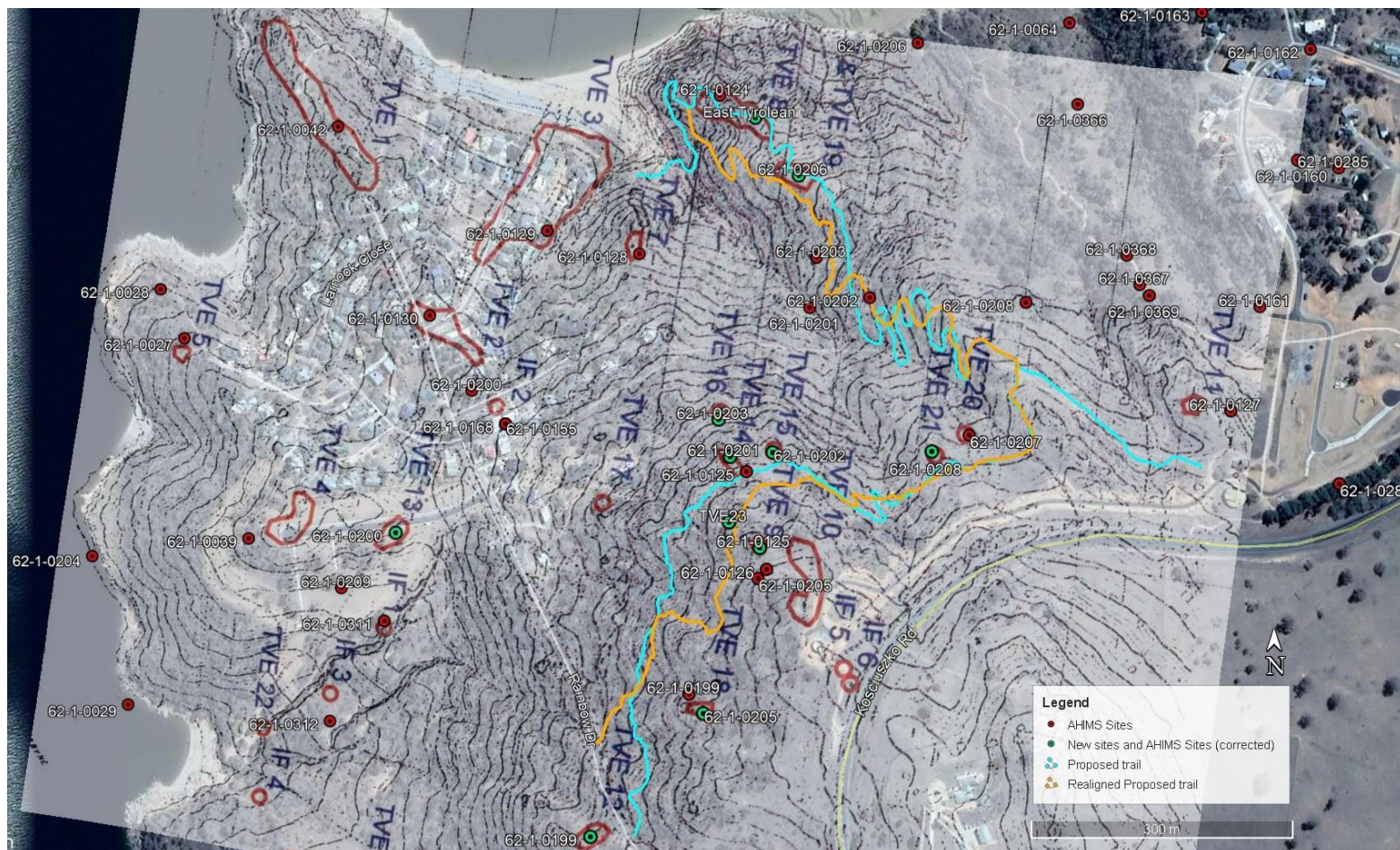


Figure 4: Map showing final realigned trail and mapped extent of sites

5. Amended development

As of September 2020, SMRC will only be proceeding with the East Tyrolean and Mill Creek sections of the original proposed development (Stage 1), comprising 4.9 kilometres of trail, reduced from an original length of 6.5 kms. The amended development is shown in Figure 5.



Figure 5: Aerial photo showing amended development (Figure provided by SMRC)

5.1. Potential harm arising from amended /reduced extent of trail

The reduced extent of the trail has the potential to harm sites listed in Table 1. However, the survey conducted in September 2020 subsequently realigned the route to avoid all the sites as discussed in Section 6 below.

6. Avoiding or mitigating harm – 2020 amendments

Following rejection by Heritage NSW of the final ACHAR and AHIP application in 2018, Council took a decision to not build the trail between Tyrolean and East Jindabyne; hence action is no longer required in regard to Snowy Hydro Paddock site and 62-1-0064. The Mill Creek Extension trail was slightly adjusted to completely avoid the site Missing Link (62-1-0373) recorded during the 2018 survey. The current alignment incorporates this adjustment.

Council also decided to realign sections of the East Tyrolean trail to totally avoid all known sites and an archaeological survey of the realignments was undertaken, as previously described in Section 4. Table 2 lists sites avoided as a result of the realignment and Figures 6-7 show the detail of these trail realignments. The realignments have taken account of not only site boundaries but also topography, user safety such as line of sight, and the need for mountain biking ‘thrills’.

Table 2: Sites avoided by realignment of the trail

SITE NAME	SITE ID	PROXIMITY TO TRACK	COMMENTS
TVE8	62-1-0124	Close to /on track	Trail moved
TVE9	62-1-0125	74 metres (mapped extent)	No action
TVE 14	62-1-0201	Adjacent	Trail moved
TVE15	62-1-0202	8 metres	Trail moved
TVE19	62-1-0206	On/close to trail	Trail moved
TVE 21	62-1-0208	7 metres	Trail moved
East Tyrolean	62-1-0124/ 62-1-0206	26 metres	Recorded 2018, part of TVE8/TVE19. Trail moved
TVE23		39 metres	Recorded Sept 2020. Slight adjustment

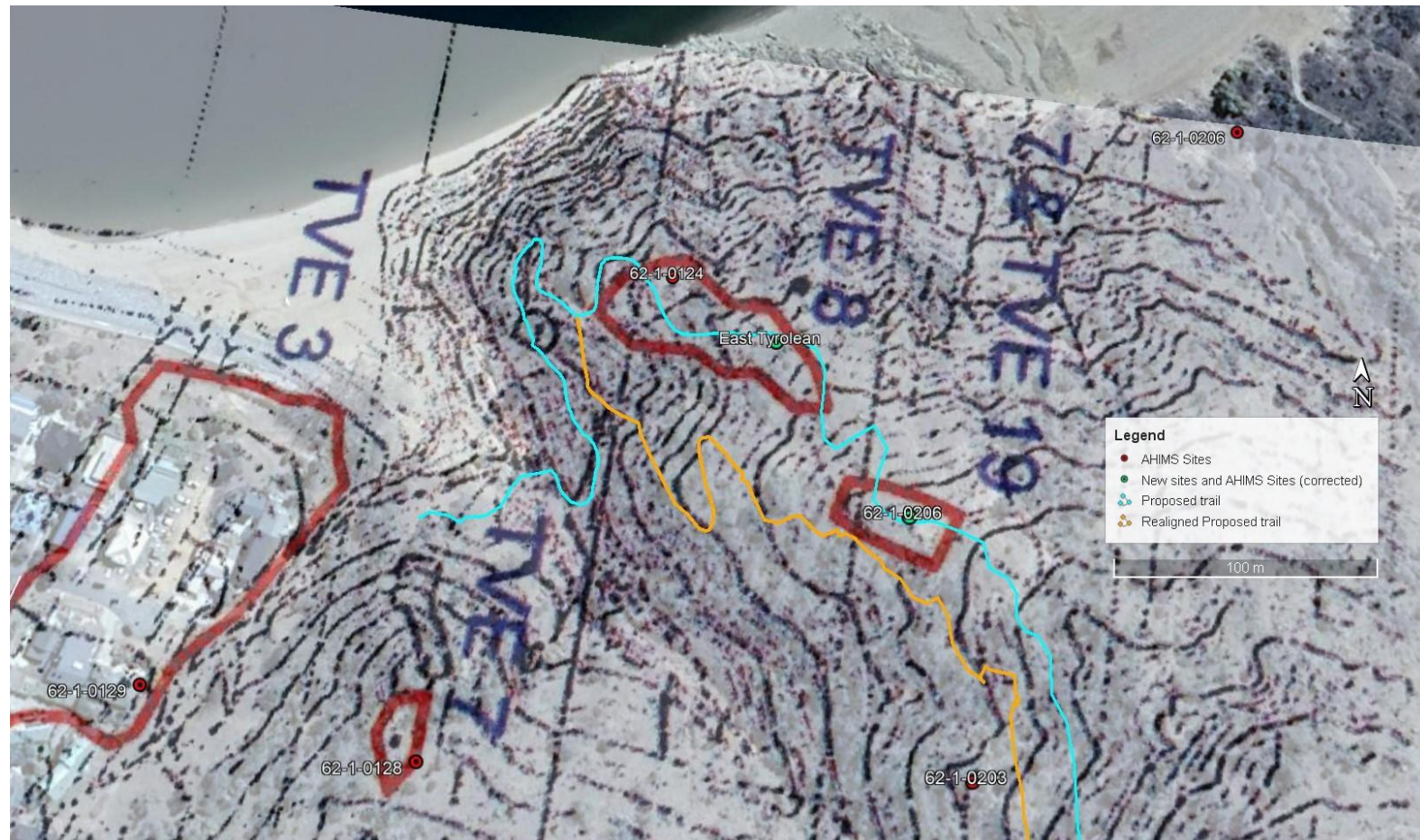


Figure 6: Realignment to avoid TVE 8, TVE 19 and East Tyrolean

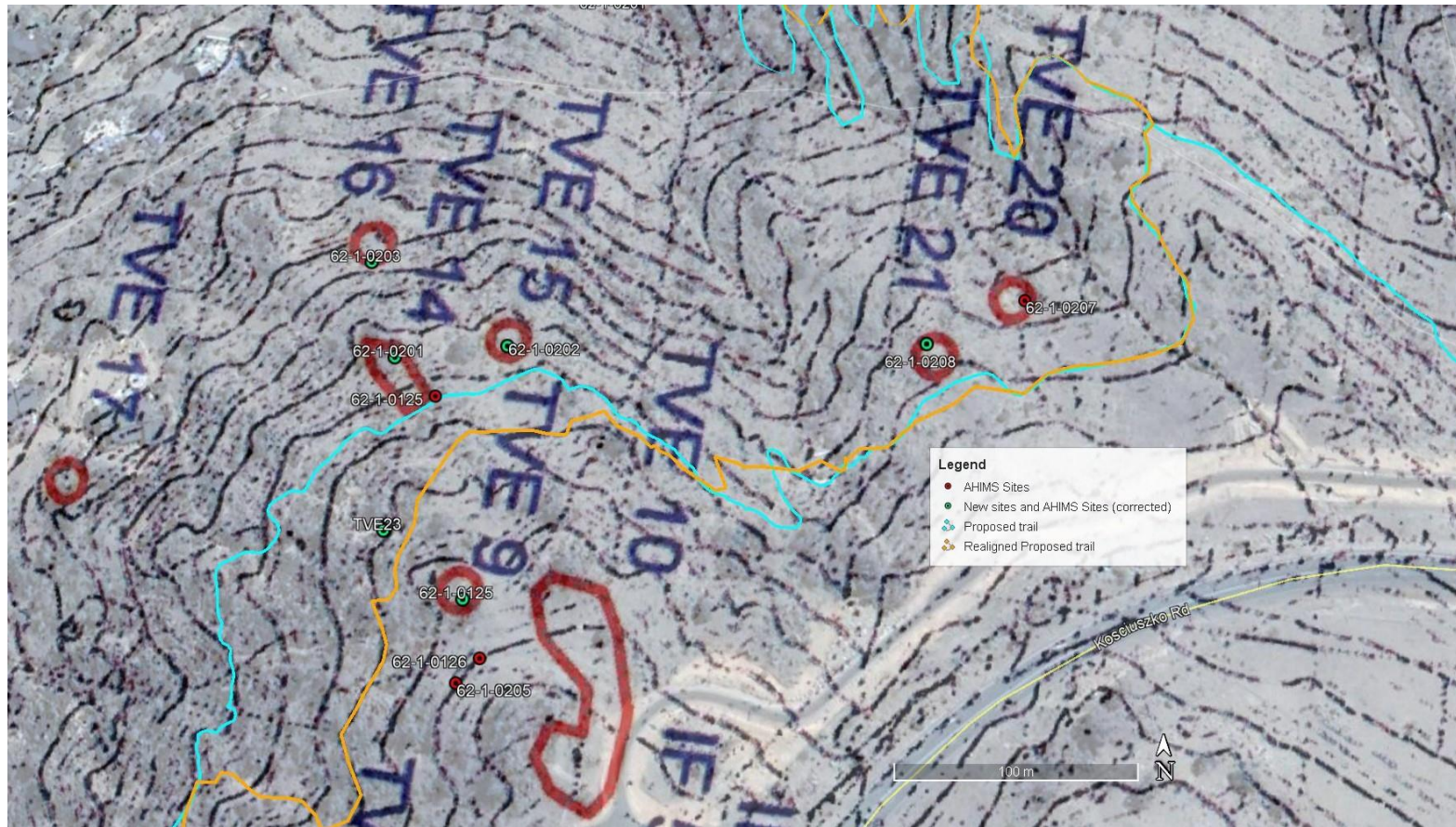


Figure 7: Avoiding TVE 14, TVE 15, TVE9, TVE21 and TVE23

The locations of all recorded sites close to the alignment, regardless of whether or not any physical evidence was found will be temporarily fenced off during track construction. Table 2 lists all sites to be fenced off. The mapped extent of recorded sites shown in Figure 5-7 will guide where fences should be located. There will be no disturbance within the fenced off areas.

7. Harm to objects - 2020 amendments

Correcting grid references and the ability to more accurately map the previously recorded sites has made it possible for the proposal to avoid all archaeological sites. The trail has been realigned to avoid the total mapped extent of all recorded artefact scatters and no recorded sites will be harmed. Given that the Tyrolean Estate area has been surveyed on a number of occasions over the last two decades, it is unlikely that any unrecorded artefact scatters will be impacted.

Under Part 6 of NPW Act it is an offence to harm an Aboriginal object unless a permit has been issued or a due diligence process has occurred. If Aboriginal objects are encountered during construction of the trail, works must cease immediately at that location and Heritage NSW notified.

8. Potential conservation outcomes in relation to amended project

The amended project has a reduced scope that will no longer have any impact on 62-1-0064. Council has gone to considerable effort to realign the trail to avoid all previously and newly recorded sites and this is considered to be a conservation outcome. The conservation of the recorded sites on public land is considered particularly pertinent in the light of impacts on significant archaeological heritage within new subdivisions at East Jindabyne.

9. Discussion and recommendations in relation to amended /reduced development proposal

A re-survey of the East Tyrolean trail was conducted with the aim of realigning the route to avoid all known sites and negating the need for an Aboriginal Heritage Impact Permit. The realigned sections of trail were found not to contain any Aboriginal objects. The new artefact scatter recorded during the survey (TVE 23) is outside all alignments and will not be impacted.

Recommendations (as amended)

- As a result of this updated cultural heritage assessment it is recommended that no further archaeological investigation is required.
- As it has been possible to avoid all recorded sites by realigning the route of the trails where required, an AHIP will not be necessary in order for the trails to be constructed.
- If suspected human remains are encountered during development, works must cease and Heritage NSW and the Police must be notified.
- If Aboriginal objects are encountered, works must cease at that location and Heritage NSW notified.

- The mapped locations of all sites listed in Table 2 must be temporarily fenced off during construction of the trails.

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Saunders, P., 2007. *Lots 2 and 6 DP 259723 Kunama Drice, East Jindabyne, NSW. Further archaeological investigation*,

Appendix 1: Report updates to Registered Aboriginal Parties



Wed 19/02/2020 2:47 PM

Alannah Dickeson

FW: Draft ACHA Tyrolean and East Jindabyne Proposed Shared Trail Extension- Delay in Project

To 'Corroboree Aboriginal Corporation'; 'Glenn Willcox'; 'Ryan Johnson'; 'Koomurri Ngunawal Aboriginal Corporation'; 'Goobah'; 'lilly carroll'; 'Muragadi'; 'Biamanga'; 'Murramarang'; 'Cullendulla'; 'Iris White'
Bcc 'Gerard Niemoeller'; Alannah Dickeson

Dear Registered Aboriginal Party

RE: Proposed extension of shared trails at Jindabyne

During April 2019 Council updated you with regard to the shared path proposal and Draft ACHA.

Council would like to inform you that we are still working on the report and we hope to have an updated draft to you ASAP. Council are working with OEH to keep the project moving forward and we will keep you informed of any further progress.



Regards

Alannah

Alannah Dickeson
Recreation Planner



PO Box 714
COOMA NSW 2630
Direct (02) 6451 1559
Phone 1300 345 345
Fax (02) 6456 3337
snowymonaro.nsw.gov.au

 Thu 18/04/2019 1:55 PM
Alannah Dickeson
Draft ACHA Tyrolean and East Jindabyne Proposed Shared Trail Extension- Delay in Project
To: Alannah Dickeson
Cc: 'Suzanne Feary'
 You forwarded this message on 19/02/2020 2:47 PM.

Dear Registered Aboriginal Party

RE: Proposed extension of shared trails at Jindabyne

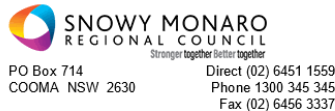
During September 2018 Council notified you with regard to the shared path proposal and sought comment on the Draft ACHA.

Council would like to inform you that there has been a delay in the project development application process. Council are working with OEH to keep the project moving forward and we will keep you informed of any further progress.

Regards

Alannah

Alannah Dickeson
Recreation Planner



From: Alannah Dickeson [mailto:Alannah.Dickeson@snowymonaro.nsw.gov.au]
Sent: Wednesday, 12 August 2020 3:34 PM
To: 'Corroboree Aboriginal Corporation'; 'ceo_begalalc@commander.net.au'; 'Ryan Johnson'; 'Goobah'; 'lilly carroll'; 'Muragadi'; 'Biamanga'; 'Murramarang'; 'Cullendulla'; 'Iris White'; 'gulgunyanhac@hotmail.com'
Cc: 'Suzanne Feary'
Subject: RE: Draft ACHA Tyrolean and East Jindabyne Proposed Shared Trail Extension-Update

Dear Registered Aboriginal Party

RE: Proposed Extension of Shared Trails at Jindabyne

During February 2020 Council updated you with regard to the shared path proposal and Draft ACHA for the Mill Creek trail network extension and Tyrolean Village to East Jindabyne Trail extension.

Council are continuing to work with our consultant and NSW Heritage on the draft report. We will have an updated draft report to you ASAP. The purpose of this update is to inform you that we have decided to reduce the scope of works. The reason for this is due to the limited budget currently available to construct the proposed trail. Figure one below shows the full trail scope included in the initial ACHA proposal. Figure 2 includes the reduced scope which will now be included in the updated Draft ACHA report. This now excludes the full extent of the lake foreshore connection between Tyrolean and East Jindabyne.



Figure 1: full scope included in initial ACHA



Figure 2: reduced scope

PROPOSED EXTENSION AND REALIGNMENT OF MOUNTAIN BIKE TRAILS AND SHARED PATHS, EAST JINDABYNE. ABORIGINAL CULTURAL HERITAGE ASSESSMENT. ADDENDUM REPORT- OCTOBER 2020



Sue Feary

October 2020

ADDENDUM Report to Snowy Monaro Regional Council

Jindabyne



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ABN: 68 866 296 524

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Title page photo: Realignment of East Tyrolean trail looking towards Lake Jindabyne. Photo: S. Feary

Executive summary

Snowy Monaro Regional Council [hereafter 'Council' or SMRC] intends to improve cycling and walking opportunities on Council and Snowy Hydro owned land on the eastern side of Lake Jindabyne, by creating approximately six kilometres of new trails that will link with existing to form a continuous network of trails (Mill Creek, East Tyrolean, and East Jindabyne Link)

Consultant archaeologist Dr Sue Feary was engaged by Council to conduct an Aboriginal cultural heritage assessment and provide recommendations regarding future management of any identified sites. A final ACHAR was provided to Council in late 2018 (Feary, 2018).

The ACHAR and AHIP application were received by Office of Environment and Heritage (now Heritage NSW) on 10 December 2018 but both were rejected and Council received a Notice to Supply Further Information (NTSFI) on 2nd April 2019. As a consequence in part, the scope of the project was substantially reduced and no longer includes the proposed shared path linking the Tyrolean and East Jindabyne villages.

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Due to the length of time that has elapsed since completion of the original ACHAR, and the proposed changes to the project, SMRC has provided updates to RAPs as follows;¹

RAPs were notified that there had been a delay in project development application process	18 April 2019	Response/acknowledgment from Murrabidgee Mullangari
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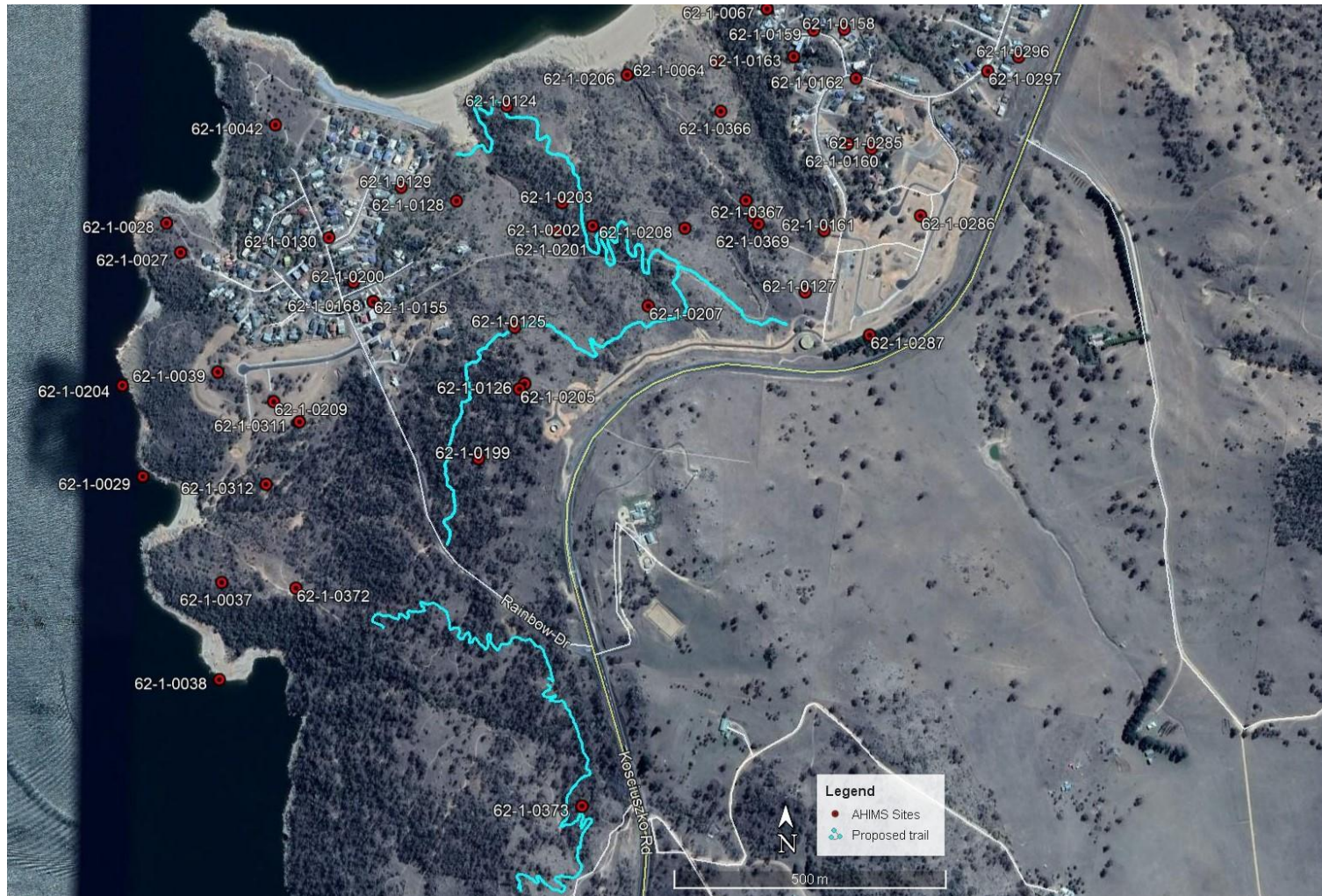


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[additional information]

Saunders (2005) assessed a proposed 31 lot subdivision at East Jindabyne (Kunama Ridge Estate), located on a broad spur overlooking the valley, just north of the subject area. Two new sites and a PAD were identified during the survey. Subsequent test excavation indicated a low density and patchy subsurface artefact distribution (62-1-0286) (Saunders, 2007).

Further investigations and salvage of site 62-1-0286 were conducted by Biosis (Biosis 2017a,b,2019). Test excavations and the adjacent crest area identified a moderate to high density subsurface archaeological deposit within the crest landform unit. 23 units were excavated within the study area and 165 artefacts were identified within 17 of the test excavation units. The stratigraphy comprised three layers with the artefact deposit generally confined to the second stratigraphic soil profile. The archaeological assemblage included evidence of bipolar flake production, freehand direct hard-hammer percussion flaking, heat treatment, and implement production (geometric microliths). The presence of three knapping events identified in three different test excavation units indicated that the deposit had been subject to minimal ground disturbance (Biosis Pty Ltd, 2019).

Although apparently intact and of high scientific value, the proposed development could not avoid the site and approval was given to salvage the site prior to subdivision of the area. The salvage involved both mechanical and hand excavation across 102 square metres of land from which nearly 5000 artefacts were extracted. Radiocarbon dating of charcoal associated with the basal cultural layer produced a radiocarbon date of c. 4,000 years BP. The site was interpreted by Biosis as representing long term intensive backed blade production, and that its salvage and analysis has made a substantive contribution to knowledge of the local archaeological record (Biosis 2019).

3.3. Local archaeological context

[additional information]

In 2016 Biosis Pty Ltd was engaged to conduct a due diligence assessment of Stage 4 of the same Alpine Sands subdivision development. The assessment identified three previously recorded sites within Stage 4, one of which was incorrectly recorded on AHIMS. A predictive model was developed and field survey was carried out which re-located the position of all previously recorded sites but did not find any artefacts. Two new sites were found, both being isolated quartz artefacts. The report recommended avoidance of site 62-1-0064 or further investigation, and permits to be issued for other sites within Stage 4 (Biosis Pty Ltd, 2016).

In 2018 further archaeological investigations were undertaken in relation to Stage 4 of the Alpine Sands subdivision (Past Traces PL 2018). Surface survey identified previously recorded sites and recorded two new small scatters of artefacts. Test pitting and surface survey of 62-1-0064

demonstrated many more artefacts over a much larger area, compared to the original recording, but a low density of subsurface material. The report recommended collection of artefacts from surface sites and modification of the subdivision to avoid harm to a portion of 62-1-0064 (Past Traces PL 2018).

4. Field investigation of the amended/reduced project

Correction of grid references from earlier site recordings and the ability to overlay the 2003 mapped extent of sites on a map of the proposed route enabled a more accurate evaluation of the potential impacts of the East Tyrolean trail on recorded sites. In addition to the sites listed in Table 2 of the original ACHAR, several other sites plotted using AHIMS grid references were subsequently identified as being close to or on the proposed route while others were found not to be close. Table 1 shows all sites subsequently identified as close to or within the development corridor, based on comparison of AHIMS spatial information and their mapped extent in the NOHC 1990 and 2003 assessment reports. Figure 2 shows the proposed route in relation to the mapped extent of previously recorded sites and subsequent corrections based on information at Table 1.

In response to this information, SMRC realigned sections of the proposed East Tyrolean trail to totally avoid the mapped extent of all sites listed in Table 1. Another field inspection of the proposed East Tyrolean trail was undertaken by Sue Feary and Alannah Dickeson on 2nd September 2020. The aim of the inspection was to identify and map realignments of the route to totally avoid all the sites (and associated landforms) listed in Table 1 and to survey the realignments for any new sites. The mapped extent and descriptions of sites provided in the 2003 and 1990 NOHC assessment reports, together with related landform descriptions enabled a higher degree of accuracy in determining the likely extent of artefact scatters while in the field.

At the location of each site listed in Table 1, the track was re-aligned to avoid the mapped extent of the site and associated landform and the new route carefully surveyed for archaeological evidence. Ground visibility was comparable to that during the 2018 survey (see Table 7 in the original ACHAR for survey coverage data). The proposed realignments are further discussed at Section 4.1 and shown at Figures 3 and 4.

Table 1: Recorded sites in proximity to the proposed trail alignment

SITE NAME	SITE ID	GRID COORDS [Z55 GDA E/N] [reflecting spatial mapping in NOHC reports)	ARTEFACT DENSITY	COMMENTS
TVE3	62-1-0129	646783/5969752	high	Site is within the built subdivision for which an AHIP was issued. Track starts on other side of creek line 60m from site.
TVE8	62-1-0124	646992/5969909	high	Mapped site straddles trail. NOHC (2003) noted the site had potential for subsurface cultural materials and recommended further investigation if site was going to be impacted by subdivision
TVE14	62-1-0201	646980/5969460	low	Adjacent to trail
TVE9	62-1-0125	647011/5969459	med	Mapped site is 80m from trail
TVE15	62-1-0202	647050/5969470	low	Close to trail
TVE19	62-1-0206	647086/5969835 to 647128/5969780	med	TEV8, TVE 19 and East Tyrolean site are all part of same site. NOHC (2003) noted the site had potential for subsurface cultural materials recommended further investigation if site was going to be impacted by subdivision
TVE 21	62-1-0208	647230/5969460	low	Close to trail
East Tyrolean		647046/5969818	IF	Recorded 2018, part of TVE8/TVE19



Figure 2: Aerial photo showing proposed East Tyrolean trail alignment and mapped extent of previously recorded sites (grid references have been corrected where relevant)

4.1. Results of re-survey of amended development

Figure 3 shows the transect walked and assessed on 2nd September 2020, relative to the previous alignment.

The survey transect of approximately 2.0 kilometres long by 20 metres wide aimed to find a new trail alignment that would totally avoid the mapped extent of all previously recorded sites and associated landforms. The new transect is within previously identified Survey Units (SU) 9, 10 and 11 (see Table 3 in the original ACHA for SU descriptions). Examination of the ground along the transect focused on locations where the mapped extent of previously recorded sites potentially encroached on the development corridor.

Visibility along the new route was variable; ranging from < 20% where leaf litter, grasses, herbs and bushes obscured the ground (Plate 1) to 100% where granite gravels were fully exposed (Plate 2).

No artefacts were found that could be definitely associated with previously recorded sites, consistent with the 2018 investigation. This is probably due to the 17 years that have elapsed since the initial site recordings, substantial erosion in some areas and more vegetation cover in other areas.

One new site was found, TVE 23, comprising two quartz artefacts (Plate 3) on a distinctive flat spur on the upper slopes of on a NNW trending ridgeline. Given the inaccuracy of previous recordings, it is possible that these artefacts represent previously recorded site TVE9 (62-1-0125). The existing trail alignment will not impact either TVE 23 or the mapped extent of TVE 9 (62-1-0125).



Plate 1: Visibility on a typical side slope

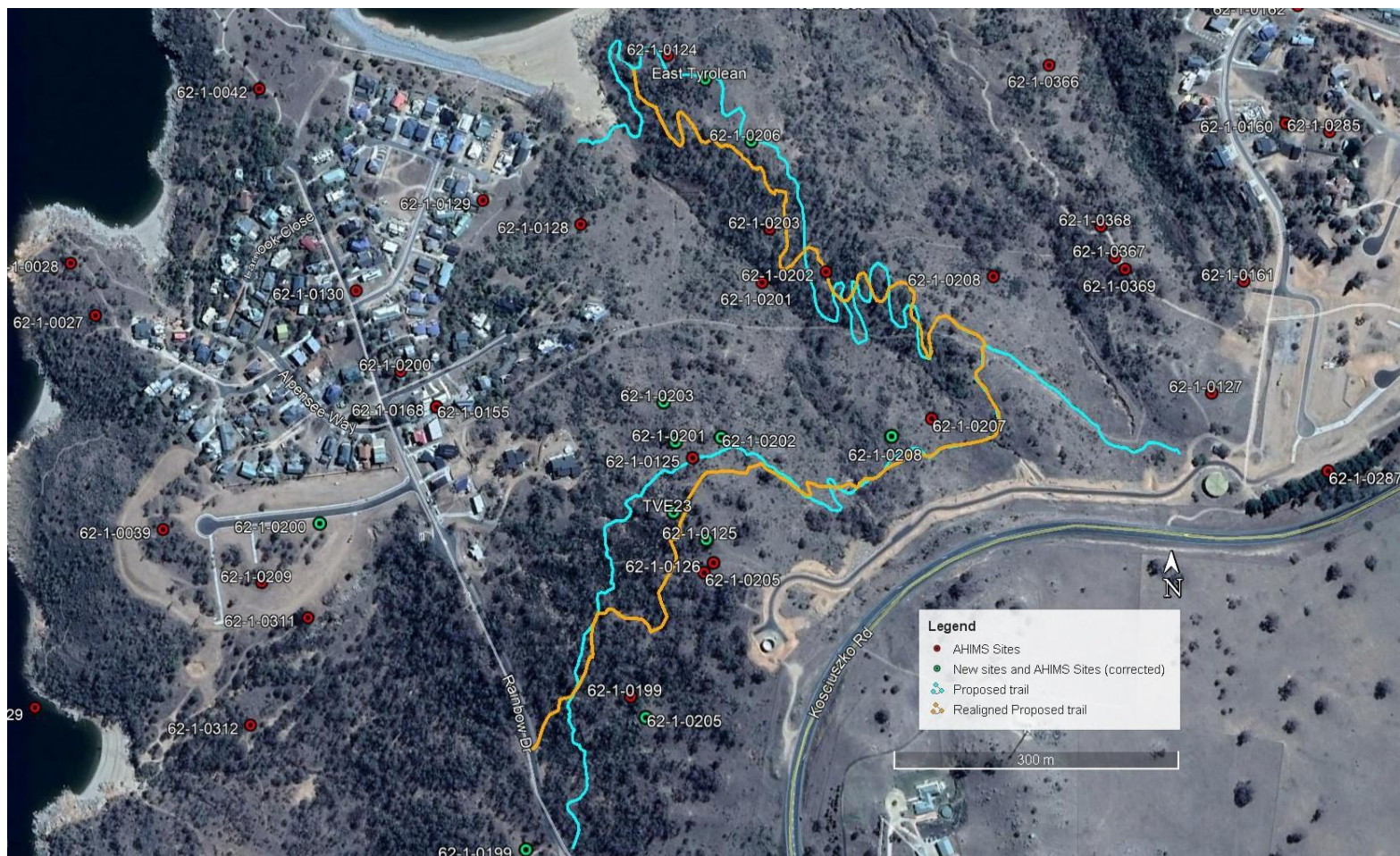


Figure 3: Survey transect along revised alignment in September 2020 (orange line) and original proposed alignment (blue line)

Feary, S. 2020. Proposed extension and realignment of mountain bike trails and shared paths, East Jindabyne. Aboriginal cultural heritage assessment. Addendum report - October 2020.



Plate 2: High visibility due to absence of vegetation on a flat spur

Site description

TVE23

Grid Coordinates: Z55 GDA 94 646992E 5969399N

Environmental Context: flat, rocky spur, 1000m asl, open woodland, shallow granite gravels, 100% visibility

Description: two small quartz flakes, high quality material (Plate 3).

Significance: Isolated find has low archaeological significance

Condition: probably relatively undisturbed, except by frost heave and downslope movement.

The proposed realigned trail was adjusted to avoid the mapped extent of several sites including: - the site complex TVE 8/TVE 19/ East Tyrolean; Site TVE 21 (62-1-0208), Site TVE 14 (62-1-0201) and Site TVE 15 (62-1-0202). Adjustment to avoid TVE 14 brought the route closer to TVE 9 and TVE 23 and further, minor changes were undertaken in the field to also avoid these sites. The final adjusted alignment, avoiding the mapped extent of all sites is shown by the orange line in Figure 4.



Plate 3: Quartz flakes, TVE23

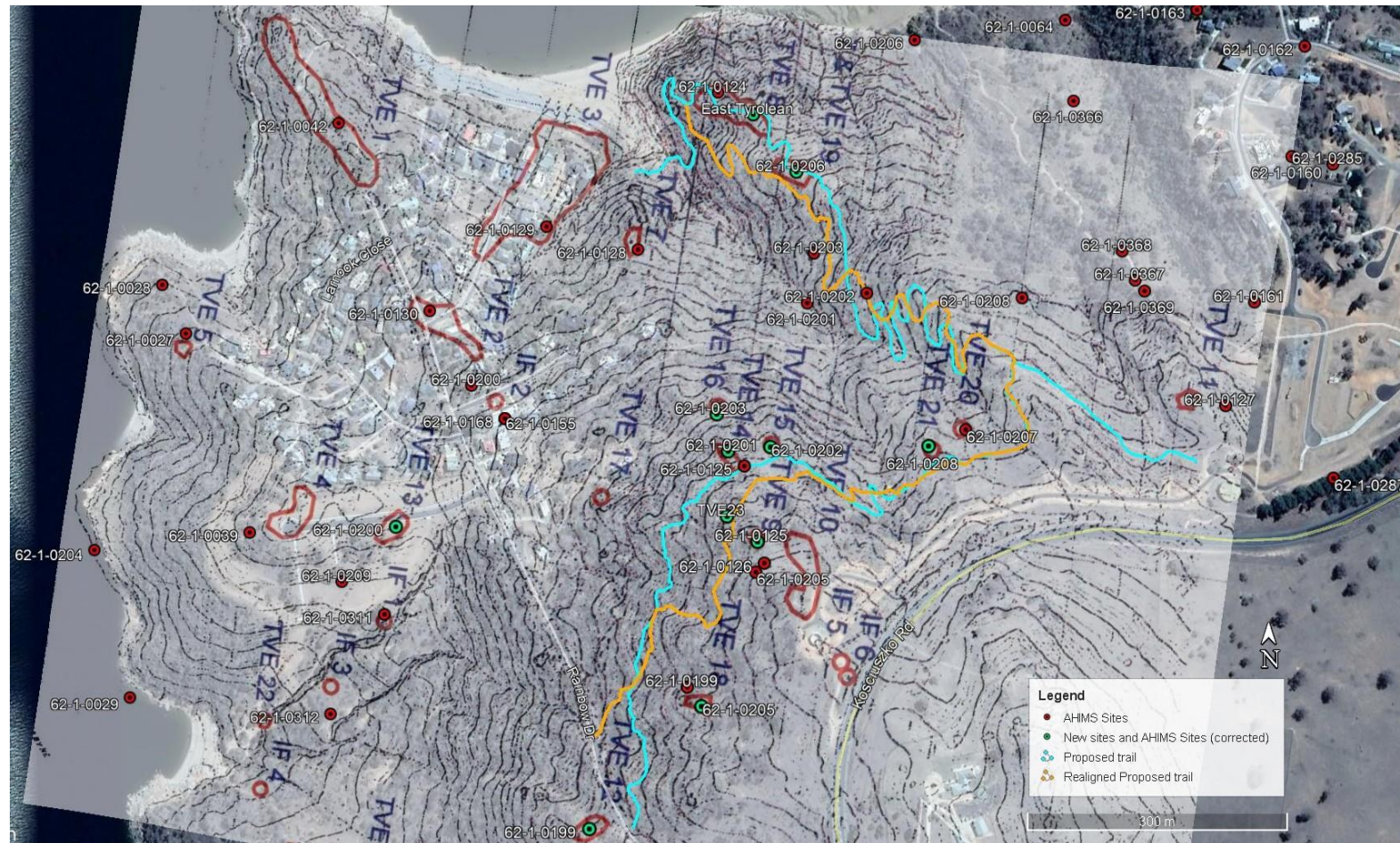


Figure 4: Map showing final realigned trail and mapped extent of sites

5. Amended development

As of September 2020, SMRC will only be proceeding with the East Tyrolean and Mill Creek sections of the original proposed development (Stage 1), comprising 4.9 kilometres of trail, reduced from an original length of 6.5 kms. The amended development is shown in Figure 5.



Figure 5: Aerial photo showing amended development (Figure provided by SMRC)

5.1. Potential harm arising from amended /reduced extent of trail

The reduced extent of the trail has the potential to harm sites listed in Table 1. However, the survey conducted in September 2020 subsequently realigned the route to avoid all the sites as discussed in Section 6 below.

6. Avoiding or mitigating harm – 2020 amendments

Following rejection by Heritage NSW of the final ACHAR and AHIP application in 2018, Council took a decision to not build the trail between Tyrolean and East Jindabyne; hence action is no longer required in regard to Snowy Hydro Paddock site and 62-1-0064. The Mill Creek Extension trail was slightly adjusted to completely avoid the site Missing Link (62-1-0373) recorded during the 2018 survey. The current alignment incorporates this adjustment.

Council also decided to realign sections of the East Tyrolean trail to totally avoid all known sites and an archaeological survey of the realignments was undertaken, as previously described in Section 4. Table 2 lists sites avoided as a result of the realignment and Figures 6-7 show the detail of these trail realignments. The realignments have taken account of not only site boundaries but also topography, user safety such as line of sight, and the need for mountain biking 'thrills'.

Table 2: Sites avoided by realignment of the trail

SITE NAME	SITE ID	PROXIMITY TO TRACK	COMMENTS
TVE8	62-1-0124	Close to /on track	Trail moved
TVE9	62-1-0125	74 metres (mapped extent)	No action
TVE 14	62-1-0201	Adjacent	Trail moved
TVE15	62-1-0202	8 metres	Trail moved
TVE19	62-1-0206	On/close to trail	Trail moved
TVE 21	62-1-0208	7 metres	Trail moved
East Tyrolean	62-1-0124/ 62-1-0206	26 metres	Recorded 2018, part of TVE8/TVE19. Trail moved
TVE23		39 metres	Recorded Sept 2020. Slight adjustment

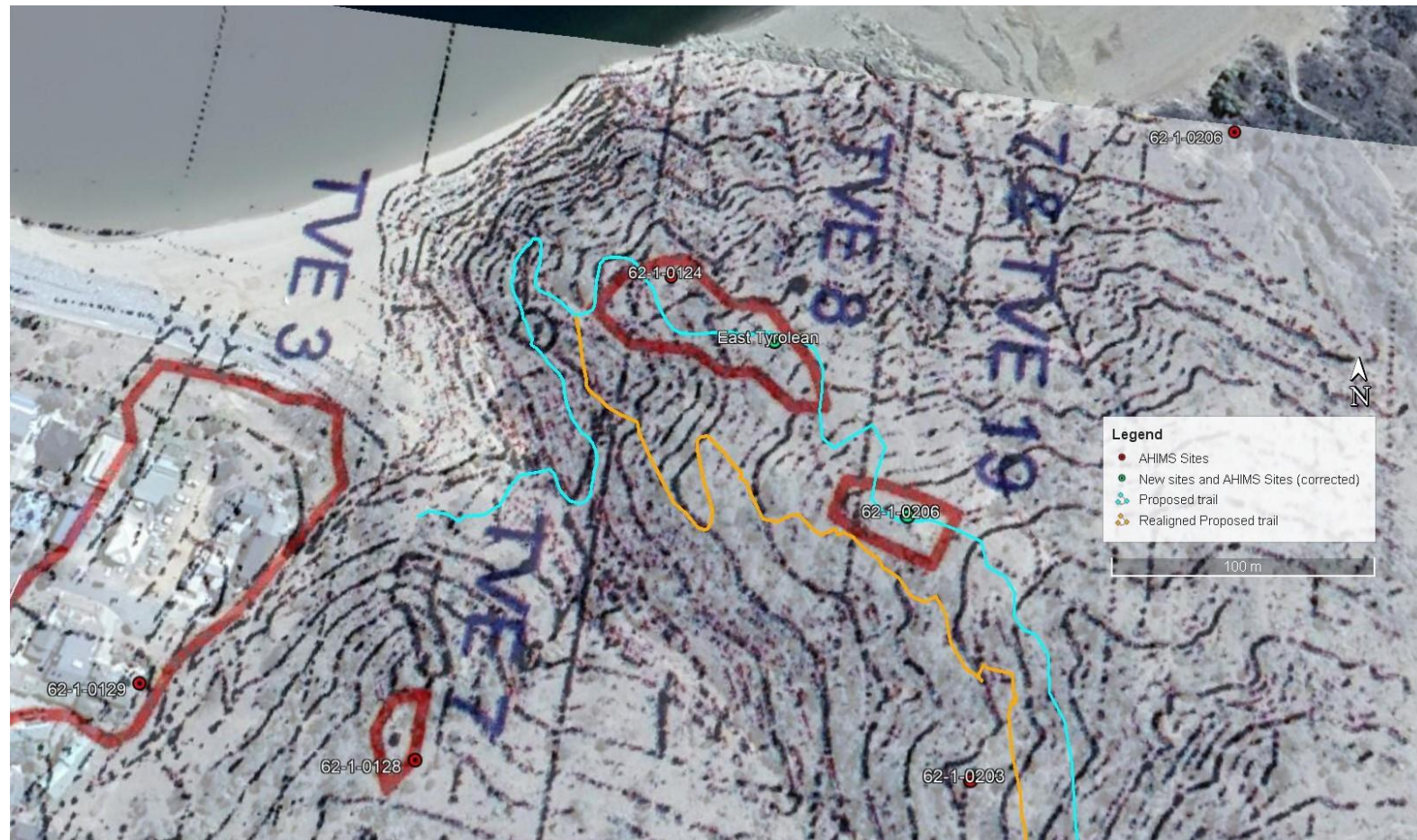


Figure 6: Realignment to avoid TVE 8, TVE 19 and East Tyrolean

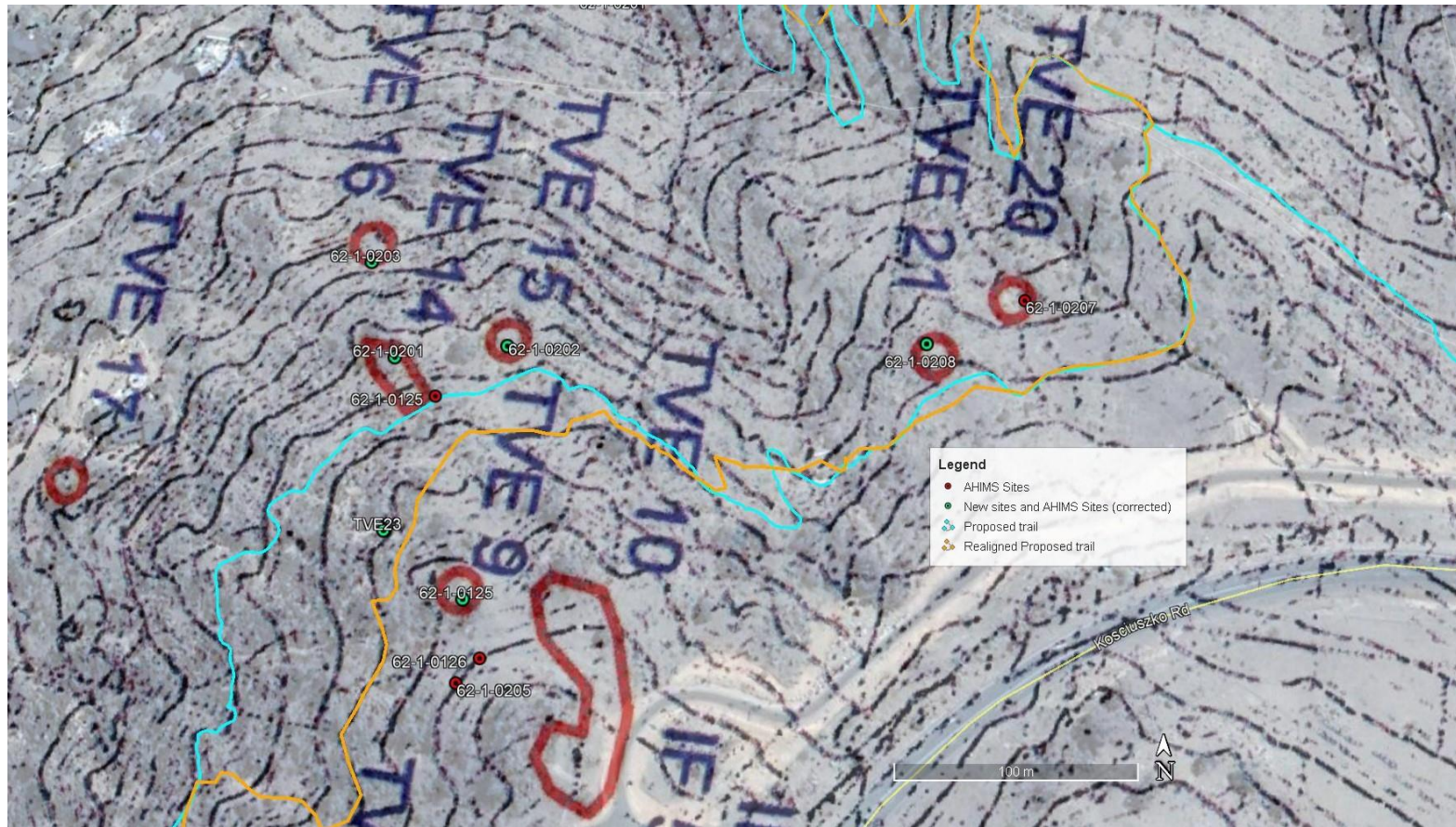


Figure 7: Avoiding TVE 14, TVE 15, TVE9, TVE21 and TVE23

The locations of all recorded sites close to the alignment, regardless of whether or not any physical evidence was found will be temporarily fenced off during track construction. Table 2 lists all sites to be fenced off. The mapped extent of recorded sites shown in Figure 5-7 will guide where fences should be located. There will be no disturbance within the fenced off areas.

7. Harm to objects - 2020 amendments

Correcting grid references and the ability to more accurately map the previously recorded sites has made it possible for the proposal to avoid all archaeological sites. The trail has been realigned to avoid the total mapped extent of all recorded artefact scatters and no recorded sites will be harmed. Given that the Tyrolean Estate area has been surveyed on a number of occasions over the last two decades, it is unlikely that any unrecorded artefact scatters will be impacted.

Under Part 6 of NPW Act it is an offence to harm an Aboriginal object unless a permit has been issued or a due diligence process has occurred. If Aboriginal objects are encountered during construction of the trail, works must cease immediately at that location and Heritage NSW notified.

8. Potential conservation outcomes in relation to amended project

The amended project has a reduced scope that will no longer have any impact on 62-1-0064. Council has gone to considerable effort to realign the trail to avoid all previously and newly recorded sites and this is considered to be a conservation outcome. The conservation of the recorded sites on public land is considered particularly pertinent in the light of impacts on significant archaeological heritage within new subdivisions at East Jindabyne.

9. Discussion and recommendations in relation to amended /reduced development proposal

A re-survey of the East Tyrolean trail was conducted with the aim of realigning the route to avoid all known sites and negating the need for an Aboriginal Heritage Impact Permit. The realigned sections of trail were found not to contain any Aboriginal objects. The new artefact scatter recorded during the survey (TVE 23) is outside all alignments and will not be impacted.

Recommendations (as amended)

- As a result of this updated cultural heritage assessment it is recommended that no further archaeological investigation is required.
- As it has been possible to avoid all recorded sites by realigning the route of the trails where required, an AHIP will not be necessary in order for the trails to be constructed.
- If suspected human remains are encountered during development, works must cease and Heritage NSW and the Police must be notified.
- If Aboriginal objects are encountered, works must cease at that location and Heritage NSW notified.

- The mapped locations of all sites listed in Table 2 must be temporarily fenced off during construction of the trails.

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Saunders, P., 2007. *Lots 2 and 6 DP 259723 Kunama Drice, East Jindabyne, NSW. Further archaeological investigation*,

Appendix 1: Report updates to Registered Aboriginal Parties



Wed 19/02/2020 2:47 PM

Alannah Dickeson

FW: Draft ACHA Tyrolean and East Jindabyne Proposed Shared Trail Extension- Delay in Project

To 'Corroboree Aboriginal Corporation'; 'Glenn Willcox'; 'Ryan Johnson'; 'Koomurri Ngunawal Aboriginal Corporation'; 'Goobah'; 'lilly carroll'; 'Muragadi'; 'Biamanga'; 'Murramarang'; 'Cullendulla'; 'Iris White'

Bcc 'Gerard Niemoeller'; Alannah Dickeson

Dear Registered Aboriginal Party

RE: Proposed extension of shared trails at Jindabyne

During April 2019 Council updated you with regard to the shared path proposal and Draft ACHA.

Council would like to inform you that we are still working on the report and we hope to have an updated draft to you ASAP. Council are working with OEH to keep the project moving forward and we will keep you informed of any further progress.

Regards

Alannah

Alannah Dickeson
Recreation Planner



SNOWY MONARO
REGIONAL COUNCIL
Stronger together. Better together.

PO Box 714
COOMA NSW 2630

Direct (02) 6451 1559
Phone 1300 345 345
Fax (02) 6456 3337

snowymonaro.nsw.gov.au



Thu 18/04/2019 1:55 PM

Alannah Dickeson

Draft ACHA Tyrolean and East Jindabyne Proposed Shared Trail Extension- Delay in Project

To: Alannah Dickeson

Cc: 'Suzanne Feary'

You forwarded this message on 19/02/2020 2:47 PM.

Dear Registered Aboriginal Party

RE: Proposed extension of shared trails at Jindabyne

During September 2018 Council notified you with regard to the shared path proposal and sought comment on the Draft ACHA.

Council would like to inform you that there has been a delay in the project development application process. Council are working with OEH to keep the project moving forward and we will keep you informed of any further progress.

Regards

Alannah

Alannah Dickeson
Recreation Planner



SNOWY MONARO
REGIONAL COUNCIL
Stronger together Better together

PO Box 714
COOMA NSW 2630

Direct (02) 6451 1559
Phone 1300 345 345
Fax (02) 6456 3337

From: Alannah Dickeson [mailto:Alannah.Dickeson@snowymonaro.nsw.gov.au]

Sent: Wednesday, 12 August 2020 3:34 PM

To: 'Corroboree Aboriginal Corporation'; 'ceo_begalalc@commander.net.au'; 'Ryan Johnson'; 'Goobah'; 'lilly carroll'; 'Muragadi'; 'Biamanga'; 'Murramarang'; 'Cullendulla'; 'Iris White'; 'gulgunyanhac@hotmail.com'

Cc: 'Suzanne Feary'

Subject: RE: Draft ACHA Tyrolean and East Jindabyne Proposed Shared Trail Extension-Update

Dear Registered Aboriginal Party

RE: Proposed Extension of Shared Trails at Jindabyne

During February 2020 Council updated you with regard to the shared path proposal and Draft ACHA for the Mill Creek trail network extension and Tyrolean Village to East Jindabyne Trail extension.

Council are continuing to work with our consultant and NSW Heritage on the draft report. We will have an updated draft report to you ASAP. The purpose of this update is to inform you that we have decided to reduce the scope of works. The reason for this is due to the limited budget currently available to construct the proposed trail. Figure one below shows the full trail scope included in the initial ACHA proposal. Figure 2 includes the reduced scope which will now be included in the updated Draft ACHA report. This now excludes the full extent of the lake foreshore connection between Tyrolean and East Jindabyne.



Figure 1: full scope included in initial ACHA



Figure 2: reduced scope



Our ref: DOC21/486724-1

Sophie Ballinger
Coordinator Development
Snowy Monaro Regional Council
Email: Sophie.Ballinger@snowymonaro.nsw.gov.au

Letter provided via email

Dear Ms Ballinger

ADVICE
INTEGRATED DEVELOPMENT APPLICATION
NATIONAL PARKS AND WILDLIFE ACT 1974

Address: 55 Rainbow Drive East Jindabyne
Proposal: Shared bike trail extension
DA application no: DA4045/2020, CNR-2154

Thank you for referring the above integrated development application (IDA) to our office. We understand that Council is seeking our general terms of approval (GTAs) pursuant to s4.46 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This development has been previously reviewed by Heritage NSW in the form of an AHIP application from 2018. A subsequent referral seeking GTAs was received through the CNR portal on 19 December 2019. A stop the clock notice was issued on 5 December 2019 which identified a number of issues relating to Aboriginal cultural heritage.

Since the IDA was referred to us, the Aboriginal cultural heritage regulations functions have transferred from the Biodiversity Conservation Division in the Department of Planning, Industry and Environment into Heritage NSW within the Department of Premier and Cabinet on 1 July 2020.

Following discussions with Council and the heritage consultant an addendum report (Feary 2020) to the original Aboriginal Cultural Heritage Assessment Report (ACHAR) (Feary 2018) was received which identified a revised alignment that avoided all Aboriginal cultural heritage. Consequently, while there is potential for Aboriginal objects to be present within the subject land, there are currently no known Aboriginal objects within the footprint of the bike trail as a result of trail realignment to avoid sites.

It is stated in s.4.46(2)(a) of the EP&A Act that development is not integrated development in respect of an Aboriginal Heritage Impact Permit (AHIP) under Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act) unless an Aboriginal object is known, immediately before the development application is made, to exist on the land to which the development application applies.

Accordingly, our understanding is that since there are no known Aboriginal objects within the development footprint an AHIP is not required and consequently the development is not integrated for the purposes of the NPW Act and we cannot provide GTAs.

However, due to the significant Aboriginal heritage constraints associated with the East Jindabyne foreshore, Heritage NSW considers that proceeding with development without an AHIP poses a significant risk to the proponent. Heritage NSW therefore recommend Council adopt the recommended conditions of consent outlined in **Attachment A** of this letter.

We remind Council and the proponent that all Aboriginal objects are protected under the NPW Act whether or not they are registered on the Aboriginal Heritage Information Management System (AHIMS) and regardless of the level of disturbance of a development area. It is in the

interest of the proponent to ensure that all reasonable precautions are taken to prevent the occurrence of harm to Aboriginal cultural heritage values.

If you have any questions in relation to this matter, please contact Emily Dillon, Archaeologist, Aboriginal Cultural Heritage Regulation – South at Heritage NSW, on 02 6229 7189 or by email: Emily.dillon@environment.nsw.gov.au.

Yours sincerely



Jackie Taylor
Senior Team Leader
Aboriginal Cultural Heritage Regulation - South
Heritage NSW
26 July 2021

Attachment A: Recommended Conditions of Consent for DA4045/2020

Heritage NSW recommend the following conditions to ensure the protection of known Aboriginal sites and objects in NSW to ensure that no additional harm is caused should Aboriginal cultural heritage be encountered:

- No Aboriginal objects may be harmed without an approval from Heritage NSW under the *National Parks and Wildlife Act 1974*.
- To ensure no Aboriginal objects are impacted by the development the following must occur prior to any works occurring:
 - A Heritage Management Plan must be prepared prior to any works commencing.
 - All known Aboriginal sites with a site extent within 50 metres of the trail including those identified in Table 2 (pg. 19) of Feary 2020, *Proposed Extension and Realignment of Mountain Bike Trails and Shared Paths, East Jindabyne. Aboriginal Cultural Heritage Assessment. Addendum Report-October 2020*, unpublished report prepared for Snowy Monaro Regional Council, must be buffered by a minimum of 10 metres. The 10 metre buffer must be demarcated with visual markers and identified as “no go zones” on all maps associated with the development.
 - Monitors from the Registered Aboriginal Parties and/or an archaeologist must be onsite when any ground disturbance is occurring, in line with the recommendations of Feary 2018, *Proposed Extension and Realignment Of Mountain Bike Trails And Shared Paths, East Jindabyne. Aboriginal Cultural Heritage Assessment*, unpublished report prepared for Snowy Monaro Regional Council.
 - All staff and contractors undertaking any actions onsite must be inducted in relation to the Aboriginal cultural heritage constraints of the development and instructed regarding unexpected finds protocols.
 - A map of the heritage constraints must be included in all construction and management plans and a copy must be provided to all persons undertaking work within the site.
- If any Aboriginal object(s) is discovered and/or harmed in, on or under the land, while undertaking the proposed development activities, the proponent must:
 - Not further harm the object(s)
 - Immediately cease all work at the particular location
 - Secure the area so as to avoid further harm to the Aboriginal object(s)
 - Notify Heritage NSW as soon as practical by calling 131 555 or emailing: info@environment.nsw.gov.au, providing any details of the Aboriginal object(s) and its location
 - Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
- If harm to Aboriginal objects cannot be avoided, an application for an Aboriginal Heritage Impact Permit (AHIP) must be prepared and submitted to Heritage NSW before work may continue.
- In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.

Appendix C

Flora Assessment – Tyrolean Village to East Jindabyne Link & Mill Creek Additional Trails

FLORA ASSESSMENT REPORT

***A flora survey of the proposed Tyrolean Village to East
Jindabyne Link, and Mill Creek Additional Trails***



Prepared by Dave Woods
for
Snowy Monaro Regional Council
June 2018

Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails

Introduction

This flora assessment was conducted to supplement information for a Development Application by Snowy Monaro Regional Council pertaining to a new shared pathway between Tyrolean Village and East Jindabyne. The proposed shared pathway of approximately 4 km will provide additional walking and bike riding opportunities between the existing Mill Creek tracks to the south of Tyrolean Village, and a proposed shared pathway between East Jindabyne and Kalkite to the north. A ground survey was also conducted in the Mill Creek Trail complex for a proposed addition of a further 2 km of trails.

Field work primarily focused on vascular plants with most effort given to detecting threatened species. Threatened fauna were also searched with most attention given to habitat types and habitat opportunities. The results of both desk top review and field work are discussed below.

Site Description

The survey area ranged from approximately 920 m a.s.l. along the gentle sloping ground adjacent to Lake Jindabyne, to 1056 m a.s.l. at the trig on an unnamed hill to the west of Kosciuszko Road. The terrain included the steep fall of the eastern side of the Snowy River Valley with rocky outcrops and a woodland dominated vegetation, to moderate sloping ground dominated by grassland on the lower slopes. The area to the south of Rainbow Drive separates those proposed additional trails to the Mill Creek Trail complex with the proposed Tyrolean to East Jindabyne Link to the north of Rainbow Drive. Old Kosciuszko Road at East Jindabyne delineates the northern end of the proposed link, opposite the East Jindabyne Pumping Station.

Methodology

A desktop review was undertaken prior to the field survey so that an appreciation was gained on the diverse range of flora and fauna recorded in the area and, more specifically, to filter those threatened species and endangered ecological communities either known or predicted to occur within the area. The threatened species and their associated habitats would in turn form the primary target of the field inspection. The databases included records derived from the OEH BioNet, access to Sensitive BioNet data (Category 2) and the Commonwealth's Protected Matters Report (PMR) for elements relevant under the *Environment Protection and Biodiversity Conservation Act, 1999 (EPBC Act)*. A 10km search radius was used to filter records for both BioNet data and Protected Matters.

The field survey involved a systematic traverse along the proposed shared trail routes, as delineated by flagging tape, to approximately five metres either side. All vascular plants were recorded and a cover-abundance descriptor applied to each species. Although not a fauna survey *per se*, all vertebrate species detected were recorded; methods included observations, calls, scats and tracks. Most focus of fauna pertained to recording key habitat features including tree hollows, boulder outcrops, ground debris, vegetation structure, habitat continuity and animal runways.

Surveying in mid-April at these elevations is not optimum, as there's less flower and seed material persisting on plants to help with identification. It was anticipated that some species

Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails

would possibly go undetected, particularly small annual forbs, orchids and grasses. A suite of fauna was also predicted to be less prevalent at this time of year, either through reduced activity from cooler weather or from undertaking seasonal migration.

Notwithstanding these limitations, there was reasonable confidence to detect those threatened flora species known in the area or strongly associated with vegetation types present along the surveyed route. However, any variations to the route during construction or subsequent realignments would reduce the accuracy of the information provided in this report.

Results

Desktop Review

The Protected Matters Report is attached as Appendix 1. Significant species extracted from BioNet Data are summarised in Table 1. BioNet data records for the 10 km search domain show 128 native vertebrate fauna and 271 native flora. This includes 100 birds, 12 reptiles, seven amphibians and nine mammals. Fifteen vertebrate species are considered significant; 14 under the *Biodiversity Conservation Act, 2016 (BC Act)*, five shared with the *EPBC Act* and one solely listed under the *EPBC Act* as a species under the Commonwealth’s Migratory Bird Agreements. Three significant plant species were listed under the *BC Act*.

The data presented in the PMR contains not only known species, but species associated with known or possible habitat. In essence, there’s a wider capture of possible records in the PMR than that specifically relating to the environments present along the proposed trails. Only those PMR records that the author surmises to be relevant to the site and immediate surrounding areas of the proposal are discussed below.

In 2010 an environmental assessment was prepared for the Mill Creek Bike Track between Jindabyne Dam Wall and Tyrolean Village. Information for that assessment was also reviewed and compared to the data collected for this report.

Table 1:

Threatened and significant species filtered from BioNet database within 10km of the proposed trails

Class	Family	Scientific Name	Common Name	NSW Status	C’wealth Status
Amphibia	Hylidae	<i>Litoria aurea</i>	Green and Golden Bell Frog	E1	V
Amphibia	Hylidae	<i>Litoria verreauxii alpina</i>	Alpine Tree Frog	E1	V
Aves	Accipitridae	<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	V	C
Aves	Accipitridae	<i>Hieraetus morphnoides</i>	Little Eagle	V	
Aves	Scolopacidae	<i>Calidris ruficollis</i>	Red-necked Stint		C,J,K

Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails

Aves	Cacatuidae	<i>^Callocephalon fimbriatum</i>	Gang-gang Cockatoo	V	
Aves	Psittacidae	<i>Neophema pulchella</i>	Turquoise Parrot	V	
Aves	Meliphagidae	<i>Epthianura albifrons</i>	White-fronted Chat	V	
Aves	Neosittidae	<i>Daphoenositta chrysoptera</i>	Varied Sittella	V	
Aves	Pachycephalidae	<i>Pachycephala olivacea</i>	Olive Whistler	V	
Aves	Artamidae	<i>Artamus cyanopterus cyanopterus</i>	Dusky Woodswallow	V	
Aves	Petroicidae	<i>Petroica boodang</i>	Scarlet Robin	V	
Aves	Petroicidae	<i>Petroica phoenicea</i>	Flame Robin	V	
Aves	Estrildidae	<i>Stagonopleura guttata</i>	Diamond Firetail	V	
Mammalia	Phascolarctidae	<i>Phascolarctos cinereus</i>	Koala	V	V
Flora	Asteraceae	<i>Calotis glandulosa</i>	Mauve Burr-daisy	V	V
Flora	Rhamnaceae	<i>Discaria nitida</i>	Leafy Anchor Plant	V	
Flora	Orobanchaceae	<i>Euphrasia scabra</i>	Rough Eyebright	E1	

NSW Threatened Status: E1 – Endangered; V – Vulnerable

Commonwealth Status: V – Vulnerable; CJK – Migratory Bird Agreement with China, Japan and Korean Republic respectively

Field Survey

The field survey conducted on 13 April 2018 was divided into two sections; south of Tyrolean Village and north of Tyrolean Village (Appendix 2). A total of 272 vascular plants species from 54 families were recorded; 130 species were introduced.

Two-hundred and three plant species were recorded in the south of which 110 were native and 93 were exotic. Poaceae was the most dominant family with 44 species including 24 that were introduced. Between Tyrolean Village and East Jindabyne, 224 species were recorded of which 109 were native and 115 were exotic. Poaceae was also the most dominant family with 53 grass species of which 31 were introduced.

Other dominant plant families that were well represented across both sites include Asteraceae (22 native and 17 exotic) and Fabaceae (12 native and 10 exotic). Both families contained a high proportion of weeds as did the families of Boraginaceae, Brassicaceae, Carophyllaceae and Rosaceae.

Native tree canopy was dominated by *Eucalyptus pauciflora* ssp. *pauciflora* in association with *E. rubida*, *E. viminalis* and *E. stellulata*; tree associations reflecting key site factors of aspect, slope and drainage. Shrub layer and composition also varied across the site with taller species including *Acacia dealbata*, *A. melanoxylon*, *Cassinia aculeata*, *C. longifolia*, *Ozothamnus conditus*, *O. thrysoideus*, *Davieia mimosoides*, *Kunzea ericoides* and *Pimelea pauciflora*. Lower growing shrub species included *Chrysocephalum semipapposum*, *Brachyloma daphnoides*, *Mirbelia oxyloboides* and *Hymenanthera dentata*.

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Ground cover also varied between sections of proposed trail on both sides of Tyrolean Village. *Poa sieberiana*, *Poa labillardierei*, *Themeda australis* and *Rytidosperma* spp. were the most dominant native grasses, interspersed by native and exotic forbs and exotic grasses. In heavily disturbed areas, ground cover was represented by such species as **Agrostis capillaris*, **Anthoxanthum odoratum*, **Dactylus glomerata*, **Festuca rubra* and **Holcus lanatus*. Cryptogams (ground lichen and moss) were also prevalent along both sections of proposed trail, and particularly abundant in the grassland toward East Jindabyne.

No threatened plant species were recorded during this survey. Table 1 identifies those threatened species possibly occurring after considering proximity to known species and habitat types along the proposed trails, including those records extracted from the BioNet database.

Of 130 exotic species recorded, five are listed as 'Priority Weeds' in Snowy Monaro Regional Council's Weed Management Plan: **Eragrostis curvula* (African Love-grass), **Nasella trichotoma* (Serrated Tussock), **Rosa rubiginosa* (Sweet Briar), **Rubus* spp. (Blackberry) and **Hypericum perforatum* (St. John's Wort).

Only a cursory effort was made to record fauna during the field survey (Appendix 3). Twenty-eight species were detected including two threatened bird species - Flame Robin (*Petroica phoenicea*) and Gang-gang Cockatoo (*Callocephalon fimbriatum*).

An appraisal for the occurrence of threatened and other significant species known or predicted to occur near the proposed trails between Tyrolean Village to East Jindabyne, and additional trails to the Mill Creek Trail complex can be found in Appendix 4. Species include those filtered and presented in Table 1, but also other species that have not been recorded but where suitable habitat was identified near the proposed trails.

Discussion

The possibility remains that threatened vascular flora are present in the area surrounding the proposed trails even though no threatened plants were detected during the survey. There are habitat elements in the area for each of the threatened plant species listed in Appendix 4, particularly those associated with grasslands and woodlands; less so for *Discaria nitida*. The prevalence of the native grass, *Themeda australis*, also increases the chance of *Thesium australe* being present (upon which it is a root parasite). Although the grassland complex along the northern end of the proposed Tyrolean-East Jindabyne Link is secondary grassland because of vegetation clearing and cattle and sheep grazing. There is also a high proportion of exotic species in the grassland; in some sections exotic grasses are dominant.

Consideration was also given to the northern section of the proposed Tyrolean-East Jindabyne Link being identified as a Natural Temperate Grassland of the South Eastern Highlands (*EPBC Act*). Many species identified in the Natural Temperate Grassland in the south east were found within this area. However, the site does not fulfil some of the key definitions as described under the *EPBC Act* or the intent for why Natural Temperate Grassland communities need conserving; the vegetation structure thought to have been present at the time of European settlement. That said, the grassland in this area does have conservation value including persistence and, in my opinion, recovery in the time since grazing ceased which was commensurate with Snowy Mountains Hydro Electric Authority (now Snowy Hydro Limited) acquiring the land – approximately 50 years ago prior to flooding of the Snowy River Valley.

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In contrast, the other significant Endangered Ecological Community in the area is 'Tablelands Snow Gum, Black Sallee, Candlebark and Ribbon Gum Grassy Woodland in the South Eastern Highlands, Sydney Basin, South East Corner and NSW South Western Slopes Bioregions' (commonly referred to as Tablelands Snow Gum Grassy Woodland). There are key elements of this community in the woodlands along both sections of the proposed trail, north and south of Tyrolean Village. These include:

- the primary tree species of *E. pauciflora*, *E. rubida*, *E. viminalis* and *E. stellulata*, either occurring as single or mixed stands;
- a mid-layer wattle, where present, of *Acacia dealbata* and *A. melanoxylon*;
- an understorey in intact sites characterised by native grasses and a high diversity of herbs - the most commonly encountered include Kangaroo Grass (*Themeda australis*), Common Snow-grass (*Poa sieberiana*), River Tussock (*Poa labillardierei*), Short Snow-grass (*Poa meionectes*), various wallaby-grasses (*Rytidosperma* spp.), various spear-grasses (*Austrostipa* spp.), Common Everlasting (*Chrysocephalum apiculatum*), Scaly-buttons (*Leptorhynchos squamatus*), Common Woodruff (*Asperula conferta*), Wattle Mat-rush (*Lomandra filiformis*), St John's Wort (*Hypericum gramineum*), Stinking Pennywort (*Hydrocotyle laxiflora*) and Slender Tick-trefoil (*Desmodium varians*); and
- shrubs that are generally sparse or absent, though they may be locally common including sub-shrubs (woody species <0.5 m tall). The most common shrubs and sub-shrubs include Gruggly-bush (*Melicytus* sp. 'Snowfields'), Urn Heath (*Melichrus urceolatus*), Sweet Bursaria (*Bursaria spinosa*) and Mountain Mirbelia (*Mirbelia oxylobioides*).

All the species described above that help characterise the Tablelands Snow Gum Grassy Woodland community were present along the proposed trails, except for *Melichrus urceolatus* and *Poa meionectes*, with *Bursaria spinosa* present in the general area but not recorded during the survey. Furthermore, most of the other ground species as listed in the Scientific Committee's Final Determination were also recorded during the survey, although the abundance for each recorded species varied. This was due to the length of the ground surveyed (see Methodology); the narrow survey focus of 5 metres either side of the proposed trail; the survey effort that primarily focused on threatened species; and the recording effort that was mostly limited to the 10-metre-wide corridor.

Therefore, the wider area contains structural and compositional elements consistent with Tablelands Snow Gum Grassy Woodland that was gazetted on 11 April 2011. Many of the species were also found in the Mill Creek Flora and Fauna Assessment that surveyed the existing shared trail between Tyrolean Village and Jindabyne Dam Wall, although that assessment was completed in May 2010 prior to gazettal of the endangered ecological community.

However, and at this juncture without having prepared a Test of Significance, the author is confident to surmise that the proposed trails would have no significant impact on the elements associated with the Tablelands Snow Gum Grassy Woodland. This is based on the linear requirement for the proposal and that most of the ground disturbance would occur on introduced or a mix of native/introduced ground vegetation. Any ground disturbance during construction and subsequent maintenance would be limited to a 1.8 metre corridor and a 1.2 metre trail pad. Vegetation would only be cut or slashed within the corridor to help define the trail, and the more elevated vegetated material such as trees and shrubs would not be targeted except to address dangerous limbs and branches.

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The linear nature of the proposed trail and the non-removal of trees, is also expected to reduce any detrimental impact upon fauna in the area, including resident species and returning seasonal migrants. Habitat complexity (diversity and opportunity) as observed along and adjacent to the proposed trail during the survey, included plant species diversity, vegetation structural diversity, intact vegetation, rocky outcrops, grassland, woodland, tree hollows, ground debris including logs, gullies with seepage lines, habitat continuity and proximity to water. This also contrasted with highly disturbed and degraded environments (e.g. weeds and soil erosion), proximity to an urban landscape including expanding development, major roads, isolated habitat and domestic and feral animals. The terrain also varied between gentle and steeper slopes. Collectively, the existing habitat and habitat opportunities would not be significantly impacted by the proposal. Nevertheless, some disturbance to existing species should be expected because of increased track use and visitation to the area.

Two threatened bird species, Flame Robin (*Petroica phoenicea*) and Gang-gang Cockatoo (*Callocephalon fimbriatum*) were recorded during the survey. Along with the Scarlet Robin (*Petroica boodang*), these three species, albeit endangered fauna, are the most frequently observed threatened species by the author in this part of the Snowy Mountains. The proposed trail and associated activity (e.g. bike riding and walking), is unlikely to have any detrimental impact upon any critical aspect of their life-cycle. The demise of Gang-gang Cockatoo is mostly the result in the loss of nesting tree hollows. The demise of Flame and Scarlet Robins is thought to be mostly a result of broader vegetation clearing and habitat loss, affecting both breeding opportunities and wintering habitat. No habitat loss to either Gang-gang Cockatoo or both robin species will occur by this proposal. The only possible detrimental impact envisaged to both robin species would occur if nests were in lower elevated vegetation and near the trail, with subsequent disturbance of nesting birds. No significant disturbance of any of the other bird species identified in Appendix 4 would occur for the same reasons identified above.

The Moderate-High likelihood of occurrence assigned to Eastern Pygmy-possum emanates from positive records and potential sightings in the East Jindabyne area, and the author's interpretation of many records in BioNet that are incidental and not a result of systematic fauna surveys. In other words, this species needs to be targeted by specific trapping or detection methods if they are to be recorded. Interestingly the two separate recordings of Eastern Pygmy-possum for East Jindabyne were not in the list extracted from BioNet. These records were submitted to Wildlife Atlas (now BioNet) by the author when working for the NPWS.

Although there's a good chance of Eastern Pygmy-possum being present in the woodland areas with a shrubby understorey, logs and tree hollows, the proposal will not remove this habitat component to the detriment of this species. Where there is a requirement to slash shrubs to define the trail, then no significant impact is anticipated if the disturbance corridor does not exceed 1.8 metres.

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Recommendations

These recommendations specifically relate to flora and fauna identified in this report with the aim of maintaining the conservation integrity of the surrounding environment.

1. Leave any felled material (limbs and branches) on the ground as potential habitat – for the wider benefit of general fauna, not just threatened species.
2. Any deviations to the proposed route should be reassessed for threatened species, particularly vascular plants.
3. Consider delaying construction or re-routing the trail if any threatened flora or fauna is detected during construction. Deviation or length of delay would depend upon species and circumstance e.g. nesting bird.
4. Establish a simple and robust weed monitoring program, with particular focus on the five 'Priority Weeds' listed in the Snowy Monaro Regional Council's Weed Management Plan. Control all 'Priority Weeds' and any other weeds deemed to cause further environmental and economic harm to the region.
5. Commit to a well-managed and funded trail maintenance program, so that the trail corridor is sustained in its proposed location to limit the collateral of soil erosion, weed incursion and the development of unplanned trails that compromise conservation values in adjacent areas.
6. Include in any EMP and/or contractor site induction agreed set-down areas and approved vehicle/all-terrain access. Storage and access should avoid native vegetation (where practical), and institute weed hygiene management to prevent weed spread from vehicles, equipment, straw bales and any externally sourced material such as rock.
7. If there is any doubt or concerns about potential impact of the proposal, including trail construction and trail use, upon threatened species or threatened ecological communities listed in Appendix 4 of this report, consider conducting a Test of Significance.

Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails



Australian Government
Department of the Environment and Energy

**APPENDIX 1:
PROTECTED MATTERS
REPORT**

EPBC Act Protected Matters Report

This report provides general guidance on matters of national environmental significance and other matters protected by the EPBC Act in the area you have selected.

Information on the coverage of this report and qualifications on data supporting this report are contained in the caveat at the end of the report.

Information is available about [Environment Assessments](#) and the EPBC Act including significance guidelines, forms and application process details.

Report created: 18/06/18 15:38:53

[Summary](#)

[Details](#)

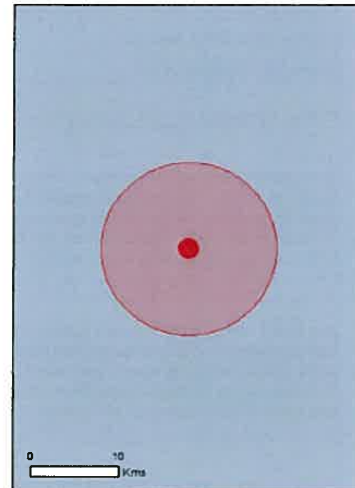
[Matters of NES](#)

[Other Matters Protected by the EPBC Act](#)

[Extra Information](#)

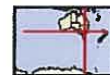
[Caveat](#)

[Acknowledgements](#)



This map may contain data which are
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[Coordinates](#)
Buffer: 10.0Km



Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails

Summary

Matters of National Environmental Significance

This part of the report summarises the matters of national environmental significance that may occur in, or may relate to, the area you nominated. Further information is available in the detail part of the report, which can be accessed by scrolling or following the links below. If you are proposing to undertake an activity that may have a significant impact on one or more matters of national environmental significance then you should consider the [Administrative Guidelines on Significance](#).

World Heritage Properties:	None
National Heritage Places:	2
Wetlands of International Importance:	None
Great Barrier Reef Marine Park:	None
Commonwealth Marine Area:	None
Listed Threatened Ecological Communities:	3
Listed Threatened Species:	32
Listed Migratory Species:	12

Other Matters Protected by the EPBC Act

This part of the report summarises other matters protected under the Act that may relate to the area you nominated. Approval may be required for a proposed activity that significantly affects the environment on Commonwealth land, when the action is outside the Commonwealth land, or the environment anywhere when the action is taken on Commonwealth land. Approval may also be required for the Commonwealth or Commonwealth agencies proposing to take an action that is likely to have a significant impact on the environment anywhere.

The EPBC Act protects the environment on Commonwealth land, the environment from the actions taken on Commonwealth land, and the environment from actions taken by Commonwealth agencies. As heritage values of a place are part of the 'environment', these aspects of the EPBC Act protect the Commonwealth Heritage values of a Commonwealth Heritage place. Information on the new heritage laws can be found at <http://www.environment.gov.au/heritage>

A [permit](#) may be required for activities in or on a Commonwealth area that may affect a member of a listed threatened species or ecological community, a member of a listed migratory species, whales and other cetaceans, or a member of a listed marine species.

Commonwealth Land:	3
Commonwealth Heritage Places:	None
Listed Marine Species:	18
Whales and Other Cetaceans:	None
Critical Habitats:	None
Commonwealth Reserves Terrestrial:	None
Commonwealth Reserves Marine:	None

Extra Information

This part of the report provides information that may also be relevant to the area you have nominated.

State and Territory Reserves:	2
Regional Forest Agreements:	1
Invasive Species:	25
Nationally Important Wetlands:	None
Key Ecological Features (Marine)	None

Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails

Details

Matters of National Environmental Significance

National Heritage Properties		[Resource Information]
Name	State	Status
Natural		
Australian Alps National Parks and Reserves	NSW	Listed place
Historic		
Snowy Mountains Scheme	NSW	Listed place

Listed Threatened Ecological Communities [Resource Information]

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Name	Status	Type of Presence
Alpine Sphagnum Bogs and Associated Fens	Endangered	Community known to occur within area
Natural Temperate Grassland of the South Eastern Highlands	Critically Endangered	Community likely to occur within area
White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland	Critically Endangered	Community may occur within area

Listed Threatened Species [Resource Information]

Name	Status	Type of Presence
Birds		
Anthochaera phrygia Regent Honeyeater [82338]	Critically Endangered	Foraging, feeding or related behaviour may occur within area
Botaurus poiciloptilus Australasian Bittern [1001]	Endangered	Species or species habitat likely to occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area
Grantiella picta Painted Honeyeater [470]	Vulnerable	Species or species habitat may occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat known to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Rostratula australis Australian Painted Snipe [77037]	Endangered	Species or species habitat likely to occur within area
Fish		
Prototroctes maraena Australian Grayling [26179]	Vulnerable	Species or species habitat likely to occur within area

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Name	Status	Type of Presence
Frogs		
<u>Litoria castanea</u> Yellow-spotted Tree Frog, Yellow-spotted Bell Frog [1848]	Endangered	Species or species habitat likely to occur within area
<u>Litoria raniformis</u> Growling Grass Frog, Southern Bell Frog, Green and Golden Frog, Warty Swamp Frog [1828]	Vulnerable	Species or species habitat may occur within area
<u>Litoria verreauxii alpina</u> Alpine Tree Frog, Verreaux's Alpine Tree Frog [66669]	Vulnerable	Species or species habitat likely to occur within area
Mammals		
<u>Dasyurus maculatus maculatus (SE mainland population)</u> Spot-tailed Quoll, Spotted-tail Quoll, Tiger Quoll (southeastern mainland population) [75184]	Endangered	Species or species habitat known to occur within area
<u>Mastacomys fuscus mordicus</u> Broad-toothed Rat (mainland), Tooarrana [87617]	Vulnerable	Species or species habitat may occur within area
<u>Petauroides volans</u> Greater Glider [254]	Vulnerable	Species or species habitat may occur within area
<u>Phascolarctos cinereus (combined populations of Qld, NSW and the ACT)</u> Koala (combined populations of Queensland, New South Wales and the Australian Capital Territory) [85104]	Vulnerable	Species or species habitat known to occur within area
<u>Pseudomys fumeus</u> Smoky Mouse, Konoom [88]	Endangered	Species or species habitat likely to occur within area
Plants		
<u>Calotis glandulosa</u> Mauve Burr-daisy [7842]	Vulnerable	Species or species habitat likely to occur within area
<u>Colobanthus curisiae</u> Curtis' Colobanth [23961]	Vulnerable	Species or species habitat may occur within area
<u>Dodonaea procumbens</u> Trailing Hop-bush [12149]	Vulnerable	Species or species habitat likely to occur within area
<u>Eucalyptus pulverulenta</u> Silver-leaved Mountain Gum, Silver-leaved Gum [21537]	Vulnerable	Species or species habitat likely to occur within area
<u>Glycine latrobeana</u> Clover Glycine, Purple Clover [13910]	Vulnerable	Species or species habitat may occur within area
<u>Leucochrysum albicans var. tricolor</u> Hoary Sunray, Grassland Paper-daisy [56204]	Endangered	Species or species habitat known to occur within area
<u>Pelargonium sp. Striatellum (G.W.Carr 10345)</u> Omeo Stork's-bill [84065]	Endangered	Species or species habitat may occur within area
<u>Pomaderris pallida</u> Pale Pomaderris [13684]	Vulnerable	Species or species habitat likely to occur within area
<u>Prasophyllum bagoense</u> Bago Leek-orchid [84276]	Critically Endangered	Species or species habitat may occur within area
<u>Prasophyllum petilum</u> Tarengo Leek Orchid [55144]	Endangered	Species or species

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Name	Status	Type of Presence
<i>Pterostylis oreophila</i> Blue-tongued Orchid, Kiandra Greenhood [22903]	Critically Endangered	habitat may occur within area Species or species habitat likely to occur within area
<i>Rutidosis leptorrhynchoides</i> Button Wrinklewort [7384]	Endangered	Species or species habitat may occur within area
<i>Thesium australe</i> Austral Toadflax, Toadflax [15202]	Vulnerable	Species or species habitat likely to occur within area
<i>Xerochrysum palustre</i> Swamp Everlasting, Swamp Paper Daisy [76215]	Vulnerable	Species or species habitat likely to occur within area
Reptiles		
<i>Aprasia parapulchella</i> Pink-tailed Worm-lizard, Pink-tailed Legless Lizard [1665]	Vulnerable	Species or species habitat likely to occur within area
<i>Delma impar</i> Striped Legless Lizard [1649]	Vulnerable	Species or species habitat may occur within area
Listed Migratory Species		[Resource Information]
* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.		
Name	Threatened	Type of Presence
Migratory Marine Birds		
<i>Apus pacificus</i> Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Migratory Terrestrial Species		
<i>Hirundapus caudacutus</i> White-throated Needletail [682]		Species or species habitat known to occur within area
<i>Monarcha melanopsis</i> Black-faced Monarch [609]		Species or species habitat known to occur within area
<i>Motacilla flava</i> Yellow Wagtail [644]		Species or species habitat may occur within area
<i>Myiagra cyanoleuca</i> Satin Flycatcher [612]		Breeding known to occur within area
<i>Rhipidura rufifrons</i> Rufous Fantail [592]		Species or species habitat known to occur within area
Migratory Wetlands Species		
<i>Actitis hypoleucos</i> Common Sandpiper [59309]		Species or species habitat may occur within area
<i>Calidris acuminata</i> Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
<i>Calidris ferruginea</i> Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area
<i>Calidris melanotos</i> Pectoral Sandpiper [858]		Species or species habitat may occur within

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Name	Threatened	Type of Presence area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area

Other Matters Protected by the EPBC Act

Commonwealth Land[\[Resource Information \]](#)

The Commonwealth area listed below may indicate the presence of Commonwealth land in this vicinity. Due to the unreliability of the data source, all proposals should be checked as to whether it impacts on a Commonwealth area, before making a definitive decision. Contact the State or Territory government land department for further information.

Name

Commonwealth Land - Australian & Overseas Telecommunications Corporation
Commonwealth Land - Australian Postal Commission
Commonwealth Land - Australian Telecommunications Commission

Listed Marine Species[\[Resource Information \]](#)

* Species is listed under a different scientific name on the EPBC Act - Threatened Species list.

Name	Threatened	Type of Presence
Birds		
Actitis hypoleucos Common Sandpiper [59309]		Species or species habitat may occur within area
Apus pacificus Fork-tailed Swift [678]		Species or species habitat likely to occur within area
Ardea alba Great Egret, White Egret [59541]		Species or species habitat likely to occur within area
Ardea ibis Cattle Egret [59542]		Species or species habitat may occur within area
Calidris acuminata Sharp-tailed Sandpiper [874]		Species or species habitat may occur within area
Calidris ferruginea Curlew Sandpiper [856]	Critically Endangered	Species or species habitat likely to occur within area
Calidris melanotos Pectoral Sandpiper [858]		Species or species habitat may occur within area
Gallinago hardwickii Latham's Snipe, Japanese Snipe [863]		Species or species habitat may occur within area

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Name	Threatened	Type of Presence
Haliaeetus leucogaster White-bellied Sea-Eagle [943]		Species or species habitat known to occur within area
Hirundapus caudacutus White-throated Needletail [682]		Species or species habitat known to occur within area
Lathamus discolor Swift Parrot [744]	Critically Endangered	Species or species habitat known to occur within area
Merops ornatus Rainbow Bee-eater [670]		Species or species habitat may occur within area
Monarcha melanopsis Black-faced Monarch [609]		Species or species habitat known to occur within area
Motacilla flava Yellow Wagtail [644]		Species or species habitat may occur within area
Myiagra cyanoleuca Satin Flycatcher [612]		Breeding known to occur within area
Numenius madagascariensis Eastern Curlew, Far Eastern Curlew [847]	Critically Endangered	Species or species habitat may occur within area
Rhipidura rufifrons Rufous Fantail [592]		Species or species habitat known to occur within area
Rostratula benghalensis (sensu lato) Painted Snipe [889]	Endangered*	Species or species habitat likely to occur within area

Extra Information

State and Territory Reserves [[Resource Information](#)]

Name	State
Kosciuszko	NSW
Ngadang	NSW

Regional Forest Agreements [[Resource Information](#)]

Note that all areas with completed RFAs have been included.

Name	State
Southern RFA	New South Wales

Invasive Species [[Resource Information](#)]

Weeds reported here are the 20 species of national significance (WoNS), along with other introduced plants that are considered by the States and Territories to pose a particularly significant threat to biodiversity. The following feral animals are reported: Goat, Red Fox, Cat, Rabbit, Pig, Water Buffalo and Cane Toad. Maps from Landscape Health Project, National Land and Water Resources Audit, 2001.

Name	Status	Type of Presence
Birds		
Acridotheres tristis Common Myna, Indian Myna [387]		Species or species

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Name	Status	Type of Presence
Alauda arvensis Skylark [656]		habitat likely to occur within area Species or species habitat likely to occur within area
Carduelis carduelis European Goldfinch [403]		Species or species habitat likely to occur within area
Passer domesticus House Sparrow [405]		Species or species habitat likely to occur within area
Sturnus vulgaris Common Starling [389]		Species or species habitat likely to occur within area
Turdus merula Common Blackbird, Eurasian Blackbird [596]		Species or species habitat likely to occur within area
Mammals		
Bos taurus Domestic Cattle [16]		Species or species habitat likely to occur within area
Canis lupus familiaris Domestic Dog [82654]		Species or species habitat likely to occur within area
Capra hircus Goat [2]		Species or species habitat likely to occur within area
Equus caballus Horse [5]		Species or species habitat likely to occur within area
Felis catus Cat, House Cat, Domestic Cat [19]		Species or species habitat likely to occur within area
Feral deer Feral deer species in Australia [85733]		Species or species habitat likely to occur within area
Lepus capensis Brown Hare [127]		Species or species habitat likely to occur within area
Mus musculus House Mouse [120]		Species or species habitat likely to occur within area
Oryctolagus cuniculus Rabbit, European Rabbit [128]		Species or species habitat likely to occur within area
Sus scrofa Pig [6]		Species or species habitat likely to occur within area
Vulpes vulpes Red Fox, Fox [18]		Species or species habitat likely to occur within area
Plants		
Cylindropuntia spp. Prickly Pears [85131]		Species or species habitat likely to occur within area

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Name	Status	Type of Presence
Cytisus scoparius Broom, English Broom, Scotch Broom, Common Broom, Scottish Broom, Spanish Broom [5934]		Species or species habitat likely to occur within area
Genista sp. X Genista monspessulana Broom [67538]		Species or species habitat may occur within area
Nassella trichotoma Serrated Tussock, Yass River Tussock, Yass Tussock, Nassella Tussock (NZ) [18884]		Species or species habitat likely to occur within area
Pinus radiata Radiata Pine Monterey Pine, Insignis Pine, Wilding Pine [20780]		Species or species habitat may occur within area
Rubus fruticosus aggregate Blackberry, European Blackberry [68406]		Species or species habitat likely to occur within area
Salix spp. except S.babylonica, S.x calodendron & S.x reichardtii Willows except Weeping Willow, Pussy Willow and Sterile Pussy Willow [68497]		Species or species habitat likely to occur within area
Ulex europaeus Gorse, Furze [7693]		Species or species habitat likely to occur within area

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Caveat

The information presented in this report has been provided by a range of data sources as acknowledged at the end of the report.

This report is designed to assist in identifying the locations of places which may be relevant in determining obligations under the Environment Protection and Biodiversity Conservation Act 1999. It holds mapped locations of World and National Heritage properties, Wetlands of International and National Importance, Commonwealth and State/Territory reserves, listed threatened, migratory and marine species and listed threatened ecological communities. Mapping of Commonwealth land is not complete at this stage. Maps have been collated from a range of sources at various resolutions.

Not all species listed under the EPBC Act have been mapped (see below) and therefore a report is a general guide only. Where available data supports mapping, the type of presence that can be determined from the data is indicated in general terms. People using this information in making a referral may need to consider the qualifications below and may need to seek and consider other information sources.

For threatened ecological communities where the distribution is well known, maps are derived from recovery plans, State vegetation maps, remote sensing imagery and other sources. Where threatened ecological community distributions are less well known, existing vegetation maps and point location data are used to produce indicative distribution maps.

Threatened, migratory and marine species distributions have been derived through a variety of methods. Where distributions are well known and if time permits, maps are derived using either thematic spatial data (i.e. vegetation, soils, geology, elevation, aspect, terrain, etc) together with point locations and described habitat; or environmental modelling (MAXENT or BIOCLIM habitat modelling) using point locations and environmental data layers.

Where very little information is available for species or large number of maps are required in a short time-frame, maps are derived either from 0.04 or 0.02 decimal degree cells; by an automated process using polygon capture techniques (static two kilometre grid cells, alpha-hull and convex hull); or captured manually or by using topographic features (national park boundaries, islands, etc). In the early stages of the distribution mapping process (1999-early 2000s) distributions were defined by degree blocks, 100K or 250K map sheets to rapidly create distribution maps. More reliable distribution mapping methods are used to update these distributions as time permits.

Only selected species covered by the following provisions of the EPBC Act have been mapped:

- migratory and
- marine

The following species and ecological communities have not been mapped and do not appear in reports produced from this database:

- threatened species listed as extinct or considered as vagrants
- some species and ecological communities that have only recently been listed
- some terrestrial species that overfly the Commonwealth marine area
- migratory species that are very widespread, vagrant, or only occur in small numbers

The following groups have been mapped, but may not cover the complete distribution of the species:

- non-threatened seabirds which have only been mapped for recorded breeding sites
- seals which have only been mapped for breeding sites near the Australian continent

Such breeding sites may be important for the protection of the Commonwealth Marine environment.

Coordinates

-36.40417 148.64372

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Acknowledgements

This database has been compiled from a range of data sources. The department acknowledges the following custodians who have contributed valuable data and advice:

- [Office of Environment and Heritage, New South Wales](#)
- [Department of Environment and Primary Industries, Victoria](#)
- [Department of Primary Industries, Parks, Water and Environment, Tasmania](#)
- [Department of Environment, Water and Natural Resources, South Australia](#)
- [Department of Land and Resource Management, Northern Territory](#)
- [Department of Environmental and Heritage Protection, Queensland](#)
- [Department of Parks and Wildlife, Western Australia](#)
- [Environment and Planning Directorate, ACT](#)
- [Birdlife Australia](#)
- [Australian Bird and Bat Banding Scheme](#)
- [Australian National Wildlife Collection](#)
- Natural history museums of Australia
- [Museum Victoria](#)
- [Australian Museum](#)
- [South Australian Museum](#)
- [Queensland Museum](#)
- [Online Zoological Collections of Australian Museums](#)
- [Queensland Herbarium](#)
- [National Herbarium of NSW](#)
- [Royal Botanic Gardens and National Herbarium of Victoria](#)
- [Tasmanian Herbarium](#)
- [State Herbarium of South Australia](#)
- [Northern Territory Herbarium](#)
- [Western Australian Herbarium](#)
- [Australian National Herbarium, Canberra](#)
- [University of New England](#)
- [Ocean Biogeographic Information System](#)
- [Australian Government, Department of Defence Forestry Corporation, NSW](#)
- [Geoscience Australia](#)
- [CSIRO](#)
- [Australian Tropical Herbarium, Cairns](#)
- [eBird Australia](#)
- [Australian Government – Australian Antarctic Data Centre](#)
- [Museum and Art Gallery of the Northern Territory](#)
- [Australian Government National Environmental Science Program](#)
- [Australian Institute of Marine Science](#)
- [Reef Life Survey Australia](#)
- [American Museum of Natural History](#)
- [Queen Victoria Museum and Art Gallery, Inveresk, Tasmania](#)
- [Tasmanian Museum and Art Gallery, Hobart, Tasmania](#)
- Other groups and individuals

The Department is extremely grateful to the many organisations and individuals who provided expert advice and information on numerous draft distributions.

Please feel free to provide feedback via the [Contact Us](#) page.

*Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails***APPENDIX 2:****Flora Survey of proposed trail between Tyrolean Village and East Jindabyne, and additional trails to the existing Mill Creek Trail complex. Data collected Friday 13 April 2018**

A relative abundance score was applied against each species. The weighting for each relative abundance score was considered over the entire length of each proposed section of trail. Therefore, some species may be dominant or abundant in some areas, but recorded as occasional:

1 – occasional, 2 – frequent, 3 – abundant

* denotes exotic species.

+ denotes species native to Australia but introduced to the area.

Scientific Name	Common Name	Mill Creek Additions	Tyrolean-East Jindabyne Link
<i>(FERNS)</i>			
ASPLENIACEAE			
<i>Asplenium flabellifolium</i>	Necklace Fern	2	1
DENNSTAEDTEACEAE			
<i>Pteridium esculentum</i>	Bracken	1	1
SINOPTERIDACEAE			
<i>Cheilanthes austrotenuifolia</i>	Rock Fern	2	2
<i>Cheilanthes sieberi</i> ssp. <i>sieberi</i>	Poison Rock Fern	1	
<i>(MONOCOTYLEDONS)</i>			
CYPERACEAE			
<i>Carex appressa</i>	Tall Sedge	1	1
<i>Carex breviculmis</i>	Short-stem Sedge	1	2
<i>Carex inversa</i>	Knob Sedge	1	1
<i>Carex ?polyantha</i>			1
<i>Carex</i> sp.	A Sedge	1	1
<i>Isolepis</i> sp.1	A Club-sedge	1	1
<i>Isolepis</i> sp.2	A Club-sedge		1
<i>Lepidosperma laterale</i>	Variable Sword Sedge	2	1
JUNCACEAE			
<i>Juncus filicaulis</i>	Rush	2	2
<i>Juncus</i> sp.1	Rush	1	
<i>Juncus</i> sp.2	Rush	1	1
<i>Luzula densiflora</i>	Luzula	1	1
* <i>Juncus bufonius</i>	Toad Rush	1	1
* <i>Juncus tenuis</i>			1

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ASPHODELACEAE			
<i>Bulbine bulbosa</i>	Bulbine Lily	1	1
LOMANDRACEAE			
<i>Lomandra filiformis</i>	Wattle Mat Rush		1
<i>Lomandra longifolia</i>	Spiny Mat Rush	2	1
PHORMIACEAE			
<i>Dianella longifolia</i>	Long-leaved Flax Lily		1
POACEAE			
<i>Austrostipa scabra</i> ssp. <i>falcata</i>	Rough Spear Grass	1	2
<i>Austrostipa</i> sp.	A Spear Grass		1
<i>Bothriochloa macra</i>	Red-leg Grass	1	1
<i>Chloris truncata</i>	Windmill Grass	1	1
<i>Deyeuxia</i> sp.	A Bent Grass	1	1
<i>Dichelachne crinita</i>	Longhair Plume Grass		1
<i>Dichelachne hirtella</i>	Plume Grass	1	
<i>Dichelachne micrantha</i>	Shorthair Plume Grass	1	1
<i>Echinopogon cheelii</i>	Long-flowered Hedgehog Grass	1	
<i>Echinopogon ovatus</i>	Forest Hedgehog Grass	1	1
<i>Elymus scaber</i> var. <i>scaber</i>	Common Wheat Grass	2	1
<i>Enneapogon nigricans</i>	Niggerheads		1
<i>Panicum</i> sp.	A panic	1	
<i>Panicum effusum</i>	Hairy Panic	2	2
<i>Poa ?ensiformis</i>	Purple-leaf Tussock Grass	1	
<i>Poa helmsii</i>	Broad-leaved Snowgrass		1
<i>Poa labillardierei</i> var. <i>labillardierei</i>	Tussock Grass	2	3
<i>Poa sieberiana</i> var. <i>cyanophylla</i>	Fine-leaf Tussock Grass	1	1
<i>Poa sieberiana</i> var. <i>hirtella</i>	Fine-leaf Tussock Grass		1
<i>Poa sieberiana</i> var. <i>sieberiana</i>	Fine-leaf Tussock Grass	3	2
<i>Rytidosperma eriantha</i>	A Wallaby Grass	1	1
<i>Rytidosperma pencillata</i>	Slender Wallaby Grass	2	1
<i>Rytidosperma pilosa</i> var. <i>pilosa</i> .	Smooth-flowered Wallaby Grass	2	2
<i>Rytidosperma ?racemosa</i> var. <i>racemosa</i> .	A Wallaby Grass		1
<i>Themeda triandra</i>	Kangaroo Grass	3	3
* <i>Agrostis capillaris</i>	Brown-top Bent	2	2
* <i>Agrostis stolonifera</i>	Creeping Bent		1
* <i>Aira carophyllea</i>	Silver Hair Grass	2	1
* <i>Aira elegantissima</i>	Tall Hair Grass	1	1

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* <i>Anthoxanthum odoratum</i>	Sweet Vernal Grass	2	1
* <i>Arrhenatherum elatius</i> var. <i>bulbosum</i>	Onion Twitch		1
* <i>Avena barbata</i>	Oats	1	2
* <i>Bromus catharticus</i>	Prairie Grass	1	1
* <i>Bromus diandrus</i>	Great Brome	1	1
* <i>Bromus hordeaceus</i>	Soft Brome	1	1
* <i>Bromus molliformis</i>	Soft Brome		1
* <i>Bromus ?sterilus</i>	Sterile Brome		1
* <i>Cynodon dactylon</i>	Couch		1
* <i>Dactylus glomerata</i>	Cock's Foot	2	2
* <i>Eluesine tristachya</i>	Goose Grass	1	1
* <i>Elytrigia repens</i>	English Twitch		1
* <i>Eragrostis curvula</i>	African Lovegrass	1	1
* <i>Festuca elatior</i>	Tall Fescue	1	
* <i>Festuca rubra</i>	Red Fescue	2	2
* <i>Holcus lanatus</i>	Yorkshire Fog	1	2
* <i>Hordeum</i> sp.	A Barley Grass	1	
* <i>Lolium perenne</i>	Perennial Rye- grass	1	
* <i>Nassella trichotoma</i>	Serrated Tussock	1	1
* <i>Panicum schinzii</i>	Sweet Panic		1
* <i>Paspalum dilatatum</i>	Paspalum	1	1
* <i>Paspalum quadrifarium</i>	Tussock Paspalum	1	
* <i>Paspalum urvillei</i>	Vasey Grass		1
* <i>Phalaris arundinaceae</i> var. <i>arundinaceae</i>			1
* <i>Phleum pratense</i>	Timothy Grass		1
* <i>Poa annua</i>	Winter Grass	1	1
* <i>Poa ?bulbosa</i>	Bulbous Poa		1
* <i>Poa pratensis</i>	Kentucky Blue Grass	1	1
* <i>Vulpia bromoides</i>	Squirrel Tail Fescue	2	1
* <i>Vulpia muralis</i>		1	1
* <i>Vulpia myuros</i> (inclusive of the form sometimes referred to as <i>V. megalura</i>)	Rat's Tail Fescue	1	2
Unidentified grass 1		1	
Unidentified grass 2			1
(DICOTYLEDONS)			
APIACEAE			
<i>Hydrocotyle laxiflora</i>	Stinking Pennwort	2	1
ARALIACEAE			
<i>Polyscias sambucifolius</i>	Elderberry Panax	2	1
AQUIFOLIACEAE			
* <i>Ilex aquifolium</i>	Holly		1
ASTERACEAE			
+ <i>Ammobium alatum</i>	Winged Paper Daisy	1	
<i>Brachyscome aculeata</i>	Coarse Daisy	1	

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<i>Brachyscome scapigera</i>	Tufted Daisy		1
<i>Brachyscome spathulata</i>	Broad Daisy	1	1
<i>Brachyscome</i> sp.	A Daisy		1
<i>Cassinia aculeata</i>	Dogwoods	2	2
<i>Cassinia longifolia</i>	Long-leaved Cassinia	3	2
<i>Cassinia ochracea</i>	Dogwood	1	
<i>Chrysocephalum apiculatum</i>	Yellow Buttons		1
<i>Chrysocephalum semipapposum</i>	Clustered Everlasting	2	1
<i>Coronidium scorpioides</i>	Button Everlasting	1	1
<i>Cymbonotus ?pressianus</i>	Austral Bear's Ear	2	1
<i>Euchiton involucratus</i>	Star Cudweed	1	
<i>Euchiton sphaericus</i>	Annual Cudweed	1	1
<i>Leptorhynchus squamatus</i> ssp. <i>squamatus</i>	Scaly Buttons	1	1
<i>Ozothamnus conditus</i>	Spicy Everlasting	2	1
<i>Ozothamnus thyrsoides</i>	Cascade Everlasting	2	1
<i>Pseudognaphalium luteo-album</i>	Jersey Cudweed		1
<i>Senecio prenanthoides</i>	Forest Fireweed	2	1
<i>Senecio quadridentatus</i>	Cotton Fireweed	2	1
<i>Vittadinia cuneata</i> var. <i>cuneata</i>	Fuzzweed	1	2
<i>Vittadinia muelleri</i>	Fuzzweed	1	1
* <i>Achillea millefolium</i>	Milfoil	1	
* <i>Carduus</i> sp.	A Thistle	1	
* <i>Chondrilla juncea</i>	Skeleton Weed	1	1
* <i>Cirsium vulgare</i>	Spear Thistle	1	1
* <i>Conyza canadensis</i>	Canadian Fleabane	1	
* <i>Conyza bonariensis</i>	Flax Leaf Fleabane	1	1
* <i>Crepis capillaris</i>	Smooth Hawksbeard	1	
* <i>Crepis foetida</i> ssp. <i>vulgaris</i>	Stinking Hawksbeard	1	2
* <i>Hypochaeris glabra</i>	Smooth Cat's Ear	2	1
* <i>Hypochaeris radicata</i>	Cat's Ear	2	2
* <i>Lactuca serriola</i>	Prickly Lettuce	1	1
* <i>Onopordum acanthium</i> ssp. <i>acanthium</i>	Scotch Thistle	1	1
* <i>Onopordum illyricum</i>	Illryrium Thistle		1
* <i>Sonchus asper</i>	Prickly Sowthistle	1	
* <i>Sonchus oleraceus</i>	Common Sowthistle	1	1
* <i>Taraxacum officinale</i>	Dandelion	2	2
* <i>Tragopogon dubius</i>	Goatsbeard	1	1
BERBERIDACEAE			
* <i>Mahonia aquifolium</i>	Holly-leaf Barberry	1	
BORAGINACEAE			
<i>Cynoglossum australe</i>	Australian Hound's Tongue	1	
* <i>Amsinkia intermedia</i>	Common Fiddleneck	2	1

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<i>*Anchusa arvensis</i>	Wild Bugloss		1
<i>*Echium vulgare</i>	Viper's Bugloss	2	2
<i>*Myosotis discolor</i>	Forget-me-not	2	2
BRASSICACEAE			
<i>*Capsella bursa-pastoris</i>	Shepherds Purse	1	1
<i>*Cardamine sp.</i>		1	1
<i>*Erophila verna</i>	Whitlow Grass	1	1
<i>*Drabastrum alpestre</i>	Mountain Cress		1
<i>*Lepidium campestre.</i>	Field Cress	1	
<i>*Sysimbrium officinale</i>	Hedge Mustard	1	1
<i>*Sysimbrium orientale</i>	Mustard	1	
CAMPANULACEAE			
<i>Wahlenbergia communis</i>	Tufted Bluebell	1	1
<i>Wahlenbergia stricta ssp. stricta</i>	Tall Bluebell	1	1
CARYOPHYLLACEAE			
<i>Scleranthus biflorus</i>	Twin-flowered Knawel	1	1
<i>Stellaria pungens</i>	Prickly Starwort	2	1
<i>*Cerastium glomeratum</i>	Mouse-ear Chickweed	1	1
<i>*Cerastium vulgare</i>	Mouse-ear Chickweed	1	1
<i>*Moenchia erecta</i>	Erect Chickweed		1
<i>*Petrohragia nanteuillii</i>	Proliferous Pink	2	2
<i>*Petrohragia dubia</i>		1	
<i>*Polycarpon tetraphyllum</i>	Four-leaved Allseed	1	1
<i>*Sagina apetala</i>	Annual Pearlwort	1	1
<i>*Spergularia rubra</i>	Sandspurry		1
CLUSIACEAE			
<i>Hypericum gramineum</i>	Small St. John's Wort	1	1
<i>Hypericum japonicum</i>	Matted St. John's Wort		1
<i>*Hypericum perforatum</i>	St. John's Wort	2	2
CONVOLVULACEA			
<i>Dichondra repens</i>	Kidney Weed	2	1
CRASSULACEAE			
<i>*Sedum album</i>	Stonecrop		1
ERICACEAE			
<i>Acrotriche serrulata</i>	Honey Pots	1	1
<i>Astroloma humifusum</i>	Cranberry Heath	1	1
<i>Brachyloma daphnoides</i>	Daphne Heath	2	1
<i>Leucopogon attenuatus</i>	Grey Beard Heath	1	
<i>Leucopogon fraseri</i>	Cushion Bead Heath		1
EUPHORBIACEAE			

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<i>*Euphorbia peplus</i>	Petty Purge	1	1
FABACEAE			
<i>Acacia dealbata</i>	Silver Wattle	1	2
<i>Acacia melanoxylon</i>	Blackwood	1	1
<i>Acacia rubida</i>	Red-stem Wattle	1	
<i>Daviesia mimosoides</i>	Blunt Bitter Pea	2	1
<i>Desmodium varians</i>	Variable Trefoil	1	1
<i>Glycine clandestina</i>	Twining Glycine	1	
<i>Glycine tabacina</i>			1
<i>Hardenbergia violacea</i>	False Sarsaparilla	1	
<i>Hovea heterophylla</i>	Trailing Hovea		1
<i>Indigofera australis</i>	Austral Indigo	2	
<i>Mirbelia oxylobioides</i>	Mountain Mirbelia	3	2
<i>Swainson ?monticola</i>	Mountain Swainson Pea	1	
<i>*Medicago lupulina</i>	Black Medic		1
<i>*Medicago sativa</i>	Lucerne	1	
<i>*Melilotus alba</i>	Bokhara	1	1
<i>*Trifolium angustifolium</i>	Narrow-leaved Clover		1
<i>*Trifolium arvense</i>	Haresfoot Clover	3	3
<i>*Trifolium campestre</i>	Hop Clover		1
<i>*Trifolium dubium</i>	Yellow Suckling Clover	1	1
<i>*Trifolium pratense</i>			1
<i>*Trifolium repens</i>	White Clover	2	2
<i>*Trifolium sp.</i>	Clover		1
FUMARIACEAE			
<i>*Fumaria muralis</i>	Wall Fumitory		1
GENTIANACEAE			
<i>*Centaurium erythraea</i>	Common Centaury	2	2
GERANIACEAE			
<i>Geranium retrorsum</i>	Grassland Crane's Bill	1	2
<i>Geranium solanderi var. solanderi</i>	Cut-leaf Crane's Bill	1	2
<i>Geranium sp.</i>	Crane's Bill		1
<i>*Erodium cicutarium</i>		1	
<i>*Erodium moschatum</i>		1	1
GOODENIACEAE			
<i>Velleia ?paradoxa</i>	Spur Velleia		1
HALORAGACEAE			
<i>Gonocarpus tetragynus</i>	Poverty Raspwort	1	1
LAMIACEAE			
<i>*Marrubium vulgare</i>	Horehound	1	1
<i>*Mentha X spicata</i>	Mint		1

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<i>*Salvia verbenaca</i>	Wild Sage		1
MALACEAE (ROSACEAE)			
<i>*Crataegus monogyna</i>	Hawthorn	1	1
<i>*Malus X domestica</i>	Apple	1	1
<i>*Pyracantha angustifolia</i>	Orange Firethorn	1	1
MALVACEAE			
<i>*Modiola caroliniana</i>	1		1
MYRTACEAE			
<i>Eucalyptus pauciflora ssp. pauciflora</i>	White Sallee	3	2
<i>Eucalyptus rubida</i>	Candlebark	3	2
<i>Eucalyptus stellulata</i>	Black Sallee	1	1
<i>Eucalyptus viminalis</i>	Ribbony Gum		1
<i>Kunzea ericoides</i>	Burgan	3	2
OLEACEAE			
<i>*Ligustrum lucidum</i>	Large-leaved Privet	1	
<i>*Ligustrum vulgare</i>	European Privet	1	1
ONAGRACEAE			
<i>Epilobium billardierianum ssp. cinereum</i>	Hairy Willow Herb	1	1
<i>Epilobium billardierianum ssp. hydrrophyllum</i>	A Willow Herb	1	1
<i>Epilobium hirtigerum</i>	Hairy Willow Herb	1	
<i>*Epilobium ciliatum</i>		1	1
<i>*Oenothera glazioviana</i>	A Primrose		1
<i>*Oenothera stricta ssp. stricta</i>	A Primrose	1	2
OXALIDACEAE			
<i>Oxalis sp.</i>	Oxalis		1
<i>Oxalis exilis</i>	Oxalis	1	1
<i>*Oxalis corniculata</i>	Oxalis	2	1
PAPAVERACEAE			
<i>*Papaver hybridum</i>	Rough Poppy		1
PLANTAGINACEAE			
<i>Plantago varia</i>	Variable Plantain	1	1
<i>*Plantago lanceolata</i>	Ribbed Plantain	2	2
<i>Veronica sp.</i>	A Speedwell		1
<i>Veronica perfoliata</i>	Digger's Speedwell	1	1
<i>*Linaria arvensis</i>	Toadflax	1	1
<i>*Linaria pelisseriana</i>	Pelisser's Toadflax		1
<i>*Veronica arvensis</i>	Wall Speedwell	1	1
<i>*Veronica serpyllifolia</i>	Thyme Speedwell	1	1
POLYGONACEAE			
<i>Rumex brownii</i>	Swamp Dock		1
<i>*Acetosella vulgaris</i>	Sheep Sorrell	3	3
<i>*Polygonum aviculare</i>	Wireweed	2	1
<i>*Rumex obtusifolia var. obtusifolia</i>	Dock		1

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* <i>Rumex crispus</i>	Dock	1	1
PRIMULACEAE			
* <i>Anagallis arvensis</i>	Scarlet Pimpernel	1	1
PROTEACEAE			
<i>Grevillea lanigera</i>	Woolly Grevillea	1	1
RANUNCULACEAE			
<i>Clematis microphylla</i> var. <i>leptophylla</i>	Small-leaved Clematis	2	1
<i>Ranunculus</i> sp 1	Buttercup	1	
<i>Ranunculus</i> sp 2	Buttercup		1
<i>Ranunculus lappaceus</i>	Common Buttercup	1	1
* <i>Ranunculus repens</i>	Creeping Buttercup		1
RESEDACEAE			
* <i>Reseda luteola</i>	Weld		1
RHAMNACEAE			
<i>Cryptandra amara</i> var. <i>amara</i>	Bitter Cryptandra	1	1
<i>Discaria pubescens</i>	Australian Anchor Plant	1	
ROSACEAE			
<i>Aceana agniphila</i>	Hairy Sheep's Burr	1	1
<i>Aceana echinata</i>	Sheep's Burr	1	1
<i>Aceana nova-zelandiae</i>	Bidgee-Widgee	1	1
<i>Aceana ovina</i>			1
<i>Rubus parvifolius</i>	Native Raspberry	1	1
* <i>Aphanes arvensis</i>	Parsley-piert	1	1
* <i>Cotoneaster microphyllus</i>	Small-leaf Cotoneaster		1
* <i>Cotoneaster pannosus</i>	Silver-leaf Cotoneaster	1	1
* <i>Cotoneaster ?franchetii</i>	Franchet's Cotoneaster		1
* <i>Rosa rubiginosa</i>	Sweet Briar	2	2
* <i>Rubus fruticosus</i> aggr.	Blackberry	1	1
RUBIACEAE			
<i>Asperula pusilla</i>	Mountain Woodruff	1	1
<i>Asperula conferta</i>	Common Woodruff	1	1
<i>Asperula scoparia</i>	Prickly Woodruff	2	
<i>Galium gaudichaudii</i>	Rough Bedstraw	2	2
SAMBUCACEAE			
* <i>Sambucus nigra</i>	European Elder		1
SANTALACEAE			
<i>Exocarpus strictus</i>	Dwarf Cherry	1	1

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SCROPHULARIACEAE				
<i>*Verbena thapsus</i>	Woolly Mullein		2	2
<i>*Verbena virgatum</i>	Twiggy Mullein		2	2
SOLANACEAE				
<i>*Solanum nigrum</i>			1	
<i>*Solanum triflorum</i>			1	
STYLIDIACEAE				
<i>Stylidium graminifolium</i>	Grass Plant	Trigger	2	2
THYMELEACEAE				
<i>Pimelea curviflora</i> var. <i>sericea</i>	Curved Flower	Rice	1	1
<i>Pimelea glauca</i>	Smooth Flower	Rice	1	1
<i>Pimelea pauciflora</i>	Poison Flower	Rice	2	2
VERBENACEAE				
<i>*Verbena bonariensis</i>	Purpletop			1
VIOLACEAE				
<i>Hymenantha dentata</i>	Tree Violet		2	1
<i>Viola hederaceae</i>	Sweet Violet		1	1
<i>*Viola arvensis</i>	Field Pansy			1
Unidentified herb 1				1
Unidentified herb 2			1	
Unidentified herb 3			1	
Unidentified shrub seedling 1			1	
Unidentified shrub seedling 2			1	

*Flora Assessment – Tyrolean to East Jindabyne Link & Mill Creek Additional Trails***APPENDIX 3:**

Vertebrate species recorded as an adjunct to the flora survey north and south of Tyrolean Village, Friday 13 April 2018

SPECIES	COMMON NAME	DETECTION
Amphibian		
<i>Crinia signifera</i>	Common Eastern Toadlet	Heard
Reptile		
<i>Lampropholis delicata</i>	Garden Skink	Observed
Mammal		
<i>Vombatus ursinus</i>	Common Wombat	Scats/burrows
<i>Trichosurus vulpecular</i>	Brush-tailed Possum	Scats
<i>Macropus giganteus</i>	Eastern Grey Kangaroo	Scats/observed
<i>Macropus rufogriseus</i>	Red-necked Wallaby	Observed
* <i>Vulpes vulpes</i>	Red Fox	Scats
* <i>Dama dama</i>	Fallow Deer	Scats
* <i>Oryctolagus cuniculus</i>	European Rabbit	Scats/observed/burrows
* <i>Lepus capensis</i>	Brown Hare	Scats
Bird		
<i>Chenonetta jubata</i>	Wood Duck	Heard
<i>Platycercus elegans</i>	Crimson Rosella	Heard/observed
<i>Cacatua galerita</i>	Sulphur Crested Cockatoo	Heard
<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo	Heard/observed
<i>Acanthiza nana</i>	Yellow Thornbill	Observed
<i>Acanthiza pusilla</i>	Brown Thornbill	Observed
<i>Petroica phoenicea</i>	Flame Robin	Observed
<i>Colluricincla harmonica</i>	Grey Shrike-thrush	Heard
<i>Cormobates leucophaea</i>	White-throated Treecreeper	Heard
<i>Lichenostomus chrysops</i>	Yellow-faced Honeyeater	Heard/observed
<i>Lichenostomus leucotis</i>	White-eared Honeyeater	Heard
<i>Anthochaera carunculata</i>	Red Wattle Bird	Heard/observed
<i>Dacelo novaeguineae</i>	Laughing Kookaburra	Heard
<i>Strepera graculina</i>	Pied Currawong	Heard/observed
<i>Gymnorhina tibicen</i>	Australian Magpie	Heard/observed
<i>Corvus mellori</i>	Little Raven	Heard
Unknown bird		Heard
Unknown bird		Heard

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APPENDIX 4:

An appraisal of threatened and other significant species known or predicted to occur in the vicinity of the proposed trails between Tyrolean Village to East Jindabyne, and additional trails to the Mill Creek Trail complex.

Species (Flora)	Status	Likelihood of Occurrence
Mauve Burr-daisy (<i>Calotis glandulosa</i>)	Vulnerable	Moderate-High – found in natural temperate grassland dominated by <i>Themeda australis</i> and <i>Eucalyptus pauciflora</i> woodland across the Monaro. A perennial herb, this species appears to be a coloniser of bare patches such as along roadsides. Records are known from the higher slopes above the Snowy River Valley and along Varney's Range. Records also exist to the west in the Wollondibby Valley. The records centred on Jindabyne Township are probably centralised data and not specific to that site, inclusive of denatured grid references.
Leafy Anchor Plant (<i>Discaria nitida</i>)	Vulnerable	Low – in NSW the Leafy Anchor Plant grows mostly within or adjacent to Kosciuszko National Park, south from the Blue Waterholes – Yarrangobilly Caves area to south-west of Jindabyne at altitudes above 900 metres. Generally occurs on or close to stream banks and on rocky islands in heathy vegetation that may be dominated by tea-tree. Records occur in the area although the species is unlikely to occur along the proposed route.
Rough Eyebright (<i>Euphrasia scabra</i>)	Endangered	Low – this semi-parasitic annual herb occurs in or at margins of swampy grassland or in sphagnum bogs, often in wet, peaty soil. Only three extant populations exist in NSW. The population originally recorded near Jindabyne is presumed to be extinct. The typical habitat known for this species was not recorded in the survey area.
Monaro Golden Daisy (<i>Rutidosis leiolepis</i>)	Vulnerable	Low – found in scattered populations on the Monaro and in low subalpine plains of KNP. This species tends to occur in naturally occurring grasslands. The grasslands present along the proposed trail tend to be secondary grasslands from a history of grazing. No records of this species exist in the immediate area.
Silky Swainson Pea (<i>Swainsona sericea</i>)	Vulnerable	Low – associated with Snowgum Woodland on the Monaro, it is possible that this species occurs in the general area as <i>Eucalyptus pauciflora</i> associations are dominant in and around the proposed trails. The species only tolerates light to moderate disturbance. No records exist in the immediate area.
Austral Toadflax (<i>Thesium australe</i>)	Vulnerable	Moderate – only known from small populations which tend to occur in damp sites and in association with <i>Themeda australis</i> upon which it is a root parasite. Between East Jindabyne and Tyrolean Village, there is an extensive grassland. Although a history of intense grazing before being reserved by Snowy Hydro (formerly SMHEA), <i>Themeda australis</i> is currently abundant in this area. The existence of <i>Thesium australe</i> is a possibility although no records exist around the Snowy River Valley.
Hoary Sunray (<i>Leucochrysum ablicans</i> var. <i>tricolor</i>)	EPBC Act - Endangered	Moderate - occurs in a wide variety of grassland, woodland and forest habitats, generally on relatively heavy soils. Can occur in modified habitats such as semi-urban areas and roadsides. Highly dependent on the presence of bare ground

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		for germination and in some areas, disturbance is required for successful establishment. This species is relatively prevalent along roadsides and other disturbed environments in the western parts of the Monaro. Interestingly it does not have any threatened status in NSW but determined as Endangered under the EPBC Act. No records were extracted from the BioNet database but the author has seen plants growing within the 10 km domain used to filter records. No plants were recorded along the proposed trail during the survey.
Tablelands Snow Gum, Black Sallee, Candlebark and Ribbon Gum Grassy Woodland in the South Eastern Highlands, Sydney Basin, South East Corner and NSW South Western Slopes Bioregions	Endangered Ecological Community	Moderate - This community, commonly referred to as Tablelands Snow Gum Grassy Woodland, occurs as an open-forest, woodland or open woodland. This community may also occur as a secondary grassland where the trees have been removed, but where the ground layer remains. The main tree species are <i>Eucalyptus pauciflora</i> (Snow Gum), <i>E. rubida</i> (Candlebark), <i>E. stellulata</i> (Back Sallee) and <i>E. viminalis</i> (Ribbon Gum), either alone or in various combinations. This community of 14100 ha in NSW is estimated to have had a 72% decline in area since European settlement. Seventy percent of patches are smaller than 20 ha. Less than 4000 ha is currently represented in conservation reserves in NSW. There were elements of this community in the area that transitioned between Tableland Clay Grassy Woodland, Southern Tablelands Grassy Woodlands and Subalpine Woodland (lower elevation). In some areas the native species integrity was high, but for most of the proposed trail there was a high presence and abundance of exotic plants.
Natural Temperate Grassland of the South Eastern Highlands	EPBC Act - Critically Endangered	Low - Natural Temperate Grassland is a native ecological community that is dominated by native species of perennial tussock grasses. The dominant grasses are <i>Themeda triandra</i> , <i>Austrodanthonia</i> species, <i>Austrostipa</i> species, <i>Bothriochloa macra</i> and <i>Poa</i> species. The upper canopy stratum generally varies in height from mid-high (0.25-0.5 m) to tall (0.5-1.0 m). There is also a diversity of native herbaceous plants (forbs), which may comprise up to 70% of species present. The community is naturally treeless or has less than 10% projective foliage cover of trees or shrubs in its tallest stratum. The ecological community that makes up NTG-ST is defined by the vegetation structure thought to have been present at the time of European settlement. Although a large portion of the northern part of Tyrolean-East Jindabyne proposed link is grassland, there's enough evidence by surrounding vegetation types and old images to suggest that this was a woodland and those communities on the slopes of the Snowy River Valley in this area are secondary grasslands as a result vegetation clearing and grazing.
Species (Fauna)	Status	Likelihood of Occurrence
White-bellied Sea Eagle (<i>Haliaeetus leucogaster</i>)	Vulnerable	Moderate - in New South Wales this species is widespread along the east coast, and along all major inland rivers and waterways. Breeding habitat consists of mature tall open forest, open forest, tall woodland, and swamp sclerophyll forest close to foraging habitat. Nest trees are typically large emergent eucalypts and often have

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		emergent dead branches or large dead trees nearby which are used as 'guard roosts'. Nests are large structures built from sticks and lined with leaves or grass. Occasionally White-bellied Sea Eagles have been recorded in warmer months around Lake Jindabyne and along the Snowy River corridor
Red-necked Stint (<i>Calidris ruficollis</i>)	EPBC Act - Migratory Agreement	Low – this small migratory wader is an infrequent visitor to the Snowy River Valley; most likely during times of suitable conditions or in transit when travelling between the coast and inland waterways. This species is protected under the Commonwealth's migratory bird agreements with Japan, China and Korean Republic.
Gang-gang Cockatoo (<i>Callocephalon fimbriatum</i>)	Vulnerable	High (recorded during survey) – this species generally undertakes seasonal migration, moving to lower elevations before the onset of winter, although some birds may remain at higher elevations and feast on seeds retained in all vegetation strata. Tree hollows are required for nesting when birds breed between October and January. The species breeds in forests and woodlands. Records of this species are well represented across the area and five birds including two males were observed within 100 metres from the Mill Creek Trail head adjacent to Rainbow Drive. Suitable nesting sites were observed in mature <i>Eucalyptus rubida</i> and <i>Eucalyptus pauciflora</i> trees.
Brown Tree-creeper (eastern form) (<i>Climacteris picumnus victoriae</i>)	Vulnerable	Moderate – this species is endemic to eastern Australia and occurs in eucalypt forests and woodland of inland plains and slopes of the Great Dividing Range. Fallen timber is an important habitat component for foraging birds. Hollows in standing dead or live tree stumps are essential for nesting. Scattered records exist across the Monaro although the author recorded a bird to the south of Waste Point in the 1990s in similar woodland vegetation present along the proposed trail.
Little Eagle (<i>Hieraaetus morphnoides</i>)	Vulnerable	Moderate – the Little Eagle is found throughout the Australian mainland except for the most densely forested parts of the Great Dividing Range. It occupies open eucalypt forest, woodland and open woodland, and nests in tall living trees within remnant patches, where pairs build large stick nests in winter. There's scattered records of this species across the Monaro including more contemporary records in the Snowy River Valley.
Little Lorikeet (<i>Glossopsitta pusilla</i>)	Vulnerable	Low – the Little Lorikeet is distributed widely across coastal and Great Divide regions of eastern Australia. NSW provides a large portion of the species' core habitat. Nomadic movements are common, influenced by season and food availability, although some areas retain residents for much of the year with local movements of breeding pairs. Foraging habitat includes sclerophyll forests and woodland with nesting reliant upon tree hollows.
Turquoise Parrot (<i>Neophema pulchella</i>)	Vulnerable	Low – this species lives on the edges of eucalypt woodland adjoining clearings, timbered ridges and creeks in farmland. It prefers to feed in the shade of a tree and spends most of the day on the ground searching for grass and forb seeds or browsing on vegetable matter. The species usually forages quietly and may be quite tolerant of disturbance. Only one local record exists in the area, identified by the author from a photograph taken in the yard of an East Jindabyne residence;

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		the Turquoise Parrot was identified within a flock of Eastern Rosellas.
White-fronted Chat (<i>Epthianura albifrons</i>)	Vulnerable	Moderate - found mostly in temperate to arid climates and very rarely sub-tropical areas, it occupies foothills and lowlands up to 1000 m above sea level. In NSW, it occurs mostly in the southern half of the state, in damp open habitats along the coast, and near waterways in the western part of the state. Along the coastline, it is found predominantly in saltmarsh vegetation but also in open grasslands and sometimes in low shrubs bordering wetland. A gregarious species usually found foraging on bare or grassy ground in wetland areas, singly or in pairs. They are insectivorous, feeding mainly on flies and beetles caught from or close to the ground. Have been observed breeding from late July through to early March, with 'open-cup' nests built in low vegetation. The most recent record was captured by the author near Waste Point on the western side of Lake Jindabyne in similar habitats found to that along sections of the proposed trails.
Varied Sitella (<i>Daphoenositta chrysoptera</i>)	Vulnerable	Moderate – Varied Sitellas are found in eucalypt woodlands and forests throughout their range. They prefer rough-barked trees like stringybarks and ironbarks or mature trees with hollows or dead branches. Varied Sitellas glean arthropods from different parts of trees and builds a cup-shaped nest out of plant fibres and cobwebs positioned in the fork of a tree, often returning to the same nest in successive years. A few animals have been recorded in the Snowy River Valley on both sides of Lake Jindabyne including those by the author in the lower Thredbo River and Waste Point.
Olive Whistler (<i>Pachycephala olivacea</i>)	Vulnerable	Moderate – this bird tends to favour moist environments with a shubby understorey in the Snowy Mountains and coastal ranges where it may undergo partial altitudinal migration to lower elevations during winter months. It is possible that this species may overwinter in the open sclerophyll forests and woodlands that surround parts of the proposed trails, which may also explain some of the records in the BioNet database on the eastern side of Lake Jindabyne. But most records and key habitat is found in the valleys and ranges within Kosciuszko National Park.
Scarlet Robin (<i>Petroica boodang</i>)	Vulnerable	High – the Scarlet Robin lives in dry eucalypt forests and woodlands with an understorey that is usually open and grassy with few scattered shrubs. The species lives in both mature and regrowth vegetation; occasionally occurring in mallee or wet forest communities, or in wetlands and tea-tree swamps. Favoured habitat usually contains abundant logs and fallen timber. Scarlet Robin breeds on ridges, hills and foothills of the western slopes, the Great Dividing Range and eastern coastal regions, and is occasionally found above 1000 metres in altitude. Records of this species occur in the area.
Flame Robin (<i>Petroica Phoenicia</i>)	Vulnerable	High (recorded during survey) – this species prefers clearings or areas with open understoreys. The ground layer of the breeding habitat is dominated by native grasses and the shrub layer may either be sparse or dense. In winter, birds migrate to drier more open habitats in the

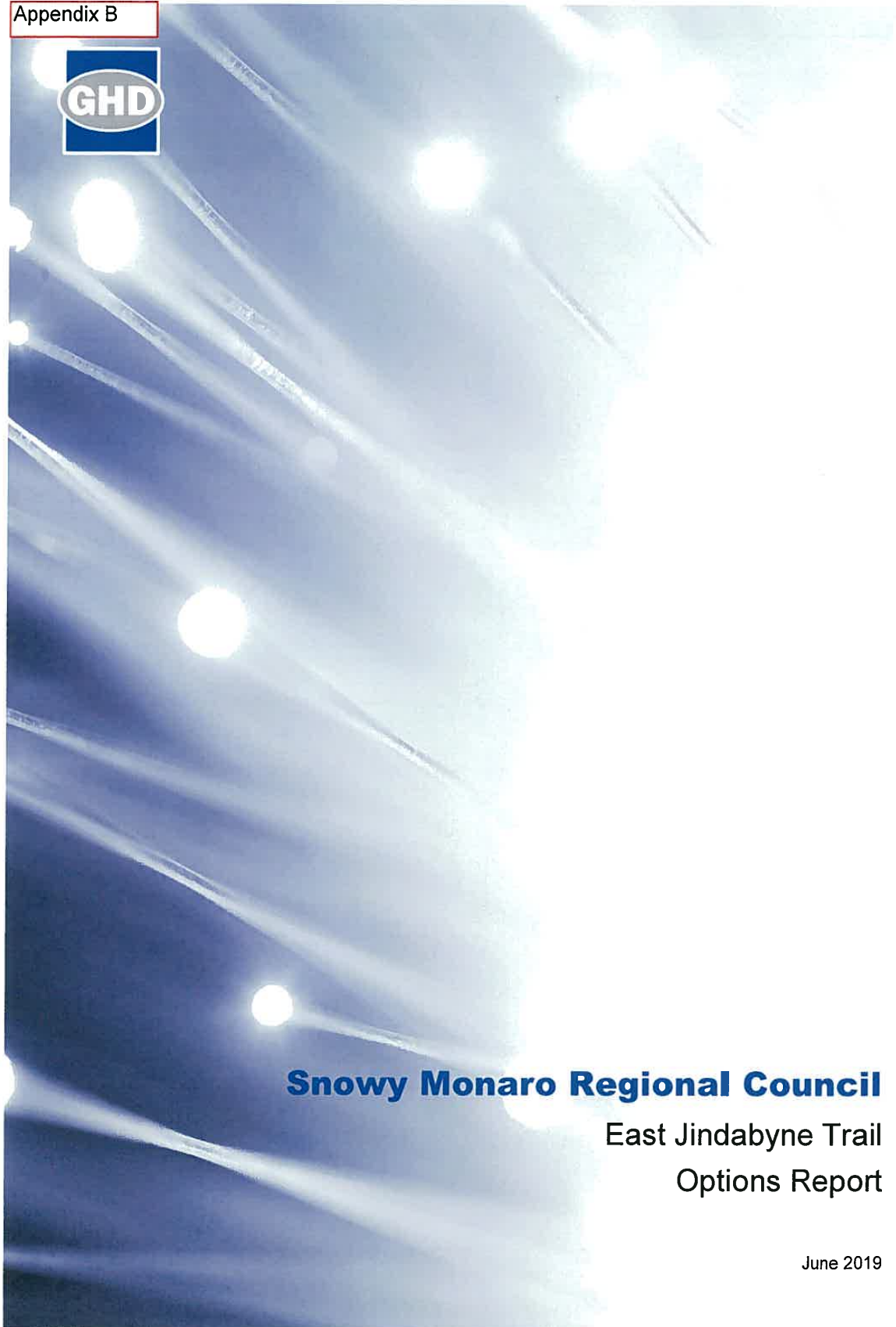
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		lowlands (i.e. valleys below the ranges, and to the western slopes and plains), and lives in dry forests, open woodlands and in pastures and native grasslands, with or without scattered trees. Birds glean or forage for insects in the lower canopy, in shrubs or close to the ground. Occasionally takes insects on the wing. Nests in lower canopy in a cup-shaped nest made of plant material and cobwebs.
Diamond Firetail (<i>Stagonopleura guttata</i>)	Vulnerable	Moderate – the Diamond Firetail is scattered across eastern Australia where it prefers grassy eucalypt woodlands including box-gum woodlands and <i>Eucalyptus pauciflora</i> woodlands. The species also occurs in open forest, mallee, natural temperate grassland, and in secondary grassland. It is also often found in riparian areas and sometimes in lightly wooded farmland. Diamond Firetail feeds exclusively on the ground on ripe and partly-ripe grass seeds, herb seeds and green leaves, and on insects (especially in the breeding season). Records are scattered across the Monaro.
Dusky Woodswallow (<i>Artamus cyanopterus cyanopterus</i>)	Vulnerable	Moderate - primarily inhabits dry, open eucalypt forests and woodlands, including mallee associations, with an open or sparse understorey of eucalypt saplings, acacias and other shrubs, and ground-cover of grasses or sedges and fallen woody debris. It has also been recorded in shrublands, heathlands and very occasionally in moist forest or rainforest. Also found in farmland, usually at the edges of forest or woodland. Primarily eats invertebrates, mainly insects, which are captured whilst hovering or sallying above the canopy or over water. Also, frequently hovers, sallies and pounces under the canopy, primarily over leaf litter and dead timber. Also, occasionally takes nectar, fruit and seed. Nests are cupped shaped in shrubs or lower tree canopy. NSW populations tend to fly north for winter. Birds are known to breed in the Creel Bay area on the western side of Lake Jindabyne. The author confirmed they returned for the 2017/18 breeding season and all had departed by April 2018
Eastern Pygmy-possum (<i>Cercatetus nanus</i>)	Vulnerable	Moderate-High – found in a broad range of habitats from rainforest through to sclerophyll forest, woodland and heath; the latter two communities being preferred. Shelters in tree hollows, rotten stumps, holes in the ground, abandoned bird-nests, dreys or thickets of vegetation. Tree hollows are favoured but spherical nests have been found under the bark of eucalypts and in shredded bark in tree forks. These animals have been recorded around the Snowy Mountains, rarely in systematic field surveys, but rather incidental records including removed from roof eaves, drowned in water troughs, retrieved by pet cats and box/snap traps. A past record from East Jindabyne and key habitat types is the reason for a relatively high expectation for occurrence.
Spotted-tailed Quoll (<i>Dasyurus maculatus</i>)	Vulnerable	Low – Spotted-tailed Quoll occur in a range of environments across south-east Australia including rainforest, open forest, woodland, coastal heath and inland riparian forest. Primarily a ground animal they have been known to climb trees in search of prey that includes birds, small mammals, reptiles, insects and carcasses.

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		Generally nocturnal, this predator uses hollow logs, small caves, boulder fields and rocky cliff-faces as den sites. Flat rocks among boulder fields and cliff-faces may be used as 'latrine sites'. Although no records of Spotted-tailed Quoll exist in the immediate areas, primary habitat elements for this species can be found, particularly rocky outcrops. There is also relatively contiguous habitat between some areas of the proposed trail and the lower Snowy River Valley, notwithstanding habitat truncation caused by the Kosciuszko Road.
Koala (<i>Phascolarctos cinereus</i>)	Vulnerable	Low-Moderate – favouring woodland and forests, Koala spend most of their time in trees although they will traverse open ground to move between stands to breed and feed. There are disjunct populations of Koala throughout NSW with several known sites on the Southern Tablelands including the Snowy River below Jindabyne Dam Wall. Inactive during the day and moving mostly at night, the Koala will feed on a range of Eucalyptus species. Few primary food trees were identified in the survey area, the most favoured being <i>Eucalyptus viminalis</i> with the more prevalent <i>E. rubida</i> known as a secondary food tree. It is possible that animals from the scattered populations to the east could venture to the area traversed by the proposed trail, however, Koalas would have to negotiate the Kosciuszko Road and avoid other road threats including domestic dogs.
Eastern False Pipistrelle (<i>Falsistrellus tasmaniensis</i>) Eastern Bent-wing Bat (<i>Miniopterus schreibersii oceanensis</i>) Large-footed Myotis (<i>Myotis macropus</i>)	Vulnerable	Moderate – microbats are one of the most under studied vertebrate fauna groups due to their cryptic nature and the requirements for specialised detection and trapping equipment. While some of the information for each of these species has been obtained in different parts of Australia, the paucity of presence data in the Snowy Mountains can not yet be interpreted to there being no or few animals. Therefore, it is prudent that these species are noted given their connection to woodland and open forest communities that are present along sections of the proposed trail. If no large or mature trees are targeted in developing the trail, then any impact upon these species would be considered minimal.
Green and Golden Bell Frog (<i>Litoria aurea</i>) Booroolong Frog (<i>Litoria booroolongensis</i>) Alpine Tree Frog (<i>Litoria verreauxii alpina</i>)	Endangered	Low – the likelihood of any of these three frog species being present in the survey area is extremely low. Record dates suggest these are older records and that any populations of these species in the area can be considered locally extinct. Few populations of the Alpine Tree Frog are known to exist, restricted to the alpine and sub-alpine areas of KNP. Furthermore, the few gullies and soakage areas where the proposed trail traverses or crosses are highly modified and degraded.

Appendix B



Snowy Monaro Regional Council

East Jindabyne Trail Options Report

June 2019

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Appendices

Appendix A – Council briefing notes

1. Introduction

Snowy Monaro Regional Council has engaged GHD to undertake a high level options study to determine the best method to cross a number of gullies along a proposed East Jindabyne Trail to accommodate mountain bike and pedestrian traffic.

1.1 Purpose of this report

The purpose of this report is to provide options for the crossing of select watercourses along the East Jindabyne foreshore as part of the East Jindabyne Trail.

1.2 Scope and limitations

GHD has been engaged to provide options and recommendations around what type of structures to use for crossing the watercourses, and the advantages/disadvantages of each.

GHD has not been engaged to provide comment on siting issues for the proposed trail, nor to provide detailed design for the structures.

The following disclaimers apply to this report.

This report: has been prepared by GHD for Snowy Monaro Regional Council and may only be used and relied on by Snowy Monaro Regional Council for the purpose agreed between GHD and the Snowy Monaro Regional Council as set out in section 1.1 of this report.

GHD otherwise disclaims responsibility to any person other than Snowy Monaro Regional Council arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.

The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.

The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.

The opinions, conclusions and any recommendations in this report are based on assumptions made by GHD described in this report (refer section 1.3. of this report). GHD disclaims liability arising from any of the assumptions being incorrect.

GHD has prepared this report on the basis of information provided by Snowy Monaro Regional Council and others who provided information to GHD (including Government authorities), which GHD has not independently verified or checked beyond the agreed scope of work. GHD does not accept liability in connection with such unverified information, including errors and omissions in the report which were

1.3 Assumptions

Due to this report being an options study, no in-depth calculations have been made on the cost or materials required to construct any options.

No geotechnical information has been provided, nor analysed. Therefore, the feasibility of the options is subject to confirmation as part of further design for specific works.

2. Problem Brief

Council is developing the East Jindabyne Trail along the foreshore of Lake Jindabyne, linking between Tyrolean Village and Jerrara Drive and beyond.

The siting of the trail responds to the terrain and other site constraints including design water levels in Lake Jindabyne and private property boundaries. Due to the naturally hilly terrain and incised gullies, suitable structures are required to provide continuous access across the natural watercourses.

It is preferred that the trail is located above the Full Supply Level in Lake Jindabyne to that the continuous trail is usable when the Lake is full. It is also desirable that the trail is located above the maximum flood level where possible.

Another significant driver for Council is to maximise the extent of the East Jindabyne Trail that can be completed with the limited available funding. It is also important that the gully crossings do not impose significant ongoing maintenance liabilities as limited funding is available for maintain the trail and its structures

3. Options Near Tyrolean Village

The location of the Trail east of Tyrolean Village requires crossings for two gullies. For convenience, this report refers to these as Gully 1 and Gully 2. Council's prior considerations have identified that a raised platform up to 10 m long is appropriate for crossing Gully 1 closest to Girvin Place and that there are three location options for crossing the second gully. . These locations are identified in Figure 1 below.

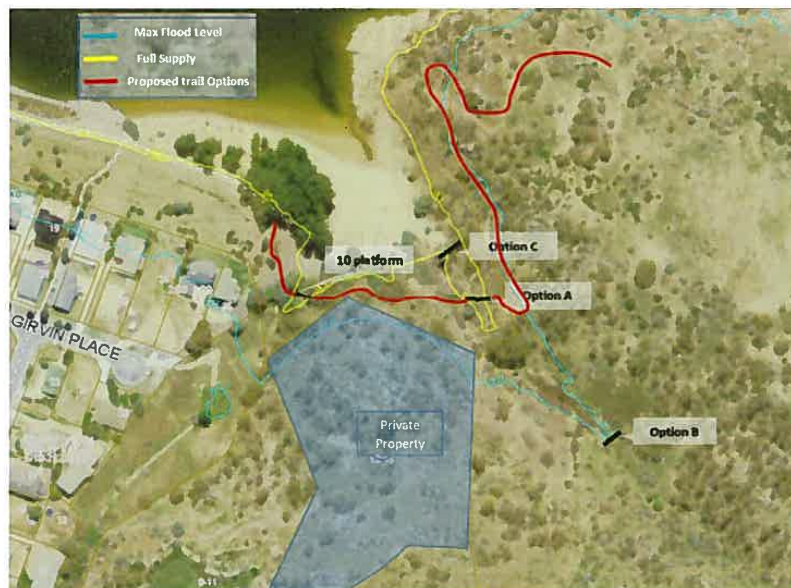


Figure 1 – Locality Plan

This image was prepared by SMRC and does not label the gullies.

A more detailed image is provided in Figure 2 below:

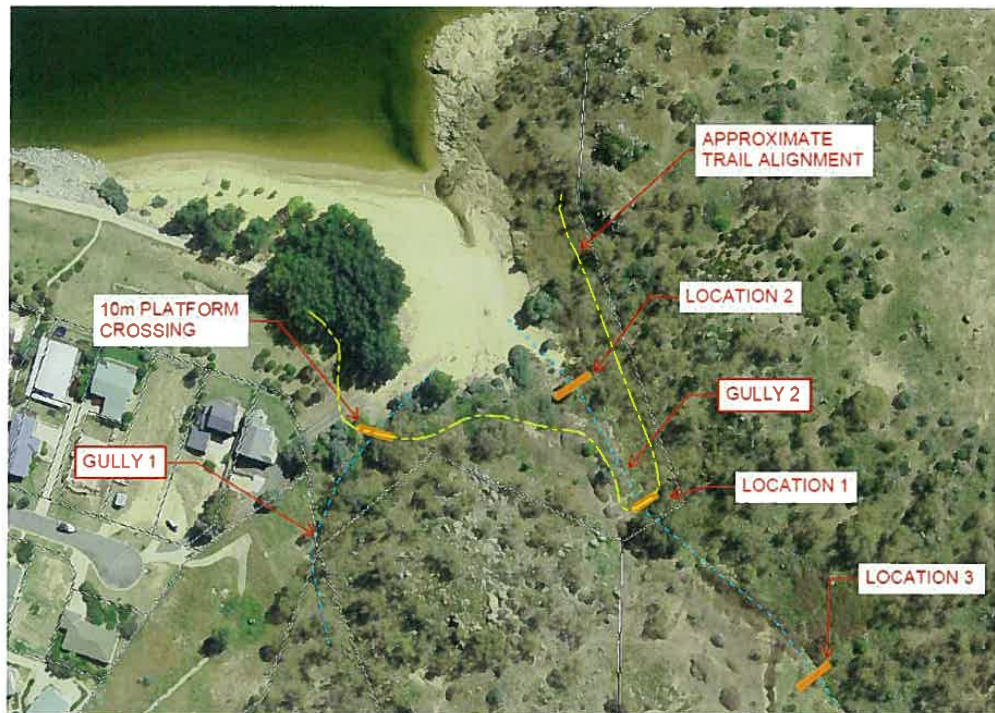


Figure 2 – Plan showing crossing locations and lot boundaries

The naming of the locations in this image are used in the following descriptions of options.

3.1 Gully 1

Gully 1, the westernmost gully, is located to the east of the existing properties on Girvin Place. The trail across this gully links the East Jindabyne Trail to the existing shared path along the northern side of the Tyrolean Village.

A straight platform across this gully is quite suitable, reusing the design details prepared for similar platforms on the Thredbo Valley Track. The length is up to 10 m. The deck level can be above the Full Supply level of 910.15 AHD. Some supports may be founded below the FSL

The deck level for this structure has not yet been determined. If the selected deck level results in a significant drop (approximately 0.5 metre or more) between the deck and the lowest part of the bed of the gully, Council should consider the provision of handrails along both sides of the platform to protect against accidental falls. To accommodate bicycle traffic, the handrail height will be 1.4 m above the deck.

If two way bicycle traffic is proposed the deck width should be at least 2 m. As the platform can be sited to give users reasonable vision of other users approaching from the opposite direction, it is not unreasonable for the platform to be approx. 1.5 m wide, as per the design details below.

Typical platform details from Thredbo Valley Track are provided in Figure 3. These details were prepared by John Skurr Consulting Engineers Pty Ltd. This type of structure would be suitable, with the addition of suitable handrails.

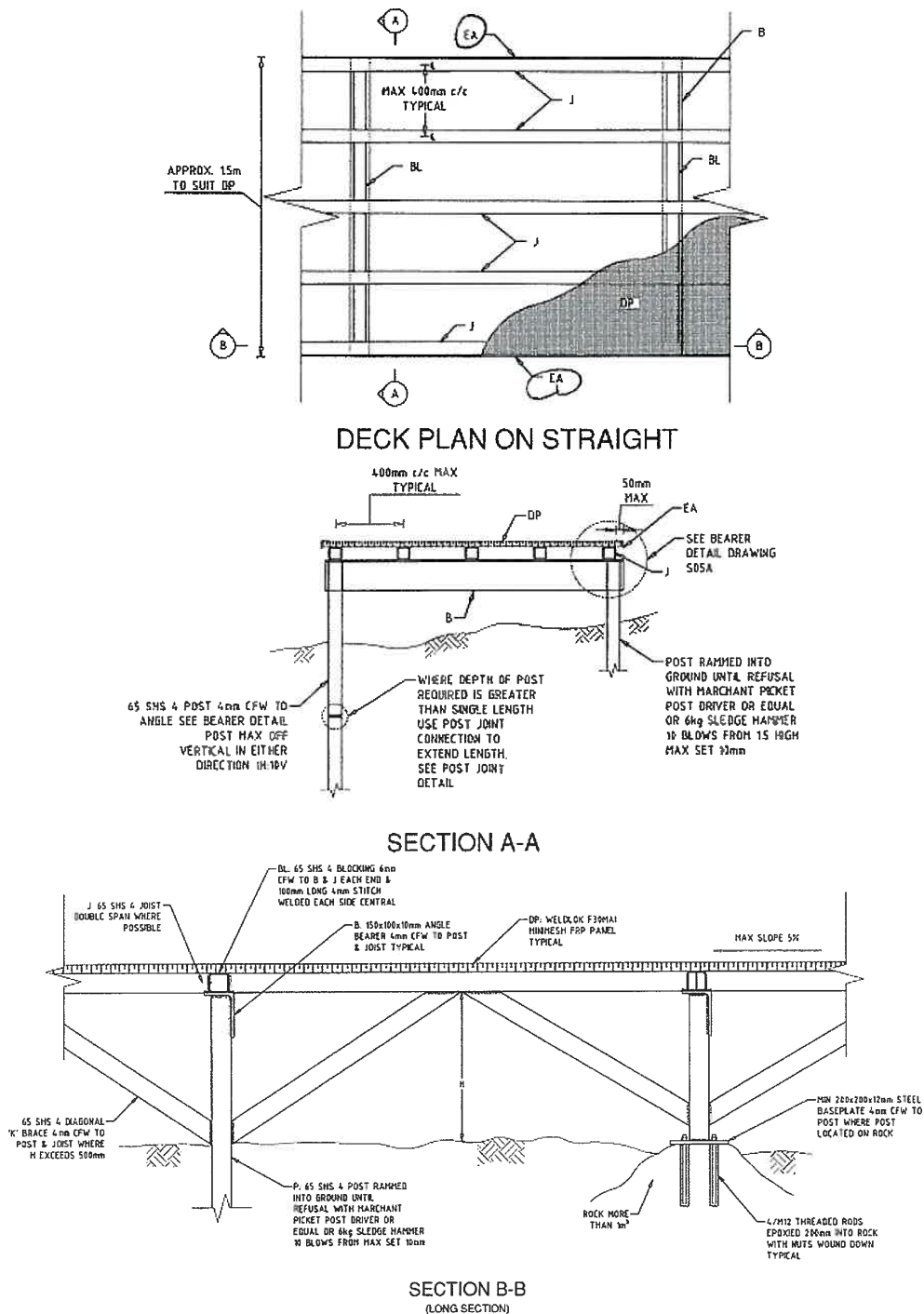


Figure 3 – Typical platform details

3.2 Gully 2

This gully is located to the east of Gully 1, flowing into Lake Jindabyne at the eastern end of Rainbow Beach. There are three identified potential locations to place a crossing along this gully, as shown in Figures 1 and 2 above and in Figure 4 below. Figure 4 is a mark-up of a site survey by Kleven Spain Surveys for this site, but only showing locations 1 and 2 (Council's Options A and C). Council's Option B is within private property and therefore not considered further.

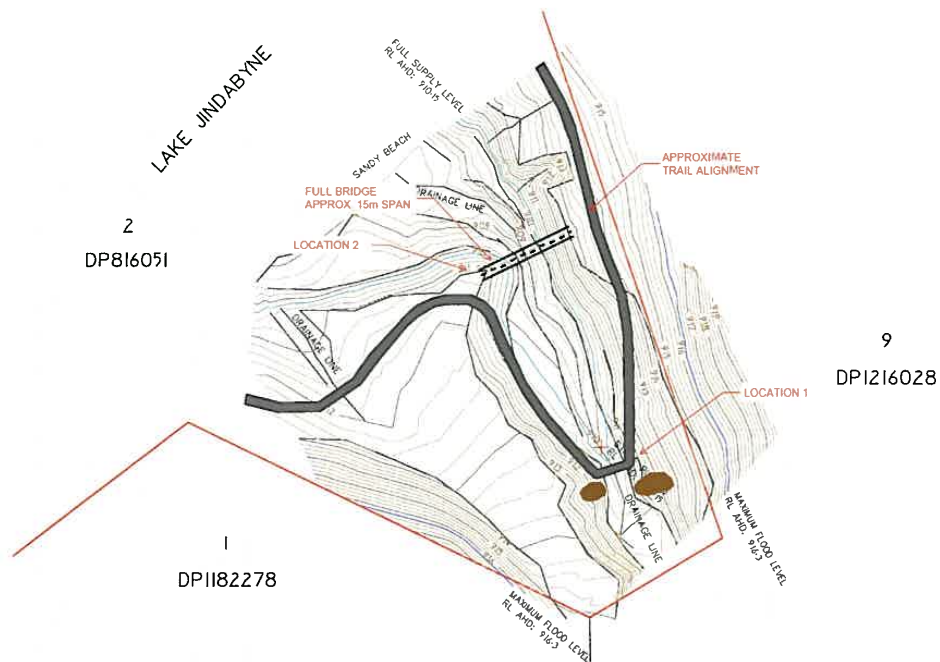


Figure 4 – Plan showing gullies and lot boundaries

3.2.1 Location 1

Location 1 is located just above full supply level of the Lake Jindabyne, and requires a minimal amount of work to provide a functional lower-level crossing for the trail. GHD has identified 4 potential options to cross the gully at this location.

The preferred options all involve a lower level crossing of the watercourse, with bends at each end of the crossing to allow the trail to ramp down the banks of the watercourse at relatively shallow grade to suit usage by both pedestrians and bicycles. A higher-level bridge is possible, but much more expensive.

The ends of the low-level options are located downstream of larger rocks in both banks, providing some protection against erosion at the ends of the structure. While the sketches below appear to show concrete paving at each end of the gully crossing structures, it is understood that the gravel path will extend to the end of the actual gully crossing structures.

Structures approximately 1.5 metres wide will suit use by both bicycles and walkers in both directions. Walkers and mountain bikers can pause to allow others to pass as required. This is similar to the width of bridge and platform structures on other similar trails forming the Thredbo Valley Track and Hatchery Bay Trail.

Option 1

Option 1 is to provide a low platform across the gully, keeping the deck above the full supply level. See Figure 5 below. The platform would have FRP decking on a galvanised steel frame with a clearance from the base of the channel of approximately 300 mm, to provide enough space for both drainage flows and smaller flood debris to pass beneath the platform.

This type of platform will provide a suitable non-slip free-draining surface. In view of the low height of the platform above the stream bed, it is unnecessary to provide handrails.

Larger stormwater flows will carry volumes of flood debris which will likely build up against the platform, requiring maintenance effort after storm events to clear the debris and restore the crossing for safe use.

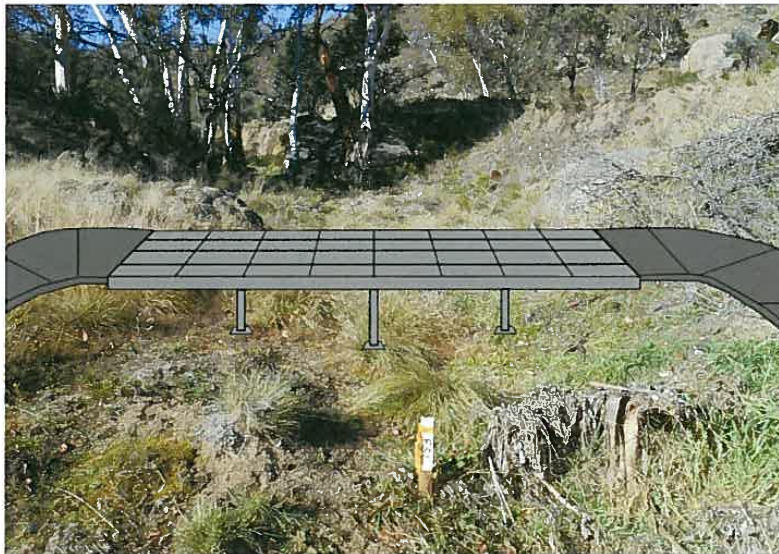


Figure 5 – Location 1 Option 1 Low Level Platform

Option 2

Option 2 is to provide a low-level concrete causeway over the gully. This would involve placing a concrete pavement level with the base of the gully, allowing drainage flows to pass over the top of the causeway.

With the causeway level matching the bed level of the stream, flood debris should pass over the concrete crossing. The hard surface will not become boggy under bicycle wheel traffic after rain. The use of the trail will however be inconvenient while water continues to flow after rain events.

The arrangement suggested in Figure 6 below shows the crossing above the Full Supply Level as indicated by the surveyor's stake and the ends of the causeway shielded by existing boulders, protecting the transition between the concrete and the trail from local erosion.

There is some potential for sandy material to accumulate in the low part of the causeway. With the bends proposed at each end of the causeway, this sandy material could contribute to bicycle tyres slipping if riders take the bends and crossing at excessive speed.

This option has lowest cost, as all that is required is a stretch of concrete pavement.



Figure 6 – Location 1 Option 2 Low Level Causeway

Option 3

Option 3 is similar to Option 2, raised above the bottom of the gully, with two 300 mm pipes laid beneath. This option allows low flows to run beneath the causeway through the pipes, allowing use of the trail to resume sooner after rain events and reducing the risk of sand accumulation on the surface. In order to limit localised erosion around the pipes, rip-rap should be placed both upstream and downstream of the pipes under the causeway to protect against soil erosion.

Larger storm flows will pass over the top of the causeway, carrying debris downstream. The 300 mm diameter pipes are likely to let much of the smaller debris pass through. Occasional maintenance may be required to retain the pipes in working order.

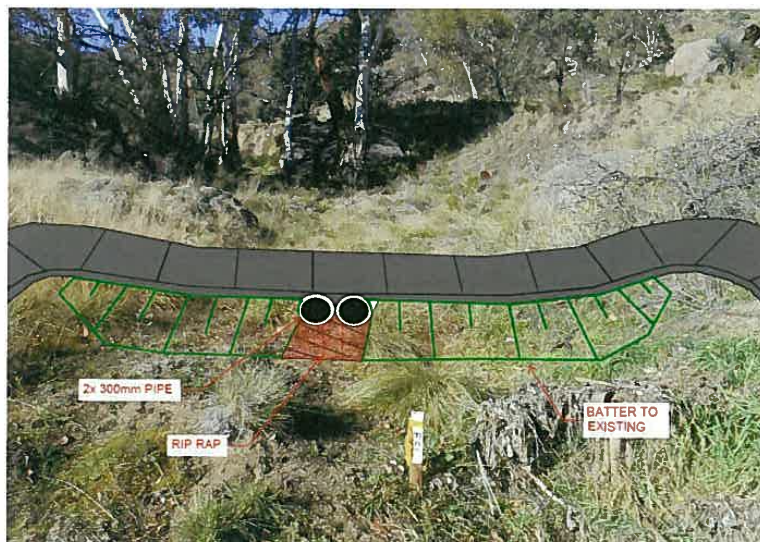


Figure 7 – Location 1 Option 3 Low Level Causeway with culvert

Option 4

Option 4 is to provide a high-level bridge over the gully. The track approaching on the western side could be over the relatively level terrain outside the gully. This would involve constructing a substantial structure close to the level of the top of the western bank of the gully.

The length of bridge required for this option would be approximately 18 m, which is longer than the potential bridge at Location 2 (discussed below) and has more severe difficulty in siting a landing and path connection within the excessively steep terrain on the eastern bank, which is steeper than 1 in 3.

If a high-level bridge is preferred, the options for Location 2 could be developed further.

A bridge structure would be relatively expensive.

3.2.2 Location 2

Location 2 potentially provides a bridge crossing over the watercourse above the Full Supply Level. The approach from the western side is relatively level, but the eastern end is relatively steep (approximately 1 in 4), making this crossing significantly less suitable.

The only practical option for Location 2 is to employ a bridge structure across the banks to reach the other side of the gully. This bridge would be approximately 15 m long to cross the gully, which will be at significantly greater cost than the alternate methods at Location 1. At this length, intermediate piers may be required within the area below the Full Supply Level, with potential for damage due to wave action at high lake levels and from accumulation of flood debris passing downstream.

There will also be difficulty in achieving suitable approaches on either side of the bridge to the trail, which will make for a less than ideal track alignment.

A bridge in this location could be broadly similar to the bridge over Wollondibby Creek on the Hatchery Bay Trail, shown in Figure 8 below. The eastern approach would be at a sharp angle.



Figure 8 – Wollondibby Creek Bridge on Hatchery Bay Track

3.2.3 Location 3

Location 3 (Option B in Council brief) is located significantly further upstream, well above the maximum flood level of Lake Jindabyne. This option would provide the shortest gully crossing, and has no risk of being affected by lake levels. The crossing site and connecting trails lie within private property. This option cannot be achieved without the support of the owner of the private property.

Access for construction of a satisfactory gully crossing would also be difficult.

This option is not assessed further.

3.3 Recommended treatment

The gully crossing outlined as Option 3 at Location 1 (low level concrete causeway with pipes underneath) will provide a serviceable crossing at low cost, with low ongoing maintenance requirements. The trail will be impassable during high stormwater flows in the gully, but will return to a serviceable state quickly after rainfall events.

4. Options near Jerrara Drive

This area is located between Old Kosciuszko Road and Jerrara Drive, north of the recently completed residential subdivision.

There are two gullies that require options to cross at this location, approximately 40 m apart. These gullies are located west of Jerrara Drive and north of a recent subdivision on the northern side of Old Kosciuszko Road.

These gullies convey stormwater flows from catchments extending to Kosciuszko Road and beyond. For the purpose of this report, these are referred to as Gully 3 and Gully 4. See Figure 9 below.

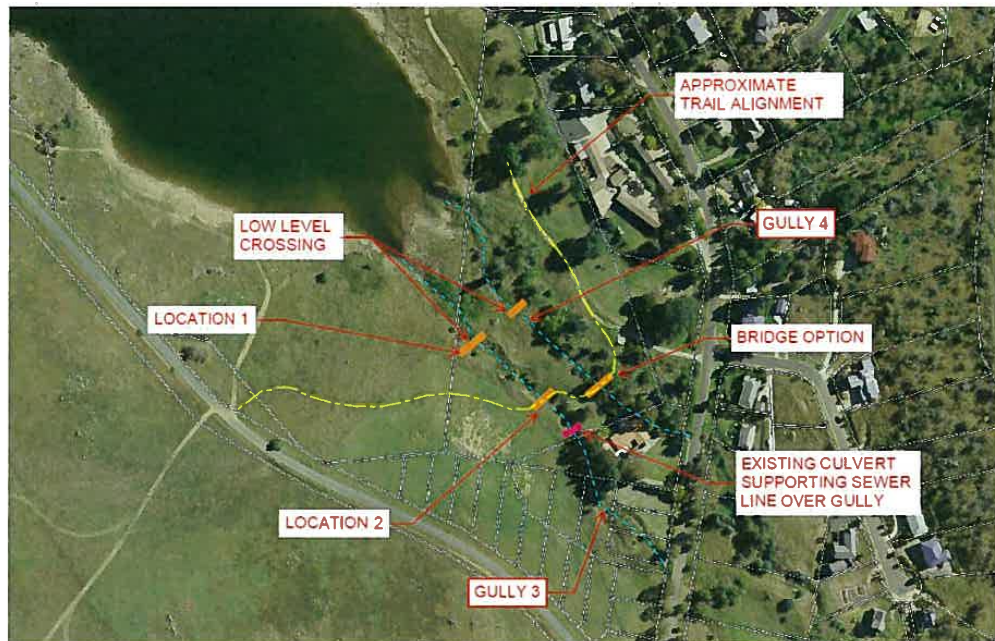


Figure 9 – Crossing locations and lot boundaries

Both of these gullies pass through piped drainage systems upstream of the site, limiting the size of flood debris in the stormwater flows.

Structures approximately 1.5 metres wide will suit use by both bicycles and walkers in both directions. Walkers and mountain bikers can pause to allow others to pass as required. This is similar to the width of bridge and platform structures on other similar trails forming the Thredbo Valley Track and Hatchery Bay Trail.

4.1 Gully 3

This gully passes through the recent subdivision and the adjoining triangular lot 3 DP 599851.

The recent subdivision works included the construction of an embankment across Gully 3 to support the sewerage pipeline servicing this subdivision and potentially servicing future subdivisions south of Old Kosciuszko Road. A 900 mm diameter pipe conveys stormwater flows under the embankment. Figure 11 below shows detail.

Refer to Figure 10 for the locations addressed below.

4.1.1 Location 1

Location 1 is significantly downstream of the existing embankment across the gully for the sewer line, where the sides of the gully are at an easy grade for bicycle and pedestrian access and for construction. This area however, is located below the full supply level of Lake Jindabyne. This crossing location is relatively sheltered by reeds and other vegetation and less exposed to wave damage than other sites below Full Supply Level.

It is appropriate to provide some structure across the watercourse to limit surface erosion and bicycle wheels churning damp soil to mud.

Alternative structures for this location are as follows. These are broadly similar to the options for location 1 on Gully 2 described above. Figures 5, 6 and 7 provide an indication of these options.

The benefits of this location is that this is easy to construct, allowing construction crews to easily access the area. The other benefit is the low cost of this option, due to the minimal amount of work required. This area is located beneath the Full Supply Level of the lake, and the path will be obstructed when the lake is full. This also has a risk associated with maintenance issues of the path, and it is more likely to deteriorate if submerged for extended periods.

Option 1

Option 1 is to provide a low platform across the gully, keeping the deck above the full supply level. The platform would have FRP decking on galvanised steel frame with a clearance from the base of the channel of approximately 300 mm, to provide enough space for both drainage flows and smaller flood debris to pass beneath the platform.

This type of platform will provide a suitable non-slip free-draining surface. In view of the low height of the platform above the stream bed, it is un-necessary to provide handrails.

Larger stormwater flows will carry some flood debris which will likely build up against the platform, requiring maintenance effort after storm events to clear the debris and restore the crossing for safe use.

This crossing treatment is similar to the concept shown in Figure 5 above.

Option 2

Option 2 is to provide a low-level concrete causeway over the gully. This would involve placing a concrete pavement level with the base of the gully, allowing drainage flows to pass over the top of the causeway.

With the causeway level matching the bed level of the stream, flood debris should pass over the concrete crossing. The hard surface will not become boggy under bicycle wheel traffic after rain. The use of the trail will however be inconvenient while water continues to flow after rain events.

This crossing treatment is similar to the concept shown in Figure 6 above.

Option 3

Option 3 is similar to Option 2, but with pipes passing underneath. This allows smaller flows to pass underneath and high flows to pass over the top. Energy dispersive rip-rap should be employed both upstream and downstream of the pipes to reduce the velocity of the flows around this area and slow erosion. Due to reeds filtering flood debris from upstream, the risk of the pipes beneath the causeway getting blocked is relatively low.

This crossing treatment is similar to the concept shown in Figure 7 above.

4.1.2 Location 2

This location is upstream of the proposed low-level crossings, approximately 35 metres downstream of the existing embankment across the gully for the sewer line. At this location, the bank slopes of the gully are too steep to comfortably ride or walk, which removes the option for a low-level crossing/causeway.

The proposal here is to construct an embankment and culvert arrangement similar to the existing one provided as part of the recent subdivision works. Refer to Figure 11 above.

This location is above the Full Supply Level.

The trail can be aligned to pass over this arrangement to traverse the gully. This option will have a minimal impact on stormwater flow velocity, and therefore will have minimal impact downstream of the gully. Due to the developed catchment area upstream and large pipe size, there will also be a minimal amount of flood debris to cause blockages and obstruct the drainage flow.

This option, however, will cost more than the low level crossing, and will require a greater effort to construct. Indicative cost is in the order of \$5,000 to \$8,000.

4.1.3 Existing embankment

It would be relatively simple to use the existing embankment for the sewer line as part of the East Jindabyne Trail.

This alignment is relatively close to the adjoining property Number 60 Jerrara Drive (lot 3 DP 599851) with some impact on the privacy of that property. The fenced area associated with this property extends past the property boundary onto the Snowy Hydro Limited land.

It also requires the trail to deviate significantly from the desire line following the lake foreshore, possibly leading to trail users shortcutting across the gully lower down, without proper trail siting and construction, leading to ongoing potential safety and soil erosion concerns.

4.2 Gully 4

Gully 4, approximately 40 m north of Gully 1, is relatively shallow and wide in its lower reaches, but deeply incised and heavily overgrown in the upstream part.

Gully 4 has a significantly larger catchment area than Gully 3, extending well above Kosciuszko Road.

4.2.1 Location 3

Location 3 is similar to location 1, with a similar range of considerations and structural options.

This location is significantly below the Full Supply Level and requires a longer structure to accommodate the wider watercourse.

The structural options are not addressed in detail here, as they are similar to Location 1 and for Gully 2, Location 1 addressed in Section 3.2 above.

4.2.2 Location 4

Location 4 is close to the existing Council sewage pump station and connects well to existing foreshore access tracks to the north.

Location 4 takes advantage of existing earthworks embankments that extend part way across the gully, leaving a gap of approximately 5 to 6 metres. This embankment appears to have

previously formed a farm dam across this gully, likely well before the land was acquired by the Snowy Mountains Hydro Electric Authority for Jindabyne Dam.

The top of the embankment is above the Full Supply Level. At FSL, the water level extends a short distance upstream of location 4.

The provision of a lightweight bridge structure would allow bicycles and pedestrians to cross this gully as part of a continuous trail above the Full Supply Level.

A lightweight simple bridge supported on pad footings on top of the existing embankments could accommodate minor settlement. The pad footings should be set back at least one metre from the existing ends of the embankment either side of the gap.

The bridge structure could be similar to the minor bridges on the Thredbo Valley Track, adapted to sit on the pad footings rather than on piers. The bridge structure would be approximately 8 metres long, and could be lifted into position as a single piece.

This bridge would be significantly shorter than the bridge over Wollondibby Creek shown in Figure 8 above.



Figure 12 – Suggested bridge structure at Location 4

4.3 Recommended treatment

The gully crossing outlined for at Location 2 (embankment with culvert under) and Location 4 (lightweight bridge) are recommended to provide suitable access for pedestrians and bicycles at all normal lake levels. While the low-level crossings at Locations 1 and 3 could be achieved at lower cost, these locations are below the Full Supply Level and therefore the trail would be impassable at higher lake levels.

Some saving in costs would accrue from using the existing embankment across Gully 3 as part of the East Jindabyne Trail, but may not be supported by nearby residents.

5. Conclusion & Recommendation

The objective of this report is to outline options for Council for efficiently crossing four significant gullies that must be crossed by the East Jindabyne Trail.

The report outlines the alternative approaches that could be applied to each crossing, addressing the clear preference that the trail is located outside the area inundated when Lake Jindabyne is at the Full Supply Level of 910.15 m to Australian Height Datum.

Another significant driver for Council is to maximise the extent of the East Jindabyne Trail that can be completed with the limited available funding.

It is also important that the gully crossings do not impose significant ongoing maintenance liabilities as limited funding is available for maintain the trail and its structures.

The recommended crossing structures are as follows:

Options Near Tyrolean Village

Gully 1: New galvanised steel platform with FRP decking above FSL. Suitable handrails should be provided on both sides.

Gully 2: Low level concrete causeway with pipes underneath (Option 3) at Location 1.

Options Near Jerrara Drive

Gully 3: Trail at Location 2 on new embankment with stormwater culvert above the Full Supply Level. The alternative is to utilise the existing embankment across this gully further upstream.

Gully 4: New lightweight bridge sitting on top of existing embankments, allowing the whole Trail to be well above the Full Supply Level.

Concept sketches are provided in the body of the report.



Appendices

Appendix A – Council briefing notes

Segment 3- Lake Foreshore to Rainbow Drive- Crossing option



Segment 3 required a bridge crossing. Several sites were investigated. SMRC are required the following principles for the Shared trail extension-Tyrolean Village to East Jindabyne:

- All infrastructure and trail construction will be as far away from the SHL full supply as possible. The lake edge is often subject to erosion which can be impacted by the rise and fall of the operational lake
- Gully crossings sites not only need to take the full supply level into consideration but also the possibility of impact from storm water run-off from above. In some situations avoiding the full supply and maximum probable flood areas are not possible due to wide areas of bank erosion and instability
- Bridge and platform crossings need to meet Australian standards and accommodation walkers and riders travelling at both directions
- The shared trail also needs to be able to flow and connect to the bridge or platform site whilst remaining outside areas that maybe impacted by the full supply. Where this is not possible, the approach will need to be designed to withstand the possibility of a flood or storm event.

Option A- Preferred option for the following reasons

- Trail construction is able to remain above full supply and will meet design standards at both entry and exit points
- Bank is stable and least likely to be subject to erosion

- The bridge spans can be accommodated within a reasonable budget without compromising quality and long term sustainability

Option B-

- Shortest and most economical crossing point that avoids largest erosion gully areas. Is well outside the risk of being effected the lake levels.
- Maybe impacted by storm water as the site is close to steep run-off area
- Private property cannot be avoided to access the site. The private property boundary enters part of the gully that is highly erodible
- Discussions have been made with the landholder and unfortunately an easement will not be support. The landholder would prefer a buffer between the edge of the property boundary and has suggested the lower crossing option would be more sustainable and less likely to be impacted by flood and storm water run-off

Option C

- Shortest bridge spans however bringing the proposed trail connection close to the lake edge below full supply will not be sustainable

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Document Status

Revision	Author	Reviewer		Approved for Issue		
		Name	Signature	Name	Signature	Date
0	Z Crombie-Brown	J Wearne	JW*	J Wearne	JW*	20/06/19

www.ghd.com



Mr Peter Bascomb, General Manager
Snowy Monaro Regional Council

November 15, 2019

Dear Mr Bascomb

Re: Submission on DA4045.2020 Lake Shared Trail Extension

I would like to congratulate the Council staff involved in the above-named development and to acknowledge the amount of negotiation and work they have put into it so far on behalf of the community.

I have several comments on the application, as follows.

Biodiversity impact

The proposed trail is 2.76 km (including walking sections, stairs and bridges) and requires 2m wide 'clearing' according to Table 1 in the DA. This amounts to 5524m² (0.55 ha) of 'clearing' in order to construct it. In addition, according to the Flora and Fauna assessment report, the area is highly likely to contain the Tablelands Snow Gum EEC (though this does not appear to have been formally confirmed) and is habitat for a number of threatened species. A number of points flow from the these facts.

1. It is my understanding that under the 2016 Biodiversity Conservation Act, the area to be 'cleared' may exceed the threshold for requiring offsets: these are 0.5 ha for land with minimum lot size of <40 ha and 0.25 ha for land with minimum lot size of 1 ha. The Snowy River LEP's map of minimum lot size (map LSZ_003AA) does not show a value for this land (which is E2-zoned), however, and so it is unclear whether the BOSET trigger applies in this case. (The BOSET website states that 'If clearing and other impacts exceeds either trigger, the Biodiversity Offset Scheme applies to the proposed development including biodiversity impacts prescribed by clause 6.1 of the Biodiversity Regulation 2017.')
2. Even if the trigger is not activated, the acknowledgement of the threatened species and community in the Flora and Fauna Report suggests that a test of significance should be applied. (According to the BOSET website, 'If the Biodiversity offsets scheme is not triggered, the test of significance detailed in section 7.3 of the Biodiversity Conservation Act 2016 must be used to determine whether a local development is likely to significantly affect threatened species'). Indeed, under point 7 on page 8 of the Flora and Fauna report, the assessor has explicitly made this point.
 7. If there is any doubt or concerns about potential impact of the proposal, including trail construction and trail use, upon threatened species or threatened ecological communities listed in Appendix 4 of this report, consider conducting a Test of Significance.
3. The Flora and Fauna assessor has concluded that the impact will be minimal (see below). He has made this conclusion on the assumptions that (a) the trail will be 1.8m wide (narrower than that stated in the DA) and that (b) there will be no clearing of elevated canopy except of a few branches for safety reasons. However, the DA has not defined what is meant by 'clearing'. In order for this DA to be assessed properly for approval, the type and amount of

clearing of the woodland needs to be clearly defined.

However, and at this juncture without having prepared a Test of Significance, the author is confident to surmise that the proposed trails would have no significant impact on the elements associated with the Tablelands Snow Gum Grassy Woodland. This is based on the linear requirement for the proposal and that most of the ground disturbance would occur on introduced or a mix of native/introduced ground vegetation. Any ground disturbance during construction and subsequent maintenance would be limited to a 1.8 metre corridor and a 1.2 metre trail pad. Vegetation would only be cut or slashed within the corridor to help define the trail, and the more elevated vegetated material such as trees and shrubs would not be targeted except to address dangerous limbs and branches.

4. I could find no statement of environmental impact on the riparian zones that fall within the trail area.

Thus, I believe that the woodland in this area is highly likely to belong to the Tablelands Snow Gum critically endangered ecological community and that this should be formally confirmed by Council as part of this DA process, and subsequently incorporated into the relevant vegetation maps. This would be useful for both this development (e.g., so that the building contractors and future manager of the trail are fully aware) and for any future developments on this land. I believe that the DA should be revised to make explicit the biodiversity impacts of the trail and why the BOSET threshold does/does not apply and why a significance test has/has not been done. The impact on the riparian zone should be also included in this revised environmental assessment.

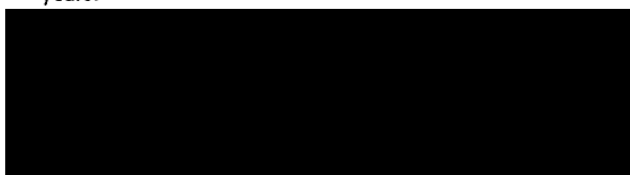
Width

This trail is proposed to be shared between pedestrians and bike users. Since there is no formal provision for pedestrian access to the foreshore in the whole of East Jindabyne, and a large portion of the area in question has had lake access blocked off by Council's approval of a gated community, the pedestrian aspect of this development is of great importance to the community. It is therefore of some concern that the width of the path is only 2m with 1.5m of trail bed. The recommended path width for a shared trail is 2.5 to 3 m (NSW Transport Department guidelines 2015). Although there will be stairs provided to separate pedestrians from bikes for the steeper sections of the trail, in the other sections, 2m width is too narrow for safe use by both bikes and walkers. It is requested that consideration be given to expanding the shared sections to a 2m trail bed and 2.5m trail width so that pedestrians can safely use this path to access the lake foreshore.

Other

It is disappointing that the version of the DA circulated to the community members was a highly abbreviated version of the full DA and excluded the Appendices (Flora and Fauna Assessment, AHIMS assessment, Options report). The circulated version did not even include all the Figures to which it referred in the text. I believe that we should have received, at the very least, the material contained in the file named 'scope of works DA4045.2020.pdf' (sent to me subsequently at my request).

I declare that I have made no gifts or donations to Council staff or Councillors within the past two years.



7th November 2019

DA 4045.2020

Dear Peter Bascomb,

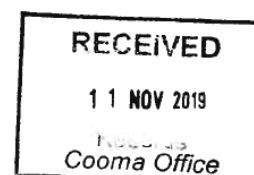
This DA brings into sharp focus our entire network of "shared paths"- even the title has lost the word "community" from it? In the referenced "Guidelines for trail planning etc." the opening sections refer to 'equitable use, user focused, environmental showcasing, visitor experiences etc. etc'. Without using these guidelines, then the focus is only towards intermediate, and above, mountain bikers.

On page 78 of the aboriginal *assessment* is a copy of the signage that has been placed around our *community shared trails*. Only the volunteer installed concrete path and the jail inmate built gravel path to near Curiosity Rocks are shown as "shared pathways". All others are depicted as bike trails & only 4 are classified as "easy". (In reality none of these fit within the IMBA specification of "Green" trails, and thus the signage is a bit misleading. Whilst these trails are possibly our "easiest", they are by no means "easy", & certainly not for your average bike rider for a "cruise".)

These new trails appear to return to a more "shared" approach in their design, but has any thought been given to the end user? The resident community has been trying to get a pathway to the lakeshore, and they will include families with children, over 55's and walking visitors just wishing to relax. Many of our residents do not ride bikes, nor do our visitors. Many tourists come here for the natural environment but little is done to keep them here. This area is full of tourist accommodation, and more should be done to assist those businesses and promote quieter trails for visitors to experience the amazing wildlife and a more peaceful & natural way of life.

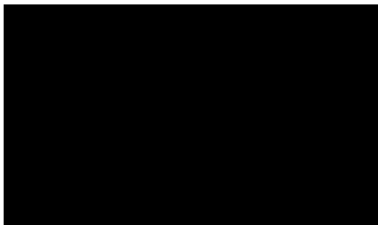
The flora and fauna assessment details the natural assets that abound in this area & this should be used to promote the area for more visitors to STAY in the area. At times the wildflowers & plant life are amazing within this "significant endangered ecological community" &, as it appears to be council land, a Plan of Management needs to be put in place to preserve as much of it as possible. I have often taken visitors to this area to observe the wallabies etc. that inhabit here, as well as the natural environment and spectacular views of the lake and mountains. Most of the "vulnerable" bird species have been observed here, most recently a pair of little eagles came for a while.

The new trails are specified to be 1.5 metre trail width (a little short of recommended 2.5mtr for shared trails, but an improvement on the 0.3-0.4 on Hatchery and rarely to 1mtr anywhere else?). "Rock armoured stairs" are also specified for walkers, will they be specified to a maximum riser height of 190millimetres and thus usable for all? Better still, why not install a separate FOOTpath in those areas, a large radius meandering path to make it easy to walk UP and down the hill. There is space to do this now, especially in the Kunama to Lakeside section where the user will probably include families, older persons etc. going to the lake carrying children, chairs and esky's! Council has had many requests from newer residents and tourists wishing for easy access to the lakeside. Is this section designated to be 2 way MTB ? More conflict?



This DA also visits the construction of a new trail in the Mill Creek area- apparently another black downhill trail? Crossing other trails too. Surely it would make sense, before any more advanced trails are installed, to re-visit the original plan for the "*community shared trails*" & install the proposed trail that goes from the dam side up to the saddle (nearish to Kosciusko Road) and thence either along to Rainbow Drive or down to Mill Creek trail at the existing Bridge. Then reconstruct the footpath from the saddle up to Snowy Trig and make a level area , possibly shaded seating? So that ALL can enjoy the superb views of lake and mountains from here. This would also give a "loop" walk or ride using Mill Creek trail , and could be made uphill only for bikes and 2 way for walkers, reducing some of the conflict in this area. Bikes need a good access to the saddle to make for a more attractive experience and to allow them to ascend without using the, largely, singletrack downhill trails! NB there is a great need for toilets to be installed , both here (at the saddle?) and, I would suggest, in places near to the lake, it's not nice seeing what's there sometimes!

To sum up, council really needs to get serious about all our trails. Walking trails with interpretive signage depicting the aboriginal, social & Snowy histories along with the natural wonders should be developed to give a better understanding and tourist experience of the area. There is a real need for realistic easy trails to encourage a wider range of people to get out and be able to enjoy the environment we have to offer and encourage our visitors to stay longer. Currently advertising for activities at Jindabyne do not focus on much of the natural areas available, and we need tourists to go away with a good memory of our place, we should not be aiming at a small portion but at all of the defined community. We should keep the words "*inclusivity and community*" uppermost in our thoughts. Council also should , finally, be looking at better resourcing the maintenance of all our trails. It's certainly not equitable to expect volunteers to maintain the growing kilometres of trail that we have now, and planned for the future. These are an asset and should be maintained as such. The potential for nature based tourism is growing fast and "we" are missing out.

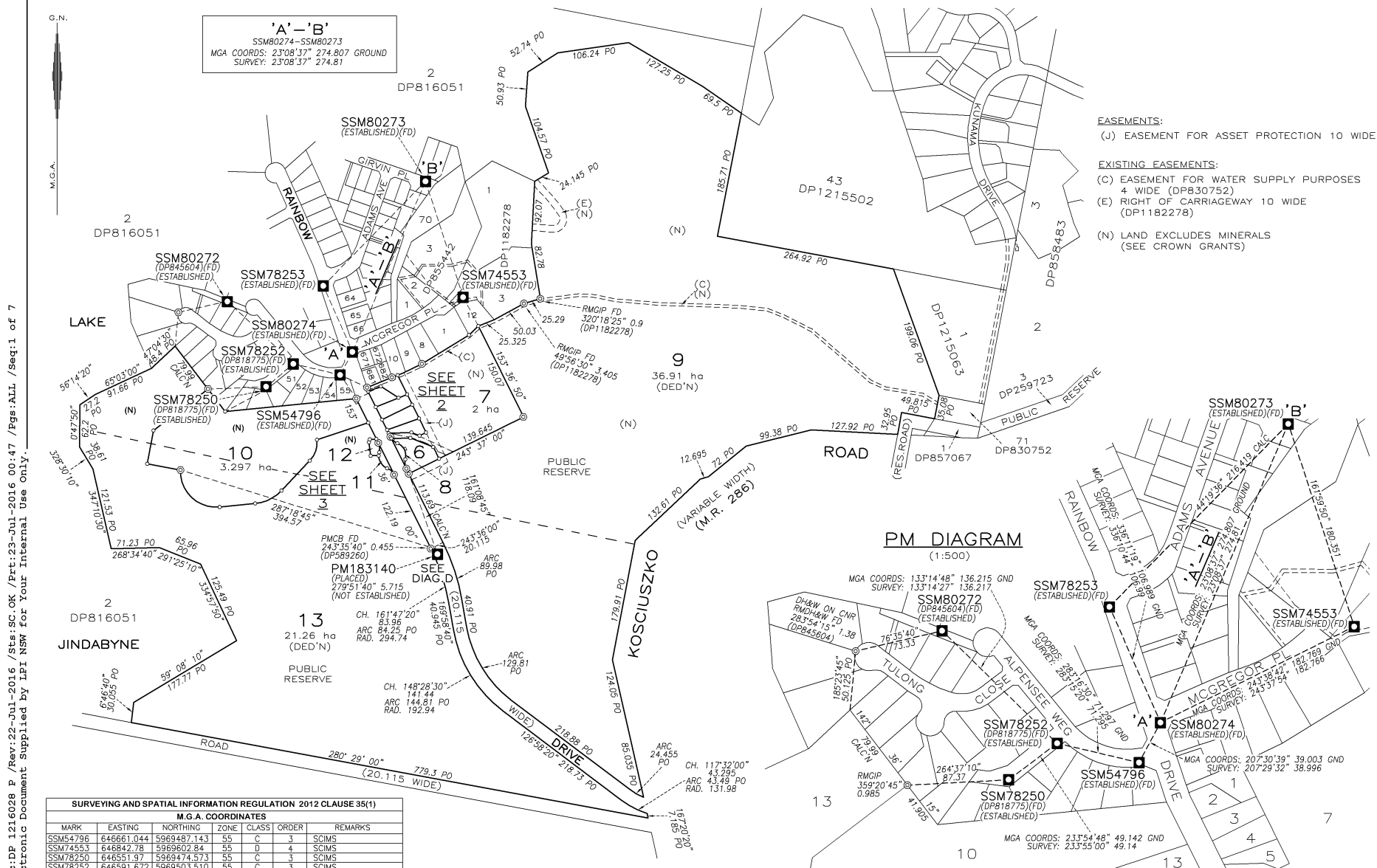


PLAN FORM 2 (A2)

DP1216028

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

Sheet 1 of 4 sheets

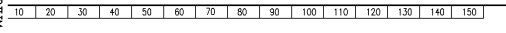


- EASEMENTS:**
(J) EASEMENT FOR ASSET PROTECTION 10 WIDE
- EXISTING EASEMENTS:**
(C) EASEMENT FOR WATER SUPPLY PURPOSES 4 WIDE (DP830752)
(E) RIGHT OF CARRIAGEWAY 10 WIDE (DP1182278)
(N) LAND EXCLUDES MINERALS (SEE CROWN GRANTS)

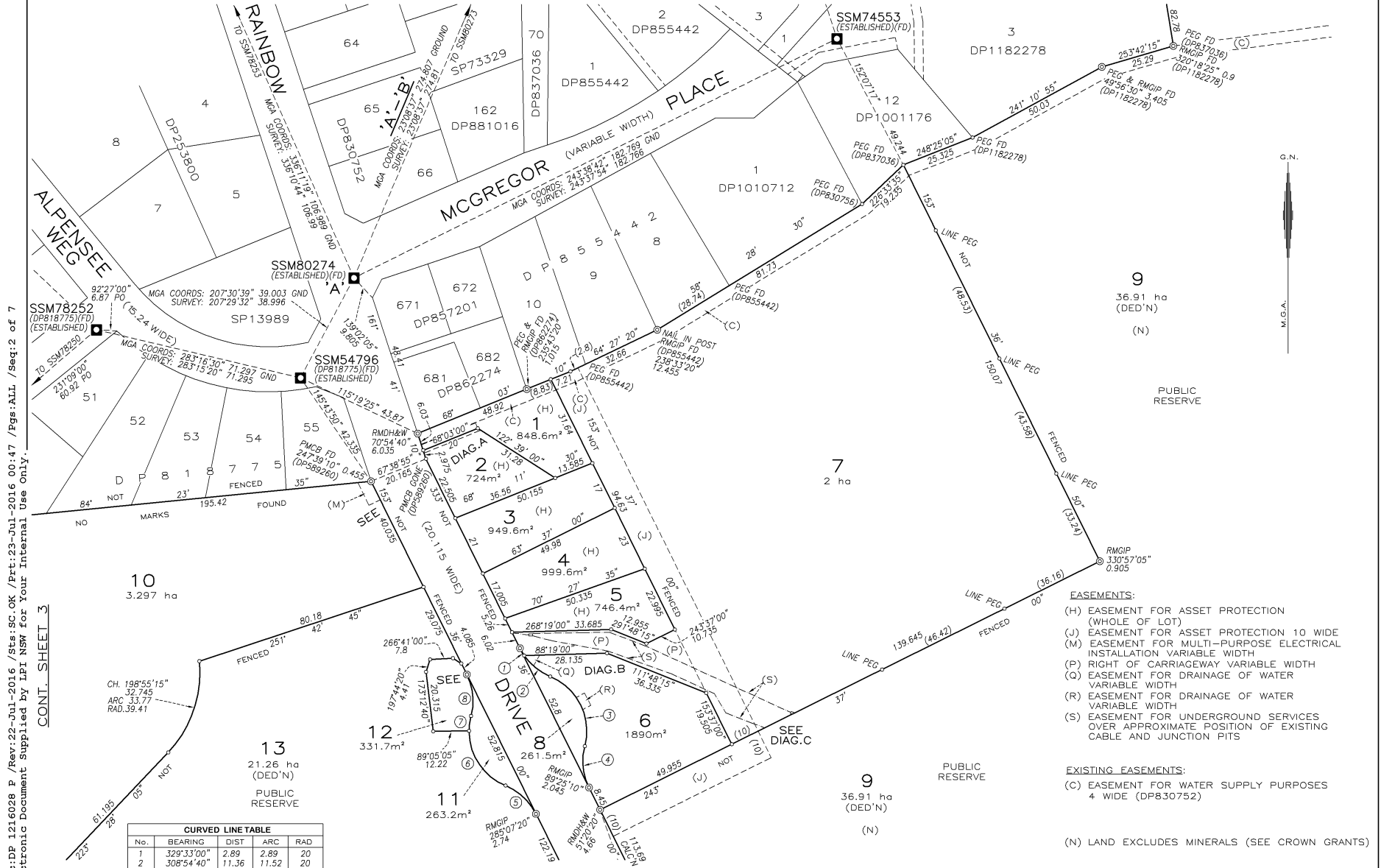
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WARNING: Electronic Document Supplied by LPI NSW for Your Internal Use Only.

SURVEYING AND SPATIAL INFORMATION REGULATION 2012 CLAUSE 35(1)						
M.G.A. COORDINATES						
MARK	EASTING	NORTHING	ZONE	CLASS	ORDER	REMARKS
SSM54796	646661.044	5969497.143	55	C	3	SCIMS
SSM74553	646842.28	5969602.84	55	D	4	SCIMS
SSM78250	646551.97	5969474.573	55	C	3	SCIMS
SSM78252	646591.672	5969503.510	55	C	3	SCIMS
SSM78253	646635.873	5969619.58	55	C	3	SCIMS
SSM80272	646492.48	5969596.81	55	D	4	SCIMS
SSM80273	646787.034	5969774.345	55	C	3	SCIMS
SSM80274	646679.055	5969521.726	55	B	2	SCIMS
PM183140	646800.80	5969229.02	55	U	N/A	TRAVERSE
COMBINED SCALE FACTOR 0.999 715 SCIMS CHECKED 09/12/2015						

Surveyor: PETER W. BURNS Date of Survey: 04.02.16 Surveyor's Ref: 4688/2	PLAN OF SUBDIVISION OF LOT 2 DP1215063 AND LOT 56 DP818775	L.G.A.: SNOWY MONARO REGIONAL Locality: EAST JINDABYNE Subdivision No: SC2016/0015 Lengths are in metres. Reduction Ratio 1:3500	Registered 21.07.2016 DP1216028
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PLAN FORM 2 (A2) DP1216028 WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION Sheet 2 of 4 sheets



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 CONT. SHEET 3

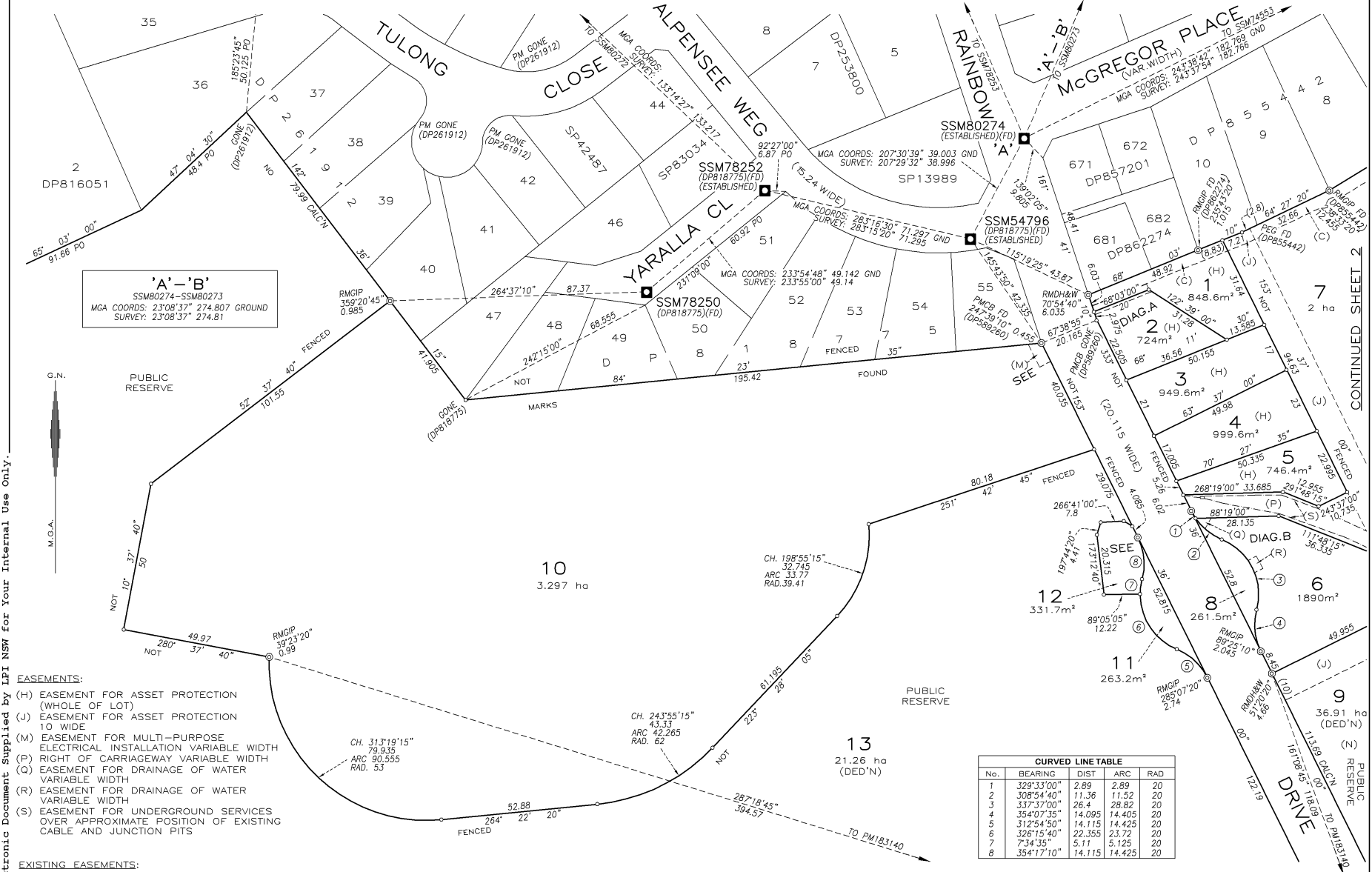
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1	329°33'00"	2.89	2.89	20
2	308°54'40"	11.36	11.52	20
3	337°37'00"	26.4	28.82	20
4	354°07'35"	14.095	14.405	20
5	312°54'50"	14.115	14.425	20
6	326°15'40"	22.355	23.72	20
7	734°35'	5.11	5.125	20
8	354°17'10"	14.115	14.425	20

- EASEMENTS:**
- (H) EASEMENT FOR ASSET PROTECTION (WHOLE OF LOT)
 - (J) EASEMENT FOR ASSET PROTECTION 10 WIDE
 - (M) EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION VARIABLE WIDTH
 - (P) RIGHT OF CARRIAGEWAY VARIABLE WIDTH
 - (Q) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 - (R) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 - (S) EASEMENT FOR UNDERGROUND SERVICES OVER APPROXIMATE POSITION OF EXISTING CABLE AND JUNCTION PITS
- EXISTING EASEMENTS:**
- (C) EASEMENT FOR WATER SUPPLY PURPOSES 4 WIDE (DP830752)
 - (N) LAND EXCLUDES MINERALS (SEE CROWN GRANTS)

Surveyor: PETER W. BURNS Date of Survey: 04.02.16 Surveyor's Ref: 4688/2	PLAN OF SUBDIVISION OF LOT 2 DP1215063 AND LOT 56 DP818775	L.G.A.: SNOWY MONARO REGIONAL Locality: EAST JINDABYNE Subdivision No: SC2016/0015	Registered 21.07.2016	DP1216028
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PLAN FORM 2 (A2) DP1216028 WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION Sheet 3 of 4 sheets



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- EASEMENTS:**
- (H) EASEMENT FOR ASSET PROTECTION (WHOLE OF LOT)
 - (J) EASEMENT FOR ASSET PROTECTION 10 WIDE
 - (M) EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION VARIABLE WIDTH
 - (P) RIGHT OF CARRIAGEWAY VARIABLE WIDTH
 - (Q) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 - (R) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 - (S) EASEMENT FOR UNDERGROUND SERVICES OVER APPROXIMATE POSITION OF EXISTING CABLE AND JUNCTION PITS

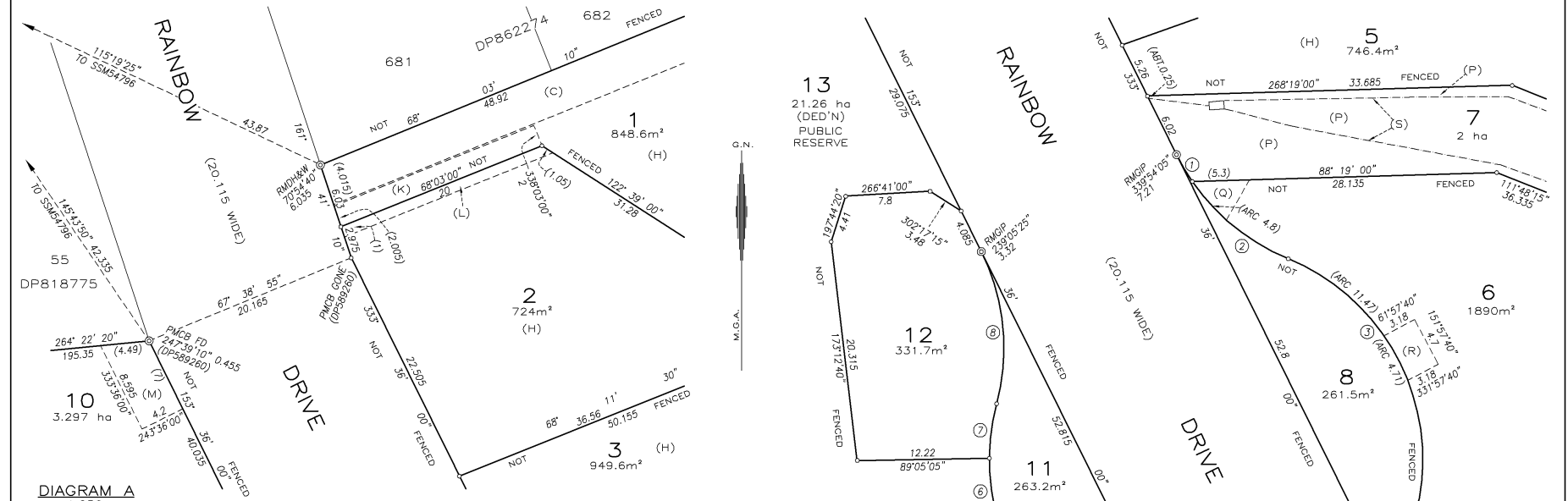
- EXISTING EASEMENTS:**
- (C) EASEMENT FOR WATER SUPPLY PURPOSES 4 WIDE (DP830752)

No.	BEARING	DIST	ARC	RAD
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2	308°54'40"	11.36	11.52	20
3	337°37'00"	26.4	26.82	20
4	354°07'35"	14.095	14.405	20
5	312°54'50"	14.115	14.425	20
6	326°15'40"	22.355	23.72	20
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8	354°17'10"	14.115	14.425	20

Surveyor: PETER W. BURNS Date of Survey: 04.02.16 Surveyor's Ref: 4688/2	PLAN OF SUBDIVISION OF LOT 2 DP1215063 AND LOT 56 DP818775	L.G.A.: SNOWY MONARO REGIONAL Locality: EAST JINDABYNE Subdivision No: SC2016/0015 Lengths are in metres, Reduction Ratio 1:800
		Registered 21.07.2016
		DP1216028

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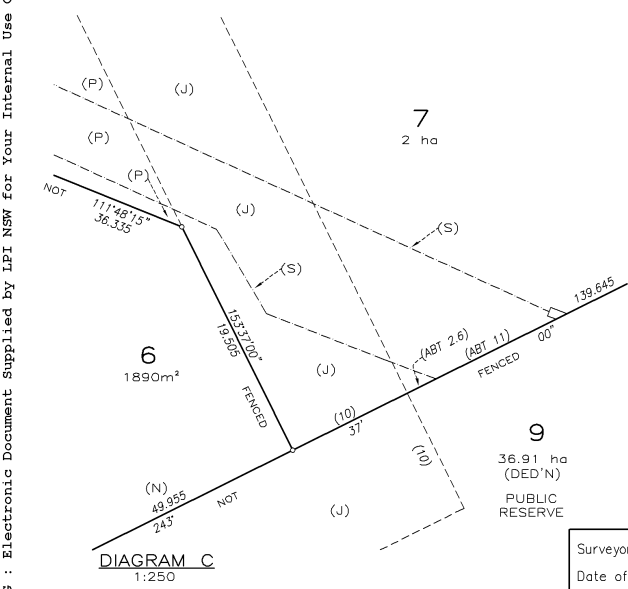
PLAN FORM 2 (A2) DP1216028 WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION Sheet 4 of 4 sheets



CURVED LINE TABLE

No.	BEARING	DIST	ARC	RAD
1	329°33'00"	2.89	2.89	20
2	308°54'40"	11.36	11.52	20
3	337°37'00"	26.4	28.82	20
4	354°07'35"	14.095	14.405	20
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- EASEMENTS:**
- (H) EASEMENT FOR ASSET PROTECTION (WHOLE OF LOT)
 - (J) EASEMENT FOR ASSET PROTECTION 10 WIDE
 - (K) RIGHT OF CARRIAGEWAY 2 WIDE
 - (L) RIGHT OF CARRIAGEWAY 1 WIDE
 - (M) EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION VARIABLE WIDTH
 - (P) RIGHT OF CARRIAGEWAY VARIABLE WIDTH
 - (Q) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 - (R) EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH
 - (S) EASEMENT FOR UNDERGROUND SERVICES OVER APPROXIMATE POSITION OF EXISTING CABLE AND JUNCTION PITS
- EXISTING EASEMENTS:**
- (C) EASEMENT FOR WATER SUPPLY PURPOSES 4 WIDE (DP830752)



Surveyor: PETER W. BURNS Date of Survey: 04.02.16 Surveyor's Ref: 4688/2	PLAN OF SUBDIVISION OF LOT 2 DP1215063 AND LOT 56 DP818775	L.G.A.: SNOWY MONARO REGIONAL Locality: EAST JINDABYNE Subdivision No: SC2016/0015 Lengths are in metres. Reduction Ratio 1:800	Registered 21.07.2016	DP1216028
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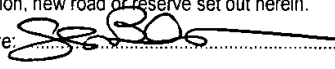
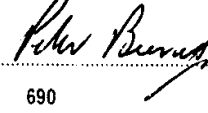
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PLAN FORM 6 (2012)


WARNING: Creasing or folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 1 of 3 sheets
<p>Registered:  21.07.2016</p> <p>Title System: TORRENS</p> <p>Purpose: SUBDIVISION</p> <p>PLAN OF SUBDIVISION OF LOT 2 DP1215063 AND LOT 56 DP818775</p> <p>Crown Lands NSW/Western Lands Office Approval</p> <p>I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given.</p> <p>Signature:</p> <p>Date:</p> <p>File Number:</p> <p>Office:</p>	<p style="text-align: center;">Office Use Only</p> <div style="text-align: center;">  DP1216028 S </div> <p>LGA: SNOWY MÓNARO REGIONAL</p> <p>Locality: EAST JINDABYNE</p> <p>Parish: JINDERBOINE</p> <p>County: WALLACE</p>	
<p style="text-align: center;">Subdivision Certificate</p> <p>I, <u>Sophie Ballinger</u> *Authorised Person/General Manager/Accredited Certifier, certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein.</p> <p>Signature: </p> <p>Accreditation number:</p> <p>Consent Authority: <u>SNOWY RIVER SHIRE COUNCIL</u></p> <p>Date of endorsement: <u>15 MARCH 2016</u></p> <p>Subdivision Certificate number: <u>SC2016/0015</u></p> <p>File number: <u>SC2016/0015</u></p> <p>*Strike through if inapplicable.</p>	<p style="text-align: center;">Survey Certificate</p> <p>I, PETER WILLIAM BURNS of P.O. BOX 737 COOMA, NSW 2630 a Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i>, certify that:</p> <p>*(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>, is accurate and the survey was completed on.....</p> <p>*(b) The parts of the land shown in the plan being Lots 1-8 and Lots 10 -12 inclusive were surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>, are accurate and the survey was completed on 04/02/2016, the parts not surveyed were compiled in accordance with that Regulation.</p> <p>*(c) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2012</i>.</p> <p>Signature:  Dated: 04/02/2016</p> <p>Surveyor ID: 690</p> <p>Datum Line: "A - B"</p> <p>Type: *Urban/*Rural</p> <p>The terrain is *Level-Undulating /-*Steep Mountainous.</p> <p>*Strike through if inapplicable. ^Specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey.</p>	
<p>Statements of intention to dedicate public roads, public reserves and drainage reserves.</p> <p>(1) IT IS INTENDED TO DEDICATE LOTS 8 AND 11 TO THE PUBLIC AS PUBLIC ROAD</p> <p>(2) IT IS INTENDED TO DEDICATE LOTS 9 AND 13 TO THE PUBLIC AS PUBLIC RESERVE</p>	<p>Plans used in the preparation of survey/compilation.</p> <p>DP818775 DP830752 DP837036 DP855442 DP857067 DP857201 DP858483 DP862274 DP1001176 DP1010712 DP1085153 DP1116460 DP1152917 DP1182278 DP1215063</p> <p>DP845604 DP589260</p> <p style="text-align: right;">If space is insufficient continue on PLAN FORM 6A</p>	
<p>Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A</p>	<p>Surveyor's Reference: 4688/2</p>	

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PLAN FORM 6A (2012)




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DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 2 of 3 sheets		
<p>Office Use Only</p> <p>Registered:  21.07.2016</p> <p>PLAN OF SUBDIVISION OF LOT 2 DP1215063 AND LOT 56 DP818775</p> <p>Subdivision Certificate number: <u>SC2016/0015</u></p> <p>Date of Endorsement: <u>15 MARCH 2016</u></p>	<p>Office Use Only</p> <h1 style="text-align: center;">DP1216028</h1> <p>This sheet is for the provision of the following information as required:</p> <ul style="list-style-type: none"> • A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2012</i> • Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i> • Signatures and seals- see 195D <i>Conveyancing Act 1919</i> • Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 			
STREET ADDRESSES				
Lot No.	Street No.	Street Name	Street Type	Locality
1	37	RAINBOW	DRIVE	EAST JINDABYNE
2	39	RAINBOW	DRIVE	EAST JINDABYNE
3	41	RAINBOW	DRIVE	EAST JINDABYNE
4	43	RAINBOW	DRIVE	EAST JINDABYNE
5	45	RAINBOW	DRIVE	EAST JINDABYNE
6	49	RAINBOW	DRIVE	EAST JINDABYNE
7	47	RAINBOW	DRIVE	EAST JINDABYNE
8	NOT AVAILABLE	RAINBOW	DRIVE	EAST JINDABYNE
9	55	RAINBOW	DRIVE	EAST JINDABYNE
10	30	RAINBOW	DRIVE	EAST JINDABYNE
11	NOT AVAILABLE	RAINBOW	DRIVE	EAST JINDABYNE
12	46	RAINBOW	DRIVE	EAST JINDABYNE
13	40	RAINBOW	DRIVE	EAST JINDABYNE
<p>PURSUANT TO SEC.88B OF THE CONVEYANCING ACT, 1919, IT IS INTENDED TO CREATE:</p> <ol style="list-style-type: none"> 1. EASEMENT FOR ASSET PROTECTION (H) WHOLE OF LOT 2. EASEMENT FOR ASSET PROTECTION 10 WIDE (J) 3. RIGHT OF CARRIAGEWAY 2 WIDE (K) 4. RIGHT OF CARRIAGEWAY 1 WIDE (L) 5. EASEMENT FOR MULTI-PURPOSE ELECTRICAL INSTALLATION VARIABLE WIDTH (M) 6. RIGHT OF CARRIAGEWAY VARIABLE WIDTH (P) 7. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH (Q) 8. EASEMENT FOR DRAINAGE OF WATER VARIABLE WIDTH (R) 9. EASEMENT FOR UNDERGROUND SERVICES OVER APPROXIMATE POSITION OF EXISTING CABLE AND JUNCTION PITS 10. RESTRICTION ON USE 11. RESTRICTION ON USE <p style="text-align: right; font-size: small;">If space is insufficient use additional annexure sheet</p>				
<p>Surveyor's Reference: 4688/2</p>				

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PLAN FORM 6A (2012)

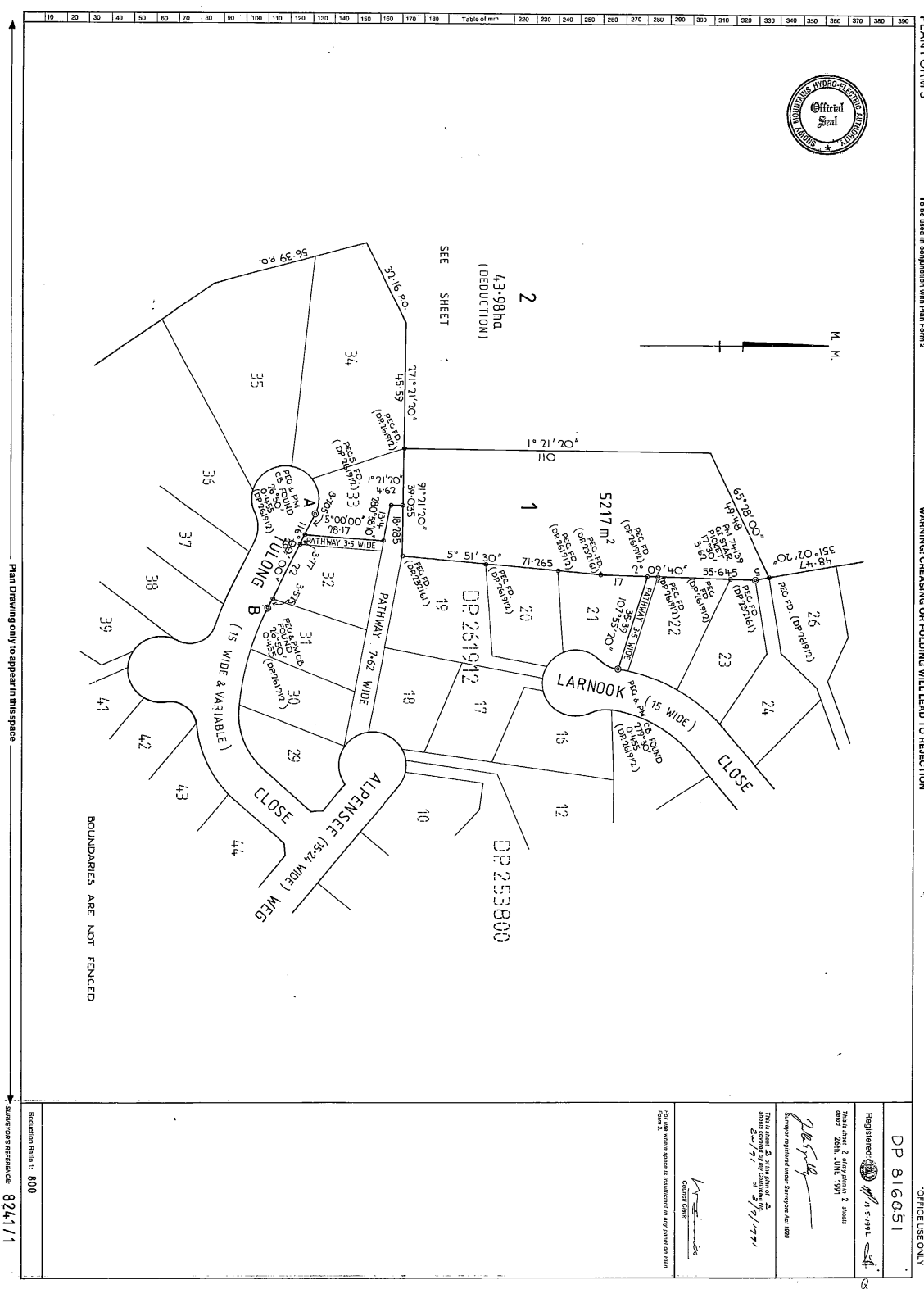
WARNING: Creasing or folding will lead to rejection

DEPOSITED PLAN ADMINISTRATION SHEET		Sheet 3 of 3 sheets
Registered:  21.07.2016 PLAN OF SUBDIVISION OF LOT 2 DP1215063 AND LOT 56 DP818775 Subdivision Certificate number: <u>SC2016/0015</u> Date of Endorsement: <u>15 MARCH 2016</u>	Office Use Only DP1216028 This sheet is for the provision of the following information as required: <ul style="list-style-type: none"> A schedule of lots and addresses - See 60(c) SSI Regulation 2012 Statements of intention to create and release affecting interests in accordance with section 88B Conveyancing Act 1919 Signatures and seals- see 195D Conveyancing Act 1919 Any information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. 	
<p style="font-family: cursive;">Executed by Tyrolean Pty Ltd ACN 007 441 661 by its directors pursuant to the provisions of Section 127(1) of the Corporations Act</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  Director: John Bekkum 218 Great Alpine Rd Harrietsville </div> <div style="text-align: center;">  Director: Laurence Peter Buis 2184 Great Alpine Road Harrietsville </div> </div>		
If space is insufficient use additional annexure sheet		
Surveyor's Reference: 4688/2		

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 This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day. 20th May 1992



N. M.

BOUNDARIES ARE NOT FENCED

Plan Drawing only to appear in this space

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**SNOWY MONARO
 REGIONAL COUNCIL**

RECEIVED
Development Application
13 SEP 2019
 SNOWY MONARO
 REGIONAL COUNCIL
PLEASE COMPLETE ALL SECTIONS

made under the Environmental Planning and Assessment Act 1979 Section 78A

Office Use Only
 DA Number 10 DA 4045/2020
 P1104181

APPLICANT			
Name/Company: Snowy Monaro Regional Council		Phone: 02 64511559	
Contact Name (if Company): Alannah Dickeson		Fax:	
Postal Address: 81 Commissioner Street		Mobile:	
Town: Cooma	State: NSW	Postcode: 2627	Email: alannah.dickeson@snowym

OWNER			
Name/Company: Snowy Hydro + SMRC		Phone:	
Contact Name (if Company): Jenny Crowe (snowy hydro) + Peter Bascomb (smrc)		Fax:	
Postal Address: Po Box 332		Mobile: 0427010075	
Town: Cooma	State: NSW	Postcode: 2627	Email: jenny.crowe@snowyhydro.c
Is the subject land Crown Land <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> → Please attach Authority			
OFFICE USE ONLY		NAR Numbers	

LAND TO BE DEVELOPED (Please attach additional sheet if inadequate space provided)					
No:	Street:			Town:	
Lot: 2	Section:	DP/SP: 816051	Lot: 9	Section:	DP/SP: 1216028
Lot:	Section:	DP/SP:	Lot:	Section:	DP/SP:
OFFICE USE ONLY		Parcel Numbers			

PROPOSED DEVELOPMENT		
Description of development: Construction of Shared Trail between Tyrolean Village to East Jindabyne-Lake Jindabyne		
<input type="checkbox"/> Erect, alter or add to a building or structure	<input type="checkbox"/> Subdivide land or building	<input type="checkbox"/> Other (specify):
<input type="checkbox"/> Change the use of land or building (or classification under the BCA)	<input type="checkbox"/> Demolition	
<input checked="" type="checkbox"/> Carry out a work	<input type="checkbox"/> Signage/Advertising	
TYPE OF DEVELOPMENT (tick all that apply)		
<input type="checkbox"/> Single dwelling	<input type="checkbox"/> Storage Shed	<input type="checkbox"/> Tourist
<input type="checkbox"/> Residential alterations/additions	<input type="checkbox"/> Garage	<input type="checkbox"/> Subdivision
<input type="checkbox"/> Multi-Unit	<input type="checkbox"/> Industrial	<input checked="" type="checkbox"/> Infrastructure
<input type="checkbox"/> Second Occupancy	<input type="checkbox"/> Commercial/Business	<input checked="" type="checkbox"/> Community/Education Facilities
<input type="checkbox"/> Seniors Living	<input type="checkbox"/> Retail	<input type="checkbox"/> Education Facility
<input type="checkbox"/> Other residential	<input type="checkbox"/> Office	<input type="checkbox"/> Event
<input type="checkbox"/> Mixed	<input type="checkbox"/> Food Premises	<input type="checkbox"/> Other

COST (including materials and labour)	
This is the estimated total cost of any construction, internal fit-out and demolition, including GST and labour. Council checks your estimate against current building cost indices. Developments with no construction work such as subdivisions or change of uses have a separate standard fee and no estimated cost is required.	
COST (including materials and labour) :	\$ 180 000

DocuSign Envelope ID: 0590D95A-A1BB-44D7-8AA5-F656272D3093

STAGED DEVELOPMENT	
Are you lodging a Staged Development Application ?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Section 83B of the <i>Environmental Planning and Assessment Act 1979</i> defines a staged Development Application (DA) as one which sets out concept proposals for the development of a site, and for which detailed proposals for separate parts of the site are to be the subject of subsequent DAs. The application may set out detailed proposals for the first stage of development.	

INTEGRATED DEVELOPMENT (Approvals from State Agencies)	
Is this application for Integrated Development ?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Please tick which other approvals are required. If yes Council requires an additional set of plans, a Statement of Environmental Effects (SEE) and a fee for each relevant government agency. Please check with Council for current applicable fee.	
Roads Act 1993 <input type="checkbox"/> s138	Heritage Act 1977 <input type="checkbox"/> s58
Rural Fires Act 1997 <input type="checkbox"/> s100B	National Parks and Wildlife Act 1974 <input checked="" type="checkbox"/> s90
Petroleum (on shore) Act 1991 <input type="checkbox"/> s9	Protection of the Environment Operations Act 1997
Fisheries Management Act 1994	<input type="checkbox"/> s43(a) <input type="checkbox"/> s43(b) <input type="checkbox"/> s43(d) <input type="checkbox"/> s47 <input type="checkbox"/> s48 <input type="checkbox"/> s55 <input type="checkbox"/> s122
<input type="checkbox"/> s144 <input type="checkbox"/> s201 <input type="checkbox"/> s205 <input type="checkbox"/> s219	Water Management Act 2000
Mine Subsidence Compensation Act 1961 <input type="checkbox"/> s15	<input type="checkbox"/> s89 <input type="checkbox"/> s90 <input type="checkbox"/> s91
	Mining Act 1992 <input type="checkbox"/> s63 <input type="checkbox"/> s64
Integrated Development is defined by the <i>Environmental Planning and Assessment Act 1979</i> as development which needs a Development Consent and one or more additional approvals under the Acts mentioned above in order to be legally carried out. Further explanatory notes are available from Council on request.	

IS/DOES THE PROPOSED DEVELOPMENT:	YES	NO
Designated Development [^] ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Likely to significantly affect a threatened species, population or ecological community, or it's habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Involve the use of or work on a Crown Road Reserve or other land owned by the Crown?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Development by the Crown? (Part 5A of the Act applies to development by the Crown)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
On land which is also subject to a Property Vegetation Plan under the <i>Native Vegetation Act 2003</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Development which requires a Site Compatibility Certificate from the Department of Planning prior to lodgement in accordance with <i>State Environmental Planning Policy (Infrastructure) 2007</i> , <i>State Environmental Planning Policy (Housing for seniors or people with a disability) 2004</i> , or any other State Environmental Planning Policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Development which requires a BASIX Certificate ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Involve land which has easements or restrictions on the Title? (If yes, please specify the nature of these easements or restrictions in your Statement of Environmental Effects)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Likely to affect a threatened species, population or ecological community protected under the <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Require an approval under Section 68 of the <i>Local Government Act 1993</i> for any of the activities listed on the next page?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i>Biodiversity compliant development</i> [❖] ? If yes, please specify the reason in your Statement of Environmental Effects	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Require <i>Concurrence</i> [❖] from any authorities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the proposal State significant development ? If yes, please provide (a) a list of authorisations and the applicable Act, (b) the capital investment value of the development.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the land the subject of this application critical habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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APPROVALS UNDER SECTION 68 – LOCAL GOVERNMENT ACT, 1993	
Do you wish to carry out any S68 activities (listed below) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES – Complete details below	
<p>If you wish to carry out one of the following activities, you need the approval of Council. Identify the activities you propose to carry out, and the relevant documents you need to include in your Application, by placing a cross in the appropriate boxes. Please include the relevant documents as detailed in the Section 68 Checklist with your Application. Note: Alternatively these can be applied for separately using 'Section 68 Application' form.</p> <p>Under Section 78A of the <i>Environmental Planning and Assessment Act 1979</i> a person can apply to Council for both a development consent and a S68 Approval in the one Development Application. In determining the Development Application, Council may apply any of the provisions under the Local Government Act 1993 that it could apply if the Development Application were an application under that Act for the relevant approval. In particular, if the Development Consent is granted, Council may impose a condition that is authorised under that Act to be imposed as a condition of consent.</p> <p>In granting a Development Consent in which a Section 68 approval is also contained, Council may, (without limiting any other condition in the Consent) impose in relation to the approval taken to have been granted under Section 68, either or both of the following conditions:</p> <p>(a) A condition that the approval is granted only to the applicant and does not attach to or run with the land to which it applies.</p> <p>(b) A condition that the approval is granted for specific time.</p>	
<p>A Structures</p> <p><input type="checkbox"/> A1 Installing a manufactured home, moveable dwelling or associated structure on land.</p> <p>B Water supply, wastewater and stormwater drainage work</p> <p><input type="checkbox"/> B1 Carrying out water supply work. Please choose: <input type="checkbox"/> Install/alter private water system <input type="checkbox"/> Install/alter public infrastructure <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B2 Draw water from a Council water supply or a standpipe or sell water so drawn.</p> <p><input type="checkbox"/> B3 Install, alter, disconnect or remove a meter connected to a service pipe. <input type="checkbox"/> Establish new water service/meter connection <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B4 Carry out wastewater drainage work. <input type="checkbox"/> Establish new wastewater consumer service <input type="checkbox"/> Install/alter internal wastewater drainage <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> B5 Carry out stormwater drainage work.</p> <p><input type="checkbox"/> B6 Connect a private drain or wastewater drain with a public drain or wastewater drain under the control of a Council or with a drain or sewer which connects with such a public drain or wastewater drain.</p> <p>C Management of waste</p> <p><input type="checkbox"/> C1 For fee or reward, transport waste over or under a public place.</p> <p><input type="checkbox"/> C2 Place waste in a public place.</p> <p><input type="checkbox"/> C3 Place a waste storage container in a public place.</p> <p><input type="checkbox"/> C4 Dispose of waste into a wastewater drain of the council.</p> <p><input type="checkbox"/> C5 Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility. (eg Install Septic System, AWTS etc) Please choose: <input type="checkbox"/> Aerated Waste Treatment System (AWTS) <input type="checkbox"/> Dry Composting System <input type="checkbox"/> Septic Tank <input type="checkbox"/> Wet Composting System <input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> C6 Operate a system of wastewater management (within the meaning of Section 68A).</p>	<p>D Community Land</p> <p><input type="checkbox"/> D1 Engage in a trade or business.</p> <p><input type="checkbox"/> D2 Direct or procure a theatrical, musical or other entertainment for the public.</p> <p><input type="checkbox"/> D3 Construct a temporary enclosure for the purpose of entertainment.</p> <p><input type="checkbox"/> D4 For fee or reward, play a musical instrument or sing.</p> <p><input type="checkbox"/> D5 Set up, operate or use loudspeaker or sound amplifying device.</p> <p><input type="checkbox"/> D6 Deliver a public address or hold a religious service or public meeting.</p> <p>E Public roads</p> <p><input type="checkbox"/> E1 Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.</p> <p><input type="checkbox"/> E2 Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.</p> <p>F Other activities</p> <p><input type="checkbox"/> F1 Operate a public car park. ⇄</p> <p><input type="checkbox"/> F2 Operate a caravan park or camping ground.</p> <p><input type="checkbox"/> F3 Operate a manufactured home estate.</p> <p><input type="checkbox"/> F4 Install a domestic oil or solid fuel heating appliance, other than a portable appliance.</p> <p><input type="checkbox"/> F5 Install or operate amusement devices (within the mean of the Construction Safety Act 1912).</p> <p><input type="checkbox"/> F6 Use a standing vehicle or any article for the purpose of selling any article in a public place.</p> <p><input type="checkbox"/> F7 Carry out an activity prescribed by the regulations or an activity of a class or description by the regulations.</p> <p>Note:</p> <p>^ <i>Private</i> means work/infrastructure that will be the responsibility of landowners, usually all development from the water meter or sewer tapping point, back to the dwelling/building.</p> <p>• <i>Public</i> means work/infrastructure that will be handed over for the responsibility of Council, eg, Council mains work/extensions etc.</p>


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REQUIRED ATTACHMENTS	
<input type="checkbox"/>	1 copy of the relevant Council checklist/s applying to the proposed development.
<input checked="" type="checkbox"/>	All plans/reports/documentation required by the above checklist.
<input type="checkbox"/>	1 copy of directional map/details to the site for remote rural properties.

POLITICAL DONATIONS AND GIFTS DISCLOSURE STATEMENT [Sec 147(4) EP&A Act]	
Have you or any person with a financial interest in this development application made a political donation or gift within the last 2 years?	
<input checked="" type="checkbox"/>	No
<input type="checkbox"/>	Yes – please complete and attach a Political Donations and Gifts Disclosure Statement (available from Council’s website).
Applicants Signature	Name
	Date

CONSENT OF ALL OWNERS	
All owners must sign this application form or provide written authority for the lodgement of the application.	
Note: Company Ownership	
In the case of a company ownership, in accordance in s127 of the Corporations Act 2001, please state in the signature/name area the authority of each signatory (Director/Secretary etc) (eg as Director of ABC Holdings Pty Ltd) OR attach further documentation as required.	
<input type="checkbox"/>	Owners consent attached OR ↓

As the owner/s of the above property described in this application I/we consent to its lodgement. I/we hereby permit any duly authorised officer of Snowy Monaro Regional Council to enter the land or premises to carry out inspections and surveys or take measurements or photographs as required for the administration of the Act(s), Regulations, or Planning Instruments. We advise that as landowners we are not aware of any known hazards that may be of harm to officers visiting the site.		
Signature	DocuSigned by:	Name
		Andrew Nolan
		Date
		13 September 2019
Signature	B48D28324DB1475 X	Name
		Peter Bascom (SMRC)
		Date
		14 10 19

DECLARATION AND SIGNATURE OF APPLICANT		
I/we the undersigned hereby apply for approval of the development proposal as described and as per the plans and specifications and documents accompanying the Application. I/we undertake to develop in accordance with any approval granted by Council and conform with the provisions of the relevant Act(s), Regulations, codes and the Local Environmental Plan. I/we further undertake to pay any fee or charge assessed by Council in connection with development and indemnify Snowy Monaro Regional Council against all claims arising from negligence (or otherwise) resulting from work carried out in connection with the development within the road reserve.		
Signature	Name	Date
	ALANNAH Dickson	13/09/2019
Signature	Name	Date

SITE WORKS MUST NOT COMMENCE WITHOUT COUNCIL APPROVAL
 Construction materials purchased/work done/arrangements made prior to consent are at the owner/applicants' risk.

- ▲ Designated Developments are listed in Schedule 3 of the Environmental Planning and Assessment Regulations 2000. Special procedures apply to the notification and assessment of Designated Development under the Act)
- ◆ Development that requires Concurrence is listed in 79B of the Environmental Planning and Assessment Act 1979.
- ◆ biodiversity compliant development means:
 - (a) development proposed to be carried out on biodiversity certified land within the meaning of Part 7AA of the Threatened Species Conservation Act 1995, or
 - (b) development in respect of which a biobanking statement has been issued in respect of the development under Part 7A of the Threatened Species Conservation Act 1995, or
 - (c) development to which the biodiversity certification conferred by Part 7 of Schedule 7 to the Threatened Species Conservation Act 1995 applies, or
 - (d) development for which development consent is required under a biodiversity certified EPI (within the meaning of Part 8 of Schedule 7 to the Threatened Species Conservation Act 1995).

9.1.1 MONTHLY FUNDS MANAGEMENT REPORT - JULY 2021

Record No:

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

Attachments:

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

EXECUTIVE SUMMARY

The following report details the funds management position for the reporting period ending 31 July 2021.

Cash and Investments are \$78,264,977.

Certification

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

OFFICER'S RECOMMENDATION

That Council:

- A. Receive the report indicating Council's cash and investments position as at 31 July 2021; and
- B. Receive the Certificate of the Responsible Accounting Officer.

BACKGROUND

Council's Cash and Investments 31 July 2021:

Cash at Bank	\$1,945,546
Investments	\$76,319,431

Total	\$78,264,977
--------------	---------------------

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

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Total cash and investments are available to provide services and infrastructure to the community in accordance with the 2022 budget, Council resolutions and other external restrictions.

2. Environmental

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

3. Economic

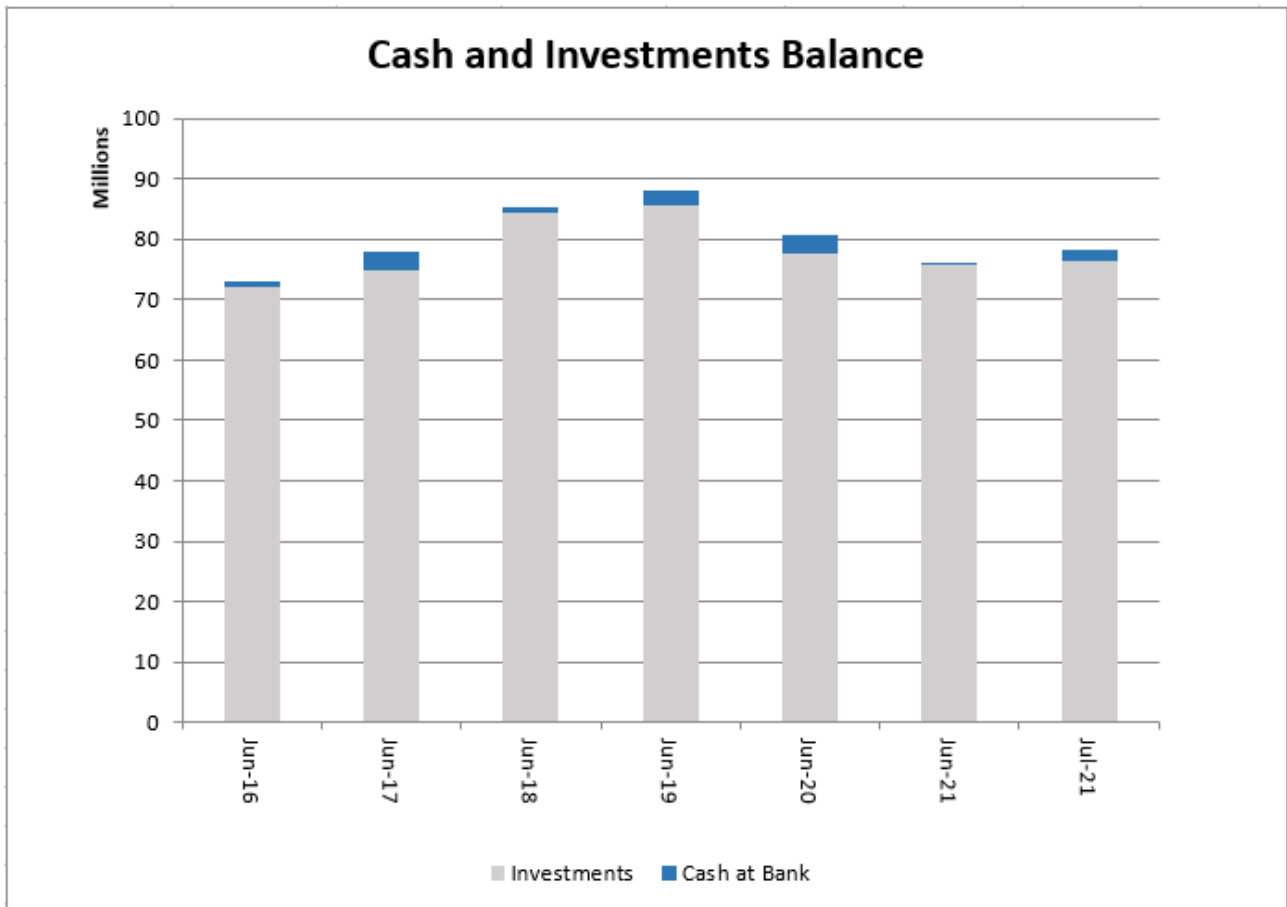
Total investments for Snowy Monaro Regional Council were \$76,319,431 on 31 July 2021.

Investment Register – 31 July 2021:

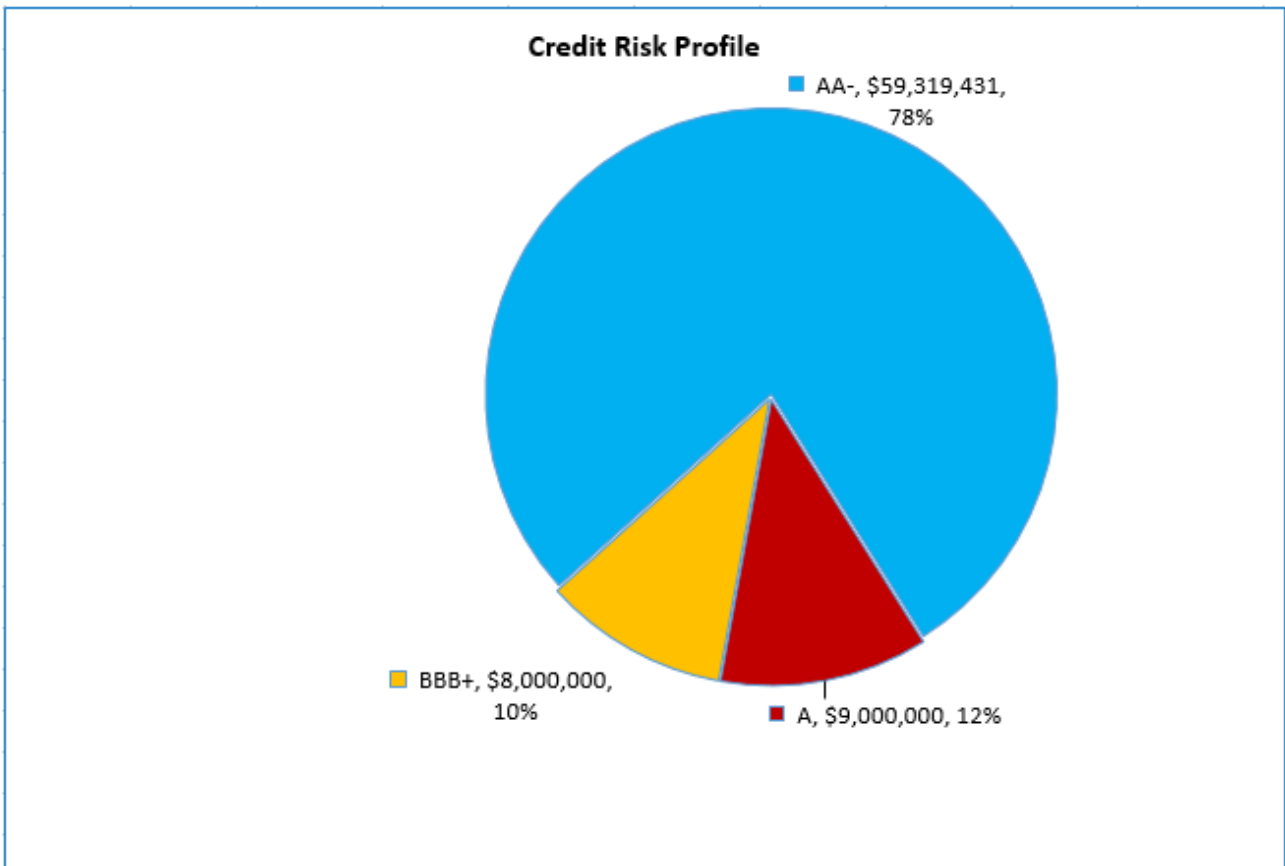
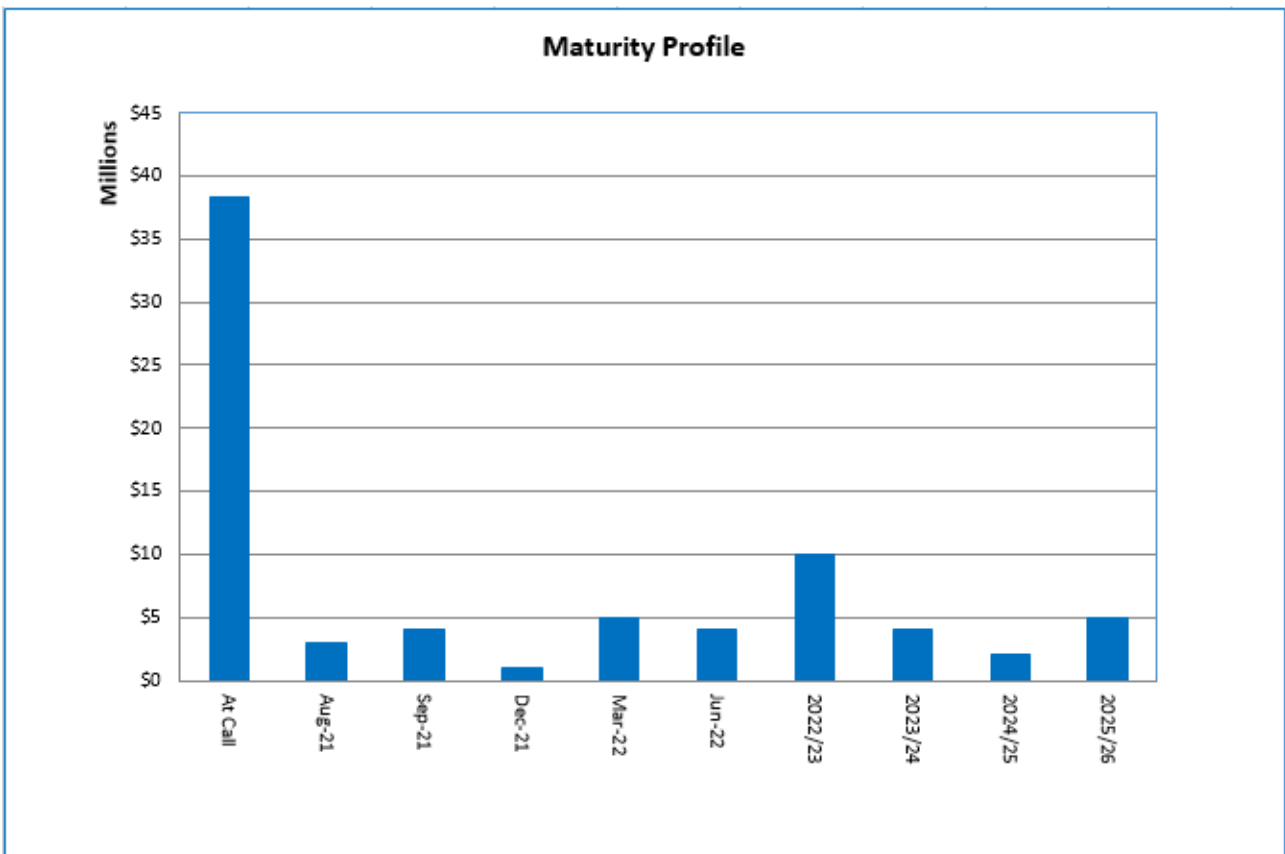
DATE INVESTED	FINANCIAL INSTITUTION	Short-Term Rating	Long-Term Rating	TYPE	CURRENT INVESTMENT	INTEREST RATE	MATURITY
n/a	National Australia Bank - At Call*	A1+	AA-	At Call	38,319,431	0.65%	At Call
29-Aug-17	Westpac Bank	A1+	AA-	TD	4,000,000	0.99%	29-Aug-22
15-Sep-17	Westpac Bank	A1+	AA-	TD	1,000,000	0.92%	15-Sep-21
29-Jun-18	National Australia Bank	A1+	AA-	TD	4,000,000	0.93%	29-Jun-23
11-Sep-18	RaboDirect	A1	A	TD	2,000,000	3.33%	08-Sep-23
17-Dec-18	Rabobank Australia	A1	A	TD	2,000,000	3.15%	16-Dec-22
27-Aug-19	ING Bank	A1	A	TD	3,000,000	1.44%	31-Aug-21
17-Sep-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.85%	19-Sep-23
23-Oct-19	Bank of Queensland	A2	BBB+	TD	1,000,000	1.80%	23-Oct-23
03-Dec-19	Australian Military Bank	A2	BBB+	TD	1,000,000	1.72%	02-Dec-21
12-Mar-20	Rural Bank Limited	A2	BBB+	TD	4,000,000	1.20%	17-Mar-22
17-Mar-20	ING Bank	A1	A	TD	1,000,000	1.63%	17-Mar-25
20-Mar-20	Bank of Queensland	A2	BBB+	TD	1,000,000	1.85%	19-Mar-25
22-Jun-20	National Australia Bank	A1+	AA-	TD	4,000,000	0.95%	22-Jun-22
09-Sep-20	National Australia Bank	A1+	AA-	TD	3,000,000	0.75%	09-Sep-21
27-Jan-21	National Australia Bank	A1+	AA-	TD	5,000,000	0.80%	27-Jan-26
05-Mar-21	ING Bank	A1	A	TD	1,000,000	0.30%	04-Mar-22
					76,319,431		

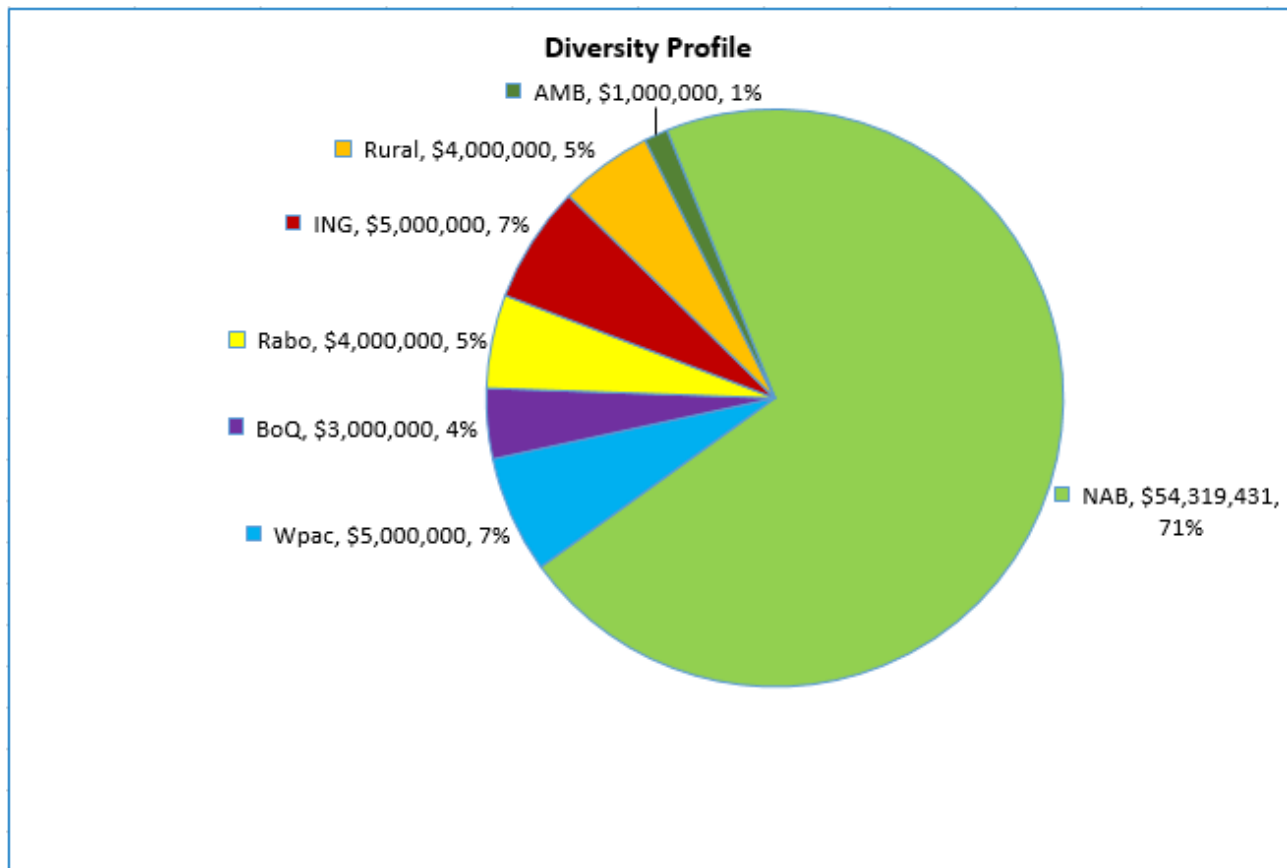
*National Australia Bank - At Call with the added loyalty bonus of 0.60% p.a. is generally higher than short to medium term deposits currently on offer.

Cash and Investments Charts:



9.1.1 MONTHLY FUNDS MANAGEMENT REPORT - JULY 2021





Investment Portfolio Return:

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

Month	YTD Annualised Return	Monthly Average Interest Return	90 Day Bank Bill*	Margin
July (2021)	0.95%	0.95%	0.02%	0.93%

**The Australian Financial Market Association (AFMA)*

Understanding Ratings:

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

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

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

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

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

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

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

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

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

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

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

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

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

Source: S&P Global Ratings

4. Civic Leadership

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

Council's fund management reporting meets the requirements of Council's investment policy (SMRC258) and exceeds minimum regulatory requirements and demonstrates a commitment to

9.1.1 MONTHLY FUNDS MANAGEMENT REPORT - JULY 2021

accountability and transparent leadership. It provides the Council, executive and community with timely, accurate and relevant reports on which to base decisions.

9.2.1 MONARO RAIL TRAIL UPDATE

Record No: I21/41

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

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The Monaro Rail Trail project continues to progress and has been added to the Canberra Region Joint Organisation of Councils broader regional agenda. Transport for NSW continues to be supportive of further rail trail development across the state. Regular meetings continue between Snowy Monaro Regional Council and MRT Inc. Representatives from Queanbeyan-Palerang Regional Council also participate in these meetings, which are focussed around using recently allocated funding from both Councils towards the project.

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

OFFICER'S RECOMMENDATION

That Council receive and note this report.

BACKGROUND

Continuing support of the rail trail project has led to discussions on the profile of this project on the broader Canberra Region Joint Organisation (CRJO) agenda. Awareness of the MRT project is high and it has been added to the CRJOs 'Pipe Report' listing priority projects around the region that are as yet unfunded. This report aims to raise awareness to different levels of government about projects of significance for the region that are seeking funding. It also explains their current status and stage of development readiness.

The two Councils supporting this project currently meet with MRT Inc members on a regular basis. The current focus is preparation of the consultant brief to quote on work stages in relation to the \$90,000 and \$50,000 respectively which each Council has allocated for the next stage of the study.

Updates have been provided by Department of Regional NSW on current deliberations within Transport for NSW (TfNSW) on rail trails across the state and their approach is supportive of further rail trail development. With an awareness of the potential the MRT offers, they are considering this in their deliberations. TfNSW is taking steps with the broader state government to ensure much needed legislative changes allow rail trail developments to proceed and be completed in a shorter timeframe. A review of learnings and recommendations from recent internal evaluation of rail trails that have been approved or realised in NSW is underway and the MRT project should benefit from the outcomes of this review. An executive summary of the review will be publicly released in due course.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

There are no direct social consequences as a result of this report.

2. Environmental

There are no direct environmental consequences as a result of this report.

3. Economic

There are no direct economic consequences as a result of this report.

4. Civic Leadership

Council continues to play an important role in progressing the Monaro Rail Trail project.

9.3.1 COOMA COMPOST FACILITY AND CROWN ROAD

Record No: I21/42

Responsible Officer: Chief Strategy Officer

Authors: Project Specialist
Land and Property Officer

Key Theme: 3. Environment Outcomes

CSP Community Strategy: 7.1 Protect, value and enhance the existing natural environment

Delivery Program Objectives: 7.1.2 The significance and protection of the region's natural assets along with the efficient and equitable planning of public services, infrastructure and amenities is provided for in Council's Local Environmental and associated plans

Attachments: 1. DP 1075191
2. Lot 1 DP 1075191 - Map of Proposed Land Acquisition From Crown Lands
3. General Locatlity Map - Cooma Landfill

Cost Centre WO303

Project PP329

Further Operational Plan Actions:

EXECUTIVE SUMMARY

Whilst conducting research for the Snowy Monaro Regional Council's Waste Management Strategy it has been identified that an unoccupied Crown parcel of land lies between Council owned land and Crown Land managed by Council, known as the Cooma Landfill (please see attached map). This land is identified as Lot 1 DP 1075191 and is adjacent to the east of the Cooma Landfill.

To ensure Lot 1 DP 1075191 does not inhibit the future development of a compost facility adjacent to the current landfill Council needs to acquire Lot 1 DP 1075191 from Crown.

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

OFFICER'S RECOMMENDATION

That Council

- A. Acquire Lot 1 DP 1075191 by compulsory acquisition process from Crown Lands under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Local Government Act 1993 for the purpose of waste facility
 - B. That the land be dedicated as operational land in accordance with the Local Government Act 1993
 - C. That this acquisition is not for the purpose of resale or compensation
 - D. That the necessary application be made to the Minister for Local Government and the
-

Governor

E. Authorise the Chief Executive Officer to execute all required documentation

BACKGROUND

The Cooma Landfill currently consists of Lot 7002 DP 1023884, Lot 7003 DP 1033078 and 7301 DP 1133948. The parcels are Crown Land with Council being the land manager. Lot 314 DP 750535 is located to the east of the landfill and owned by Council. Lot 1 DP 1075191 is situated partially between Lot 7002 DP 1023884 and Lot 314 DP 750535 (please see attached map).

The identified location for the future compost facility is approximately 3 ha adjoining the current site to the east located partially on Lot 314 DP 750535 and Lot 1 DP 1075191.

The proposed Snowy Monaro Regional Council Waste Management Strategy (the strategy) recommends that Council consolidate landfill disposal operations to the Cooma Landfill. The recommendation does not require expansion of the landfill into Lot 314 DP 750535, with approximately 26 years of airspace at the current site however does identify the future compost facility to be located partially on Lot 314 DP 750535 and Lot 1 DP 1075191. All other options in the strategy also do not require expansion of the landfill into the adjoining sites.

Development of a compost facility is included in the operational plan. The acquisition of land and development of the improved composting facility does not require adoption of the waste strategy to proceed and will be required.

Lot 314 DP 750535 has been considered for a landfill expansion twice in the past and is unlikely to be approved as a landfill site. The constraints that make the development of the site into a landfill unsuitable are not relevant or significantly reduced when developing the site into a compost facility.

Historically Lot 1 DP 1075191 was a Crown road reserve that Cooma Monaro Shire Council began the process to transfer from Crown in 2003. It was closed as a road by Crown Lands in 2010. The transfer was partially completed, therefore creating lot 1 DP 1075191 as an unoccupied parcel of Crown Land. By Council enacting this compulsory acquisition from Crown Land now, it will finalise the process that was initiated in 2003, whilst being proactive by making the land available for future development outlined in the strategy.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The recommendation is expected to have a positive impact to the community as the developed composting site will allow Council to expand food organic and garden organic collection to all collection areas in the local government area.

Impacts related to the potential development will be included and assessed as part of the environmental impact statement for the facility.

2. Environmental

Environmental impacts related to the potential development will be included and assessed as part of the environmental impact statement for the facility.

3. Economic

Estimated Expenditure	Amount	Financial year	Ledger		Account string															
			W	O	0	0	0	0	0	3	0	3								
Acquisition process	\$15,000	21-22	W	O	0	0	0	0	0	3	0	3								
Purchase of land	\$15,000	21-22	W	O	0	0	0	0	0	3	0	3								
Funding (Income/reserves)	Amount		Ledger		Account string															
Waste reserves	\$30,000.00	21-22																		

4. Civic Leadership

The recommendation will allow Council to unify waste services by providing food organic and garden organic collection to all collection areas in the local government area.

PLAN FORM 1

Plan Drawing only to appear in this space

ePlan * OFFICE USE ONLY

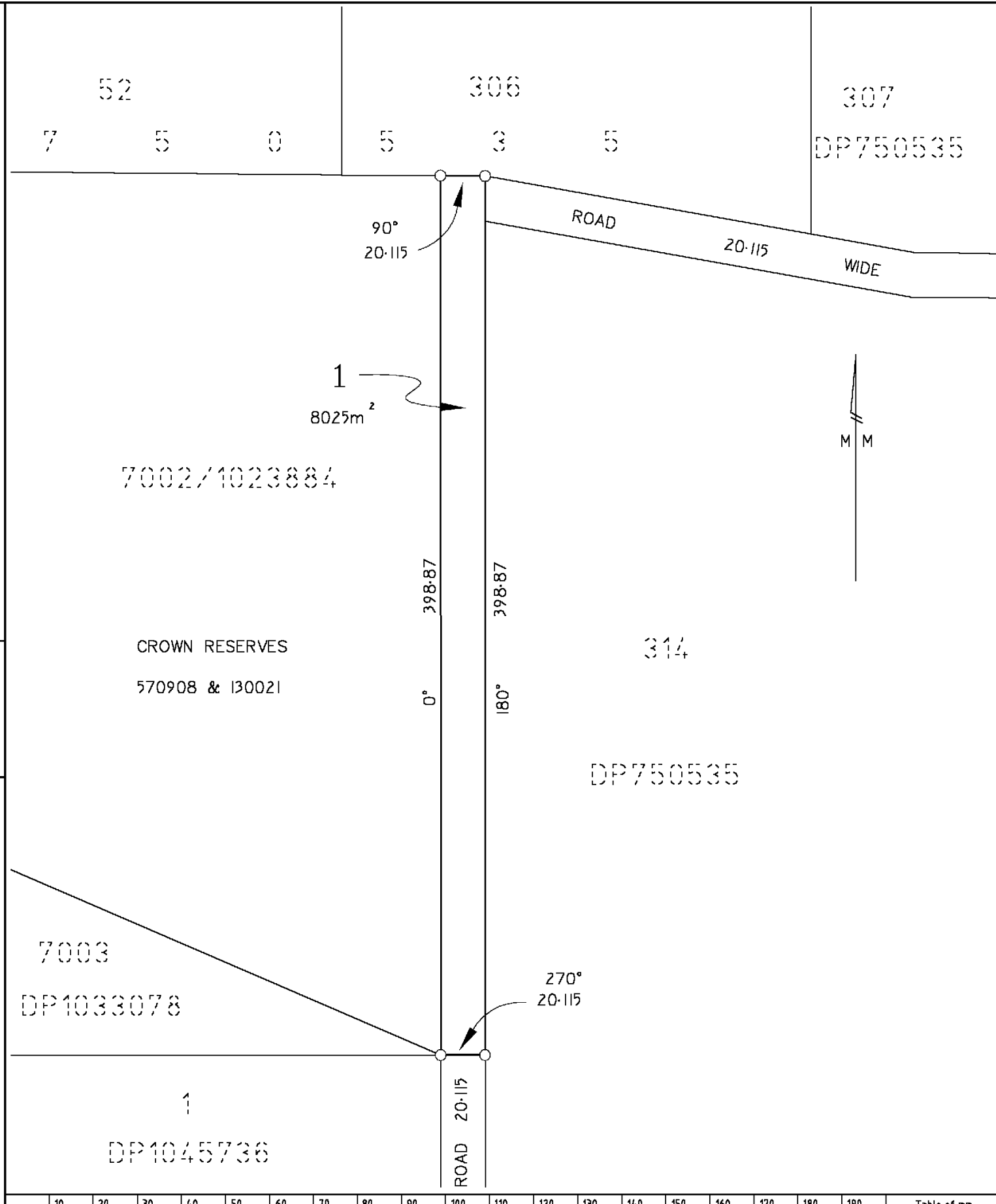
SIGNATURES SEALS AND STATEMENTS of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

LOT 1 IS ROAD PROPOSED TO BE CLOSED UNDER THE ROADS ACT 1993

SEE SIGNATURES FORM

Crown Lands Office Approval
 PLAN APPROVED SEE SIGNATURES FORM
 Authorised Officer
 Land District GOULBURN
 Paper No. & DATE GB03H438 2 AUGUST 2004
 Field Book pages

Subdivision Certificate
 I certify that the provisions of s.109j of the Environmental Planning and Assessment Act 1979 have been satisfied in relation to the proposed
 * (insert 'subdivision' or 'new road') set out herein
 * Authorised Person/General Manager/Accredited Certifier
 Consent Authority:
 Date of endorsement:
 Accreditation no:
 Subdivision Certificate no:
 File no:
 Note:
 When the plan is to be lodged electronically in the Land Titles Office it should include a signature in an electronic or digital format approved by the Registrar-General
 * Delete if inapplicable.



DP1075191
 Registered: 29/10/2004
 C.A.:
 Title System: CROWN LAND
 Purpose: FIRST TITLE ISSUE
 Ref. Map: Q0982-5
 Last Plan:

PLAN FOR FIRST TITLE CREATION AND ROAD CLOSING UNDER THE ROADS ACT 1993
 Lengths are in metres. Reduction Ratio 1: 2000

LGA COOMA MONARO SHIRE
 Locality: NEAR COOMA
 Parish: COOMA
 County: BERESFORD

This is sheet 1 of my plan in sheets.
 (Delete if inapplicable).

Surveyors (Practice) Regulation 2001
 I, JOHN WINSTON KLEVEN
 of P.O. BOX 1150 COOMA 2630
 a surveyor registered under the Surveyor's Act 2002,
 hereby certify that the survey represented in this plan
 is accurate, has been made in accordance with the
 Surveyors (Practice) Regulation 2001 and was completed
 on 14 OCTOBER 2003
 The compiled plan relates to LOT 1

(here specify the land actually surveyed, or specify any land shown in the plan that is not the subject of the survey)
 Datum Line: SEE SIGNATURES FORM
 Zone: Suburban/Country (Signature)
 Surveyor registered under the Surveyor's Act 2002

Plans used in preparation of survey/compilation
 B3032-1765, DP 713221

Box: e-IDS / Doc: DP 1075191 P / Rev: 04-Nov-2004 / Sts: SC OK / Prt: 05-Nov-2004 02:22 / Pgs: ALL / Seq: 1 of 2
 WARNING: Electronic Document Supplied by LPI NSW for Your Internal Use Only.

10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	Table of mm
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Box:e-IDS /Doc:DP 1075191 P /Rev:04-Nov-2004 /Sts:SC.OK /Prt:05-Nov-2004 02:22 /Pgs:ALL /Seq:2 of 2
WARNING : Electronic Document Supplied by LPI NSW for Your Internal Use Only.

PLAN FORM 9

ePlan

CERTIFICATES, SIGNATURES AND SEALS

Sheet 1 of 1 sheet(s)

**PLAN FOR FIRST TITLE CREATION AND ROAD
CLOSING UNDER THE ROADS ACT 1993**

DP1075191

Registered:  29-10-2004

* OFFICE USE ONLY

Surveying Regulation, 2001


I, **JOHN WINSTON KLEVEN**
Of **KLEVEN SPAIN P/L PO BOX 1150 COOMA NSW 2630**
a surveyor registered under the *Surveying Act, 2002*, certify that the
survey represented in this plan is accurate, has been made in
accordance with the *Surveying Regulation, 2001* and was completed
on: **14 OCTOBER 2003**

**SIGNATURES, SEALS and STATEMENTS of intention
to dedicate public roads or to create public reserves
and drainage reserves.**

**LOT 1 IS ROAD PROPOSED TO BE CLOSED
UNDER THE ROADS ACT 1993**

The compilation relates to **LOT 1**.....

Specify the land actually surveyed or specify any land shown in the
plan that is not the subject of the survey)


Signature:  Dated: **1/7/04**
Surveyor registered under the *Surveying Act, 2002*

Datum Line:.....
Type: **Urban/Rural**

Department of Lands Approval

I, **TRACY COWGILL**..... in approving this plan certify
(Authorised Officer)

that all necessary approvals in regard to the allocation of the land
shown herein have been given

Signature: 
Date: **2 AUGUST 2004**
File Number: **GB 03 H438**
Location: **GOULBURN**

Subdivision Certificate

I certify that the provisions of s.109J of the Environmental Planning and
Assessment Act 1979 have been satisfied in relation to:

the proposed..... set out herein
(insert 'subdivision' or 'new road')

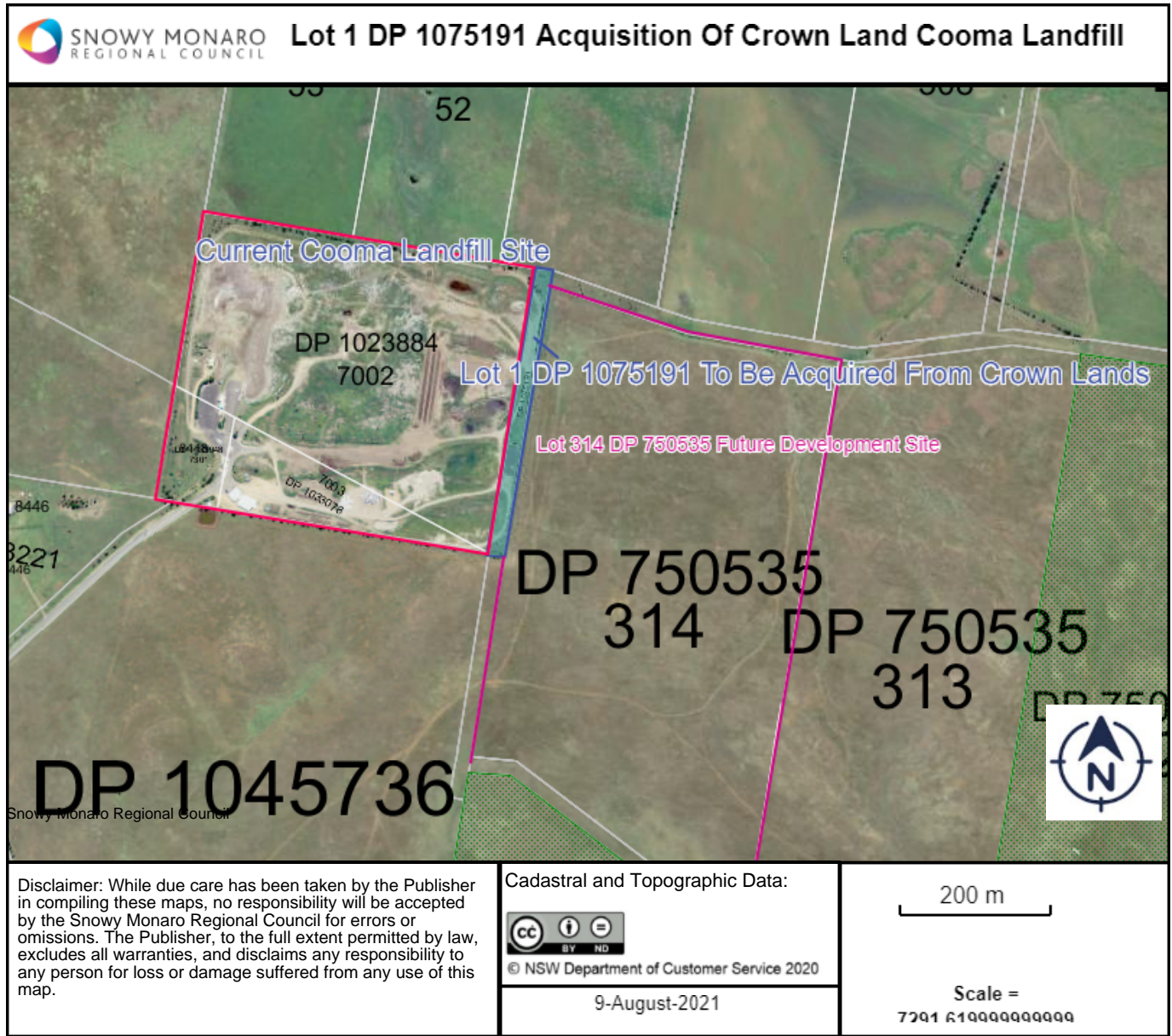
* Authorised Person/General Manager/Accredited Certifier

Consent Authority:
Date of Endorsement:
Accreditation no:
Subdivision Certificate no:
File no:

* Delete whichever is inapplicable.

Use PLAN FORM 6A for additional
certificates, signatures and seals

SURVEYOR'S REFERENCE: C26



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Cadastral and Topographic Data:

 © NSW Department of Customer Service 2020
 9-August-2021

200 m
 Scale =
 7291 619999999999

- Annotations**
- T Lot 314 DP 750535 Future Development Site
 - LineString4
 - LineString3
 - LineString2
 - T Current Cooma Landfill Site
 - T Lot 1 DP 1075191 To Be Acquired From Crown Lands
 - LineString1
 - Polygon1

- Administrative Boundaries**
- localgovernmentarea
 - stateforest
 - npwsreserve

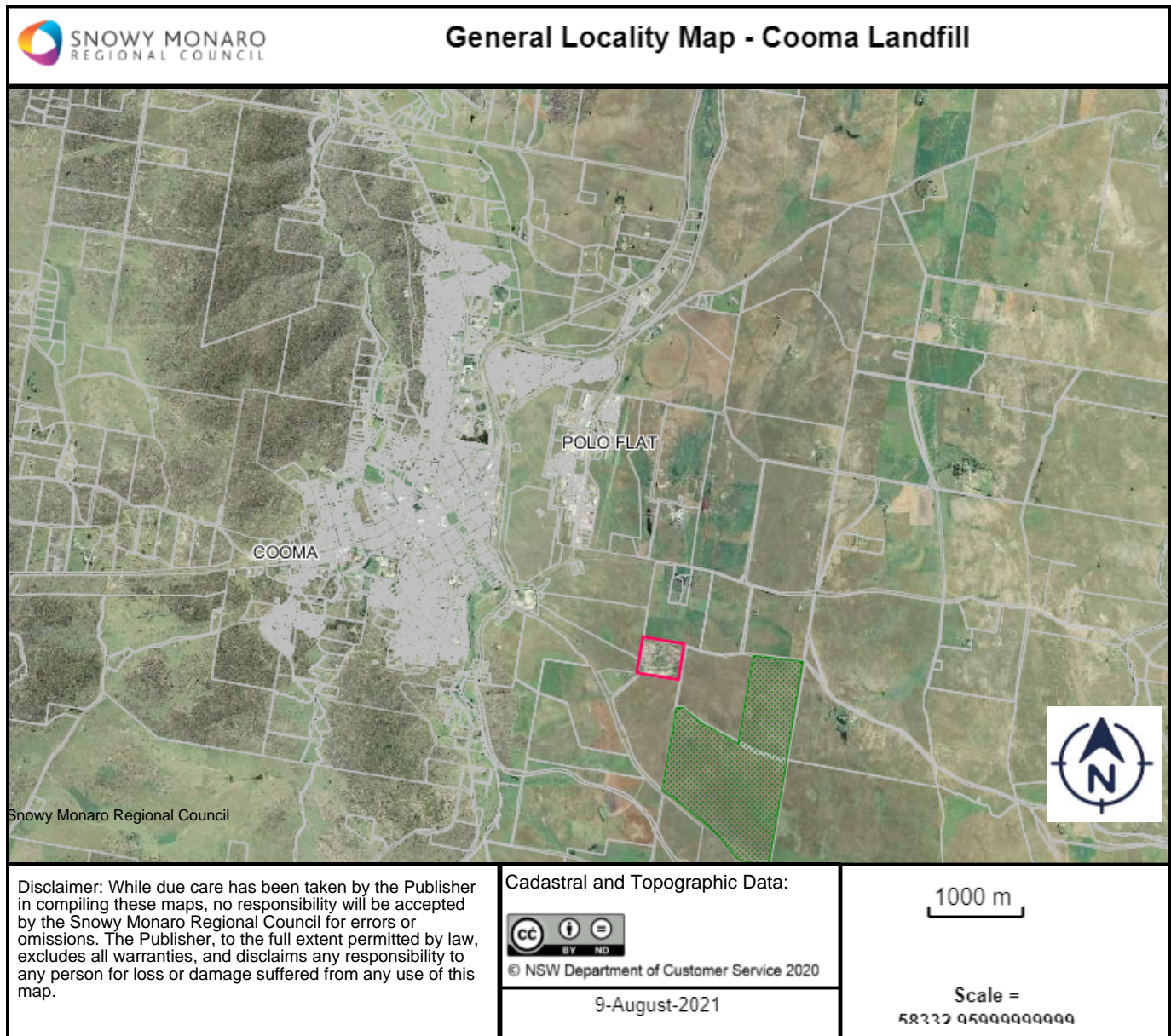
- Property Information**
- PlanLabel
 - Aa Text
 - Aa Text
 - SectionLabel
 - Aa Text
 - Aa Text
 - LotLabel
 - Aa Text
 - Aa Text

- AssessmentOwnerInformation
- PropertyInformation

- Parcel Information**
- lot
 - PlanLink

- RuralAddressing**
- Rural_Address_Point100919
 - Rural_Address_Dwelling100919

Town Names



- Annotations**
- LineString2
- Administrative Boundaries**
- localgovernmentarea
- stateforest
- npwsreserve
- Property Information**
- PlanLabel
- Text
- Text
- SectionLabel
- Text
- Text
- LotLabel
- Text
- Text
- AssessmentOwnerInformation
- PropertyInformation
- Parcel Information**
- lot
- PlanLink
- RuralAddressing**
- Rural_Address_Point100919
- Rural_Address_Dwelling100919
- Town Names**
- TownNames

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Cadastral and Topographic Data:



© NSW Department of Customer Service 2020

9-August-2021

1000 m

Scale =
 58232 9500000000

9.3.2 SUBMISSION TO THE REGIONAL HOUSING TASKFORCE

Record No: I21/28

Responsible Officer:	Chief Strategy Officer
Author:	Team Leader Strategic Planning
Key Theme:	3. Environment Outcomes
CSP Community Strategy:	8.3 Advocate for a range of suitable housing and accommodation that is available for the changing needs of our community
Delivery Program Objectives:	8.3.1 Planning policies facilitate options for a range of housing types
Attachments:	
Cost Centre	WO - 47
Project	Regional Housing Taskforce
Further Operational Plan Actions:	

EXECUTIVE SUMMARY

In June this year, the NSW Government created the Regional Housing Taskforce to identify challenges in the planning system that are preventing the delivery of housing supply and formulate recommendations to improve housing outcomes in regional NSW.

The Regional Housing Taskforce is calling for submission by 27 August 2021. The purpose of this report is to advise Council to provide a submission to the taskforce and brief Council on the draft submission (Attachment B).

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

OFFICER'S RECOMMENDATION

That Council

- A. Receive and note draft submission to the Regional Housing Taskforce (Attachment B)
- B. Authorise Mayor to sign the final submission.

BACKGROUND

In June 2021, the NSW Government established a Regional Housing taskforce (the taskforce) to increase pressures on the supply and affordability of housing in Regional NSW.

Council has recognised that many factors have put significant pressure on housing affordability and availability across the Snowy Monaro Region over recent years. It is important that Council expresses these issues to the taskforce.

The terms of reference focus on the technical planning barriers that prevent new housing from being delivered within the work's strategic context under the NSW Housing Strategy. The scope of the taskforce identified in the terms is:

In consultation with relevant experts and stakeholders, the Taskforce will investigate planning barriers and develop recommendations to address regional housing issues with a focus on:

- The planning system and other government levers to stimulate housing supply and address housing needs
- Removing impediments within the planning system to the delivery of affordable housing types and housing generally
- Identifying mechanisms within the planning system to facilitate and drive the delivery of housing matched to community needs

The draft submission seeks to express a wide range of issues we are currently experiencing across the Monaro. These include but aren't limited to a lack of infill development, land banking by developers/landowners, crown land constraints, cost of materials, lack of available skilled labour, investor-driven development focused around tourism (STRA).

While these issues have been framed in reference to the terms of reference the taskforce has, these terms of reference do not cover many issues related to housing supply and affordability in our region. The inadequacy of the terms of reference is also expressed in the draft submission.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

Housing is vital to the social fabric of communities, and this is no different in the Snowy Monaro Region. Positive housing outcomes such as an increase in affordability and availability of a diverse housing market stand to make communities more socially sustainable and resilient. The taskforce has been set up to attempt to address these housing issues, and Council should make a submission expressing social issues created by a lack of housing availability in the local context.

2. Environmental

Housing is an integral part of our built environment. Housing often assists in characterising our towns and villages. A diverse range of housing stock reflects a diverse community. Historically, towns such as Cooma, which grew significantly due to the Snowy Hydro Scheme, have resulted in legacy issues that have led to inadequate housing quality, which is challenging to adapt.

Housing should not be developed at the expense of the natural environment but rather complement it. Significant biodiversity and agricultural land should be protected from the encroachment of residential development, and new developments should be well designed to achieve this outcome.

3. Economic

Housing has significant economic impacts, from construction to providing shelter to the community, which offers economic activity for our region. Tourism-related investment also has a substantial effect on our economy along with infrastructure projects. While this investment contributes to housing shortages, it is vital to maintain this investment for the local economy. Providing more housing stock and a more diverse housing stock will only have positive economic impacts.

Council draft submission has been prepared by Council staff using existing internal and budgeted resources.

4. Civic Leadership

Council as community representatives have a civic leadership role and have a responsibility to provide submissions expressing local issues to the NSW Government when these opportunities arise. By Council providing a submission to the taskforce Council is utilising its civic leadership role to advocate for the community.

Regional Housing Taskforce

Terms of Reference



July 2021

Background

In addition to the challenges faced by Australian housing markets nationally, regional NSW faces unique housing challenges, linked to diverse economic, environmental and social pressures, and a complex policy context. Changes in migration patterns and housing preferences resulting from COVID-19, growing unaffordability, low rental vacancy rates and mismatches between supply and demand are increasingly placing pressure on regional communities.

The Regional Housing Taskforce (the Taskforce) was formally announced in June 2021 by the Minister for Planning and Public Spaces to identify challenges in the planning system that are preventing the delivery of housing supply and formulate recommendations to improve housing outcomes in regional NSW. The Taskforce is to focus on the technical planning barriers that prevent new housing being delivered within the strategic context of the work being undertaken under the NSW Housing Strategy.

Purpose

The purpose of the Taskforce is:

- To undertake consultation with local government and experts from the development and housing sectors to identify barriers in the planning system to new supply and develop potential solutions
- To advise the Minister for Planning and Public Spaces on the findings of the consultation and research and recommendations to achieve better housing outcomes for regional NSW through the planning system
- To contribute to the evidence base identifying housing challenges and planning barriers to housing delivery, building on existing background work to inform future government housing initiatives and provide advice to the Housing Expert Advisory Panel, when established

The Taskforce will utilise a collaborative approach between agencies, drawing on the expertise and statutory powers of each agency.

Scope

In consultation with relevant experts and stakeholders, the Taskforce will investigate planning barriers and develop recommendations to address regional housing issues with a focus on:

- The planning system and other government levers to stimulate housing supply and address housing needs
- Removing impediments within the planning system to the delivery of affordable housing types and housing generally
- Identifying mechanisms within the planning system to facilitate and drive the delivery of housing matched to community needs

Timeframe and deliverables

The Taskforce is to submit a report outlining its findings into the investigation of planning barriers to regional housing delivery to the Minister for Planning and Public Spaces in September 2021,

Regional Housing Taskforce

Terms of Reference



followed by a second report with recommendations to address identified barriers to delivery of regional housing in October 2021.

Following delivery of the reports, the Taskforce will cease to operate unless the purpose and scope of the Taskforce is revised or expanded in consultation with, or as requested by, the Minister.

Membership

The Taskforce is led by the Chair, Garry Fielding. The Chair is responsible for convening meetings and setting the agenda for each meeting in consultation with the other members of the Taskforce. The Chair is also responsible for preparing the reports to the Minister for Planning and Public Spaces.

Senior representatives from relevant NSW Government agencies including the Department of Planning, Industry and Environment and the Department of Regional NSW (DRNSW) comprise the other members of the Taskforce.

The meetings of the Taskforce may also be attended by non-members, to be determined by way of invitation from the Chair.

External Engagement

A series of meetings will be scheduled in key locations across regional NSW to allow for key stakeholders such as local government, industry and the community to inform the Taskforce's deliberation and consideration of recommendations.

A call for submissions will be made to inform the recommendations to Government about changes to the planning system that will assist to deliver appropriate housing in regional NSW. The Taskforce will consider written submissions made up until 27th August 2021.



Enquiries Alex Adkins
Our Ref 21/73009
Cooma
Your Ref Regional NSW Housing Taskforce

Date

Regional Housing Taskforce Chair
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Mr Garry Fielding

Regional NSW Housing Taskforce

Thank you for the opportunity to provide a submission to the Regional Housing Taskforce. Housing affordability and availability has been a significant issue across the Snowy Monaro region in recent years. Which has impacted the region's liveability and sustainability, with the most vulnerable in the community the worst affected.

Council would like to work constructively with the taskforce to achieve positive outcomes to these complicated issues in the Snowy Monaro Region. Please note more detailed comments have been provided as appendix A of this letter.

The Snowy Monaro region is experiencing a convergence of projects and events leading to unique housing shortages. Infrastructure and investment from projects such as Snowy 2.0 and the Snowy Mountains SAP coupled with the loss of dwellings from recent bushfires and changing settlement trends attributed to COVID-19 have all likely contributed to and induced a housing shortage across the region.

The housing shortage is particularly evident in the rental market, with minimal rental properties available on the market. Of rental households, over 36% across the LGA were experiencing rental stress at the end of 2020. It is noted that the taskforce focuses on the planning system; issues identified in the housing market extend far beyond the planning system. Urgent action is required to address these issues in the short term along with longer-term sustainable strategic solutions.

Should you have any queries regarding this application, please contact Council's Strategic Planning Department on (02) 6451 1416.

Yours faithfully

Name

Position

Appendix A

There is an identifiable housing shortage, particularly rental housing, which planning does play a direct role in resolving¹. Council has a responsibility as the relevant planning authority to provide appropriately zoned and serviced land for development over and above the amount expected to be required. Council has endeavoured to achieve this outcome with a significant surplus of land supply available in its towns and villages. However, many external factors are preventing the delivery of diverse housing stock. These include a lack of infill development, land banking by developers/landowners, crown land constraints, cost of materials, lack of available skilled labour, investor-driven development focused around tourism (STRA).

Terms of Reference

It is noted that the terms of reference for this taskforce are narrow and do not cover all Government policy in regards to housing affordability and availability. The terms of reference cover planning and related areas. While planning impacts housing supply, this impact is negligible compared to other government policies such as taxation policy. The planning system is not the only issue when it comes to housing supply and potentially is not the core problem; however, improvements can be made.

There is a distinct lack of detail in terms of reference, and Council would like to clarify what weight these recommendations will be given. Will this taskforce provide short term or long term solutions, and if so, what is the timeframe for implementation? It is considered that fast action is needed to address current issues, and sustainable longer-term strategic solutions are required.

It could also be worthwhile clarifying what affordable housing is, and this is likely to vary across regional areas and basing this on incomes may not capture the most vulnerable. It is noted that defining this in metropolitan areas may be easier, but a one size fits all approach is not suitable or sustainable. A definition of what is considered 'Regional NSW' would also be helpful. Regional NSW is diverse with many differences, and a one size fits all model for Regional NSW is illogical because of the great variation that exists outside of metropolitan areas.

The rule of thumb measure when considering affordable housing is that it costs less than 30% of gross household income². Median rental prices have increased across the Snowy Monaro region from \$300 to \$400 per week³ from 2019 to 2020. If the 30% rule is applied based on the median income, the average rent in the Snowy Monaro region is 33% of household income⁴.

Incentivise Infill Development

The most effective way to provide affordable housing is infill, as this allows for diverse housing stock in areas with existing infrastructure provision. Towns' across the Snowy

¹ <https://housing.id.com.au/snowy-monaro/affordability-and-availability#>

² <https://www.facs.nsw.gov.au/providers/housing/affordable/about#1>

³ https://public.tableau.com/app/profile/facs.statistics/viz/Rentandsales_15565127794310/Rent

⁴ https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/LGA17040?opendocument

Monaro have a surplus of land zoned for infill development. While some infill development has been noted (mostly tourism-related), there has been a lack of take-up regarding infill development, pointing to an apparent market failure. Some of this lack of take up can be attributed to a general lack of community support for this type of development; however, for affordable housing to be achieved, more infill development is required.

Impacts of infrastructure-related investments

There has been a significant investment in infrastructure across all three layers of government in the Snowy Monaro LGA. While this investment has been highly beneficial to the Snowy Monaro Region and has created incredible business and employment opportunities, there is little doubt it has had an acute impact on the housing market across the region.

Many of these impacts were predicted as part of the scoping and planning processes for these investments. However, the severity of the effects was under-estimated, and little has been done to mitigate the impacts. There is an opportunity to address this more comprehensively in upcoming State-led projects.

At the same time, local businesses across all sectors cannot attract the necessary skilled workforce to the region because of the current housing shortage. Despite, businesses attempt to recruit employees who already reside locally, many businesses are experiencing a skills mismatch (primarily due to the nature of the infrastructure-related investment).

The outcome is restricted business and employment growth, high-reliance on short-term accommodation providers (hotels, motels, STRA etc.).

Requirements to complete construction

In Cooma, a large amount of land is appropriately zoned for residential development and has received appropriate approvals to subdivide and develop the land. However, this land has not reached the market because developers seek to maximise profits by 'drip feeding' the market a couple of lots at a time. The general lack of regulation to require the completion of development and to prevent land banking has led to a tightly held market that has failed to provide housing supply.

Council has actively sought to combat this issue by discounting development contributions and removing costly conditions from active consents. However, no noticeable action has taken place. Given the carrot approach is not working, a stick may be more fruitful with significant land tax penalties or rates penalties for those seemingly land banking. In addition, a requirement to complete construction could be considered similar to the five-year requirement to commence construction; a five-year lapsing consent could be applied to the completion of construction.

The ACT Government utilise two years to commence construction, two years to complete construction requirement as a standard condition on consents to ensure the timely delivery of development according to relevant planning and building standards that are subject to change over time.

Constraints in Developing Crown Land

Cooma and Adaminaby are experiencing an acute housing shortage. Both of these settlements have a significant amount of Crown Land zoned for residential development. Realising this development potential has proven elusive without being caught in long bureaucratic processes. A straightforward and streamlined process to release this land from the Crown and settle native title claims is needed to allow Governments or relevant Local Aboriginal Land Councils an opportunity to realise these assets and the housing opportunities that come with them.

Cost of Construction Materials and availability of skilled labour

Fixing land supply is only part of the equation to achieving more housing supply. A significant issue across the Snowy Monaro is the cost and availability of construction materials and skilled labour. While this is not an unusual issue across Regional NSW, the proximity of towns such as Cooma to Canberra does present the opportunity to attract volume home builders from Canberra could a sustainable land supply be found. Addressing land supply without addressing these flow-on problems would not address the housing supply issues holistically.

There is also an opportunity for the NSW Government to consider investment in trade apprenticeships as a skills shortage priority. In particular, in regional areas, this would assist in creating local opportunities and respond to local shortages.

Biodiversity

The Snowy Monaro is a diverse region with outstanding and significant biodiversity. Council acknowledges the importance of maintaining biodiversity and environmental values across the LGA and notes this can be costly and time-consuming in the planning context. It is noted that mandating bio-certification at the planning proposal stage could speed up the development process and not compromise biodiversity protection. Allowing for greater flexibility to offset impacts on-site may also provide a solution.

It is noted that Council has land which may be suitable to be a certified offset site, and Council could receive credits on this land. This may also provide financial assistance to Council to maintain this land leading to financially sustainable land management and better biodiversity outcomes. It is likely that many Councils could also benefit from this type of arrangement. However, a lack of knowledge and resources has made realising this benefit challenging for regional Councils.

Short Term Rental Accommodation (STRA)

Council would specifically like to raise the impact of STRA on Jindabyne, Berridale and surrounding villages. We note much of this area is subject to the Snowy Mountains SAP. However, little recognition of problems relating to STRA are evident in the Draft SAP Master Plan currently on exhibition.

Council provided a detailed submission to DPIE on the STRA regulation reform in 2019 and is disappointed by the lack of ability to regulate STRA when these reforms are implemented in November this year. Councils submission on STRA to the Housing Policy team of DPIE is provided as an external attachment for reference.

SNOWY MONARO REGIONAL COUNCIL

In summary, STRA has a significant impact on the cost of housing and the availability of long term rentals in high tourism areas, and this impact appears to be increasing. Information provided through the Go Jindabyne Masterplan project shows that approximately 30% of all dwellings in Jindabyne are used solely for the purpose of STRA and that the majority of these properties are investment properties owned by people residing in either Sydney or Canberra.

In 2018, data shows that 18,730 people used Airbnb and HomeAway platforms to book short term accommodation in the Jindabyne SA2 area, 95% of these were booking entire homes. Of the Jindabyne properties listed on Airbnb, 69% are booked for less than 90 days per year, and 95% were booked for less than 180 days.

Greater ability to regulate STRA on a spatial basis (via land use zone) would contribute to better and more sustainable social outcomes. Improved regulation could provide greater long term rental options for towns such as Jindabyne while managing land-use conflicts related to STRA development.

Other items

Some other issues and trends identified in the Snowy Monaro region include demographic changes leading to more housing consumption. Although development contributions are necessary to contribute to the timely delivery of essential infrastructure, some developers have expressed development contributions (particularly those levied under s64 of the *Local Government Act 1993*) can contribute to development being unviable. It should be noted Council has discounted these contributions and has not seen a significant change in the release of approved subdivisions. Monopolising landholdings and lack of disincentives for land banking have resulted in the market failing to provide sufficient housing supply.

Enquiries Alex Adkins
Office Cooma
Your Ref STRA Reforms



11 September 2019

Director of Housing Policy
NSW Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2000
Attn: Director, Housing and Infrastructure Policy

Dear Sir/Madam

Subject: Short Term Rental Accommodation Reforms

Thank you for the opportunity to comment on the draft short term rental accommodation (STRA) reforms. Council would like to highlight its previous submission and the unique position of our Local Government Area which we consider to be disproportionately impacted by the use of STRA.

Council would specifically like to raise the impact of STRA on the Township of Jindabyne. Jindabyne is located in close proximity to the major NSW ski resorts of Perisher, Thredbo and Charlotte Pass. Jindabyne has a permanent population of approximately 3,000 people which swells to approximately 15,000 in winter.

The township will play a significant role in the implementation of direction 3 of the South East and Tablelands Regional Plan 2036 (Develop the Snowy Mountains into Australia's premier year-round alpine destination). The NSW Government has invested \$2.4million in the preparation of a masterplan for Jindabyne. The 'Go Jindabyne' Masterplan is considering amongst other issues, demographic elements of Jindabyne including STRA impact on the housing market.

Information provided through the Go Jindabyne Masterplan project shows that approximately 30% of all dwellings in Jindabyne are used solely for the purpose of STRA¹, and that the majority of these properties are investment properties owned by people residing in either Sydney or Canberra.

In 2018, data shows that 18,730 people used Airbnb and HomeAway platforms to book short term accommodation in the Snowy River Region, 95% of these were booking entire homes². Of the Jindabyne properties listed on Airbnb 69% are booked for less than 90 days per year and 95% were booked for less than 180 days³.

Below is an extract from the draft City Plan Jindabyne Housing and Demographics report 2019 as a part of the Go Jindabyne Masterplan process which found STRA is having a disproportionate impact on the Jindabyne housing market.

¹ City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 5.2 pg. 88

² City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 6.6 pg. 99

³ City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 4.8.4 pg. 72

SNOWY MONARO REGIONAL COUNCIL

“This conclusion reinforces that short-term accommodation comes at the expense of certainty for prospective tenants such as permanent residents, for whom long-term housing may be more difficult to secure, particularly in areas where seasonal rental properties are higher than usual.

The impacts of Airbnb on rental supply in large cities such as Sydney and Melbourne tend to be offset by the significant increase in the construction of dwellings over recent years. However as outlined in the historical dwelling approval data, Jindabyne has seen a relatively minor increase in the number of dwellings being constructed, which is insufficient to offset the high demand for rental properties, in particular during key seasonal periods.”

It should also be noted that STRA investment could be at the expense of investment in tourist and/or visitor accommodation due to a number of elements including cheaper rates, and more lenient fire and disabled access requirements. This could lead to an under provision in tourist and visitor accommodation products which have greater social benefits than STRA.

STRA accommodation makes up 41% of accommodation utilised by domestic visitors to Jindabyne, in comparison hotels make up 32%⁴.

The cost of dwellings in Jindabyne over the past 5-years has increased by approximately \$242,000⁵. This has been due, in part, to the rising investment in properties for the purpose of STRA. As shown in figure 1 below, the median house price in Jindabyne is now not considered affordable to people on a moderate income.

Figure 1 – Dwelling affordability in the Snowy Monaro⁶



As property prices have increased, so have rental prices and increasingly long term rental stock is being taken off the market in preference of STRA. As such, action is required from both Local and State Government, although the ability to only restrict STRA to a minimum

⁴ City Plan - Draft Jindabyne Housing and Demographic Study 2019 Section 4.11 pg. 83

⁵ Snowy Monaro Region Planning and Land use Discussion Paper 2019

⁶ Housing .id – Snowy Monaro Affordability and Availability

SNOWY MONARO REGIONAL COUNCIL

of 180 days is not considered adequate. As outlined above, 95% of STRA dwellings were booked for less than 180 days. As was highlighted in Council's earlier submission, regulating the number of 'available days' for STRA does not guarantee that premises would be available for longer-term accommodation in off-peak periods.

I reiterate Council's previous submission which outlined that STRA could be regulated by land zone rather than by the number of available days. This may limit land use conflict in Jindabyne where residents often complain about STRA accommodation being used as 'winter party houses'.

Further, Council is under-resourced to monitor compliance of existing regulations and these proposed reforms will potentially add a significant burden to Council. The transient nature of STRA makes it almost impossible to monitor compliance without the ability to monitor STRA platforms on a 24/7 basis. While the Office of Fair Trading may absorb some of this compliance burden, Council will still be first port of call in the complaints process. The regional nature of our LGA brings concerns that the Office of Fair Trading may not see the Snowy Monaro Region as a priority leaving the compliance burden wholly with Council.

Council supports the changes in the draft reforms relating to flood and bushfire prone land. The changes appear sensible in regards to the dangers posed by bushfire and floodwaters.

Council is supportive of the fire safety standards (FSS) proposed as part of the regulation for STRA however the following points should be considered to improve the effectiveness of the fire safety measures to be included in these dwellings.

- The requirement for the fire safety standards should be referenced in the SEPP so proponents have an understanding of all requirements to undertake STRA.
- There is no regulatory oversight that the additional fire safety requirements set out in the FSS will be installed to the specified standards because (in most cases) it is exempt development.
- There is no ongoing maintenance mechanism to ensure the fire safety provisions installed in these dwellings are being maintained to the standards specified in the FSS. This is based on the premise that some of the buildings referred to can be a class 1A structure.

There should be a clear understanding of what compliance responsibilities sit with which State Government agencies and what compliance burdens sit with Council.

Council holds a number of concerns with the Draft Code of Conduct. The Draft Code of Conduct outlines requirements for booking platforms to advertise STRA properties. The Draft Code of Conduct excludes 'tourist and visitor accommodation' within the meaning prescribed by the *Standard Instrument (Local Environmental Plans) Order 2006*. It should be noted a large number of STRA currently in operation in Jindabyne was granted consent as a holiday dwelling under the *Snowy River Local Environmental Plan 1997*.

Many of these holiday dwellings operate with existing use rights and would not comply with proposed STRA regulations as they have more than two beds per bedroom. Holiday dwellings would not be excluded from the code of conduct as they are not defined as 'tourist and visitor accommodation' and as such could be undertaking a lawful use under the *Environmental Planning and Assessment Act 1979* but would be non-compliant with the code of conduct outlined by the draft *Fair Trading Regulation 2019* Amendment.

Snowy Monaro Regional Council holds significant concerns in relation to the draft reforms in their lack of ability to be adapted to the needs and demographics of local areas. A 'one

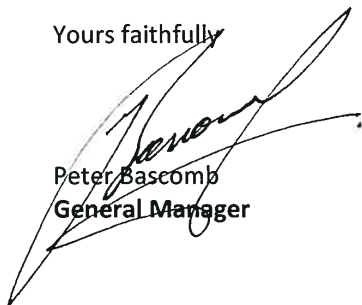
SNOWY MONARO REGIONAL COUNCIL

size fits all' approach is not appropriate to meet the differing community expectations in non-metropolitan areas. Council would like to further reinforce the unique impact STRA has on Jindabyne and would like to see further consideration of this significant issue before these reforms are implemented.

Further discussions may be required between Council and DPIE's Housing Policy and Go Jindabyne Masterplan teams to address these significant concerns.

Should you have any queries regarding this submission please contact Council's Strategic Planning Department on (02) 6455 1907.

Yours faithfully



Peter Bascomb
General Manager

9.4.1 DELIVERY PROGRAM REPORT S404 FOR THE PERIOD JANUARY 2021 - JUNE 2021

Record No: I21/46

Responsible Officer: Chief Strategy Officer
Author: Coordinator Strategy Development
Key Theme: 4. Leadership Outcomes
CSP Community Strategy: 10.1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects
Delivery Program Objectives: 10.1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability
Attachments: 1. Progress Report January 2021 - June 2021

Cost Centre WO1764
Project
Further Operational Plan Actions:

EXECUTIVE SUMMARY

In accordance with Section 404(5) of the *Local Government Act 1993* (the Act), the Chief Executive Officer must ensure that regular progress reports are provided to Council with respect to the principle activities detailed in the Delivery Program. Progress reports must be provided every six months.

This report covers the period January 2021 to June 2021 (attached). The full report is included in the Annual Report each year.

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

OFFICER'S RECOMMENDATION

That Council receive the progress report on the 2020-2021 Operational Plan for the period January 2021 to June 2021.

BACKGROUND

Section 428 of the Act states that Council’s annual report must include the achievements in implementing the delivery program and the effectiveness of the principle activities undertaken to work towards the objectives in the Community Strategic Plan (CSP). This progress report is the second report for the financial year, contributing towards data and information to be presented in the annual report.

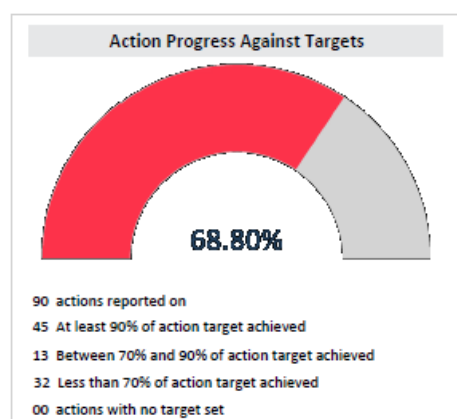
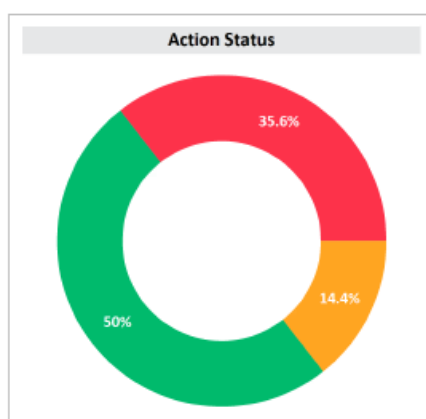
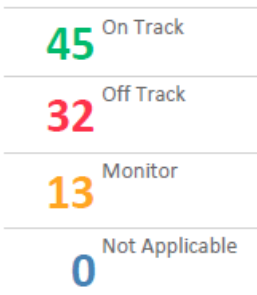
The last six months of the 2020-2021 financial year focussed on planning and preparing Council’s budget and revenue policy, including the harmonisation of rates into a single model for the 2021-2022 financial year. Council’s financial position has also influenced Councils planning and development for the next 2021-2022 Operational Plan with an emphasis on business as usual activities in delivering existing services, rather than new and additional actions with the potential of impacting Council’s financial position.

The summary below indicates the last six months performance against the actions included in the 2020 – 2021 Operational Plan.

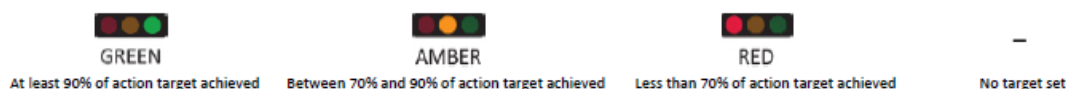
OVERVIEW

ACTION SUMMARY

By Performance



ACTION PLANS



A considerable number of operational plan actions are shown to be off track and there are several factors influencing this:

- Implementation of changes to the management structure have resulted in the removal and reduction of positions, changes in positions held or deferral of recruitment. There has been a continuation of the difficulty in filling a number of vacancies that remain across the organisation. This has impacted on our ability to complete actions originally listed. The cost of bringing in external contractors to offset these vacancies has become extremely high. This has particularly been the case in the areas of project management and engineering. Bringing in these resources was the fall-back position for corporate projects and was planned to allow us to undertake the projects that would have been otherwise unachievable with internal resources alone. The combination of not being able to recruit and not being able to afford the cost of contractors led to projects being delayed.

- The current Projects Team is still affected by the fact that what has a range of projects that had no proper scope or project planning in the initial stages. This has led to some projects being delayed as our employees focus on determining how best to deliver those projects with the available funds or to determine exactly what is required to be done. Frameworks are being developed to ensure that projects are well planned before they are approved. While it is a 'work in progress', improved processes for tracking and managing the operational plan's agreed projects is under development. These are processes to ensure that projects are well planned and scoped before being included in future operational plans. This will provide Council with increased confidence in future project delivery and also transparency in reporting on the deliverables.
- One of the goals of the organisational redesign has been improved reporting. This has included a critical review of how progress against the actions is recorded, impacting the number of actions shown as completed. This has identified issues with the development of the original plan, where the descriptions of what was to be done sometimes included, for example, projects that were to be undertaken over multiple years. This will be changed for future years, but this year, it means that when assessed against what was written in the operational plan, more items are shown as not completed.

Part of the organisational redesign process is implementing business excellence principles and practices, which include an increased focus on performance against the agreed targets, such as those included in the operational plan. This will improve the performance over time as improvements are put into place.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

The delivery program progress report provides information on progress that Council has made towards the stated directions in the community strategic plan (CSP).

2. Environmental

Environmental matters are captured under "Our natural environment is protected and sustainable" of the community strategic plan (CSP).

3. Economic

Preparation of the delivery program progress report for the period of July 2020 to December 2020 has been undertaken as an operational function using allocated budget.

4. Civic Leadership

This report promotes accountability and is a mechanism used to ensure that Council and the community are aware of progress towards achieving outcomes.



Action and Task Progress Report- Standard

Snowy Monaro Regional Council (SMRC)

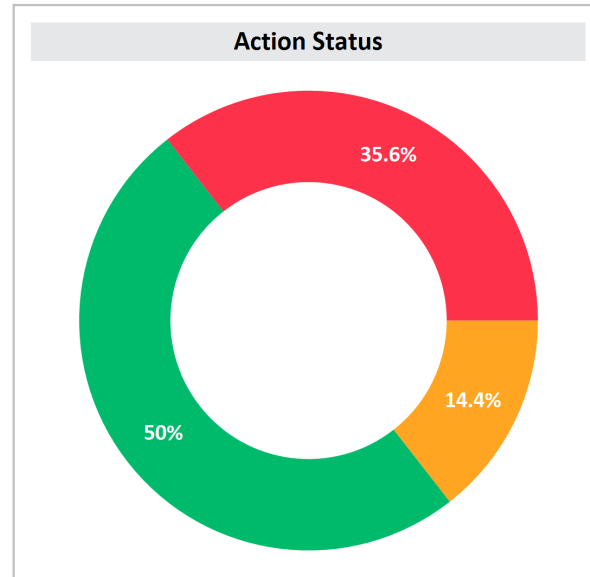
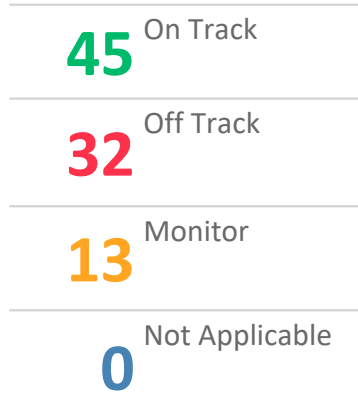
cammsstrategy

Print Date: 23-Jul-2021

OVERVIEW

ACTION SUMMARY

By Performance



ACTION PLANS



GREEN

At least 90% of action target achieved



AMBER

Between 70% and 90% of action target achieved



RED

Less than 70% of action target achieved



No target set

* Dates have been revised from the Original dates

2020 -2021 Operational Plan

Community: Our health and wellbeing needs are met


1 Quality health and well-being services that support the changing needs of the community through all stages of the lifecycle are provided through government and non-government organisations

Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

1.1 Regional health and wellbeing services have been planned through community consultation and partnerships with other levels of government

Action Title: Yallabee Lodge expansion


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Dec-2021	55.00%	100.00%	 RED

Action Progress Comments:

This project is on target and is meeting all expected milestones in accordance with the Department of Health Service Agreement with SMRC. DA is currently being prepared. Demolition of the existing Garage on the site had been awarded and will commence August 2021.

Last Updated: 15-Jul-2021

Action Title: Aged care agency staff and consultancies

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Keiran Spillane - Manager Community Services	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

Agency staff are being utilised due to a shortage of qualified personnel in the region. A Nurse Adviser has been appointed whose primary role is to provide guidance and high level clinical support to the team regarding the management of complex resident matters. Staffing continues to be an issue with the reliance on agency staff as pressing as it was at the beginning of the year.

Concerted efforts have been made to retain staff. there have been some significant improvements. Continued advertising with the help of workforce management has also helped.

Last Updated: 15-Jul-2021

Action Title: Adaminaby pool painting and electrical compliance.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Keiran Spillane - Manager Community Services	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Pool painting and electrical compliance are on hold until the end of the season until broader compliance issues can be addressed.

14/07/21 quotes have been received for painting. The successful company will be awarded the contract. Painting will begin in October.

Electrical repairs quote came in significantly less than budget and will begin in August


Last Updated: 22-Jul-2021

2 High quality community support and residential aged care services are available and accessible to residents across the region**2.1 Competitive cost effective aged care and community support services are available within the region**

Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

Action Title: Commence fundraising for aged care to support aged care facilities refurbishment and upgrades.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

Council has secured funding under the Federal Government "Business Improvement Fund". Part of this grant is for upgrades to address building and fire compliance. Funding is ongoing.

Last Updated: 28-Jan-2021

3 Recreation, sporting and leisure facilities encourage all ages to live in an active and healthy lifestyle**3.1 Regional level recreation facilities that encourage an active lifestyle are planned for and provided in partnership with other government agencies**

Action Title: Prepare a Regional Trails Master Plan inline with the Destination Southern NSW, Regional Destination Management Plan.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	31-Mar-2021	30.00%	100.00%	 RED

Action Progress Comments:

Community consultation has been undertaken with significant engagement levels and feedback received. Consultant is currently working with staff to draft a discussion paper.

Last Updated: 06-Jul-2021

Action Title: Complete the detailed design of the Cooma Sports Hub.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mark Adams - Coordinator Economic Development	In Progress	01-Jul-2020	31-Mar-2021	85.00%	100.00%	 AMBER

Action Progress Comments:

The detailed design of the Cooma Indoor Sports Centre is almost complete and detailed design of the new athletics track and facilities is also in progress. Detailed design and regulatory approval for the Indoor Sports Centre is expected to be completed by September 2021 and the project is aiming for construction to be completed by December 2022. A draft final Joint Use Agreement with NSW Schools Infrastructure regarding the shared use of the Indoor Sports Centre between Monaro High and the community (through Council) is also nearing completion. Project Working Group meetings between CK Architecture, NSW Schools Infrastructure, Monaro High, NSW Office of Sport and Council are taking place on a weekly basis. A key community stakeholders group has been established and is also meeting to receive updates on the project and review the latest plans as the detailed design continues to develop.

Last Updated: 15-Jul-2021

4 Youth in the region are supported to reach their maximum potential**4.1 Youth of the region are engaged, supported, mentored and trained to be the leaders of tomorrow**

Action Title: National Burnbright Leadership Camp

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
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Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

Keiran Spillane - Manager Community Services	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN
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Action Progress Comments:


Planning underway for Youth Council participation at camp.

COVID-19 has forced the postponement of this program; however, it is ready to commence again in September.

Last Updated: 22-Jul-2021

4.2 Activities and recreational infrastructure for children and young people is planned for and promoted to contribute to their active living, health and wellbeing

Action Title: Prepare a Recreation Strategy for the region.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Apr-2021	20.00%	100.00%	 RED


Action Progress Comments:

Preliminary community consultation has been undertaken with approximately 500 survey responses. Background research, demographic review and initial analysis have also been undertaken. Next step is to produce a draft recreation strategy for Council's consideration and public exhibition. Council's recreation planner has had 90% of their time working on the Cooma Sports Hub and Lake Jindabyne Shared Trail project. these other projects has delayed progress on a recreation strategy.

Last Updated: 06-Jul-2021

Community: Our regions' diverse cultural identify is preserved, and we foster creative expression and spaces**1 Our culturally diverse heritage is preserved and celebrated for the richness it brings to our regional identity****1.1 Council has built stronger relationships with the region's First Peoples**

Action Title: Prepare a Reconciliation Action Plan to enable closing the gap between Indigenous and non Indigenous Australians.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

An internal working party has been established and has drafted a Reconciliation Action Plan. A 'reflect' reconciliation action plan (RAP) has been prepared and submitted to the Reconciliation Australia.

Last Updated: 06-Jul-2021


1.2 Council celebrates and enriches the heritage fabric throughout the region

Action Title: Prepare a Community Development Strategy.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
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Snowy Monaro Regional Council (SMRC)


Action and Task Progress Report- Standard

Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Jun-2021	30.00%	100.00%	
<p>Action Progress Comments: A Community Development Strategy consists of 10 strategic pieces of work that has been split into three parts. Stage 1 - Library Strategy, Community Transport Strategy and Youth Strategy (completed). Stage 2 - Disability Inclusion Action Plan, Reconciliation Action Plan and Arts and Culture Strategy (commenced) Stage 3 - Affordable Housing, Positive Ageing, Multicultural and Community Safety Plans. Stage one of the plan has been completed. Stage two of the project has commenced, and is expected to be completed on or before 1 July 2022. Stage three will commence once stage two is complete and is expected to be completed by 1 July 2023. Last Updated: 06-Jul-2021</p>						


Community: We are a safe and caring community


1 Develop, maintain and promote safe spaces and facilities that are enabling, accessible and inclusive for all

1.1 Public and community spaces are regulated and managed to be safe and equitable for all abilities

Action Title: Prepare a new disability inclusion action plan						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Jun-2021	30.00%	100.00%	
<p>Action Progress Comments: Selective RFQ documents and project brief has been prepared. RFQ was sent to suitably qualified consultants for quote. It is evident that the budgeted amount is not suitable for the completion of the project. Strategic Planning team are seeking for funds to be rolled over to 21/22 financial year. Further funding will need to be identified for completion of this project. Last Updated: 06-Jul-2021</p>						

1.2 Preventative maintenance programs have been established across Council spaces and facilities that are compliant with current standards

Action Title: Seek funding for upgrading the Bombala Truck Wash facilities.						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Kelly Heffernan - Commercial Land Officer	Not Started	01-Jul-2020	30-Jun-2021	0.00%	100.00%	
<p>Action Progress Comments: Truck wash does not meet required BCI for available funding. Truck wash needs to be examined for operational feasibility and potential for private enterprise involvement. Reallocate to asset owner - Community Services. no budget or salary allowance within Corporate Projects to develop Last Updated: 08-Jun-2021</p>						

Action Title: Develop project plan for the establishment of the new Cooma Cemetery						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Not Started	01-Jul-2020	30-Jun-2021	0.00%	100.00%	

Snowy Monaro Regional Council (SMRC)


Action and Task Progress Report- Standard

Action Progress Comments:

Works on new project plan not commenced with other Operational Plan items and BAU works taking priority. Plan development including engaging with our project management team and key stakeholders to be undertaken during the 2021-2022 reporting period.

Last Updated: 09-Jul-2021

Action Title: Cooma Skate Park Upgrades – Install shade sails


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gary Shakespeare - Manager Infrastructure	In Progress	01-Jul-2020	30-Jun-2021	20.00%	100.00%	 RED

Action Progress Comments:

Planning for installation underway.

Last Updated: 22-Jul-2021

Action Title: Spatial maps created for all cemeteries using drone technology. Verification and registration of existing plots completed.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	In Progress	01-Jul-2020	30-Jun-2021	80.00%	100.00%	 AMBER


Action Progress Comments:

Spatial maps using drone technology completed. Data proofing and updating of layers for GIS system underway and to be completed by November 2021.

Last Updated: 09-Jul-2021

2 Positive social behaviours (including law and order) are fostered and encouraged to maintain our safe, healthy and connected communities**2.1 Council's public health and regulatory responsibilities are planned for and delivered to facilitate a safe community and raise awareness**

Action Title: Feasibility study - Paid parking permit for the Claypits carpark.


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Inspections and routine patrols undertaken during the 2020 winter ski season to obtain data on users of the Claypits car park and surrounds. Focus group established with targeted representatives and feasibility study completed and recommendations adopted by Council.

Last Updated: 05-Jul-2021

Action Title: Review Signage in East Jindabyne

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:


Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

Inspection and review of signage completed. Information obtained will allow for future planning of off leash dog areas for the East Jindabyne community.

Last Updated: 19-Jan-2021

Action Title: Cooma compost facility


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mark Doran - Project Specialist	Not Started	01-Jul-2020	30-Jun-2021	0.00%	100.00%	 RED

Action Progress Comments:

The Draft Waste Strategy has been placed on Public Exhibition, and a post-exhibition report is to be prepared for Council to consider. This project will progress with project planning through Council's Corporate Projects team once the Waste Strategy is adopted.

Last Updated: 23-Jul-2021

Action Title: Review public health resourcing levels against service delivery needs


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

A review has been completed of public health resourcing levels against service delivery needs. With COVID-19 related activities drawing considerable time at the start of the pandemic, resources were required to be allocated to meet the challenges this presented. With COVID-19 related activities being scaled back over the last few months, resourcing has been able to be returned to undertake BAU activities. Even though schedules such as inspections are behind, re-scheduling of the public health programs has been undertaken and service levels will be returned to normal. This position is subject to any COVID-19 changes that may present and plans are in place to address this potential event.

Last Updated: 22-Jul-2021

Action Title: Complete relocation of the Bombala companion animal impounding facility

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

Bombala replacement companion animal pound impounding facility established in line with budget allocation and service levels returned to pre-replacement levels.

Last Updated: 19-Jan-2021

2.2 Council supports and encourages safety initiatives to promote our connected communities

Action Title: Delivery of Stronger Country Communities Fund (Round 2) projects

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	60.00%	100.00%	 RED

Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

Action Progress Comments:

The following projects are complete, however, some require final reporting and acquittal documentation

- SCCF2-0349 A – SMRC Boating Facility Upgrade Program
- SCCF2-0664 F – SMRC Shared Trails Upgrade Program (Tyrolean to East Jindabyne shared trail link)
- SCCF2-0665 G – SMRC Town Center Upgrade Program (Lions Park)

Update on incomplete SCCF2 Projects -

- SCCF2-0977 E – SMRC Sporting Facilities Upgrade Program. Completed elements -Cricket pitches Dalgety, Bombala, Jindabyne, Nijong Learner bike track, Dalgety tennis courts, Delegate Showground irrigation. Outstanding works - Jindabyne Sports Ground amenities (SAP integration) and Lighting at Dalgety Showground.


-SCCF2-0666 H – SMRC Pool Upgrade - Bombala and Cooma. Completed elements - Full BCA and compliance inspections, development of as-built drawings, consultant report detailing recommendations of compliance issues received.

- SCCF2-0996 G – SMRC [Cooma] Town Centre Upgrade Program - Completed elements (solar lighting). Bike path upgrades and seating installation currently being delivered.

- SCCF2-0357 B – SMRC Public Facility Upgrade - Bombala Arts and Innovation Centre - BCA has undertaken. User group meetings undertaken to inform of use, Current SCCF2 plus Council funding will enable compliance upgrades only. Seeking additional funding through BLERF to enable completion of the project for the intended purpose.

Last Updated: 08-Jun-2021

Action Title: Lake Jindabyne Boating Facility Upgrade

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
David Field - Supervisor - Contracts and Major Projects	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Complete pending final report to Government funding body.

Last Updated: 29-Jan-2021

Action Title: Lake Eucumbene Boating Facility Upgrade

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	95.00%	100.00%	 GREEN


Action Progress Comments:

Complete pending final report to Government funding body.

Last Updated: 29-Jan-2021

Action Title: Shared trails upgrades – Tyrolean Village East Jindabyne

Snowy Monaro Regional Council (SMRC) **Action and Task Progress Report- Standard**

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	95.00%	100.00%	 GREEN


Action Progress Comments:
 Complete pending final report to Government funding body.
 Last Updated: 29-Jan-2021

Action Title: Shared trails upgrades – Mt Gladstone

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	99.00%	100.00%	 GREEN

Action Progress Comments:
 Complete pending final report to Government funding body.
 Last Updated: 29-Jan-2021

Action Title: Lions Park upgrades

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:
 Project is complete to satisfaction of the Lions Club and has now been reopened to the public.
 Last Updated: 29-Jan-2021

Action Title: Bombala Swimming Pool Upgrade

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Dec-2021	6.00%	100.00%	 RED

Action Progress Comments:
 -SCCF2-0666 H – SMRC Pool Upgrade - Bombala and Cooma. Completed elements - Full BCA and compliance inspections, development of as-built drawings, consultants report detailing recommendations of compliance issues received. SCCF4 Application submitted for funding shortfall July 2021
 Last Updated: 15-Jul-2021

Action Title: Cooma Swimming Pool Upgrade

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Dec-2021	6.00%	100.00%	 RED

Action Progress Comments:


Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

-SCCF2-0666 H – SMRC Pool Upgrade - Bombala and Cooma. Completed elements - Full BCA and compliance inspections, development of as-built drawings, consultants report detailing recommendations of compliance issues received.
SCCF4 Application submitted for funding shortfall July 2021

Last Updated: 15-Jul-2021

Action Title: Jindabyne Sportsground Upgrade


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Dec-2021	2.00%	100.00%	 RED

Action Progress Comments:

SAP no longer undertaking any work in this area. Project will recommence.

Last Updated: 15-Jul-2021

Action Title: Nijong Oval Learn to Ride Bike Path - Cooma


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
David Field - Supervisor - Contracts and Major Projects	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Complete pending final report to Government funding body.

Last Updated: 29-Jan-2021

Action Title: Bombala Sporting Facilities Upgrades


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Dec-2021	99.00%	100.00%	 GREEN

Action Progress Comments:

Complete pending final report to Government funding body.

Last Updated: 29-Jan-2021

Action Title: Dalgety Sporting Facilities Upgrades

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Sep-2021	80.00%	100.00%	 AMBER

Action Progress Comments:






Complete pending lighting installation September 2021

Last Updated: 15-Jul-2021

Action Title: Delegate Sporting Facilities Upgrades

Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	99.00%	100.00%	 GREEN
Action Progress Comments: Complete pending final report to Government funding body. Last Updated: 29-Jan-2021						
Action Title: Cooma Creek Beautification						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	95.00%	100.00%	 GREEN
Action Progress Comments: SCCF2-0996 G – SMRC [Cooma] Town Centre Upgrade Program - Complete pending report to government funding body Last Updated: 15-Jul-2021						
Action Title: Upgrade of former TAFE building - Bombala						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	5.00%	100.00%	 RED
Action Progress Comments: SCCF2-0357 B – SMRC Public Facility Upgrade - Bombala Arts and Innovation Centre - Design Work to be undertaken via the SCCF2 fund. BLERF funded secured for build (\$800,000) Last Updated: 15-Jul-2021						
Action Title: Refurbishment of Cooma office building						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	5.00%	100.00%	 RED
Action Progress Comments: BCA assessment complete, and compliance recommendations report received. Executive investigating alternatives office accommodation solutions. Last Updated: 29-Jan-2021						
Action Title: Work with community on bushfire recovery						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina Woodward - Chief Communications Officer	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN
Action Progress Comments: The physical impact of the Black Summer 2020 bushfires covered 2,053 km2, approximately 14% of the entire functioning economic region (FER) per the REDS (Regional Economic Development						

Snowy Monaro Regional Council (SMRC)**Action and Task Progress Report- Standard**

Strategy). 287km2 of forestry land is in burn scar –45% of total (634km2). Property damage was assessed at 85 buildings damaged or destroyed (this includes homes, sheds, out buildings).

In July 2020, Resilience NSW confirmed the appointment of fully funded 12 month positions for 22 Community Recovery Officers in bushfire impacted LGAs. This support has allowed Council to provide a strong support service to the community with a full-time dedicated resource. This position has been further extended for another 12 months through to July 2022.

Bushfire recovery continues across the LGA with residents at varying stages of rebuilding and recovery. Face to face engagement in line with COVID19 restrictions has been challenging but when possible has included outreach, activities, events and programs. The return to the road to recovery has proven essential across the entire LGA, but especially so in smaller fire impacted villages. To date more than 35 engagement programs have rolled out across the LGA.

The Resilience NSW appointed recovery support service (Monaro Family Support Services) works closely with Council through their two Assistant Recovery Officers and Community Recovery Officer in the outreach program, together with various agencies including RFS, police, mental health support services and community groups. The National Recovery and Resilience Agency has also been established (was NBRA - bushfire) with an on ground support in region.

The Snowy Monaro Recovery and Business Hub was opened in Cooma as a 12 month temporary pilot program to support the region. It has attracted the support of Business Australia (through the NSW Chambers) and a Business Recovery Officer has been appointed, funded by grants and Business Australia.


Funding and grant support attracted to date totals more than \$30 million those for small businesses, primary producers, council rate rebates, insurance assistance, disaster resilience allowances, temporary accommodation, community support programs and community benefit projects.

The work of the recovery team is ongoing as residents are at various stages of their recovery journey, and the work to build resilient communities is extensive and involved. A mobile black spot mapping program is underway to attract assistance from the Federal Government, and community heat mapping to assess needs and identify gaps is ongoing.

Last Updated: 20-Jul-2021

Economy: Our region is prosperous with diverse industry and opportunities**1 Attract diverse businesses and industries to the region, supporting their establishment and retention****1.1 Council's Regional Economic Development Strategy provides a framework that fosters and grows the Region's diverse businesses**

Action Title: Liaise with agencies and community groups with an interest in mountain bike/shared trail development

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mark Adams - Coordinator Economic Development	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

The Economic Development team are meeting fortnightly with Monaro Rail Trail Inc. representatives to progress the development of the Monaro Rail Trail to shovel ready status (pending funding and resource limitations) and ensure Council and MRT Inc are working together on the project. QPRC are now also participating in the fortnightly meetings to ensure coordination as the project progresses across the two LGAs. The Regional Trails Masterplan continues to progress with a discussion paper being the next stage of the project to be completed.

Last Updated: 15-Jul-2021


Environment: Our natural environment is protected and sustainable**1 Protect, value and enhance the existing natural environment****1.1 The Region's natural environment remains protected through delivery of a range of Council programs and regulatory compliance**

23-Jul-21

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Action Title: Review variations to Engineering Design Standards


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	In Progress	01-Jul-2020	30-Jun-2021	25.00%	100.00%	

Action Progress Comments:

Initial works commenced on review and development of an implementation plan for a uniform Engineering Design Standards. Due to limited staffing resources in the development engineering section of Council the project has not commenced past initial development phase. Project planned to be completed during the 2021-21 reporting period.

Last Updated: 15-Jul-2021

Action Title: Review Development Compliance


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	

Action Progress Comments:

Review of development compliance undertaken which identified that additional resources required to meet workloads being experienced by the Development and Building Certification Groups. Two new positions to be included in the new organisational structure for a Development Compliance Officer and Admin Development Compliance to be recruited to undertake development compliance role with Council. Budget adjusted to reflect additional resources.

Last Updated: 22-Jul-2021

Action Title: Prepare a resource and delivery plan for the development of an integrated roadside vegetation management plan


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	

Action Progress Comments:

Quote and proposal obtained for development of a integrated roadside vegetation management plan. The proposal outlines a number of options for Council to consider and provides for the development of a comprehensive blueprint for managing roadside vegetation into the next 5 to 10 years. Additional add on options were also provided and costed. A total potential cost for the development the plan being in the order of up to of \$100,000 was quotes. No funding opportunities are currently available however continual monitoring of funding opportunities will be explored.

Last Updated: 08-Jul-2021

Action Title: Undertake detailed design of the Jindabyne land fill expansion

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mark Doran - Project Specialist	Not Started	01-Jul-2020	30-Jun-2021	0.00%	100.00%	

Action Progress Comments:

The Draft Waste Strategy has been placed on Public Exhibition, and a post-exhibition report is to be prepared for Council to consider. This project will progress with project planning through


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Council's Corporate Projects team once the Waste Strategy is adopted.

Last Updated: 23-Jul-2021

Action Title: Tub grinder/shredder purchase

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mandy Thurling - Manager Resource & Waste Services	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

Purchase of tub grinder/shredder had been deferred - this is to allow for the upgrading of the composting facility and the investigations into the appropriate plant and equipment required for maximum operational requirements.

It has been decided not to the purchase tub grinder/shredder at this point in time - a review of plant and equipment requirements needs will be undertaken at the time of the new compost facility establishment.

Last Updated: 29-Jan-2021

Action Title: Tender and commence construction of stormwater and leachate control systems for Cooma landfill

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mark Doran - Project Specialist	Not Started	01-Jul-2020	30-Jun-2021	0.00%	100.00%	 RED


Action Progress Comments:

The Draft Waste Strategy has been placed on Public Exhibition, and a post-exhibition report is to be prepared for Council to consider. This project will progress with project planning through Council's Corporate Projects team once the Waste Strategy is adopted.

Last Updated: 23-Jul-2021

1.3 Council delivers a range of initiatives to the Snowy Monaro community to enhance their awareness and engagement of sustaining our pristine natural environment

Action Title: Review potential public available weed maps

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Completed and maps uploaded on Council's website.

Last Updated: 08-Jul-2021


2 Water, waste, sewer and stormwater management practices are contemporary and efficient

2.1 Water and sewer management services and operations meet legislative and quality requirements

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Action Title: Prepare a resource and delivery plan for Council to implement a backflow prevention program.


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	In Progress	01-Jul-2020	31-Dec-2020	80.00%	100.00%	 AMBER

Action Progress Comments:

Preparation of strategic delivery plan being finalized now recruitment of positions complete. Data proofing being undertaken including an engagement and community education package for community input into plan development. Plan anticipated to be completed at the end of November upon conclusion of advertising, consultation, review periods and completion of caretaker election period.

Last Updated: 14-Jul-2021

Action Title: Finalise Jindabyne fluoridisation

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:


Fluoridisation equipment has been installed and commissioned. Awaiting site visit and final commissioning from DPIE Water. Due to COVID-19 we have been unable to secure a site visit from DPIE Water. Awaiting confirmation from them on a date they will attend.

Commissioning by DPIE Water completed.

Approval to start fluoridation with NSW Health for final sign off

Last Updated: 29-Jun-2021

Action Title: Jindabyne and East Jindabyne water treatment plant options study

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

The scoping study has been completed by City Water Technology on 30 November 2020. A workshop was held with CWT, SMRC, DPIE Water and NSW Health when the draft report was issued and changes requested by all parties have been incorporated into the final scoping study.

Last Updated: 21-Dec-2020

2.2 Water and sewer infrastructure is maintained and improved to provide a quality service

Action Title: Finalise options and concept design, selection of preferred option for treatment of Bombala and Delegate water supplies. Complete business case for funding application

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	In Progress	01-Jul-2020	30-Jun-2021	90.00%	100.00%	 GREEN

Action Progress Comments:

Both options studies have been completed and submitted to DPIE for endorsement.


In principal endorsement has been received from DPIE for the Bombala WTP options study. Community consultation and next steps for the project to commence shortly.

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Still awaiting comments for the Delegate WTP options study.
 Comments received for both Delegate and Bombala WTP received from Bill Ho DPIE Water.
 Further comments recently received from Roshan Iyadurai DPIE Water which has now caused a further delay in finalising the concept design.
 Last Updated: 29-Jun-2021


Action Title: Detailed design of the new Adaminaby Sewage Treatment Plant and preparation for tendering.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Design has been completed and tenders are being called currently for the construction.
 Design has been submitted to the EPA for comment as per the requirements previously stipulated by the EPA.
 Community consultation undertaken
 Detailed design finalised and RD Miller appointed in May 2021 to undertake construction. Construction commenced June 2021.
 Last Updated: 29-Jun-2021


Action Title: Water meter replacement

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Ongoing project.
 Meter replacements taking place regularly.
 Last Updated: 29-Jun-2021


Action Title: East Jindabyne lime dosing system

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	Not Started	01-Jul-2020	30-Jun-2021	0.00%	100.00%	 RED

Action Progress Comments:

No yet commenced.
 Potentially a new WTP to be constructed in Jindabyne as part of the SAP project which will provide water to East Jindabyne. Lime dosing repairs thus put on hold for now.
 Last Updated: 29-Jun-2021

Action Title: Bombala sewer treatment plant – Finalise augmentation works

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	In Progress	01-Jul-2020	30-Jun-2021	90.00%	100.00%	 GREEN

Action Progress Comments:


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Work is ongoing and commissioning of the plant due to commence in February 2021
Construction was delayed. Due to be completed September 2021.
New plant is treating Bombala sewage and meeting EPA license requirements
Last Updated: 29-Jun-2021

Action Title: Commence pump station upgrade – Timor Street, Bombala


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	In Progress	01-Jul-2020	30-Jun-2021	75.00%	100.00%	 AMBER

Action Progress Comments:

Construction is ongoing. Delay in completing the project due to relocation of Mahratta Street Pump Station.
Awaiting approval from John Holland Group to construct pump station adjacent to Bombala railway

Last Updated: 29-Jun-2021

Action Title: Commence Delegate sewer pump station work health & safety upgrades

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Jessica Dunstan - Manager Water Wastewater Operations	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

Contractor engaged to construct the equipment needed. Work to commence in February
All work is now complete

Last Updated: 29-Jun-2021

Environment: Our built infrastructure is attractive and fit for purpose**1 Plan for rural, urban and industrial development that is sensitive to the region's natural environment and heritage****1.1 New development and land use is facilitated in appropriate locations with areas of environmental value protected**

Action Title: Work with NSW Department of Planning, Industry and Environment to develop the Snowy Mountains Special Activation Precinct Master Plan.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mark Adams - Coordinator Economic Development	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:


The Snowy Mountains Special Activation Precinct draft Masterplan is currently on public exhibition. Council provided input on technical aspects of the masterplan at staff level throughout the process of its development. SAP team representatives have also met with Councillors on a number of occasions to provide updates and receive input as the draft masterplan has been developed. Further liaison with the state government SAP team representatives will continue as the state works towards a final masterplan and its implementation.

Last Updated: 15-Jul-2021

Action Title: Commence stage 1 of the Snowy Monaro Regional Council Environment Plan (LEP)

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Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

LEP Stage 1 included background work and policy direction setting for a comprehensive draft Local Environmental Plan (LEP) for the Snowy Monaro Region. All stage 1 work has now been completed including research and policy setting as part of Council's LSPS. Stage 1 of Council's LEP is outlined in the draft land use strategies out on public exhibition. Stage 2 will commence next financial year and this will entail creating a draft LEP for Council consideration.

Last Updated: 27-Jan-2021

Action Title: Preparation of a consolidated Developer Contributions Plan


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Background information has been compiled as part of a project brief. Indicative timelines have been completed, and these identify that the Development Contributions Plan will take approximately 18months to complete. Selective RFQ documentation has been prepared however this project has had its funding removed and will be on hold until new funding is identified.

Last Updated: 06-Jul-2021

Action Title: Finalise Development Service Plan (DSP) for Water, Sewer and Storm Water

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Jun-2021	25.00%	100.00%	 RED


Action Progress Comments:

Background research and preliminary analysis has been undertaken. Project is currently on hold pending the recruitment of a Environmental Planner. the recruitment of an Water and Wastewater Strategic planner has been successful and is expected to commence on 26 July 2021.

Last Updated: 06-Jul-2021

1.2 Land use is optimised to meet the social, environment and economic needs of the region

Action Title: Upgrade Mt Gladstone Amenities

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Dec-2021	25.00%	100.00%	 RED

Action Progress Comments:


Tender documents prepared. DA submitted
RFQ Closed - Construction Work Awarded. Works to commence.


Last Updated: 15-Jul-2021

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1.3 Development assessment processes are streamlined to support regional development and growth

Action Title: Review Development Assessment and Building Certification customer service provision						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
John Gargett - Manager Built & Natural Environment	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN
<p>Action Progress Comments: Review of customer service levels undertaken, and minor adjustment made to organisational structure to re-alignment service delivery of development and building certification groups meet customer needs.</p> <p>Last Updated: 05-Jul-2021</p>						

Action Title: Finalise the Snowy Monaro Regional Council Settlement Strategy						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Jun-2021	75.00%	100.00%	 AMBER
<p>Action Progress Comments: The draft Settlements Strategy has been publicly exhibited. Council has opted to place this project on hold while establishing a CRG for the Rural Land Use Strategy. A briefing was held with Councillors on 20 May 2021, Councillors appear supportive of approach within the document.</p> <p>Last Updated: 06-Jul-2021</p>						

2 Improve and maintain our public owned infrastructure and assets and facilities to a high standard




2.1 Council maximises its Asset utilisation to deliver services today and into the future

Action Title: Condition assessments of roads and buildings to be completed and consolidated into the new Corporate Information System.						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Jun-2021	50.00%	100.00%	 RED
<p>Action Progress Comments: The condition assessment of Council Roads was undertaken by ARRB and presented to Council in June 2020. Data is incorporated into the Council's Asset Management System. Institute of Public Works Australasia (IPWEA) Practice Note No.3 Condition Assessments of Buildings is currently being used to develop a program to apply a condition to each Council-owned building. An internal working group has been formulated to work together to undertake building inspections to apply a condition assessment to each building. A project plan is to be prepared with the Assets team leading the project along with the assistance of land and property and Open Space and Recreation.</p> <p>Last Updated: 06-Jul-2021</p>						


Action Title: Detailed design Snowy Monaro Regional Council civic centre, stage 1						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %

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Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jul-2021	10.00%	100.00%	 RED
Action Progress Comments: RFQ Closed for Real Estate Advisory Services. Colliers preferred by ELT.						
Last Updated: 15-Jul-2021						
Action Title: Upgrade Bombala depot females and disabled amenities						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Dong.Huynh - Project Officer	In Progress	01-Jul-2020	30-Jun-2021	30.00%	100.00%	 RED
Action Progress Comments: Review complete and planning underway. 09/07/2021 - currently negotiating with contractor on contract detail prior to engagement. This project is package with two other amenities projects.						
Last Updated: 09-Jul-2021						
Action Title: Review and update the Asset Management Strategy						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Jun-2021	50.00%	100.00%	 RED
Action Progress Comments: The planning for the next cycle of Integrated Planning and Reporting is underway. A new Resourcing Strategy that includes a new Asset Management Strategy will be due by June 2022. A Request for Quote is being drafted for the development of the Strategy. An investigation has already taken place to determine approximate costs for developing a new Asset Management Strategy with approximate costs at \$40 000. The Plan will be funded by the existing budget and be directly linked to the Longterm Financial Plan. Unfortunately, funding has been removed from the budget, so the AMS cannot be completed within the Operational Plan year.						
Last Updated: 06-Jul-2021						

2.2 Public Infrastructure and Assets are maintained and replaced according to Council's Asset Management Strategy

Action Title: Develop plans and identify funding source for Berridale Surgery expansion						
Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	Not Started	01-Jul-2020	30-Jun-2021	0.00%	100.00%	 RED
Action Progress Comments: Currently identifying potential funding sources for this project.						
Last Updated: 29-Jan-2021						
Action Title: Renovate Bombala Exhibition Ground caretaker cottage						


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Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Dec-2021	50.00%	100.00%	 RED
<p>Action Progress Comments: Community consultation meetings have been held. Building Code Compliance Assessment complete. Two reviews and quotes for the following:</p> <ol style="list-style-type: none"> 1. Demolition 2. Demolition and rebuild. 3. Demolition and replace with portable building <p>Continuing to work with the 355 Committee of Management to determine the best outcome for the community. Demolition will be undertaken to make a start on the site and make presentable to the public. The building is a hazard and must be removed. Last Updated: 15-Jul-2021</p>						


2.3 Major capital projects deliver improved community infrastructure and assets

Action Title: Plan, deliver and evaluate Major Capital Works Program (MCWP).

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	40.00%	100.00%	 RED
<p>Action Progress Comments: Council continues to plan and deliver on its Capital Major Projects Program. Since last report major projects completed include Cooma Visitor Centre, Snowy Oval Amenities, Delegate streetscape and Therry St carpark Bombala. Last Updated: 22-Jan-2020</p>						

2.4 Provide quality community and aged care services through assets we deliver

Action Title: Finalise review of optimal system for providing regional aged care across the LGA

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Keiran Spillane - Manager Community Services	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN
<p>Action Progress Comments: To look at the best system to deliver aged care in the region, Council applied for funds under the Business Improvement Fund (BIF) that is being administered by the Department of Health.</p> <p>The Fund is primarily designed to support small to medium sized providers (providers with generally less than 7 facilities), with limited access to financial support, that are facing significant financial pressure which may impact on care to residents or face risks of service closure.</p> <p>The intended outcomes of the funding obtained by Council is to support stronger viability in the residential aged care sector through:</p> <ul style="list-style-type: none"> • Supporting the transition to a new provider that will increase the likelihood of providing viable and sustainable aged care services in the area. <p>Council were successful in its application and signed the contract to receive the funds in November 2020. In the new year consultants as per the business case will be engaged to look at transitioning to new providers, with the objectives of improved services, staff retention and expansion to Jindabyne.</p>						

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The Divestment of age care is currently in the EOI process

Last Updated: 15-Jul-2021

2.6 Council's infrastructure is maintained to meet compliance standards and to deliver high level services

Action Title: Weighbridge IT system replacement

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mandy Thurling - Manager Resource & Waste Services	In Progress	01-Jul-2020	30-Jun-2021	50.00%	100.00%	 RED

Action Progress Comments:


Currently investigating other systems outside of the two systems currently used at Jindabyne and Cooma Landfills.

Tender documents currently being drafted and planning for installation requirements being discussed as landfill weighbridges will need to be closed to public when installation occurs.

Once Tender process has been undertaken it is envisaged that the install of the new weighbridge software and hardware will be undertaken by December2021

Last Updated: 14-Jul-2021

Action Title: Replacement of Cooma street furniture & recycling bins


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mandy Thurling - Manager Resource & Waste Services	In Progress	01-Jul-2020	30-Jun-2021	85.00%	100.00%	 AMBER

Action Progress Comments:

Street furniture installed and purchased for Bombala. Still to proceed with and finalise Cooma

Last Updated: 21-Jul-2021

Action Title: Bombala landfill upgrades

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Mark Doran - Project Specialist	In Progress	01-Jul-2020	30-Jun-2021	20.00%	100.00%	 RED

Action Progress Comments:

on hold pending Waste Strategy outcomes and adoption

Last Updated: 21-Jul-2021


Environment: Our community is connected through efficient transportation networks, technology and telecommunications**1 Transportation corridors throughout the region are improved and maintained****1.1 Management of road corridors is effective and efficient**

Action Title: Bobeyan Road sealing

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
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Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Jun-2021	71.00%	100.00%	 AMBER
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Action Progress Comments:
 Construction has not commenced due to drawn out contract negotiations with Snowy Valleys Council (who are proposed to undertake the works)
 Last Updated: 15-Jul-2021

1.2 Our local road network is planned, built and repaired to improve movement across the region

Action Title: Cowbed Creek Bridge replacement

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	23-Dec-2021	75.00%	100.00%	 AMBER


Action Progress Comments:
 Designs and construction plans have been completed. Land acquisition, de-watering plans and fisheries permit applications remain work-in-progress.
 Last Updated: 07-Jul-2021

Action Title: Scotts Creek (Old Bombala Road) Bridge replacement.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gary Shakespeare - Manager Infrastructure	In Progress	01-Jul-2020	30-Sep-2021	75.00%	100.00%	 AMBER


Action Progress Comments:
 All designs are complete and construction has been scheduled for August 2021.
 Last Updated: 07-Jul-2021

Action Title: Delegate River Bridge repairs/upgrade.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gary Shakespeare - Manager Infrastructure	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:
 The Delegate River Bridge repairs and upgrades were completed in February 2021.
 Last Updated: 07-Jul-2021

Action Title: Snowy River Way enhancements

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gary Shakespeare - Manager Infrastructure	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:
 The Snowy River Way enhancements were completed in November 2020.

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Last Updated: 07-Jul-2021

Action Title: Jimenbuen Road pavement rehabilitation.


Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gary Shakespeare - Manager Infrastructure	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

Jimenbuen Road Pavement Rehabilitation works were completed in February 2021.

Last Updated: 07-Jul-2021

Action Title: Bungarby Road rehabilitation

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gary Shakespeare - Manager Infrastructure	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

Bungarby Road rehabilitation work was completed in April 2021.

Last Updated: 07-Jul-2021

2 Transportation initiatives are aligned to State and neighbouring local government areas plans**2.1 Council leverages partnerships for inclusion of our transportation initiatives within state and regional planning**

Action Title: Delegate Road upgrade.

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gary Shakespeare - Manager Infrastructure	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

Delegate Road Upgrades were completed in November 2020.

Last Updated: 07-Jul-2021

Leadership: Our Council is strategic in their planning, decision making and resource allocation**1 Planning and decision making is holistic and integrated and has due regard to the long term and cumulative effects****1.1 Council has a transparent and bold growth objective which provides a framework for decision making**

Action Title: Develop integrated water cycle management strategies

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	In Progress	01-Jul-2020	30-Jun-2021	10.00%	100.00%	 RED

Action Progress Comments:

23-Jul-21

Snowy Monaro Regional Council (SMRC)


Action and Task Progress Report- Standard

Background research and preliminary analysis has been undertaken. The project has been placed on hold pending the NSW Governments review of IWCM guidelines and the recruitment of a water and wastewater strategic planner. A water and waste water strategic planner has been successfully recruited and is due to commence in the role on 26 July 2021.

Last Updated: 06-Jul-2021

1.2 Integrated Planning and Reporting guides long term planning and organisational sustainability

Action Title: Commence research for development of next cycle of integrated planning and reporting

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Gina McConkey - Coordinator Strategy Development	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN


Action Progress Comments:

In 2020, Council resolved to participate in a Regional Community Strategic Plan coordinated by the Canberra Region Joint Organisation (CRJO). Planning is now underway with senior staff workshops, developing a Project Plan and Community Engagement Strategy for the next reporting cycle. Consultation is now underway, to be completed by July 2021. The EOT report is currently being prepared, ready to be tabled at the August Council meeting. Delivery Program planning is underway with workshops scheduled for October 2021. Planning for the Annual Report is also underway with data collection currently underway. The draft RCSP should be ready by October 2021 ready to be placed on Public Exhibition. An internal working group is to be formulated for the preparation of the next Resourcing Strategy to be ready in draft form by February 2022.

Last Updated: 06-Jul-2021

1.3 Council demonstrates improvement in it's knowledge capture, performance and service delivery by fully embracing a learning organisation and innovation mindset

Action Title: Continue work on organisational redesign project

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Bronwyn Burbury - Team Leader Organisational Development	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN

Action Progress Comments:

14/07/2021 - The ELT endorsed the Current State of Business Report and subsequent action plan which identifies five priority improvement actions including process mapping, system views and service reviews.

Further, the Organisation Development Team has commenced workshops with service areas to develop System View Diagrams and a service review program is in place which includes a review of the Governance Service, due to be completed in August with service reviews of ICT, Fleet and Planning and Building to follow. This project will be ongoing for the term of the project. SMRC Chief Executive Officer decided to implement the Australian Business Excellence Framework (ABEF) to ensure continuous improvement initiatives are developed for the Organisation. The Organisation Development Team was formed with training undertaken in ABEF for staff. A Strategy, Project Plan, and Engagement Plan were developed to inform the preparation of a Current State of Business Report for Council. Significant staff engagement took place with an on-line survey, work-site visits, and workshops. A Draft Current State of Business Report has been prepared to present to Management and Staff. An action plan will be developed in consultation with staff to roll-out improvement opportunities across the organisation.

Last Updated: 14-Jul-2021

2 Sound governance practices direct Council business and decision making

Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

2.1 Independent audit and risk framework drives accountability

Action Title: Implement and rollout the new Project Management Framework

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Glen Hines - Manager Corporate Projects	In Progress	01-Jul-2020	30-Aug-2021	80.00%	100.00%	 AMBER

Action Progress Comments:

PMF Approved by ELT. Presented to Council and ARIC. Document/s on web. Training to be delivered by TAFE NSW and internal teams (ELT Identifying staff for first training). Public/Community Sessions to follow once staff have been trained.

Last Updated: 15-Jul-2021

4 Council will manage service delivery in an efficient and sustainable way as an employer of choice

4.1 Council employs an engaged multi-skilled, workforce and encourages staff to take ownership of service delivery in a responsible and efficient manner

Action Title: Review the salary structure

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Beth Barratt-Browne - Chief Workforce Officer	In Progress	01-Jul-2020	30-Sep-2021	60.00%	100.00%	 RED


Action Progress Comments:

A preliminary assessment has commenced.

Last Updated: 29-Jan-2021

4.2 Council provides a workplace that ensures the health, safety and wellbeing is maintained through the management of potential risk

Action Title: Increased employee skill development

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Beth Barratt-Browne - Chief Workforce Officer	In Progress	01-Jul-2020	30-Jun-2021	80.00%	100.00%	 AMBER

Action Progress Comments:

Budgets and programs are in development.

Last Updated: 29-Jan-2021

Leadership: Our Council delivers the best value to the community


1 Public services and processes are delivered reliably and efficiently in response to community needs

1.1 Information and communication systems support the business to deliver agile and quality service to the community

Action Title: Finalise implementation of new corporate information system

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
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Snowy Monaro Regional Council (SMRC) **Action and Task Progress Report- Standard**

Scott Goudie - Coordinator ICT	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN
<p>Action Progress Comments: 2021 06 30 The Corporate Information System has been operational for one year. Patching and enhancement of the entire system have been conducted to address the identified issues during the year. These patches have stabilised and improved the payroll and timesheet components, addressing the issues identified at go live. Further patches and enhancements are in development by the software vendor. Phase 2 implementation items including Business Intelligence System (BIS), facilities booking system, draft Disaster Recovery Plan (DRP) have been developed and implemented.</p> <p>The new system is in place and a range of issues have been identified, with most rectified and plans in place to for the remaining issues. There are a few development areas that agreement has been reached on to work towards improvements to the system, notably around the payroll and timesheet components. Some second stage modules remain to be implemented, for which the implementation date has not yet passed. These are in train and meeting the agreed time frames with the supplier.</p> <p>Last Updated: 15-Jul-2021</p>						

Action Title: Legacy software licensing extension

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Scott Goudie - Coordinator ICT	Completed	01-Jul-2020	30-Jun-2021	100.00%	100.00%	 GREEN
<p>Action Progress Comments: 2021 06 30 Legacy licencing has been secured at no ongoing cost under current licencing agreements. Staff have read only access to historical information maintained in legacy systems.</p> <p>No action required at this time. Access is available if needed.</p> <p>Last Updated: 15-Jul-2021</p>						

Action Title: Legacy archiving project

Responsible Person	Status	Start Date	End Date	Complete %	Target	On Target %
Scott Goudie - Coordinator ICT	In Progress	01-Jul-2020	30-Jun-2021	75.00%	100.00%	 AMBER
<p>Action Progress Comments: 2021 07 15 This project has been deferred. Access to legacy systems has been secured without ongoing licencing costs. Although additional complexity, resources and management are required in maintaining legacy systems, it is anticipated that deferring this project would have limited impact on accessing historical information. Consequently the budget for this project has been reallocated to more urgent projects across the organisation.</p> <p>2020 12</p>						

Snowy Monaro Regional Council (SMRC)

Action and Task Progress Report- Standard

Options for achieving this that may reduce the costs have been reviewed. The process of establishing the archive system will occur in the second half of the financial year.

Last Updated: 15-Jul-2021



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9.4.2 AMENDMENT OF PROCEDURE FOR ATTENDANCE AT COUNCIL MEETING BY AUDIO-VISUAL LINKS

Record No: I21/20

Responsible Officer:	Chief Strategy Officer
Author:	Chief Strategy Officer
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. Procedure - Attendance of councillors at meetings by audio-visual link

Cost Centre

Project

Further Operational Plan Actions:

EXECUTIVE SUMMARY

The impacts of rapid changes in legislation via public orders that restrict movement makes it impossible for councillors to provide notice in line with the current procedure. It is not considered that the intent of the procedure is to limit the attendance of councillors impacted by measures put in place to manage the COVID pandemic.

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

OFFICER'S RECOMMENDATION

That Council include into the procedure for attendance by councillors at meetings by audio-visual link the following provision flowing clause 1.2:

1.3 Notice not required where legislative changes occur after the notice period has passed

Where changes in legislation occur that prevent a councillor from physically attending a meeting and those changes occur after the notice period has passed, the notice period in clause 1.2 shall not be required.

BACKGROUND

As COVID cases have again occurred in higher numbers the various state governments have responded with public orders restricting travel and requiring isolation. These changes have come

into place with minimal warning and can change rapidly. It has created situations where it would not be possible for a councillor to seek to attend the meeting remotely due to the fact that the restrictions were not in place at the time notice was required to be provided.

The Office of Local Government (OLG) recommended procedure does not appear to have considered this issue. It is clear from the information OLG has provided that there is an intent to allow councillors to continue to make decisions. For example as recently as 5 August 2021 the have made the following statement: "The NSW Government is ensuring local councils can continue to function during COVID-19 restrictions with existing laws enabling them to hold meetings electronically instead of physically. Virtual meetings will help councils continue to make important decisions on behalf of the community while complying with Public Health Orders and minimising the risk of COVID-19 transmission."

It is not possible to predict the extent of restriction that may come into effect and the timing of those changes. As such provisions are recommended to be made that allow councillors impacted by legislative changes they would not have been aware of to participate in council meetings.

QUADRUPLE BOTTOM LINE REPORTING

1. Social

N/a

2. Environmental

N/a

3. Economic

Nil.

4. Civic Leadership

Increases the ability for councillors to participate in the decision making process.

Procedure



Name of Procedure	Attendance by Councillors at Meetings by Audio-Visual Link		
Document Register ID	250.2021.37.1	Date Approved	15 April 2021
Document Author	Governance Administration Support		
Authorised by	Coordinator Governance		
Applicable to	Councillor SMRC Staff		
Purpose	The purpose of this document is to: Manage request and attendance by Councillors at a council meeting and committee of the council comprising wholly of Councillors, via audio visual.		
Frequency	When will this procedure be followed For all council meeting meetings and is in effect until 31 December 2021.		
Hazard Identification	N/A		
Level of risk	Various levels of risk may be determined in the analysis of identified hazards. Levels of risk identified in each circumstance should be managed in accordance with Councils enterprise risk management system.		
PPE required for procedure	N/A		

1 Procedures for attendance by councillors at meetings by audio-visual link:

1.1 What is an “audio visual link”

For the purposes of these procedures, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

1.2 Approval for councillors to attend meetings by audio-visual link:

The council and committees of the council comprising wholly of councillors may, in response to a request made by a councillor, resolve to permit the councillor to attend one or more meetings of the council or committee remotely by audio visual link where it is satisfied that the councillor will be prevented from attending the meeting/s in person because of illness, disability, caring responsibilities, or such other reason that is acceptable to the council or committee.

Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the Chief Executive Officer at least ten (10) full business days before a meeting, and must

provide information about the meetings the councillor will be prevented from attending in person and the reason why the councillor will be prevented from attending the meeting/s in person.

A resolution by the council or a committee of the council permitting a councillor to attend one or more meetings by audio-visual link must provide the following information:

- the grounds on which the councillor is being permitted to attend meetings remotely by audio visual link, but not where those grounds relate to illness, disability or caring responsibilities, and
- details of the meetings the resolution applies to

The council or committee of the council may permit more than one councillor to attend a meeting by audio-visual link but must not permit all councillors to attend a meeting by audio-visual link.

A decision to permit a councillor to attend a meeting remotely by audio-visual link is at the council's or the committee's discretion. The council and its committees must act reasonably when considering requests by councillors to attend meetings remotely by audio-visual link.

The council and its committees are under no obligation to permit a councillor to attend a meeting remotely by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.

The council and its committees may refuse a councillor's request to attend a meeting remotely by audio-visual link where the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or comply with the council's code of meeting practice on one or more previous occasions when they have attended a meeting of the council or its committees by audio-visual link.

1.3 Attendance by councillors at meetings by audio visual link

Where a councillor attends a meeting by audio-visual link with the approval of the council or a committee of the council they are to be taken as attending the meeting in person for the purposes of the council's code of meeting practice and will have the same voting rights as if they were attending the meeting in person.

The council's code of meeting practice will apply to a councillor attending a meeting remotely by audio-visual link, in the same way it would if the councillor was attending the meeting in person.

Councillor must give their full attention to the business and proceeding of the meeting when attending a meeting by audio-visual link.

Councillors must be appropriately dressed when attending meetings by audio visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Where a councillor attends a meeting of the council or a committee of the council by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

1.4 Conflicts of Interest

Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct.

Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be terminated and the councillor must not be in sight or hearing of the meeting at any time during

which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

1.5 Confidentiality

Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the Local Government Act 1993.

1.6 Maintenance of Order

Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with the council's code of meeting practice.

If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

1.7 Compliance with the Health Privacy Principles

The council must comply with the Health Privacy Principles prescribed under the Health Records and Information Privacy Act 2002 when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting remotely by audio-visual link.

2 Related Documents

This procedure should be read in conjunction with the following documents:

Documentation

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

250.2016.72.72 Code of Meeting Practice

250.2016.1.4 Code of Conduct

9.4.3 ANSWERS TO QUESTIONS WITH NOTICE

Record No: I21/49

Responsible Officer:	Chief Strategy Officer
Author:	Acting Secretary Council and Committees
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. In Progress Questions Up To End of July 2021

EXECUTIVE SUMMARY

As per clause 3.13 of Code of Meeting Practice a councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the Council.

In order to provide Councillors with updates on questions asked by Councillors, a report has been generated with a summary of questions that are current and have recently been completed, for the period ending July 2021.

OFFICER'S RECOMMENDATION

That Council receive the answers to questions with notice for the period ending July 2021.

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
193	19 Nov 2020	12.5	<p>Signage for Dog Waste Councillor Brian Old Question: Can Council put some signs up down at the lake walk, for owners to pick up their dog waste.</p>	Manager Infrastructure	<p>06/04/2021 – JM: No further update</p> <p>29/01/2021 – JM: Request still being reviewed.</p> <p>30/11/2020 – GS: This request is being reviewed by staff. It is noted that some signage already exists and will be reviewed. Pet clean up bag dispensers are also installed in two locations. Once an acceptable design/message has been agreed and optimal number of signs determined, signs will be ordered and installed.</p>	N
203	18 February 2021	12.2	<p>Cooma Main Street Councillor Lynley Miners Question: Has Council had a conversation with TfNSW and or Snowy / Future Gen on the road pavement through Short Street (it is very rough) – it needs the hot mix cover.</p> <p>When the segment trucks start, the noise complaints will be horrific due to the roughness of the surface.</p>	Manager Infrastructure	<p>05/07/2021 – GS: No further update from TfNSW in relation to noise reduction work along Sharp Street. However plans for the installation of a roundabout at Baron/Sharp Street are progressing and this may achieve the desired reduction in noise resulting from reduced traffic speeds.</p> <p>06/05/2021 – GS: A request to Transport NSW, Snowy Hydro and Future Generation dated 13 April 2021 in relation to noise reduction work and possible use of hot mix along Sharp</p>	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>Street, Cooma has received only 1 response from Future Generation. As Sharp Street is maintained by Transport NSW, a response from them has been requested.</p> <p>06/04/21 – JM: In the context of comment on non-PBS vehicle use, use of hot mix cover has been suggested to DPIE as the consent authority. No response received.</p> <p>1/3/2021 - TP: Response to this question to be tabled next month.</p> <p>02/03/2021 – TP: Response to this question to be tabled next month.</p>	
209	18 February 2021	12.8	<p>Michelago Causeway Councillor John Rooney Question: When will construction of the Michelago Causeway commence and when will it be completed?</p>	Manager Corporate Projects	<p>05/07/2021 – GH: Design process continues with staff reviewing options and estimates early July. Preparation works have commenced. No date as yet for bridge construction commencement or completion. LRIPC grant variation has been lodged and accepted.</p> <p>27/04/2021 – GH: Progress:</p>	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<ul style="list-style-type: none"> - Review of Hydrology report by Fisheries undertaken. - Revised designs are being developed based on Fisheries NSW requirements and the deeper creek bed identified in the detailed survey. Works on approaches and relocation of utilities in the planning stage. - Report required providing cost Est for single and dual lane Xing options for approval on construction approach. - Budget (\$872,161) established under LRCI Program. - Design Contractor engaged and revised concepts under development. - Detailed survey of the creek bed undertaken. - Geo-tech survey underway. - LRCIP 1st and 2nd Quarterly Reports submitted. - Work Schedule appears approved as Funding received. - Geotechnical investigation and site specific survey undertaken. - Engaged approved Telstra contractor to undertake the relocation of Telstra Assets South end of Ryrie Street. 	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<ul style="list-style-type: none"> - Review of Micalago/Ryrie Intersection and approach roads underway - Design of Bridge crossing underway. - Note initial concept designs were based on LIDAR survey. Subsequent survey has creek bed 2m+ deeper Planned Works- - Commence construction of the Booroomba Creek Culvert. - Begin construction of the Nth end of the Ryrie St approaches. - Design priorities are C/L of Ryrie Street and Micalago Road/Booroomba Creek Detail. - Complete detailed designs for Micalago/Ryrie intersection Inc. Booroomba Creek culverts. - Complete detailed designs for Ryrie Street from the edge of existing seal to Michelago Creek. - Finalise concept for waterway Bridge/Causeway draft designs based on detailed Survey & Geotech data. - Funding allocated from LRCIP Program does not cover design only. Need to commence planned work on Telstra and Booroomba Creek ASAP. 	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>- LRCIP funding of \$872,161.00 to be spent by June 2021. Available timeframe in LRCIP funding is inadequate to permit completed construction - variation to be submitted</p> <p>07/04/2021 - DR:</p> <p>The design to cater for the deeper water depth within the river compared to the original survey has not been completed. Until this is finalised and the funding determined it will not be possible to determine the timing of the works.</p> <p>02/03/2021 – GH:</p> <ul style="list-style-type: none"> - Design priorities are C/L of Ryrrie Street and Micalago Road/Booroomba Creek Detail; - Bridge/Causeway draft designs to be revised based on detailed Survey & Geotech data. <p>Issues:</p> <ul style="list-style-type: none"> - Funding allocated from LRCIP Program does not cover design only. Need to commence planned work on Telstra and Booroomba Creek ASAP. 	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<ul style="list-style-type: none"> - LRCIP funding of \$872,161.00 to be spent by June 2021. - Available timeframe in LRCIP funding is inadequate to permit completed construction; - Initial concept based on LIDAR survey levels; - Detailed Survey of the creek bed indicates an additional 2m depth in creek C/L; - Additional crossing length and low flow capacity required to meet Fisheries minimum requirements; - Est for crossing will need to cover BC (\$400K Dual Lane) + bridge (\$960K Dual Lane) + Telstra relocation (TBA) + Road approaches (TBA) + Micalago Road inc Booroomba BC's (TBA). 	
211	18 March 2021	12.2	<p>Re Zoning</p> <p>Councillor Lynley Miners</p> <p>Question: How is Council going to get the much needed housing shortage in our towns and villages fixed in the short term?</p>	Coordinator Strategy Development	<p>02/07/2021 – GMC:</p> <p>An amended Draft Settlements Strategy will be released early 2022. This strategy identifies land for future growth.</p>	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			We keep coming up against zoning problems which will take a long term solution to fix.		<p>01/06/2021 – GMc: No Further Update.</p> <p>04/05/2021 – GMc: Council's Draft Settlements Strategy identifies land for future growth within our towns and villages. This is not a short term fix, however, where appropriate Planning Proposals can be considered for re-zoning of land.</p> <p>06/04/2021 – GMc: Council's Strategic Planning Team has identified land for future growth and development through the Draft Settlements Strategy that will inform part of our new LEP, however, this is not a quick fix. Land that is not currently zoned suitable for development can be subject to a Planning Proposal made by the owner of the subject land, and determined by NSW Planning and Council.</p>	
215	15 April 2021	12.1	<p>Bed Tax for SMRC Councillor Anne Maslin Could Council provide options for introducing a Bed Tax for SMRC, looking at comparable regions in Australia (for example Byron Bay)</p>	Chief Communications Officer & Coordinator	<p>05/08/2021 - MA: Presentation provided to August Councillor Briefing session. Further the presentations to be provided as the issue progresses.</p>	N

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			and if necessary, overseas, and present to councilors at the next Councillor workshop.		<p>04/05/2021 - GW & MA:</p> <p>Discussions are underway with local chambers, tourism bodies and other regions who have considered this process. A briefing will be provided to Councillors at the August Councillor Briefing Session, with subsequent briefings as the project continues. This will be part of a longer project and something to aim towards implementing into the new Council post September. The Economic Development team will construct a framework and principles to develop ideas, followed by discussions and agreements with our accommodation providers.</p>	
224	20 May 2021	12.4	<p>Bobeyan Road</p> <p>Councillor Lynley Miners</p> <p>Can we be updated on the start date of Bobeyan Rd?</p>	Manager Corporate Projects	<p>08/11/2021 – DR:</p> <p>Permits have been received and the Review of Environmental Factors is currently under final review to ensure all requirements are covered in the documentation. Planned works commencement date is 15 September 2021.</p> <p>09/06/2021 – DR:</p> <p>Council is undertaking changes to design in response to issues for Fishery NSW permits on the stage that is ready to commence. A start date for completion cannot be advised until we have more certainty over when permits will be issued. Council is in the final stages of</p>	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					determining the contract agreement with Snowy Valley to undertake other sections of the works. If this is completed we will move on with other works.	
226	20 May 2021	12.6	<p>Cost of Michelago Creek Crossing</p> <p>Councillor John Rooney</p> <p>Can council staff provide a report on the full cost of the Michelago creek crossing?</p> <p>Once we know about the additional funding required to complete this project, and the associated works, can the Mayor and CEO make an application to the Deputy Premier to ask for supplementary funding?</p>	Manager Corporate Projects	<p>09/06/2021 - ED:</p> <p>No update provided.</p>	
214	18 March 2021	12.5	<p>Industrial Land</p> <p>Councillor Brian Old</p> <p>Question: Can Council receive a report on releasing more industrial land in Jindabyne – how are we progressing with that and what will happen to the future of the Leesville land.</p>	Coordinator Land & Property	<p>12/07/2021 – ES:</p> <p>No further action required - Completed in June 2021.</p> <p>05/06/21 - TP:</p> <p>Report has been tabled to the June 2021 Council meeting.</p> <p>05/05/21 - TP:</p> <p>Report scheduled for June 2021</p>	Y

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>05/05/21 - TP: No further update.</p> <p>06/04/21 – JM: A report will be prepared for a future Council meeting to proceed with releasing more industrial land at Leesville Estate.</p>	
221	20 May 2021	12.1	<p>Bombala Trees Councillor Anne Maslin asked: When will the trees destroyed last year in the Bombala Bicentennial Garden be replaced with new tree plantings? Have replacement trees been ordered so that they can be planted this winter/spring season? Will local suppliers be used as the preferred option?</p>	Chief Operating Officer	<p>10/08/21 – JM: The following trees have been ordered for Bicentennial Park Bombala.</p> <ul style="list-style-type: none"> • 7x Malus ioensis (crab apples) • 3x Quercus robur (English Oak) <p>We expect delivery within the fortnight. This remediation project is scheduled to be finalised before the end of September inclusive of the landscaping.</p> <p>08/06/2021 – JM: Civic Maintenance have commenced process to plan the replacement to return the site to the previous</p>	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					condition. Local nursery supplies are being contacted for quotes. Aim is to plant trees in winter.	
223	20 May 2012	12.3	<p>Road Maintenance</p> <p>Councillor Anne Maslin</p> <p>When is the Quidong Road going to be graded as it is in terrible condition?</p>	Manager Infrastructure	<p>12/07/2021 – ES: No further action required completed in June 2021.</p> <p>09/06/2021 – JM: Quidong Road is on an 18 month frequency for maintenance grading. This is due in August 2021. Council has just completed 2 day reactive maintenance (eg pot hole repairs) Financial year 21/22 - \$100,000 from R2R funding will be allocated for upgrades consisting of drainage, vegetation and gravel re-sheeting</p>	Y
225	20 May 2021	12.5	<p>Jindabyne Cemetery</p> <p>Councillor John Castellari</p> <p>The repaired area of the Jindabyne cemetery keeps being washed away, can this be included in a maintenance schedule?</p>	Coordinator Public Health and Environment	<p>12/07/2021 – ES: No further action required completed in June 2021.</p> <p>09/06/2021 – JM: The matter has been investigated with the following observations made: There is a grassed embankment above and below the main crossover into the cemetery. The crossover have</p>	Y

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>a stormwater culvert which allows for the free flow of water. There is no evidence of erosion at the crossover.</p> <p>The main road in the cemetery is compacted road base. On the left hand side, the drive way as you face front to back in the cemetery receives the bulk of the runoff water. Along this edge of the road council has installed hessian matting and grass. Additionally there is a line of rock swales to slow down the flow of the water. A culvet exists at the terminal end of the drive to allow the water to flow safely over ground. There is no evidence of erosion.</p> <p>No other evidence of erosion in the cemetery was found.</p>	
202	18 February 2021	12.1	<p>Bombala Bicentennial Gardens Councillor Anne Maslin</p> <p>Question: Can Council fast-track inclusion of the Bombala Bicentennial Garden as a heritage precinct?</p>	Manager Infrastructure	<p>05/06/21 - TP: No further update.</p> <p>06/04/21 – JM: No further update.</p> <p>03/03/2021 – JM:</p>	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					As advised against part C of resolution 240/20, heritage assessment has been completed and currently being reviewed by Council's Strategic Planning team.	
212	18 March 2021	12.3	<p>Accommodation Crisis</p> <p>Councillor Anne Maslin</p> <p>Question: Can Council use its communications platforms and communications team to ensure all owners of unused accommodation such as houses and cottages in local towns and on farms, are aware of the housing crisis and the urgent need of rental accommodation across the region?</p> <p>The aim being that some rental accommodation might become available in the short term, to alleviate the crisis affecting schools, emergency services and the tourism industry, which cannot find accommodation for staff. Local owners of unused housing may not be aware of the current opportunity to rent out their cottages.</p>	Coordinator Engagement	<p>01/06/2021 - GW:</p> <p>Communications covered through Chambers to businesses and local agents to owners reminding them about offering available rooms. Extensive discussions on community social media pages region-wide.</p> <p>30/04/2021 - CP:</p> <p>Since the last update there has been significant coverage in both traditional and social media in our region on this issue. A number of meetings have also been held (or are scheduled) to work with local community groups and stakeholders to find solutions. We will continue to use our channels to support messaging on this issue.</p> <p>06/04/2021 – CP:</p> <p>Development of a communications campaign is currently in progress. Consideration being given to the message, resources and appropriate channels. Target date for rollout is by 19 April 2021.</p>	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
217	18 Feb 2021	12.8	<p>Michelago Causeway</p> <p>Councillor John Rooney</p> <p>Question: When will construction of the Michelago Causeway commence and when will it be completed?</p>	Manager Corporate Projects	<p>27/04/2021 – GH:</p> <p>Review of Hydrology report by Fisheries undertaken.</p> <ul style="list-style-type: none"> - Revised designed are being developed based on Fisheries NSW requirements and the deeper creek bed identified in the detailed survey. Works on approaches and relocation of utilities in the planning stage. - Report required providing cost Est for single and dual lane Xing options for approval on construction approach. - Budget (\$872,161) established under LRCI Program. - Design Contractor engaged and revised concepts under development. - Detailed survey of the creek bed undertaken. - Geo-tech survey underway. - LRCIP 1st and 2nd Quarterly Reports submitted. - Work Schedule appears approved as Funding received. - Geotechnical investigation and site specific survey undertaken. 	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<ul style="list-style-type: none"> - Engaged approved Telstra contractor to undertake the relocation of Telstra Assets South end of Ryrie Street. - Review of Micalago/Ryrie Intersection and approach roads underway - Design of Bridge crossing underway. - Note initial concept designs were based on LIDAR survey. Subsequent survey has creek bed 2m+ deeper Planned Works- - Commence construction of the Booroomba Creek Culvert. - Begin construction of the Nth end of the Ryrie St approaches. - Design priorities are C/L of Ryrie Street and Micalago Road/Booroomba Creek Detail. - Complete detailed designs for Micalago/Ryrie intersection Inc. Booroomba Creek culverts. - Complete detailed designs for Ryrie Street from the edge of existing seal to Michelago Creek. - Finalise concept for waterway Bridge/Causeway draft designs based on detailed Survey & Geotech data. 	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>- Funding allocated from LRCIP Program does not cover design only. Need to commence planned work on Telstra and Booroomba Creek ASAP.</p> <p>- LRCIP funding of \$872,161.00 to be spent by June 2021. Available timeframe in LRCIP funding is inadequate to permit completed construction - variation to be submitted</p>	
220	15 April 2021	12.2	<p>Cooma Entrance Sign Councillor Rogan Corbett</p> <p>Question: Why is council talking about taking down an entrance message sign, when we have an opportunity to advertise events for our whole region?</p> <p>With 1 million cars passing that sign every year it can be updated, with no cost to Council, through Snowy Hydro. This is a valuable asset that needs to be used for the best advantage for our region.</p>	Chief Communications Officer	<p>03/08/2021: JT – Nil further update. On hold until spring.</p> <p>01/06/2021 - GW: No further update as sign broken and will have to be removed/replaced, potentially funded by Snowy Hydro. Signage review at entrance to be done given confusion over mass of old and useless signage in place.</p> <p>30/04/2021 - GW: This messaging sign has not worked since a short time after it was installed so it is appearing as an unworking sign and has done so for a long time. It adds no value. Costs to fix it have been reviewed and it's cost prohibitive and now old technology.</p>	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>There is a more effective way to address entrance signage for Cooma and it's not through a broken electronic sign that is low to the ground with poor visibility. There are already a number of signs at the entrance to the town already that are visually confusing and don't support any cohesive brand for the destination nor clear brand to the visitor.</p> <p>There may be scope for Snowy Hydro to support fixing this sign but Council does not have budget to do this. Currently Snowy Hydro are renting the flag entrance space from Council for a trial period of six months utilising fresh and playful signage to welcome visitors to the region around the theme of stop, play, discover.</p>	
221	20 May 2021	12.2	<p>Outstanding Rates and Charges</p> <p>Councillor Rogan Corbett</p> <p>Could Council be given a report in the confidential section of Council, a full breakdown of outstanding rates and fees going back 3years and beyond. And what step have been taken to recover the amount for the Snowy Monaro Council?</p>	Management Accountant	<p>03/08/2021 – JS:</p> <p>Completed - A report was submitted to Council in June.</p>	Y

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
222	15 July 2021	12.3	Bin Collection in Michelago Councillor John Rooney Question: Why was the recyclable bins not collected at Michelago in the last run?	Manager Resource and Waste Services	02/08/2021 – MT: Recycle bins were collected late on the scheduled day due to mechanical issues with one of the collection vehicles, a double shift had to be undertaken utilising one collection vehicle. Complete.	Y
223	15 July 2021	12.4	Bank of Bins Key Travel for Michelago Councillor John Rooney Question: Will Council put out some revised communication document statements that Michelago residents do not need to travel to Cooma for the key collection of Bank of Bins.	Manager Resource and Waste Services	02/08/2021 – MT: Further communications around the application process and that key deposits were not required as access to the facility was via a pin code on the entrance door. Facility now in use.	
224	15 July 2021	12.6	Last Council Meeting Dinner Councillor Brian Old Question: Will Councillors be going to a formal dinner after the last Council meeting?	Executive Assistant to CEO, Mayor and Councillor's	27/07/2021 – DR: If a dinner is wished to be held this would need to be arranged by the councillors. The event would not meet the definition of business of the Council and would be a private event or benefit.	
225	15 July 2021	12.8	Fate of Poplar Trees - Ryrie Street Councillor John Rooney Question: Michelago residents are concerned about the fate of the poplars that line Ryrie street when the road is redesigned for the	Infrastructure Engineer	22/07/2021 – AW: The alignment is a continuation of the existing sealed section, and has not moved the Centreline any closer to the eastern side of the road reserve. The current design does not identify any trees that will be impacted, but	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			approach to the planned bridge over Michelago Creek. Will Council conduct a proper enquiry into the fate of these trees before any felling is considered?		the road will need to be pegged to physically check this. Initial pegging will be to assist Telstra with the relocation of their assets. Once pegged an inspection will be undertaken to ascertain if any trimming, pruning, or root disturbance is likely to occur. Given the size of the trees some possible root compaction is expected.	
226	15 July 2021	12.7	Thank you to Harmonisation Committee Councillor Sue Haslingden Question: Could Council formally write a thank you letter to the Rate Harmonisation Committee for assisting Council in harmonising rates?	Executive Assistant (Strategy)	10/08/2021 – DR: Letter has been sent.	Y
227	15 July 2021	12.1	Bobeyan Road Upgrade Councillor Lynley Miners Question: When is the Bobeyan road upgrade starting?	Manager Corporate Projects	10/08/2021 – DR: 15 September 2021.	Y
228	15 July 2021	12.2	Closure of Delegate Transfer Station Councillor Bob Stewart Question: Can management meet with the Delegate Progress Association and community to try to get a more positive direction?	Manager Resource and Waste Services	02/08/2021 – MT: A meeting was held with the Delegate Progress Assoc. and councillors on Friday 23 July 2021 to discuss the current closure of the enclosed bins, further discussions will be held along with community	

SMRC Councillor Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					information sessions to plan future options for waste disposal in the area.	
229	15 July 2021	12.5	<p>Cooma Block Sales - Advertising Times</p> <p>Councillor Anne Maslin</p> <p>Question: What is the time frame for advertising the Cooma house blocks for sale, as per the April SMRC resolution to sell these house blocks as a measure to alleviate the urgent housing crisis?</p>	Coordinator Land & Property	<p>04/08/21 - TP:</p> <p>Council is awaiting receipt of the draft contracts of sale from the solicitor. A residential property cannot be advertised for sale until a contract of sale has been prepared. Legacy complexities were identified - related to certificates of title (holding name & embedded public reserve status) and easement requirements - as existing for some of the Cooma located land assets flagged for divestment. The identified issues have now been worked through, and (if required) aspects will be managed by special conditions in the contracts. Auction date will be firmed as soon as the draft contracts of sale are received from the solicitor.</p> <p>The aim is have a minimum 4 weeks advertising in the lead up to ensure high market engagement with the auction/s.</p>	

9.4.4 RESOLUTION ACTION SHEET UPDATE

Record No: I21/50

Responsible Officer:	Chief Strategy Officer
Author:	Acting Secretary Council and Committees
Key Theme:	4. Leadership Outcomes
CSP Community Strategy:	10.2 Sound governance practices direct Council business and decision making
Delivery Program Objectives:	10.2.2 Councillors are supported to make informed decisions in the best interest of the community and to advocate on behalf of the community
Attachments:	1. In Progress Actions Up to End Of July 2021
Cost Centre	3120
Project	NIL
Further Operational Plan Actions:	NIL

EXECUTIVE SUMMARY

In order to provide Councillors with updates on resolutions of Council, a report has been generated with a summary of actions that are current and have recently been completed, for the period ending July 2021.

The In Progress Resolution Action Sheet for period ending July 2021 is attached to this report.

OFFICER'S RECOMMENDATION

That Council receive the resolution update for the period ending July 2021.

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Action	R/Officer	Progress	Estimated Comp Date	Comp Y/N
16	05 April 2018	118/18	<p>Proposed Road Closure & Sale of old Lions Park at Bombala That Council;</p> <p>A. Approve the partial road closure on the corner of High Street and Stephen Street Bombala so that the fence line becomes the boundary of lot 9 DP 995614;</p> <p>B. Engage the services of a land surveyor to provide a plan for the boundary adjustment;</p> <p>C. Authorise the General Manager to execute any documents necessary to complete the boundary adjustment and sale of the property;</p> <p>D. Readvertise the property on the open market for auction with an appropriate reserve; and</p> <p>E. Make the Report public once the matter is settled.</p>	Coordinator Land & Property	<p>04/08/2021 – TP: Action reassigned to Tagliapietra, Gaby by Paterson, Teena - Property Officer now has general carriage of item.</p> <p>05/05/2021 – TP: Target date changed by Paterson, Teena from 30 September 2018 to 30 June 2021 - To reflect current timeline.</p> <p>23/03/2021 – JH: No further update on this item due to waiting for reply from LRS</p> <p>24/02/2021 - JH: Target date now 30 June 2021, Waiting for return of lodged documents from LRS.</p> <p>12/01/2021 - JH: No further update.</p> <p>27/11/2020 – JH: C. Solicitor is preparing documents to have a certificate of title (CT) created over the portion of the road to be closed so consolidation can take place. Recent verbal feedback from NSW Land Registry Services to the surveyor indicates that a further survey of the original lot may need to occur to complete the registration due to the age of the original plan’s survey. This will be reviewed once the CT has been assigned.</p>	30/06/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>20/10/2020 - JH: A. Finalised. B. Finalised. C. Solicitor is preparing documents to have a CT created so consolidation can take place. D. Once notified of completed registration the property can be placed on the open market. E. To take place at completion of D.</p> <p>23/09/2020 - JH: C Consolidation Plans lodged, surveyor has advised that a CT was not created and the solicitor is now preparing this so that registration can take place.</p> <p>26/08/2020 JH: C. Finalised. D. Finalised. C. Consolidation Plans lodged, Surveyor is following up on progress of same. D. Once notified of completed registration the property can be placed on the open market. E. To take place at completion of D</p> <p>22/07/2020 – JH: C. Consolidation Plans received from Surveyor and signed by CEO, returned to Surveyor for lodging for registration of same. D. Once notified of completed registration the property can be placed on the open market. E. To take place at completion of D.</p> <p>24/06/2020 – JH: E. Finalised. F. Finalised. C D and E: Still waiting finalised consolidation plans from surveyor for this item to be completed.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>Have sent numerous email requests to Surveyor.</p> <p>28/05/2020 – JH: Surveyor again requested to provide the final plan, no response and will continue to follow up. This plan is in draft form with the Surveyor and would not be cost effective to engage another surveyor to finalise the plan.</p> <p>27/04/2020 - JH: Email sent to Surveyor requesting a definite date for plan to be registered. Surveyor advised he would review the current draft of this consolidation plan this week and submit for Registration.</p> <p>26/03/2020 - JH: Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place.</p> <p>27/02/2020 - JH: Followed up with Surveyor and was advised this item is going to be delayed due to the large scale workload he has in place.</p> <p>15/01/2020 - JH: The Surveyor has advised that he is hoping to have the consolidation plan ready for the end of January 2020.</p>		
20	07 May 2018	162/18	Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane	Coordinator Land & Property	04/08/2021 – TP: Action reassigned to Robinson, Sammy-Jo by Paterson, Teena - Land & Property Officer now has general carriage of item.	31/08/2022	N

SMRC Resolution Action Sheet – In Progress

		<p>That Council</p> <p>A. Approve the proposal to realign The Barry Way over the constructed road from the intersection with MR286 to the boundary of the national park.</p> <p>B. Approve the proposal to apply to the Crown to transfer those sections of The Barry Way which are Crown reserve road to Council.</p> <p>C. Authorise staff to negotiate with landowners for acquisition of the constructed Barry Way and, where possible, to offer to close corresponding sections of paper road and to dedicate the land to the landowner in compensation.</p> <p>D. To engage the services of a surveyor to identify those sections of the Barry Way which are not on line with the constructed road.</p> <p>E. To acquire any Crown land upon which the Barry Way has been constructed through the process of the Land Acquisition (Just Terms Compensation) Act 1991 through the authority of the Roads Act 1993.</p> <p>F. Authorise the General Manager to execute any documents necessary to complete the project.</p> <p>G. Authorise the expenditure and allocate an amount of \$135,000 in the 2018/19 year Budget with funding to be provided from Stronger Communities Project PP-219 (Undertake project to align the road with road reserves).</p>		<p>06/06/2021 –TP: No Further update at this point.</p> <p>05/05/21 - TP: No further update at this point.</p> <p>31/03/2021 – TP: No further update at this point.</p> <p>01/03/2021 – TP: A&C Further follow up email (3/2/021 LB) has been sent to landowner on Eagle View Lane requesting contact be made with Council to discuss the way forward., B. Application is being prepared to apply for sections of Crown Road to be transferred to Council. 4/2/21 Query tabled to Coordinator Development relaying landowner query.</p> <p>22/01/2021 – LB: A&C Follow up email has been sent to landowner on Eagle View Lane requesting that he contact the Land and Property Officer to discuss the way forward.</p> <p>B. Application is being prepared to apply for sections of Crown Road to be transferred to Council.</p> <p>4/12/2020 – LB: A&B. Waiting on response from landowner who does not live locally.</p> <p>C. Letters are currently being prepared to commence negotiation with landowners</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>adjoining Barry Way on Cobbon Hill. A quote has been sought from Public Works Advisory to carry out the compulsory acquisition of Crown land on Cobbon Hill.</p> <p>03/11/2020 – LB: A&B Surveyor has provided necessary information which has now been provided to the land owner. Provision of this information will now allow action C to be completed.</p> <p>24/09/2020 – LB: A&B. Surveyor has addressed questions relating to the plan at the intersection of Eagle View Lane. The landowner was notified and again posed a number of questions. Most of these have been answered and the answer to the last question will be provided this week.</p> <p>C. Negotiation will commence next week with landowners adjacent to Cobbon Hill. This section of realignment of the Barry Way will involve compulsory acquisition from the Crown.</p> <p>D. This project has been divided into sections so that the surveyor completes the survey work as Council is ready to address each section.</p> <p>E. The section of the Barry Way which passes through Crown land without a road reserve is at the southern end and will be addressed as that stage is reached.</p> <p>26/08/2020 – LB: A&B Surveyor has notified Council that due to workload this plan may take a little longer.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>C Landowner has been notified that there is a delay involved in obtaining the information that they have requested. E-G Ongoing.</p> <p>29/07/2020 – LB: A & B Surveyor has been requested to provide the plan for the second section which will involve Eagle View Lane. C. Landowners have been notified that Council is waiting on plan. E-G. Ongoing.</p> <p>26/06/2020 – LB: The draft plan may be expected. The landowner is waiting on this information before proceeding. A. Survey is being done in sections B. Request for sections of Crown road to be transferred to Council will be carried out at the end of the project. C. Negotiations with landowners are ongoing. D. See A. above. E. Acquisition will be carried out as necessary when the plan for individual sections is finalised. F-G Ongoing.</p> <p>28/05/2020 – LB: The surveyor has promised to have the draft plan with the area of road to be closed and the area of the area to be acquired marked on the plan sent to Council within the next week. This plan will then be sent to the landowner.</p> <p>24/04/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>Contacted the landowner on Eagle View Lane who has requested information. He wants to know how much land Council will require for the road and how much land he will receive in compensation. Will there be sufficient space for him to construct an eco-hut. The surveyor has been requested to calculate the area of both areas so that an accurate answer can be provided.</p> <p>26/03/2020 – LB: In view of the fact that the landowner has not contacted the Land and Property Officer to date a letter has been sent asking him to contact the Land and Property Officer to discuss his consent to the creation of the road reserve over the road in its current location through his property.</p> <p>02/03/2020 – LB: The Land and Property Officer met with the landowner and he said he will respond after consultation with his wife.</p> <p>20/01/2020 – LB: Waiting on response from landowner on Eagle View Road. He resides in Tasmania.</p>		
29	21 June 2018	253/18	<p>Council Property - Town View, Waterworks Hill, Bombala</p> <p>That Council</p> <p>A. Approve the proposal to demolish the residence located on lot 1 DP 1216130</p> <p>B. Serve notice on the tenant to vacate the premises in accordance with the Residential Tenancy Act.</p>	Coordinator Land & Property	<p>04/08/2021 – TP: Target date changed by Paterson, Teena from 29 September 2018 to 04 August 2021 - Governance - Please mark as Complete.</p> <p>06/06/2021 TP: No further update at this point.</p> <p>05/05/21 - TP: No further update at this point.</p>	30/03/2021	Y

SMRC Resolution Action Sheet – In Progress

			<p>C. Engage the services of a suitably qualified contractor to demolish the residence, clear the site and dispose of any asbestos in accordance with the EPA Act; and</p> <p>D. Authorise the expenditure and allocate an amount in the 2018 Financial Year Budget with funding to be provided from the Former Bombala LGA Reserve.</p>		<p>31/03/2021 – TP: No further update.</p> <p>28/2/21 - TP: No further update.</p> <p>29/01/2021 - JM: No further update.</p> <p>25/11/2020 – JM: A-D. The demolition of the building will take place with the facility upgrade.</p> <p>03/11/2020 – JM: DPIE Water comments received on 3/11/2020 for Bombala. Currently being reviewed prior to community consultation commencing.</p> <p>24/09/2020 – JD: Both Bombala and Delegate option reports complete and with DPIE for comment. Both now endorsed by Council. Community consultation with both communities will be held once comment from DPIE received.</p> <p>27/08/2020 – BC: A-D. Option Study Report for Bombala sent to DPI Water for comment. Email sent to DPI on 11 August 2020 attaching Delegate Option Study Report and also sought comments from DPI on Bombala Options Study Report.</p> <p>28/07/2020 – MR: A. Under the provision of the State Environmental Planning Policy (Infrastructure) 2007, development for the purpose of water</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>treatment facilities may be carried out by or on behalf of a public authority without consent on land in a prescribed zone. No DA would be required to rebuild the water treatment works in Bombala; however, it will need an REF.</p> <p>The demolition of the existing building will be included as part of the REF for the rebuild.</p> <p>B. The tenant has vacated the dwelling and all utility services have been disconnected.</p> <p>C. Demolition will be a component of the WTP rebuild in accordance with the Options Study and REF.</p> <p>D. Expenditure is expected to be incorporated in the \$10M options funding grant.</p> <p>25/06/2020 – GS: Options study is complete covering Security of supply, alternate water sources and quality issues driving a new water treatment plant with presentation by designer to Councillors scheduled for 2 July 2020.</p> <p>01/06/2020 – MR: No further update until adoption of final options study.</p> <p>22/04/2020 – GS: Demolition of BWTP Cottage on hold pending Bombala/Delegate Water Supply Options Study recommendations.</p> <p>23/03/2020 – MR: Demolition of BWTP Cottage to coincide with Bombala WTP refurb or rebuild in accordance with</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>Bombala/Delegate Water Supply Options Study recommendations.</p> <p>02/03/2020 – MR: Demolishment of the residence will depend on the outcome of the Options Study and recommendations. Options Study will be provided to Council when received.</p> <p>14/01/2020 – AS: Still waiting on the Bombala/Delegate Water Options Study Report – expected finalisation April 2020.</p>		
57	6 September 2018	314/18	<p>Proposed Acquisition of Land in Cooma That Council</p> <p>A. Acquire Lots 400 and 434 DP 750535 and lot 461 DP 41999 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Local Government Act 1993 for the purpose of saleyards.</p> <p>B. That the land be dedicated as Operational land in accordance with the Local Government Act 1993</p> <p>C. That minerals be included in this acquisition</p> <p>D. That this acquisition is not for the purpose of resale</p> <p>E. That the necessary applications be made to the Minister for Local Government and the Governor.</p> <p>F. That the Common Seal be affixed to all documentation required to be sealed to give effect to this resolution.</p>	Coordinator Land & Property	<p>04/08/2021 – TP: Action reassigned to Robinson, Sammy-Jo by Paterson, Teena - Land & Property Officer now has general carriage of this item.</p> <p>06/06/2021 – TP: No further undertaking at this point.</p> <p>3/5/2021 - JH: No further update at this point.</p> <p>23/03/2021 JH: Acquisition process has been completed and consolidation of lots has begun by the Surveyor.</p> <p>28/2/21 TP: A-F Completed; G Consolidation process in progress; H All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>12/01/2021 – JH:</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>G. That following the acquisition of the three Crown allotments, the eleven lots comprising the Cooma saleyards be consolidated into a single allotment.</p> <p>H. That this project be funded from the former Cooma Monaro Shire Council reserve fund.</p>		<p>The acquisition process is finalised, Gazette notice featured in Government Gazette of 11 December 2020. The solicitor is preparing First Title on each lot.</p> <p>27/11/2020 – JH: A to F: Awaiting the acquisition notice number to be issued from the Office of Local Government, which is required prior to publishing the gazette notice.</p> <p>20/10/2020 - JH: A to F: After PAN notification date of 13 November, OLG will send the relevant paperwork to both the Minister and Governor for approval. Once documents are approved, OLG will send notice and then gazettal will occur 120 days after this notice.</p> <p>G: This will take place once the acquisition has been approved and finalised by OLG and Crown.</p> <p>H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>23/09/2020 JH: A to F: Proposed acquisition notice (PAN) lodged now waiting for Acquisition Number to prepare Gazette Notice. Compensation monies deposited to Crown as per PAN.</p> <p>26/08/2020 - JH: A to F: Notice from OLG to lodge PAN (proposed acquisition notice) and PAN lodgement was completed and lodged with Crown, NTSCORP and NSWALC. There is a 90-day period that OLG has now to complete the</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>notice and gazette the acquisition, subject to no submissions are received from NTSCORP and NSWALC. Submissions from NTSCORP and NSWALC are not expected as this was reviewed prior to the PAN being sent during the original application, but is a requirement of the PAN.</p> <p>G: This will take place once the acquisition has been approved and finalised by OLG and Crown.</p> <p>H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>22/07/2020 – JH: A to f: Updated Valuation report submitted to Crown to enable a faster completion of this acquisition once approval received from OLG. Latest email received from OLG is that they are following up on our application and have not forgotten about it. No further response from Crown as to permission to begin project whilst waiting for OLG to send documentation of approval. None of these items can be finalised until a response from OLG is received.</p> <p>G: This will take place once the acquisition has been approved and finalised by OLG and Crown.</p> <p>H: All costs will be funded from the former Cooma Monaro Shire Council reserve fund.</p> <p>24/06/2020 – JH: A to H: Latest email received from OLG is that they are following up on our application and have not forgotten about it. No response from Crown as to permission to begin project</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>whilst waiting for OLG to send documentation of approval. None of these items can be finalised until a response from OLG is received.</p> <p>28/05/2020 – JH: Email received from OLG on 20/5/2020 advising they can confirm that it has been processed, unfortunately they are unable to advise as to when/if it will be approved. Following up with Crown as to the option to gain approval for works to begin prior to acquisition taking place. Unfortunately with most staff working remotely responses are slower than usual.</p> <p>27/04/2020 - JH: Numerous requests have been sent to Office of Local Government asking for this matter to be finalised. Council does not have the option to gain approval for acquisitions from anyone other than OLG.</p> <p>26/03/2020 - JH: Waiting on response from OLG.</p> <p>27/02/2020 - JH: All information is with OLG and waiting for approval to come through.</p> <p>15/01/2020 - JH: Waiting on response from Crown to advise that the Special Lease will be extinguished after acquisition has been completed to finalise documents required by OLG.</p>		
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SMRC Resolution Action Sheet – In Progress

74	4 October 2018	353/18	<p>Clr Castellari Notice of Motion - Rooftop Solar That Council</p> <p>A. Support the Albury City Council motion regarding legislative changes to enable the implementation of a program similar to that implemented by Darebin City Council in Victoria;</p> <p>B. Advocate for the legislative changes to local members and relevant Ministers;</p> <p>C. Carry out due diligence with a business case which includes funding options, power under current legislation that would provide solar subsidy schemes for residence and businesses within the SMRC council area; and</p> <p>D. Provide for public consultation process once the above has been carried out.</p>	<p>Executive Assistant to Chief Executive Officer, Mayor and Councillors</p>	<p>28/04/2021 - JB: Nil update received.</p> <p>06/04/2021 - JB: Nil update received.</p> <p>6/4/21 – JB: Nil update received.</p> <p>03/03/2021 – PB: Nil update received.</p> <p>03/03/202 - PB: Nil update received.</p> <p>28/01/2021 – JB: The CEO requested an update from LGNSW regarding to their advocacy of behalf of the local government sector (as per resolution 100 Solar Buy Back - from the 2018 LGNSW Conference).</p> <p>Following is their update:</p> <p>LGNSW advocated for changes to legislation, including the Local Government Act, to provide incentives and mechanisms for households to adopt renewable energy systems through:</p> <ul style="list-style-type: none"> • Writing to the (then) Minister for the Environment and Minister for Local Government, Gabrielle Upton • Follow up letter with Minister for the Environment, Matt Kean and Minister for Local Government, Shelley Hancock (see attached) 	Ongoing	N
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SMRC Resolution Action Sheet – In Progress

				<ul style="list-style-type: none"> • Submission to <u>Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2018</u> (Federal) • Input to the Department of Planning, Industry & Environment project to identify how NSW councils could be further supported to reduce emissions (report not public). <p>While a response was not received from the Minister for the Environment and Minister for Local Government, Gabrielle Upton from the 2018 conference letter, a response was received from Minister Upton the previous year on the same policy matter. The response noted the State Government’s actions to improve energy efficiency, however did not address the request to amend the Local Government Act.</p> <p>LGNSW continued to advocate to the NSW Government but has not yet received a response from Minister Kean or Hancock.</p> <p>Unfortunately the Federal Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2018 has since lapsed. However the second reading speech notes elements of LGNSW’s submission regarding split incentives, indicating that there is support for this kind of measure at the federal sphere of government.</p> <p>The <u>LGNSW Policy Platform</u> has also been updated to support new and fairer financing opportunities for local government including for fees and charges, a range of funding mechanisms to allow</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>councils to build climate resilience in their communities, and enabling the update of zero and low carbon technologies through appropriate investment, concessions and legislation (see Finance Position Statement and Climate Change Position Statement).</p> <p>LGNSW will continue to advocate on this matter and others matters of importance to our members and especially those arising from annual conference resolutions.</p> <p>26/11/2020 – JT: Investigation underway for further information.</p> <p>23/10/2020 – JT: No further update.</p> <p>28/09/2020 – JT: No further update.</p> <p>03/08/2020 – JT: No further update</p> <p>29/06/2020 – SC: A. Motion supported at LGNSW Annual Conference. B. Raised in conversation with Local Member and LGNSW. C & D. No action.</p> <p>29/05/2020 – SC: No further update.</p> <p>29/04/2020 – SC: No further update.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>04/03/2020 – SC: No further update.</p> <p>06/02/2020 – SC: No further update.</p> <p>03/12/2019 – SC: B. The CEO requested an update from LGNSW in regarding to their advocacy of behalf of the local government sector (as per resolution 100 Solar Buy Back - from the 2018 LGNSW Conference). LGNSW has made representations to the previous Minister for the Environment and Minister for Local Government prior to the latest cabinet reshuffle. The matter was also raised in LGNSW's submission to the Senate Standing Committee on Environment and Communications Inquiry into Treasury Laws Amendment (Improving the Energy Efficiency of Rental Properties) Bill 2108. Further to this, LGNSW also raised this matter at their liaison meeting with the Office of Environment and Heritage and will continue to advocate on the issue as opportunities arise.</p>		
88	1 November 2018	394/18	<p>Planning Proposal 461 Barry Way, Moonbah to Amend Snowy River Local Environmental Plan 2013 That:</p> <p>A. The report from the Senior Strategic Land Use Planner on the Planning Proposal 461 Barry Way (Lot 101 DP 817374) be received.</p> <p>B. The Planning Proposal be submitted to the Minister of NSW Planning & Environment for a</p>	Senior Strategic Land Use Planner	<p>02/08/2021 – AA: SAP team have advised planning proposal is not inconsistent with draft SAP and can proceed subject to conditions of Gateway determination.</p> <p>03/05/2021 – AA: No further update.</p> <p>22/03/2021 – AA: No further update.</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

			<p>Gateway Determination in accordance with Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>C. The Department of Planning and Environment be advised that Council wishes to be issued with an authorisation to use delegation for the Planning Proposal.</p> <p>D. In the event NSW Department of Planning & Environment issues a Gateway Determination to proceed with the Planning Proposal, consultation be undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the <i>Environmental Planning and Assessment Act 1979</i> and any directions of the Gateway Determination.</p>		<p>26/02/2021 – AA: No further update, further update will be provided at conclusion of SAP Masterplan</p> <p>14/01/2021 – AA: No further update.</p> <p>26/11/2020 – AA: No further update.</p> <p>30/10/2020 – AA: No further update.</p> <p>25/09/2020 – AA: No further update.</p> <p>28/08/2020 – AA: No further update. Proposal is waiting for proponent to respond to agency concerns and is on hold to the conclusion of the SAP Masterplan. The following sections of the Council resolution have been completed. A. No action required. B. Completed. C. Completed. D. Referred to relevant Government Agencies. An objection was received from OEH. Further information was requested from proponent. Awaiting response.</p> <p>30/07/2020 – AA: No further update.</p> <p>22/06/2020 – AA:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>No further update.</p> <p>03/06/2020 – MA: No further update and not expected to be any significant progress until the SAP masterplan is more fully developed.</p> <p>05/05/2020 – AA: An altered Gateway determination was issued by the Department of Planning Industry and Environment extending the timeframe for completion by 24 months to 7 June 2022. This allows the proposal adequate time to be considered and finalised after the Snowy Mountains Special Activation Precinct Masterplan is completed.</p> <p>19/03/2020 – MA: No response received from DPIE regarding request for extension of time due to SAP Masterplan. In process of following up with DPIE.</p> <p>31/03/2020 – AS: No further update.</p> <p>02/03/2020 – BD: No further update.</p> <p>20/01/2020 – AA: A letter has been forwarded to State Government requesting the Gateway Determination date be extended to coincide with the conclusion of the Go Jindabyne masterplan.</p> <p>06/12/2018 – MA:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>B. Planning proposal has been submitted to the Minister of NSW Planning and Environment for a Gateway Determination.</p> <p>C. Council has advised Department of Planning and Environment that Council wishes to be issued with an authorisation to use Delegation for the Planning Proposal Cannot be actioned until a determination is given.</p>		
165	21 February 2019	68/19	<p>Parking in the laneway at the rear of the Jindabyne Town Centre That Council</p> <p>A. Approve the proposal to enter into public consultation with the shopkeepers and owners in Jindabyne Town Centre regarding changes to the laneway at the rear of the shops.</p> <p>B. Receive a further report regarding the results of the public consultation and the proposed way forward together with detailed costings.</p>	Coordinator Land & Property	<p>04/08/2021 – TP: 15/7/21 Land & Property met with Corporate Projects to discuss the development a proposed plan & schedule of works for the broader project (which this resolution item integrates with) of Jindabyne Town Centre upgrades.</p> <p>06/06/2021 – TP: No further update at this point.</p> <p>05/05/21 - TP: No further update at this point</p> <p>31/3/21 - TP: No further update at this point.</p> <p>28/2/21 - TP: Further advice as to SAP intentions pending. Once more integrated planning has occurred the project will be in a position to progress, in consult with Corporate Projects team.</p> <p>25/01/2021 – GH: Awaiting indication of SAP intentions for the Jindabyne Town Centre precinct.</p> <p>4/12/2020 – LB:</p>	31/08/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>A. This project needs to be incorporated within a range of projects currently underway in the Jindabyne town centre to ensure that a good outcome is achieved. Once more integrated planning has occurred the project will be scheduled.</p> <p>23/10/2020 – LB: A. This project has temporarily been place on hold. B. Further report will be presented to Council at the appropriate time.</p> <p>24/09/2020 – LB: A. Amended plan still to be received by Council.</p> <p>26/08/2020 – LB: A. Council has requested a minor adjustment to the concept plan. Once the concept plan is amended, it is proposed to form a Steering Committee to guide the project to completion. B. A report will be submitted for Council’s consideration when the public consultation has taken place.</p> <p>29/07/2020 – LB: A. Council is in receipt of the draft survey plan and is currently waiting on the design plan. When both plans are to hand Council will undertake public consultation. B. Following public consultation a further report will be prepared for Council with detailed costings.</p> <p>26/06/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>The Road Safety Officer advised that the surveyor has been selected and the project is progressing.</p> <p>A. Public consultation will take place when the survey and design is completed.</p> <p>28/05/2020 – LB: RFQ sent out to four surveyors for quotation for survey and design. This is to be funded by RMS.</p> <p>28/05/2020 – LB: RFQ sent out to four surveyors for quotation for survey and design. This is to be funded by RMS.</p> <p>24/04/2020 – LB: Specification for the tender is currently underway. Collaboration between the Special Projects Officer and the Road Safety Officer is being undertaken in view of the issues encountered with the proposed construction of the public toilets in Jindabyne.</p> <p>26/03/2020 – LB: Tenders will be called for the survey and design work. When survey & design is completed, staff will arrange for public consultation.</p> <p>02/03/2020 – LB: Waiting on survey and design so that public consultation can be arranged.</p> <p>03/02/2020 – LB: Shopkeepers and shop owners in the Jindabyne Town Centre have been notified by letter that Council has been successful in securing grant funding for survey and design of the back lane.</p>		
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SMRC Resolution Action Sheet – In Progress

211	21 March 2019	127/19	<p>Delegate Disadvantaged Housing That Council continue with the current arrangement of Facilities staff managing the tenants and maintenance on the properties pending community consultation, and bring a report back to Council.</p>	Coordinator Land & Property	<p>04/08/2021 – TP: No further update at this point.</p> <p>06/06/2021 – TP: No further update at this point.</p> <p>05/05/21 - TP: Updated option details being sought from Southern Cross Housing to enable accurate analysis in the present housing needs environment. Council continuing to manage properties.</p> <p>31/3/21 - TP: Consult with Community Engagement to enable concise information release after Easter period. Intended timing adjusted due to staff resource changes and competing active consultations. Council continuing to manage properties.</p> <p>28/2/21 TP: Forward advice and notice the community to occur in March 2021. Profile flagging the general topic & basic elements of consideration.</p> <p>27/01/2021 – TP: No further update.</p> <p>27/11/2020 – TP: No further update.</p> <p>26/10/2020 – TP: Design of consultation mechanics pending, with input from former Facilities staff to be included.</p> <p>25/09/2020 – TP:</p>	30/06/2021	N
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SMRC Resolution Action Sheet – In Progress

					<p>It is anticipated that community consultation will be initiated in first quarter of 2021 calendar year.</p> <p>27/08/2020 – TP: Council continuing to manage properties. Review of the background and full context relating to this item required by Land & Property unit.</p> <p>24/07/2020 – KH: This area is now under the Land & Property Portfolio. An initial handover has been conducted with a more detailed one to follow explaining what steps have been taken so far and why, and to work together moving forward on this.</p> <p>26/06/2020 – KH: There is no further update as there has been too much occurring with bushfires and COVID.</p> <p>01/06/2020 – KH: No further update.</p> <p>28/04/2020 – KH: No further update.</p> <p>27/03/2020 – KH: No further update.</p> <p>02/03/2020 – KH: Mail out to the community at Delegate seeking their feedback to be arranged asap to gauge thoughts.</p>		
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SMRC Resolution Action Sheet – In Progress

227	17 April 2019	151/19	<p>Consolidation of Reserve no. 530002 Centennial Park and Lot 6 DP 758280 Cooma Visitors Centre as one Crown Reserve for General Community Use</p> <p>That Council</p> <p>A. Request that the Crown add lot 6 DP 758280 to Reserve 530002 comprising Centennial Park and add an additional purpose of "General Community Use" to the Reserve.</p> <p>B. Relinquish Licence LI 453017 for the use of the Cooma Visitors Centre when Lot 6 DP 758280 is added to Reserve 530002.</p>	Coordinator Land & Property	<p>04/08/2021 – GT: Followed up with Crown Lands. Awaiting a response.</p> <p>06/06/2021 – TP: No further update at this point.</p> <p>05/05/21 - TP: No further update at this point.</p> <p>31/3/21 - TP: Further prompts to Crown Land actioned. No further update.</p> <p>28/2/21 – TP: No further update at this point in time.</p> <p>28/2/21 – TP: Application for possessory title lodged with NSW LRS. Further legal paperwork being formatted including the Statutory Declarations of two "disinterested witness" to support Council's possessory claim.</p> <p>22/01/2021 – LB: A. Follow up phone calls to Crown Lands has confirmed that Crown Lands is still awaiting the native title assessment to be completed.</p> <p>4/12/2020 – LB: A. Crown Lands are waiting on a native title assessment to be completed internally prior to approval and gazettal.</p> <p>26/10/2020 – LB:</p>	28/02/2021	N
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SMRC Resolution Action Sheet – In Progress

					<p>A. A further email has been sent to Crown Lands requesting an update.</p> <p>B. The licence will be relinquished when Crown Lands has completed their processes.</p> <p>24/09/2020 – LB:</p> <p>A. An email has been sent to Crown Lands asking for an update on the progress of this matter.</p> <p>26/08/2020 – LB:</p> <p>A. Crown Lands has assured the Land and Property Officer that the documentation recommending the amendment to both reserves has gone before the Minister.</p> <p>B. The licence will be relinquished when Crown Lands has completed their processes.</p> <p>29/07/2020 – LB:</p> <p>This matter needs to be signed off by the Minister and then must be advertised in the Government Gazette as a part of the process. It is anticipated that it may take some months to finalise.</p> <p>26/06/2020 – LB:</p> <p>Communication with NSW ALC confirmed that the claim over the Visitors Centre has been rescinded. This information will be relayed to Crown Lands with a request to expedite the matter.</p> <p>A. Crown Lands is presently preparing the documentation for transfer to Council as Crown Land Manager</p> <p>B. The licence will be relinquished in conjunction with transfer to Council Management.</p> <p>28/05/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>Reminder was sent to Crown Lands last week. This matter will take some time to resolve at the Crown Lands level.</p> <p>24/04/2020 – LB: Crown Lands has advised that due to the COVID-19 Pandemic this process may suffer some delays.</p> <p>26/03/2020 – LB: Crown was sent a second reminder today. It is an involved process, and will take a while to review, given the current COVID-19 pandemic and the recent bushfires.</p> <p>02/03/2020 – LB: Negotiations with the Crown are ongoing. It is likely that the Crown would prefer lot 6 to be placed under Council management & that the lease be rescinded. We are currently waiting on a reply.</p> <p>20/01/2020 – LB: This matter has been escalated at Crown Lands to achieve a decision on the way forward.</p>		
290	20 June 2019	227/19	<p>Application to Crown Land to be appointed as Land Manager to Various Waste Management Sites</p> <p>That Council requests to be appointed as Land Manager of the following Reserves:</p> <p>A. Dalgety Landfill Lot 2 DP 837128, Reserve 88070 for Rubbish Depot under Crown control;</p> <p>B. Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot under Crown control;</p>	Project Specialist	<p>06/05/2021 – MD: No further update from Crown.</p> <p>30/03/2021 – MD: No further update from Crown.</p> <p>02/03/2021 – MD: E. No further update from Crown.</p> <p>12/01/2021 – MT: E. No further update from Crown.</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

		<p>C. Bombala Landfill Lot 300 DP 756819, Reserve 49491 for Night Soil Depot under Crown control;</p> <p>D. Berridale Transfer Station Lot 178 DP 756837, Reserve 73609 for Sanitary Purpose under Crown control;</p> <p>E. Berridale Landfill Lot 153 DP 756694, Reserve 47391 for Rubbish Depot under Crown control; and Request the purpose of land be changed to Urban Services for Reserves 15472 & 49491</p>		<p>25/11/2020 – JH: E. No further update from Crown.</p> <p>20/10/2020 - JH: A, B, C & D. Complete. E. No further update.</p> <p>23/09/2020 - JH: A, B, C & D. Complete. E. NSW ALC are following up on this item they referred to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of the LALC refer it to the LALC Board for consideration of claim withdrawal. NSWALC will advise of the outcome when received, they have advised that the LALC are not meeting regularly during this COVID pandemic.</p> <p>26/08/2020 -JH: A, B, C & D. Complete. F. NSW ALC are following up on this item they referred to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of the LALC refer it to the LALC Board for consideration of claim withdrawal. NSWALC will advise of the outcome when received, they have advised that the LALC are not meeting regularly during this COVID pandemic.</p> <p>24/06/2020 – JH: A, B, C & D. Complete. E. This item has been referred by NSWLALC to the Local Aboriginal Land Council (LALC) with the recommendation that the CEO of the LALC refer it to the LALC Board for consideration of claim</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>withdrawal. NSWALC will advise of the outcome when received.</p> <p>28/05/2020 – JH: E: Email received from NSWALC requesting further information on this Reserve. Gazette notices were researched and supplied to NSWALC. They still require any information that Council may have on the lawful use and occupation of this land and/or need for this land for an essential public purpose, as at 8 June 2010. Following up on this request with Waste Team. Spoke again to NSWALC 27/5/2020 advice they are also now discussing with LALC with regard to their interest in the land due to it not being used for many years, as such they may wish to keep the land claim active.</p> <p>30/03/2020 – JH: No further update.</p> <p>22/01/2020 – JH: E. Property officer has written to the NSW Aboriginal Land Council to see if they wish to revoke their interest as ALC 25795 is current on this reserve.</p> <p>09/01/2020 – MD: A. Confirmation has been received Council is the Land Manager of Dalgety Landfill Lot 2 DP 837128, Reserve 88070 for Rubbish Depot; B. Confirmation has been received Council is the Land Manager of Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot;</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>C. Confirmation has been received Council is the Land Manager of Bombala Landfill Lot 300 DP 756819, Reserve 49491 for Night Soil Depot;</p> <p>D. Confirmation has been received Council is the Land Manager of Lot 178 DP 756837, Reserve 73609 for Sanitary Purpose under Crown control;</p> <p>E. Awaiting confirmation.</p>		
333	18 July 2019	277/19	<p>Australian Tourist Park Management - NRMA - Caravan Park Jindabyne That Council consider the approval for the Lessee to execute the 2 x 5 terms on the Lease Agreement when the first option to renew is due in October 2019 which will take the Lease Agreement through until October 2029.</p>	Coordinator Community Facilities	<p>04/08/2021 - KH: Lease has been forwarded to the Department of Crown Lands by BMR in late 2020 - still waiting confirmation of registration of lease and update to the Crown Land Register.</p> <p>06/05/2021 - KH: Awaiting confirmation that lease has been registered with Crown Land.</p> <p>22/03/2021 – KH: Solicitors have sent lease to be registered with Crown Land</p> <p>02/03/2021 – KH: Correspondence dated 10 February 2021 received from Blaxland, Mawson and Rose confirming the lease has been forwarded to Crown Lands with a request for provision of the necessary forms to record Council as the Crown Land Manager on the register and to update the Crown restriction currently noted on the register.</p> <p>12/01/2021 – KH: Correspondence received from BMR that lease has been lodged for registering. Council was requested to execute the lease as a crown land manager and</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>pay a further \$345.40 payable to Land Registry Services to formalise this.</p> <p>27/11/2020 – KH: Awaiting confirmation from BMR on registration of the lease.</p> <p>26/10/2020 – KH: BMR is finalising the registration.</p> <p>24/09/2020 – KH: BMR is actioning the registration of the lease</p> <p>25/08/2020- KH: Documents with BMR for action.</p> <p>24/07/2020 – KH: CEO has signed, awaiting a cheque to be drawn to go with signed lease back to BMR for action</p> <p>26/06/2020 – KH: Signed lease has been received and forwarded onto the CEO Office for signing.</p> <p>28/05/2020 – JH: Solicitors have advised the signed lease agreement should be returned to Council next week.</p> <p>27/04/2020 - JH: Correspondence has been received by Council’s Solicitor advising the Lease Agreement has had a few minor amendments and is with NRMA for exaction of same.</p> <p>26/03/2020 - JH:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>Council is liaising with NRMA in regard to this item.</p> <p>27/02/2020 -JH: Council’s solicitor and the NRMA Solicitor are reviewing the agreement and making minor amendments.</p> <p>15/01/2020 - JH: Solicitor has sent through an updated Agreement with some changes that were required to be made for further review. This is now back with the Solicitor.</p>		
347	15 August 2019	296/19	<p>Road Closure and Creation of Road Reserve - Badja Road That Council</p> <p>A. Approve to formally close the Council public road that traverses lot 1 DP 124507, Lot 2 DP 1195991 and Lots 15,16 & 81 of DP 752146;</p> <p>B. Engage the services of a Surveyor to prepare a plan of subdivision for the creation of a road reserve over Badja Road;</p> <p>C. Agree to exchange the former closed road through the affected properties in compensation of the area required of the privately owned properties for the road reserve to be created over Badja Road; and</p> <p>D. Authorise the General Manager to execute the documents to give effect to the above</p>	Coordinator Land & Property	<p>02/08/2021 – SR: Subdivision Approved - Awaiting signature from one landholder. Admin sheet & plans will then be returned to Surveyor for lodgement with LRS.</p> <p>05/06/2021 – TP: Subdivision application lodged.</p> <p>05/05/21 - TP: No further update at this point.</p> <p>31/3/21 - TP: Administration sheet signing in progress by required parties.</p> <p>28/2/2021 TP: Review of intended timeline to be conducted due to staff resource changes.</p> <p>01/03/2021 – TP: Review of intended timeline to be conducted due to staff resource changes.</p>	30/03/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>22/01/2021 – LB: A&B Landowner has been contacted by phone to advise that Council is going to commence the road closing process in early 2021. Letters and advertising will commence in late January.</p> <p>4/12/2020 – LB: A&B. Letters to affected landowners and notifiable authorities being prepared. The road closing will effectively commence when the 28 day advertising period has ended. C. Letters to appropriate landowners include proposal to dedicate closed road in compensation for the area to be acquired.</p> <p>23/10/2020 – LB: A. Subject of resolution 296/19 B. Survey plan has been received C. Exchange will occur at the appropriate time D. Documents will be executed at the appropriate time.</p> <p>24/09/2020 – LB: B. The plan has been received and letters regarding road closure in accordance with legislative requirements are being prepared.</p> <p>27/07/2020 – LB: A & B. Council is in receipt of a draft plan which has been checked and the surveyor has been requested to provide the final plan with Administration Sheet. When the final plan is received an application will be submitted for Subdivision Certificate.</p> <p>26/06/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>A. Surveyor has given assurance that the plan will be sent to Council in the next two weeks.</p> <p>B. This will be done in consultation with landowners after plan of subdivision is received.</p> <p>28/05/2020 – LB: Contractor has been asked to forward plan and it is anticipated that it will be available very shortly.</p> <p>24/04/2020 – LB: Discussion with the contractor revealed that due to COVID-19, there would be some delay but the plan is now expected any day.</p> <p>26/03/2020 – LB: Council is waiting on survey plan before proceeding.</p> <p>02/03/2020 – LB: Survey work is currently being carried out.</p> <p>20/01/2020 – LB: Landmark Surveys have been engaged to carry out the survey and produce a plan.</p>		
352	15 August 2019	301/19	<p>Proposed Closure and Sale of Public Pathway in Kalkite That Council</p> <p>A. Agree to close the pathway and sell the land 50% to each adjoining landowner for \$10,000 including GST each with each party to pay their own legal fees;</p> <p>B. Notify the owners of lots 38 and 39 that Council approves the payment for 50% of the pathway as a “repayment schedule” to be</p>	Coordinator Land & Property	<p>02/08/2021 – SR: Subdivision Certificate for Boundary Adjustment submitted to planning - fee paid - awaiting approval</p> <p>06/06/2021 – TP: Prompts to LRS actioned in order to progress creation & issue of Certificate of Title.</p> <p>05/05/21 - TP:</p>	30/06/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>paid in conjunction with the land rates to be fully paid prior to 30 June 2020;</p> <p>C. Apply to the Crown to close the public pathway;</p> <p>D. Engage the services of a surveyor to create a plan of subdivision with the pathway to be divided along its length (front to back);</p> <p>E. Engage the services of a solicitor to draw up contracts for the sale of the land; and</p> <p>F. Authorise the General Manager to execute the documents for the sale of the property</p>		<p>Surveyor has submitted compilation plan to the LRS for road (path) closure and subsequent first Certificate of Title (CT) creation & issue. The CT will reflect that that the lot is vested with Council, in readiness for subdivision and sale.</p> <p>31/3/21 - TP: No further update.</p> <p>28/02/2021 – TP: Awaiting plan of subdivision from surveyor. , Note: Linkage exists with Resolution 57/20.</p> <p>22/01/2021 – LB: A. Surveyor has been asked to lodge the plan of the pathway to close the road and to provide the plan of subdivision for the pathway. C. Response has been received from Crown Lands. D. Plan of subdivision will be available shortly. E. When the plan of subdivision is being processed Council’s solicitor will be asked to arrange for the contracts for the sale of the land. F. Council’s CEO will execute the contracts at the appropriate time.</p> <p>4/12/2020 – LB: A. Closure process progressing. B. Owners notified. Payment plan now subject to Council resolution 57/20. C. Currently waiting on response from Crown Lands D. Surveyor notified that plan of subdivision will be needed shortly.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>E. Solicitor asked to commence drawing up contracts for the sale of the land.</p> <p>23/10/2020 – LB: A & B. Advertising period has ended and one objection was received. The objection was a general one, which objected to any pathway in Kalkite being closed.</p> <p>C. Process has changed and new application to Crown Lands has been submitted</p> <p>D. Surveyor has been asked for an anticipated date for the plan of subdivision</p> <p>E. Contracts will be drawn up based on the plan of subdivision when the plan is available.</p> <p>F. Documents will be executed at the appropriate time.</p> <p>24/09/2020 – LB: A&B. Advertising period has ended and one objection was received. The objection was a general one, which objected to any pathway in Kalkite being closed.</p> <p>C. Waiting on response from Department of Industry - Crown Lands then the plan for road closing will be lodged and gazetted.</p> <p>D. The plan of subdivision will be available in approximately two weeks.</p> <p>E. The solicitor has been requested to get the contracts for the sale of the land ready for when the plan of subdivision is received.</p> <p>26/08/2020 – LB: A&B. Letters to landholders and notifiable authorities have been sent. At this time all responses have been positive. Waiting on</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>response from Crown Lands for consent to proceed and for public pathway to vest in Council following closure.</p> <p>G. This is no longer a requirement under the Act.</p> <p>H. The plan of subdivision will be available in approx. 6 weeks. In the meantime, the road closure is progressing.</p> <p>E&F. This will take place at the appropriate time.</p> <p>27/07/2020 – LB: Follow-up with Council’s surveyor determined that the plan to close the pathway will be received at Council by the end of July. Letters have been prepared to notify the local community of the proposal to close the pathway. The letters will be posted.</p> <p>26/06/2020 – LB: A. Landowners have been notified of Council resolution. Resolution /19 reviews the payment period until 30/6/2023. B. Application cannot be made until plan of subdivision is to hand. C. Plan of subdivision to divide the pathway lengthwise cannot be done until the pathway is closed. D. Contracts will be drawn up as soon as closure of the pathway is registered and the plan of subdivision is ready.</p> <p>28/05/2020 – LB: Council’s Finance Dept. are unable to set up a Special Rate in the rating system and they have suggested that Sundry Debtor accounts be set up with regular quarterly payments to be fully paid</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>prior to March 2023. This will enable the sale of the land to proceed prior to 30/06/2020.</p> <p>24/04/2020 – LB: Arrangements are currently underway to set up a payment plan and a surveyor has been engaged.</p> <p>26/03/2020 – LB: All parties have been notified of the Council resolution and quotes for the survey of the pathway have been sought. This resolution is now superseded by resolution 57/20.</p> <p>02/03/2020 – LB: Purchasers were not happy with the timeline for completion set by the Council resolution and a further report has been submitted to the March Council meeting.</p> <p>20/01/2020 – LB: Landowners were notified of Council resolution via mail but are intending to write to Council requesting more time to pay.</p>		
388	19 September 2019	343/19	<p>Proposed Compulsory Acquisition of Part Lot 7002 DP 1028529 Crown Land Travelling Stock Reserve That Council</p> <p>A. Approves the acquisition of the constructed section of Dalgety Road 20m wide which traverses lot 7002 DP 1028529 for the purpose of public road through the process of <i>Land Acquisition (Just Terms Compensation) Act 1991</i> for the purposes of s.178 of the Roads Act 1993;</p>	Coordinator Land & Property	<p>04/08/21 - TP: The surveyor has been instructed to lodge the plan for registration. When registration is confirmed, PWA will further proceed with the acquisition process. Preliminary confirmation from NSW Aboriginal Land Council that there should be no issues obtaining part-withdrawal of ALC 11150, ALC 40959 and ALC 42460 as it applies to the formed road area. Once PWA has received the registered DP advice from the surveyor, engagement with Bega LALC will be made to request that part-withdrawal.</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>B. Seek approval from the Minister for Local Government and/or the Governor in accordance with section 187 of the Local Government Act 1993 to give all necessary Proposed Acquisition Notices in accordance with the Land Acquisition (Just Terms Compensation) Act 1991;</p> <p>C. Upon receipt of the Minister’s/Governor’s approval, Council serve each PAN and take each other action necessary to carry out the acquisition;</p> <p>D. Upon receipt of the Minister’s/Governor’s approval Council give effect to the acquisition by publication of an Acquisition Notice in the NSW Government Gazette and such other publication as may be required by law;</p> <p>E. Pay compensation to all interest holders entitled to compensation by virtue of the compulsory acquisition on the terms set out in the Land Acquisition (Just Terms Compensation) Act 1991;</p> <p>F. That Council authorise the General Manager and the Administrator to complete and execute all documentation necessary to finalise and bring into force Council’s acquisition of the land and if necessary to affix the Council seal to any documents related to the acquisition; and</p> <p>G. That upon acquisition the acquired Property is dedicated as road following gazettal of the acquisition;</p>		<p>06/06/2021 – TP: No further update at this point.</p> <p>27/4/2021 - JH: Draft plans have been produced and are being reviewed by relevant staff and key delivery consultants.</p> <p>27/4/2021 - JH: Draft plans have been produced and are being reviewed by relevant staff and key delivery consultants.</p> <p>25/03/2021 - JH: Survey Plan being prepared with the aim for Deposited Plan Administration Sheet for signing early April.</p> <p>04/03/2021 - TP: No further update.</p> <p>22/01/2021 – LB: A. Quotation for Public Works Advisory has been approved and PWA has been asked to proceed.</p> <p>4/12/2020 – LB: A-G. Quote from Public Works Advisory to complete the acquisition of the travelling stock reserve is awaiting approval. NSW Aboriginal Land Council is considering the request to excise the road from their claim.</p> <p>03/11/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>A-G. Quotation has been received from Public Works Advisory to carry out the compulsory acquisition process. Currently finalising approval. Also waiting on reply from the NSW Aboriginal Land Council.</p> <p>24/09/2020 – LB: A-G. Currently waiting on a reply from the NSW Aboriginal Land Council.</p> <p>26/08/2020 – LB: A-G. This acquisition has been placed on hold while further investigations through Local Land Services and Aboriginal Land Council are carried out.</p> <p>29/07/2020 – LB: A. Council is waiting on the survey to be completed. B. When the survey plan is received the application to the Minister and the Governor will be made. C. PANs will be served after the Minister and Governor’s consent is received D. Gazettal will take place after consent of the Minister and the Governor is received E. Valuation has been requested from the Dept. of the Valuer General for land to be acquired without consent. F. Documents will be sent to the CEO for execution when appropriate. G. Upon acquisition the acquired property will be dedicated as road.</p> <p>26/06/2020 – LB: Surveyor is presently carrying out the work.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>28/05/2020 – LB: Surveyor advised that he will commence the survey in the next week.</p> <p>24/04/2020 – LB: Surveyor has been engaged and expects to commence the survey in the immediate future.</p> <p>26/03/2020 - LB: The NSW ALC has requested a survey plan be provided prior to proceeding. Quotations are currently being sought for the survey.</p> <p>02/03/2020 – LB: The NSW Aboriginal Land Council has given consent in principal and is waiting on a survey plan.</p> <p>20/01/2020 – LB: Currently waiting on survey plan.</p>		
408	17 October 2019	369/19	<p>Arts and Culture Advisory Committee Meeting held 11 September 2019 That Council</p> <p>A. Receive and note the minutes of the Arts and Culture Advisory Committee meeting held 11 September 2019;</p> <p>B. Support the Committee recommendations relating to Item 5.3 – Community Arts and Culture facility in Cooma;</p> <p>C. Support the Committee recommendation relating to Item 5.5 – Communication / Promotion of Committee; and</p> <p>D. Supports the Committee recommendation relating to Item 5.6 – Bombala Arts and Innovation Hub.</p>	Coordinator Economic Development	<p>02/08/2021 – AA: A - Projects team are progressing discussions regarding options for an arts facility B - Completed and ongoing C - Bombala Arts and Innovation centre successfully received grant funding.</p> <p>27/04/21 – HK: No reportable actions - work continues to secure appropriate funding (B&D) and site (B).</p> <p>27/04/21 – KH: No reportable actions - work continues to secure appropriate funding (B&D) and site (B).</p> <p>30/03/2021 – AA:</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

					<p>No further update at this time.</p> <p>04/03/2021 – GT: No action required at this time. Awaiting grant-funding decisions.</p> <p>29/01/2021 – AM: B. No further update D. An application for additional works has been lodged within the BLER Fund.</p> <p>30/11/2020 – AM: B. No further update D. After a meeting of the committee the need for further community consultation to refine options for future use was identified as being required. A further \$700K minimum is required for building upgrade works. Opportunities for further grant funding are being investigated.</p> <p>30/10/2020 – KH: A. facilitated workshop has been held by the Community Arts and Culture group during October 2020 to develop a plan forward for the facility.</p> <p>28/09/2020 – AM: No further update.</p> <p>02/09/2020 – AM: A. No action required. B. No further update. C. No further update.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>D. The Bombala Arts and Innovation Hub working group has been formed and had its first meeting, attended by Clr Haslingden.</p> <p>02/07/2020 – MA: Nothing further to update over June.</p> <p>03/06/2020 – MA: Bombala Arts and Innovation Hub committee has been advertising for members and is in progress of beginning. Continuing to investigate opportunities and options for the Arts and Culture Facility in Cooma that are compatible with the funding available in grant.</p> <p>29/04/2020 – MA: The Arts and Culture Committee minutes 25/03/2020 will recommend a request for extension of time for the funding programme.</p> <p>03/03/2020 – KH: B. Relevant stakeholder meetings will soon recommence. C. No update. D. Committee positions have been advertised and recruitment will commence shortly.</p> <p>04/02/2020 – KH: No further updates.</p> <p>02/12/2019 – KH: B. A small working group continues to meet to work towards the goal of establishing a community arts and culture facility in Cooma. C. A media release will be released early January 2020. Updates to the website have been</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>drafted and are expected to go live in the next 2 weeks.</p> <p>D. To be actioned after December Arts and Culture 355 meeting.</p> <p>4/11/2019 – KH:</p> <p>A. Noted.</p> <p>B. The GM is to negotiate with Land and Property NSW to transmit the property at 5 Dawson St Cooma to SMRC for the nominal fee of \$1, inclusive of related fees and charges such as stamp duty.</p> <p>C. The communications team are to prepare a media release and additional website to be included on the website.</p> <p>D. Community Development Planner & Support to form working group.</p>		
429	17 October 2019	389/19	<p>Proposed Acquisition of Part Lot 6 DP 218752 for the Purpose of Road</p> <p>That Council, consistent with the guidelines contained within with the body of report:</p> <p>A. Authorise the General Manager to negotiate the purchase of 0.2542ha of lot 6 DP 218752;</p> <p>B. That Council be responsible for any additional costs including survey, legal fees, fencing;</p> <p>C. Authorise the General Manager to execute all necessary documents and affix Council’s Seal if required; and</p> <p>D. Approach the plantation owners for a contribution towards the works prior to commencing the project.</p>	Coordinator Land & Property	<p>02/08/2021 - SR: Mortgage has been released from lot as per title search, admin sheet and subdivision certificate application awaiting signature from landholder to proceed.</p> <p>06/06/2021 – TP: No further update at this point.</p> <p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: No further update.</p> <p>28/2/2021 - TP:</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>Discharge authority received from Landowner (due to Landowner having made error in initial document) and forwarded to bank to progress necessary mortgage discharge.</p> <p>22/01/2021 – LB: A-C. A phone conversation with the landowner on 13/1/21 revealed that he has been communicating with the Rural Bank who are slow to respond. The landowner has been asked to send the phone contact number to Council so that we can contact the Rural Bank and try to fast-track the process. D. A letter was sent to the plantation owners who responded to say that they declined to contribute to the project.</p> <p>4/12/2020 – LB: A-C. Email from the Bega Branch Manager of the Bendigo and Adelaide Bank this morning to confirm that they are waiting on a response from Rural Bank. Bega Branch Manager will notify Council when the discharge of mortgage has been registered. D. Letter has been sent to Plantation Owners.</p> <p>23/10/2020 – LB: A-C. Application for discharge of mortgage completed by landowner and sent to the bank for processing. Signed application for subdivision certificate and the Administration Sheet received from landowner. As soon as the landowner receives his Certificate of Title from the bank the plan of</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>subdivision will be registered and contracts will be exchanged.</p> <p>D. Letter is being prepared for the plantation owners requesting that they contribute to the works.</p> <p>24/09/2020 – LB:</p> <p>A-C. The Title to lot 6 has a mortgage noted in the second schedule. The landowner has verified that the loan has been paid out. A discharge of mortgage application was forwarded to the landowner to complete and return to Council so that the mortgage can be removed from the title. Council is also waiting on the application for a subdivision certificate to be signed by the owner of the property.</p> <p>D. Nearby plantation owners to be approached in writing seeking contribution to the purchase.</p> <p>26/08/2020 –LB:</p> <p>A-C. When Land and Property receives the subdivision certificate the landowner can sign off on the plan and arrange for his bank to sign off after which the plan can be submitted to the LRS for registration. Waiting on landowner to sign the application for the subdivision certificate or send an email giving consent for the application to be lodged. The subdivision certificate has been done but can't be released until consent is received from the landowner.</p> <p>C. Council has paid for survey and legal fees will be paid upon receipt of invoice</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>D. Documents will be signed by the CEO when appropriate.</p> <p>E. Plantation owners are not affected and therefore will not be asked for a contribution.</p> <p>27/07/2020 – LB: Council is currently waiting on the subdivision certificate so that the plan can be registered prior to settlement.</p> <p>26/06/2020 – LB: Council’s solicitor has been asked to produce the contracts. Application for subdivision certificate has been submitted.</p> <p>A. Purchase price has been negotiated and agreed by both parties.</p> <p>C. This acquisition does not affect the plantation owners.</p> <p>28/05/2020 – LB: An email has been sent to the surveyor each week asking for the plan of subdivision so that contracts for the purchase of the land can be exchanged. The plan has not been registered so the plan will need to be attached to the contract.</p> <p>24/04/2020 – LB: Council’s solicitor is organising the contract and it is anticipated that exchange will take effect within the next month.</p> <p>27/03/2020 – LB: MOU has been returned to Council and Council’s solicitor has been asked to arrange a contract.</p> <p>27/02/2020- JH:</p>		
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SMRC Resolution Action Sheet – In Progress

					MOU with property owner, waiting return of same. 15/01/2020 - JH: Staff have spoken to land owner and are waiting for a written response.		
439	21 November 2019	408/19	<p>Closure of Part of the Road Reserve in Barrack Street Cooma That Council</p> <p>A. Approve the proposal to close part of the Barrack Street Cooma road reserve in accordance with the plan in this report; B. Classify this new lot as operational land; C. Approve the consolidation of lot 4 DP 32321 with the new lot to be created by the road closure; and D. Classify the new consolidated lot as operational land.</p>	Coordinator Land & Property	<p>04/08/21 - TP: No further update at this point.</p> <p>06/06/2021 – TP: No further update at this point.</p> <p>05/05/21 - TP: Follow up with Solicitor and Surveyor actioned to progress.</p> <p>31/3/2021 - TP: No further update.</p> <p>28/2/2021 - TP: No further update.</p> <p>22/01/2021 – LB: A&B Plan has been lodged with LRS for registration when it will be classified as operational land.</p> <p>4/12/2020 – LB: A. An email was received from Crown Lands seeking clarification of the section of Barrack Street for investigation; clarified via email.</p> <p>23/10/2020 – LB: A. Awaiting information from Crown Lands. Email sent to Crown Lands requesting that this matter be expedited.</p>	30/03/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>B-D. These actions will be carried out at the appropriate time.</p> <p>24/09/2020 – LB: A-B. Crown Lands responded to Council’s email to say that the Old Title search is currently underway and we should receive the results shortly. C. A plan of consolidation will be prepared as soon as the road closing is registered. D. The consolidated lot will be classified as operational land upon registration of the plan.</p> <p>26/08/2020 – LB: Crown Lands have been reminded via email that we are still waiting on the results of the search to fulfil the requirements of the requisition. This action cannot proceed until plan is Registered.</p> <p>29/07/2020 – LB: Application has been sent to Crown Lands for an Old Title Search in accordance with the requisition from the LRS.</p> <p>26/06/2020 – LB: When the plan of subdivision was lodged, Council received requisitions on Title. A request has been sent to Crown Lands for evidence of gazettal of Barrack Street as a Council public road. Despite extensive research by Council staff and Council’s solicitor definitive evidence was not found.</p> <p>B. Plan of consolidation will be sought after the road closing is complete through lodgement of the plan.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>28/05/2020 – LB: Council’s solicitor is currently carrying out investigations to provide information to the LRS.</p> <p>24/04/2020 – LB: The plan was lodged at the LRS and the surveyor is presently addressing a requisition from the LRS regarding the date of gazettal of Barrack Street Cooma as a Council public road.</p> <p>26/03/2020 – LB: The subdivision certificate has been released and the documents executed by Council. The documents have been delivered to the surveyor for lodgement at the LRS.</p> <p>02/03/2020 – LB: The plan will be lodged as soon as the subdivision certificate is to hand.</p> <p>20/01/2020 – LB: Registration of the plan should be gazetted soon.</p>		
449	21 November 2019	418/19	<p>Minutes of the Water and Sewer Committee held on 29 October 2019 and adoption of recommendations</p> <p>That the recommendations of the meeting of the Water and Sewer Committee held on 29 October 2019 be adopted.</p>	Manager Water Wastewater Operations	<p>02/08/2021 – JD: No further updates.</p> <p>09/06/2021 – JD: No further updates.</p> <p>04/05/21 – JD: No further updates</p> <p>30/03/2021 – JD: No further update.</p> <p>02/03/2021 – JD:</p>	30/06/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>No further update.</p> <p>15/01/2021 – JD: No further update.</p> <p>25/11/2020 – JD: No further update.</p> <p>23/10/2020 – JD: No further update.</p> <p>24/09/2020 – JD: Proposed charges presented to Councillors. There were concerns that Bombala and Delegate would get an increase in charges while all other areas were decreasing. Considering options to include a discount for the first year of 30% for Bombala and Delegate so all areas would see a decrease.</p> <p>03/09/2020 – JD: Proposed charges presented to Councillors. There were concerns that Bombala and Delegate would get an increase in charges while all other areas were decreasing. I have proposed to DR that we offer Bombala and Delegate a discount for the first year of 30% so then all areas would see a decrease. Awaiting feedback from DR on this proposal.</p> <p>24/06/2020 – JD: Proposed charges presented at ELT meeting on 3 June 2020. DSP values accepted by ELT and will be presented at the next council meeting on 2 July 2020 for acceptance by the Councillors.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>28/05/2020 – JD: Proposed charges agreed on with Chief Strategy Officer. A report is being prepared to ELT recommending these charges and the way forward.</p> <p>30/04/2020 – DR: Matter deferred due to impacts of COVID-19.</p> <p>24/03/2020 – JD: Awaiting further Advice on charges from Acting Director Corporate and Community Services following meetings and discussions. A meeting will then be scheduled with Councillors.</p> <p>02/03/2020 – JD: A. Discussions were held with DPIE Water and they indicated that all towns/villages must have charges. B. DPIE Water indicated we can look at only future assets when determining the charges which could bring the charge amount down. They also indicated we can set the charges ourselves for the smaller villages and present these to Council for approval. C. Charges have been proposed and a meeting will be set up with the councillors to discuss these proposed charges.</p> <p>24/01/2020 – GA: A. S64 Workshop was held with ELT and the Consultant on 16 January 2020. As the charges were very high for the villages, advice is being sought from DPIE Water if the villages can be exempt from charges and any other changes that will meet the guidelines.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>B. Awaiting advice from DPIE Water prior to Councillor Workshop and date for workshop to be determined after receipt of advice.</p> <p>27/11/2019 – GA: Noted and the following actions will be taken: A. The draft minutes will be adopted at the next water and sewer committee meeting. B. Adopted Terms of Reference will be sent to document control for finalising. C. Amendments to sewer pricing and billing was reported to Council on 21 Nov 2019. S64 DSP Councillor Workshop has been proposed to be held on 19 Dec 2019.</p>		
553	21 November 2019	422/19	<p>Managing Heavy Vehicles in Bombala Town Centre - Community Consultation That the matter be deferred for further consultation with the public including correspondence from the Bombala Chamber of Commerce.</p>	<p>Manager Corporate Projects</p>	<p>02/07/2021 – GMc: No further update</p> <p>01/06/2021 – GMc: No further update</p> <p>04/05/21 - GMc: No further update - Strategic Planning to seek further information.</p> <p>01/04/2021 - GMc: No further update - Strategic Planning to seek additional information.</p> <p>03/03/2021 – GMc: No further action at this stage.</p> <p>25/01/2021 – GH: An informal meeting was held between Bombala based councillors and relevant staff. The outcome</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

					<p>of the meeting is to proceed with further community consultation.</p> <p>27/11/2020 – GH: A meeting has been arranged with Bombala based councillors to discuss options for further community consultation. Meeting proposed to be held on 4 December 2020 and is open to any other interested councillor to attend.</p> <p>05/11/2020 – JM: No further update.</p> <p>25/09/2020 – GH: No further update.</p> <p>03/09/2020 – GH: No further update.</p> <p>01/07/2020 – AS: No further update. Consultation occurred from September 2019 to October 2019.</p> <p>01/06/2020 – GH: Communication distribution proposed re Bombala Town Centre Community Consultation:</p> <ul style="list-style-type: none"> • Noticeboards – IGA and Newsagency • Bombala Times and Monaro Post • Facebook – Bombala Noticeboard • Facebook – SMRC page • Facebook – SMRC Business Forum Group • Radio – capital network and 2MNO • Notice at SMRC office • Info sent to SMRC customer service for any enquiries 		
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SMRC Resolution Action Sheet – In Progress

					<ul style="list-style-type: none"> SMRC website <p>27/04/2020 – LN: Working with Chief Communications Officer to establish a strategy for community consultation during the COVID-19 restrictions.</p> <p>24/03/2020 – LN: No further update.</p> <p>28/02/2020 – LN: Ongoing.</p> <p>03/02/2020 – LN: Ongoing.</p>		
573	21 November 2019	443/19	<p>Werralong Road - Proposed Acquisition With and Without Consent That Council</p> <p>A. Approves the acquisition without consent of proposed lots 4, 5, 7, 8 and 10 in the plan of acquisition for the purpose of public road under the provisions of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> in accordance with Division 1 Section 177 of the Roads Act 1993 and the making of the necessary application to the Minister and/or Governor.</p> <p>B. Approves the acquisition of proposed lots 1, 2, 3, 6 and 9 with consent for the purpose of public road under the provisions of the <i>Land Acquisition (just Terms Compensation) Act 1991</i> in accordance with Division 1 Section 177 of the Roads Act 1993 and the making of</p>	Coordinator Land & Property	<p>04/08/21 - TP: No further update at this point.</p> <p>07/06/2021 – TP: The PANs related to Werralong Road acquisition were formally issued on Monday 7th June 2021 to the relevant parties. Once the PANs are issued a 90 day sequence triggers, at the end of which the OLG submits the Acquisition Notice for the Governor’s approval. Upon receipt of Governor’s Approval, Council can then lodge the Government Gazette publication of the acquisition notice.</p> <p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: Updated application lodged with OLG to match the revised PAN (already executed) and reflects the inclusion references related to Lots 5 & 7, as these</p>	28/05/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>the necessary application to the Minister and/or Governor.</p> <p>C. To authorise the General Manager to execute all documents relevant to the acquisitions both without consent and with consent on behalf of Council.</p> <p>D. Agrees to bear all costs for the acquisition of the proposed lots.</p>		<p>lots are now actually now part of Lot 1 DP 1172849 (Downs’s ownership). Letters sent to all involved landowners with status update.</p> <p>28/2/2021 - TP: Amended proposed acquisition notice tabled to the registered proprietor (external party) to ensure Lot 5 & Lot 7 DP 1245630 (formerly Crown Reserve Roads) are encompassed, being as they are actually now part of Lot 1 DP 1172849 (Downs).</p> <p>22/01/2021 – LB: A. The OLG has confirmed that the application has been approved and is awaiting execution by the Minister. B. The land which was to be gifted to Council which is subject of the acquisition with consent cannot be gazetted as road until Council receives consent from the OLG to the acquisition without consent. The land to be gifted to Council was gifted on the condition that Council is successful in acquiring the land without consent.</p> <p>4/12/2020 – LB: A&B. The paperwork returned from Office of Local Government appears to have overlooked sections of closed Crown reserve road, which have been sold prior to the adjoining landowner. Council is clarifying whether this was an oversight to ensure there are no future delays in the process of acquisition.</p> <p>23/10/2020 – LB: A. An email was received from one of the landowners on Werralong Road attaching an</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>email from John Barilaro’s office dated 23 October. The email from John Barilaro referred to a reply from the Minister for Local Government responding to correspondence from the landowner. The email inferred that the OLG has made a recommendation to the Minister to be considered in the near future.</p> <p>24/09/2020 – LB: No further update.</p> <p>26/08/2020 – LB: A&B. OLG has not released consent for acquisition. Currently Council is unable to proceed until consent for acquisition without consent is received from OLG C&D. Documents will be executed at the appropriate time. Costs are paid on invoice.</p> <p>27/07/2020 – LB: A. Application was sent to OLG for consent to the acquisition. Email reply from OLG received 27/7/2020 consenting to the acquisition with consent. B. Application for acquisition of lots 4, 8 and 10 without consent is currently being assessed separately. C. The necessary documents will be sent to the CEO when necessary for execution. D. All costs are being paid by Council.</p> <p>26/06/2020 – LB: Council received a letter from the OLG to say that the process for requesting a shorter timeframe would result in the process taking longer due to</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>their process. Therefore, Council has withdrawn its application to reduce the notification time. The legislated timeframe for notification is 90 days and Council should not anticipate a decision from the OLG for at least 3 months. Recent experience has demonstrated that the OLG is not providing decisions on applications for 6 months or more.</p> <p>28/05/2020 – LB: There has been no response from the OLG with respect to the application to reduce the notification time. The application is with the OLG.</p> <p>24/04/2020 – LB: The application for acquisition of Werralong Road has been lodged with the OLG. At the same time, an application to reduce the notification time to 30 days has been lodged with the OLG.</p> <p>26/03/2020 – LB: The OLG returned the application. A new application is currently being prepared by Council’s solicitors for submission to the OLG.</p> <p>02/03/2020 – LB: When consent is received from the OLG Werralong Road will be gazetted to Council.</p> <p>28/01/2020 – LB: Council’s solicitor is presently preparing Section 30 Agreements for execution by landowners who are gifting their land to Council. The solicitors are also preparing the application to the OLG for consent to acquire a portion of the land for road through the process of acquisition without consent.</p>		
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SMRC Resolution Action Sheet – In Progress

					02/12/2019 – LB: Resolution of Council has been sent to Council’s solicitor to lodge with OLG for consent of the Minister and the Governor.		
615	20 February 2020	12/20	<p>Request to Acquire and Repair/Replace Bairds Crossing Bridge over Snowy River That Council:</p> <p>A. Receive and note the report on the request to acquire, repair/replace Bairds Crossing Bridge over the Snowy River;</p> <p>B. Reject the proposal for Bairds Crossing Bridge to become a Council Asset and be subject to Council’s asset maintenance/replacement program; and</p> <p>C. After the Proponent receives the advice from the minister with that advice, he consults with the council staff with a view of preparing a report to the council.</p>	Manager Infrastructure	<p>10/08/2021 – GS: Part B of Councils resolution remains extant. There has been no additional information from either Minister of RFS supporting any proposal for Council to acquire and replace Bairds Crossing Bridge.</p> <p>06/06/2021 – TP: No further update.</p> <p>06/05/21 – GS: No Further Update.</p> <p>6/04/21 - JM: No further update.</p> <p>01/03/21 - TP: No further update.</p> <p>01/03/2021 – GS: No further Update.</p> <p>18/01/2021 – GS: As advised to residents and Council in December 2020; without any information to progress part C of Council Resolution 12/20; Part B remains extant i.e. Council reject the proposal for Bairds Crossing Bridge to become a Council Asset.</p> <p>27/11/2020 – GS: Residents have been advised that this matter cannot progress until the proponent has met with</p>	28/02/2020	N

SMRC Resolution Action Sheet – In Progress

					<p>the relevant minister and have provided the advice received to Council.</p> <p>The Manager, Monaro District NSW Rural Fire Service, has advised that the RFS will not be writing to Council to recommend the crossing be reinstated.</p> <p>23/10/2020 – GS: The Minutes of the LEMC meeting held on 23 September 2020 contained actions relating to Bairds Crossing Bridge. These were:</p> <ul style="list-style-type: none"> • LEMC to approach Council to explore options for Bairds Crossing and repairs. • Assess choke points and fire load – Bairds Crossing road. • Contact Manager Infrastructure re: over hanging trees and road edges – Bairds Crossing road. <p>A copy of the meeting minutes were provided to the Manager Infrastructure on 13 October. At the time of this update, no further information has been received from the LEMC.</p> <p>24/09/2020 – GS: LEMC meeting was held after this update was provided. Therefore any recommendations from the LEMC that might influence Council deliberation on this issue are not yet known.</p> <p>26/08/2020 – GS: No change from previous update other than conversations with Mr Makhoul and other residents of Bairds Crossing Road and Punt Hill Road have been informed of the intention to have</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>this matter discussed at the LEMC in September 2020.</p> <p>24/07/2020 – GS: C. As per previous update, the issue of Bairds Crossing Bridge is to be discussed at the next LEMC meeting in September 2020.</p> <p>26/06/2020 – GS There is no action for A and B. A. The latest update from Mr Makhoul dated 15 June was as follows: <i>“We have received a recommendation letter from our local fire brigade for the need of an access bridge at Bairds Crossing, this has been sent to the RFS and meet with open arms. Please see attached for your perusal, the bridge will be a topic at the next Local Emergency Management Committee meeting for recommendation to be replaced with an adequate structure”</i> Councils response to that update was as follows: Thank you for your email and update on discussions relating to Bairds Crossing Bridge. I think a discussion at the Local Emergency Management Committee is excellent progress. Without being a pain, could I please ask for an update on the part of Council’s resolution that stated: C. After the proponent receives the advice from the minister, with that advice, he consults with the council staff with a view of preparing a report to the council</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>Has anything from the Ministers Office been received? This would allow a further report to be prepared for Council consideration.</p> <p>29/05/2020 – GS: The latest update was an email from Mr Makhoul to John Barilaro MP on 30 April 2020 that stated:</p> <p>In reply to your below email, we would like to advise that</p> <ul style="list-style-type: none"> • We are expecting documentation in support of our request for retention and upgrade of the Bairds Crossing Bridge from local Fire Brigade at Numbla Vale and in turn the RFS NSW. • We are expecting that funding can come from the recently advised increase in Safety/Fire expenditure budget • Our understanding is that ownership of the land upon which the bridge stands is passed onto Council • After ownership of the land is finalised, the State funding is allocated to Council, for the bridge works. <p>As soon as these documents are to hand we will forward them to you.</p> <p>Note: - No documentation has yet been received from any agency supporting the proposal for a retention and upgrade of Bairds Crossing Bridge.</p> <p>29/04/2020 – GS: On 6 April 2020 A letter was drafted for CEO approval in response to questions raised by John Barilaro MP on behalf of Mr Joseph Makhoul and in relation to Council’s decision on Bairds Crossing Bridge.</p>	
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SMRC Resolution Action Sheet – In Progress

					<p>On 23 April 2020, Council staff wrote to Mr Makhoul and other residents seeking any information “the proponent” may have received from the relevant minister in relation to safety concerns should Bairds Crossing Bridge not be repaired or replaced. This correspondence reiterated the decision of Council from the February 2020 meeting, suggesting this information would assist in preparing a further report on Bairds Crossing Bridge for Council consideration. Unfortunately no reply has been forthcoming.</p> <p>27/03/2020 – GS: There has been no confirmation of any advice from the Minister to the proponent and therefore this action has not been progressed.</p> <p>28/02/2020 – GS Residents near Bairds Crossing Bridge were informed of Councils decision and amendment to the report recommendations; especially the inclusion of recommendation. A. Staff now await the advice from the minister, through the proponent in order to provide a further report for Council consideration.</p>		
636	19 March 2020	COV4/20	<p>No Stopping Zones along the Lake Jindabyne foreshore - review of the 2019 winter traffic / camping management campaign. That Council: A. Note the successful outcomes of the 2019 “No Stopping Zone” campaign; B. Note that the demand for budget camping / parking, both in summer and winter, is increasing as tourist and visitor numbers</p>	Chief Operating Officer	<p>06/05/21 – JM: 2020 regulatory actions and proposed actions being assessed and to be reported in June. Continuing to work with community and landholders on solutions for seasonal worker accommodation.</p> <p>06/04/2021 – JM:</p>	30/06/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>coming to Jindabyne and the Snowy Monaro Region continue to grow;</p> <p>C. Allocates an annual budget to maintain this campaign during the 2020 winter ski season and subsequent seasons;</p> <p>D. Notes a feasibility study will be undertaken during the 2020 winter ski season to investigate the strengths, weakness, opportunities and threats associated with the introduction of a paid parking permit for the Claypits carpark;</p> <p>E. Approves the installation of “No Stopping Zone” signs in the following designated areas restricting parking from 6pm until midnight and from midnight until 7am between 01 June and 31 October annually:</p> <ul style="list-style-type: none"> i. Wollondibby Inlet (6 sites) ii. Claypits (8 sites) iii. Town Centre (2 sites) iv. Townsend Street / Cobbon Crescent (5 sites) v. Other areas identified throughout the course of the campaign; and <p>F. Embark on a campaign for a permanent solution to control and regulate camping around Lake Jindabyne.</p>		<p>D&F: community forum held on 23 March. Discussions ongoing with key stakeholders to confirm approach prior to reporting back to Council.</p> <p>29/01/2021 – JM: No further update.</p> <p>30/11/2020 – JM: D&F. Briefing for Council held in November 2020. Preparations underway for community engagement.</p> <p>23/10/2020 – MR: F. Collating evidence and preparing a preliminary briefing for Council’s November 2020 briefing.</p> <p>28/09/2020 – JG: F. Evidence is being gathered looking at long-term solutions.</p> <p>28/08/2020 – MR: A. No further action required on this one. It is for Council to note. B. No further action required on this one. It is for Council to note the additional operational costs of enforcement. C. Budget was allocated for the program. No further action required. D. Evidence is presently being gather to prepare a feasibility study. E. No Stopping Signage zone signage installed. No further action required. Evidence is being gathered looking at long-term solutions.</p> <p>22/07/2020 – MR:</p>	
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SMRC Resolution Action Sheet – In Progress

					<p>F. No further action required on this one. It is for Council to note.</p> <p>G. No further action required on this one. It is for Council to note the additional operational costs of enforcement.</p> <p>H. Budget was allocated for the program. No further action required.</p> <p>I. Evidence is presently being gather to prepare a feasibility study.</p> <p>J. No Stopping Signage zone signage installed. No further action required Evidence is being gathered looking at long-term solutions.</p> <p>24/06/2020 – MR: The winter Lake Jindabyne Foreshore Parking program has commenced. Council Rangers are undertaking morning and evening patrols of the area. The number of campers are presently low. This is due to the Covid-19 restrictions and associated ski field access limitations. The patrols will continue throughout the ski season, with the initial focus on education moving to enforcement in early July 2020.</p> <p>28/05/2020 – MR: Everything is ready for the 2020 ski season winter parking and camping campaign. This includes the collection of intelligence to undertake a feasibility study for the introduction of paid parking.</p> <p>05/05/2020 – MR: The no stopping signage has been installed at the areas noted. I have confirmed that Council’s Ranger working in collaboration with the Ranger for the area are ready for the winter ski season. Meeting held last week at the Clay Pits to discuss</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>future works on the foreshore. These works will include the potential of charging a parking fee for long term parkers at the Clay Pits. This concepts discussed are going to be included in the community consultation for the proposed works and will form part of the feasibility study and long term strategies mentioned in the resolution.</p> <p>23/03/2020 – BJ: “No stopping zone” signs have been ordered. Feasibility study to be undertaken throughout Winter 2020 season. Snowy Hydro, NSW Police and other key stakeholders to be consulted in identifying a permanent solution to camping arrangements around Lake Jindabyne.</p> <p>03/08/2020 – MR: A. No action required. B. No action required. C. Budget was allocated for the program. No further action required. D. Evidence is presently being gather to prepare a feasibility study. E. No Stopping Signage zone signage installed. No further action required F. Evidence is being gathered looking at long term solutions.</p>		
643	19 March 2020	44/20	<p>Acquisition by Possessory Title - Lot 16 Section 1 DP 1242 - Berridale Memorial Park That Council</p> <p>A. Apply for possessory title over lot 16 Section 1 DP 1242 (Berridale Memorial Park) B. Classify lot 16 Section 1 DP 1242 as community land upon acquisition.</p>	Coordinator Land & Property	<p>04/08/2021 – TP: No further update at this point.</p> <p>06/06/2021 – TP: Amended Application for Possessory Title lodged to include additional details of the Grants of Probate (as received from the Supreme Court of NSW).</p> <p>05/05/21 - TP:</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>Solicitors have confirmed that the required supporting Statutory Declarations from independent persons (2) have been obtained. NSW Revenue documentation finalised to enable transfer of land to be completed exempt payment of duty.</p> <p>31/3/21 - TP: LRS requested details of two disinterested persons requested willing to provide Statutory Declarations related to prior treatment & use of land in question; details of such provided (with permission) to Solicitors.</p> <p>28/2/2021 - TP: Application for possessory title lodged with NSW LRS. Further legal paperwork being formatted including the Statutory Declarations of two "disinterested witness" to support Council's possessory claim.</p> <p>14/01/2021 – LB: A&B Application for possessory title has been lodged with the LRS after discussions with the RSL. RSL has been assured that the land will be classified as community land upon acquisition.</p> <p>4/12/2020 – LB: A. A letter was received from Head Office of NSW RSL to say that Council should deal with the Snowy River Branch of the RSL with respect to future management of the park. An email was sent to the local RSL branch requesting consent for Council to proceed with the application for possessory title, with the assurance that the</p>	
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SMRC Resolution Action Sheet – In Progress

					<p>park would be classified as community land upon acquisition. The relevant sections of the Local Government Act pertaining to management of community land were also sent in the email as a link to assist the RSL in determining their response.</p> <p>23/10/2020 – LB: A. An email was sent to the local branch of the RSL asking for an update. B. To be completed upon acquisition of the land.</p> <p>24/09/2020 – LB: A. The Snowy River branch of the RSL was notified of Council’s intention to apply for possessory title and the branch has sent the notification to The RSL’s head office for a response.</p> <p>26/08/2020 – LB: Requisition on Title has requested an Old Title search which is currently being carried out by Crown Lands.</p> <p>26/8/2020 – LB A. Requisition on Title has requested an Old Title search which is currently being carried out by Crown Lands. B. Lot 16 will be classified upon acquisition through the resolution of Council.</p> <p>29/07/2020 – LB: The CEO has executed the documents.</p> <p>26/06/2020 – LB: Application is proceeding.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>28/05/2020 – LB: Documentation is being prepared to lodge an application for Possessory Title.</p> <p>24/04/2020 – LB: Council’s solicitor is presently gathering all the evidence to lodge with the application for possessory title. A surveyor has been engaged to do a survey plan for identification purposes.</p> <p>26/03/2020 – LB: Council’s solicitor has been requested to prepare the documentation.</p>		
660	19 March 2020	55/20	<p>Proposed Acquisition of Easement for Access to Middlingbank Quarry That Council</p> <p>A. Enter into negotiations with the owner of lot 1 DP 1022898 for a right of way for access across his land.</p> <p>B. Engage the services of a surveyor to create a plan for registration of a right of way across lot 1 DP 1022898.</p> <p>C. Council to be responsible for all costs for creation and registration of the plan for the right of way.</p> <p>D. Authorise the Chief Executive Officer to negotiate the compensation for the easement.</p> <p>E. Authorise the Chief Executive Officer to sign all necessary documents to give effect to the above.</p>	Coordinator Land & Property	<p>05/07/2021 – GS: The Owner of Lot 1 DP 1022898 has stated they are not prepared to enter into negotiations for a right of carriageway between Middlingbank Road and Middlingbank Quarry., Discussions are underway with the owner of Lot 2 DP 1271068 to understand if options are available to create an access through that property with further options to acquire the Crown Road (unformed) that’s established along the boundary of Lot 1 and Lot 2.</p> <p>05/05/21 - TP: No further update.</p> <p>31/3/2021 - TP: No further update.</p> <p>28/2/2021 - TP: AA - Negotiations continue with Manager Infrastructure spearheading discussions. B Draft plan for right of access pending results of</p>	30/03/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>A. C-E These actions will take place at the appropriate time.</p> <p>22/01/2021 – LB: A. Letter has been sent to Council’s solicitor requesting that he commence negotiations with the landowner for a right of way for access to the Quarry. B. Surveyor has submitted a draft plan for right of access and this will be finalized as soon as negotiations are completed.</p> <p>4/12/2020 – LB: A. Completed. B. Discussions are ongoing to decide the best approach for a permanent access.</p> <p>23/20/2020 – LB: A. The temporary agreement between SMRC and Mr Thomas for access to Middlingbank Quarry has been signed and is active from 2 November 2020 through to 30 April 2021. Notice has been provided to Mr Thomas, in accordance with the agreement that Council intend to access Middlingbank Quarry to extract material in November 2020. Work to ensure the access road is suitable for heavy traffic will commence on Monday 2 November. B. The process to secure permanent access will commence shortly C. These actions will take place at the appropriate time.</p> <p>24/09/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>A. The agreement has been executed by both parties and Council is planning dates for access to the quarry to extract material.</p> <p>26/08/2020 – LB:</p> <p>A. Council is currently negotiating an agreement with the landowner that will create a temporary access agreement for a 6 month period between November 2020 and April 2021.</p> <p>B. The surveyor has completed the survey for the easement for access subject to negotiation with the landowner.</p> <p>C. Council has engaged the surveyor and will be responsible for all costs.</p> <p>D. Further negotiations are required to understand if a permanent agreement for access to Middlingbank Quarry, through Mr Thomas’s property is possible.</p> <p>28/07/2020 – LB:</p> <p>A. No update.</p> <p>B. Quotations for the survey were received. Despite numerous emails being sent to the surveyors only one surveyor responded and he has been requested to proceed as soon as possible.</p> <p>26/06/2020 – LB:</p> <p>A. Negotiations with landowners are ongoing.</p> <p>B. Requests for quotations for survey have been advertised.</p> <p>28/05/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>A meeting took place with the landowner, his father, Manager of Infrastructure, Land and Property Officer and Council’s solicitor, Mark Herbert. Negotiations are ongoing.</p> <p>24/4/2020 – LB: An email was sent to the landowner but there has been no response. A second email will be sent this week to be followed up with a phone call.</p> <p>26/03/2020 – LB Negotiations have commenced with the landowner.</p>		
662	19 March 2020	57/20	<p>Proposed closure and sale of public pathway in Kalkite That Council</p> <p>A. Extend the maximum term for repayment of the purchase of the land, being the closed public pathway, to 30 June 2023 for both purchasers.</p> <p>B. Place a caveat on the subject land requiring payment for the outstanding amount before sale.</p>	Coordinator Land & Property	<p>02/08/2021 – SR: Subdivision Certificate for Boundary Adjustment submitted to planning - fee paid - awaiting approval</p> <p>06/06/2021 – TP: Prompts to LRS actioned in order to progress creation & issue of Certificate of Title.</p> <p>05/05/21 - TP: 28/2/21 No further update at this point. Note: Linkage exists with Resolution 301/19.</p> <p>31/3/21 TP: No further update.</p> <p>28/2/2021 - TP: A Completed; B Caveat will be placed in the land when the road closing is registered. Note: Linkage exists with Resolution 301/19.</p> <p>22/01/2021 – LB:</p>	31/05/2020	N

SMRC Resolution Action Sheet – In Progress

					<p>No further update.</p> <p>4/12/2020 – LB: A. Completed.</p> <p>23/10/2020 – LB: A. Landowners have been notified of the extension of the maximum time to repay the purchase price B. Caveat will be placed on the land after the road closure is completed and before any subdivision takes place.</p> <p>24/09/2020 – LB: A Landowners have been notified of the extension of the maximum time to repay the purchase price.</p> <p>26/08/2020 – LB: A. Letters to landholders and notifiable authorities have been sent. At this time all responses have been positive. Waiting on response from Crown Lands for consent to proceed and for public pathway to vest in Council following closure. B. Caveat will be placed on the land after the road closure is completed and before any subdivision takes place.</p> <p>28/07/2020 – LB: Request for quotations were sent to three surveyors but only one responded. Surveyors were sent a follow up email inviting quotations but only the one response remained. The surveyor has been asked to proceed with the survey.</p> <p>26/06/2020 – LB:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>Application forms for Sundry Debtor accounts have been sent to both landowners. Solicitor has been requested to arrange for caveat on title of both properties.</p> <p>28/5/2020 – LB: Sundry Debtor accounts are being arranged with a repayment schedule to be agreed with the landowners. As the public pathway does not have a registered title it is not possible to place a caveat on the land until the pathway is closed. It is intended to address the issue that payment for the land must be finalised by both parties prior to June 2023.</p> <p>24/04/2020 – LB: Arrangements are currently underway to set up a payment plan and a surveyor has been engaged.</p> <p>26/03/2020 – LB: The landowners have been notified of Council’s resolution and quotations are currently being sought for the survey work.</p>		
669	16 April 2020	69/20	<p>Bombala Commercial Precinct Painting That Council A. Note the previous resolution ADA96/16 adopted by the Administrator; B. Note the previous resolution 297/17 adopted by Council; C. Rescind Part C of resolution 297/17 and replace it with: Authorise expenditure of \$10,000 directly to the Bombala and District Chamber of Commerce to assist with the current street upgrade project. The Chamber must agree to use the</p>	Coordinator Economic Development	<p>03/08/2021: SB No further update.</p> <p>01/06/2021 – SB: No further update.</p> <p>27/04/2021: SB No further update.</p> <p>25/03/2021 - SBly: No further update.</p>	31/05/2021	N

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			<p>money on paint and provide supporting documentation to Council once the project is completed.</p>		<p>25/02/2021 – SBly: No further update.</p> <p>29/01/2021 – MA: No further update.</p> <p>30/11/2020 – MA: Update received from Bombala Chamber of Commerce. They are still negotiating with main street businesses to cover the cost of labour for the painting, given the cost of the actual paint is covered by the project. Aiming for completion of project by May 2021.</p> <p>04/11/2020 – MA: Still in progress by Bombala Chamber.</p> <p>28/09/2020 – MA: No further update.</p> <p>02/09/2020 – MA: Still in process of being implemented by Bombala Chamber.</p> <p>02/07/2020 – MA: Project in progress and resting with Bombala Chamber – no further update from below.</p> <p>03/06/2020 – MA: Arrangements for payment finalised. Awaiting reports from the chamber on execution of the project in due course.</p> <p>05/05/2020 – SB:</p>		
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SMRC Resolution Action Sheet – In Progress

					A purchase order will be issued to the Chamber of Commerce this week so that they can send us an invoice and be paid.		
696	21 May 2020	102/20	<p>Design for truck Parking Area at Adaminaby That Council</p> <p>A. Agrees to proceed with further investigative works and to seek endorsement from Transport for New South Wales for the proposed design;</p> <p>B. Allocates \$50,000 for investigation and assessment from internal reserves for the 2020/2021 financial year;</p> <p>C. That the project be included in the listing of projects for consideration for grant applications; and</p> <p>D. Approach Snowy hydro or Future Gen for funding towards the project</p>	Manager Corporate Projects	<p>28/06/2021 – GH: In-principle support from Transport for NSW received. Report prepared for July Council meeting.</p> <p>01/06/2021 – GH: Designer is incorporating feedback from Transport for NSW into Version 4 of plans. Once submitted, hoping for "In-Principle" approval.</p> <p>06/05/2021 - GT: Design review meeting was held with TfNSW, and design team on 30th April to discuss minor changes to v3 concept which will be included in the detailed design.</p> <p>07/04/2021 – GH: Awaiting response from Transport for NSW.</p> <p>02/03/2021 – GH: Planned Teams Meeting with TfNSW following submission of V3 and Traffic Study., - Traffic Count to be completed by 10/03/2021., - V3 Plans and Traffic Count data to be submitted to TfNSW for comment., - Construction costing for approved concept to follow TfNSW agreement with the concept., - Report to Council on Proposed Design and Costing once TfNSW have responded., Issues: - TfNSW concerned over the number of access points to the Hwy at the Denison St intersection., - HV parking separated from the Light Vehicle Parking at the Trout., - Both parking areas will have</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

					<p>a significant impact on the current grassed/treed medians adjoining the Hwy.</p> <p>25/01/2021 – GH: TfNSW have provided comment on concept revision, two of which incorporates both long vehicle/RV and truck parking concepts. Minor issues identified and expected to be addressed by design consultant and submitted back to TfNSW. Project being considered for BLERF application should it proceed to a suitable level of shovel readiness prior to applications closing.</p> <p>27/11/2020 – GH: Revised concepts with 4 options have been received in draft form and are being reviewed by relevant staff before submitting to TfNSW.</p> <p>02/11/2020 – GH: A review of the requirements for intersections and heavy vehicle movements indicates that it will not be possible to locate a heavy vehicle stop close to the Adaminaby town centre without extensive roadworks.</p> <p>25/09/2020 – GH: TfNSW requirements will require a significant change to the proposal and it may not be possible to establish the location as a truck stop an meet the required specifications for the intersections.</p> <p>28/08/2020 – GH: TfNSW have provided feedback on the concept design. Staff are reviewing this feedback to factor into the detailed design and funding solutions.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>31/07/2020 – GH: Infrastructure Engineer seeking feedback from RMS on proposal assessment prior to proceeding to scoping and subsequent full design.</p> <p>30/06/2020 – GH: Project preliminary investigations underway.</p> <p>04/06/2020 – DR: The project has been included within the work schedule to be actioned.</p>		
715	21 May 2020	119/20	<p>Judgment of Court of Criminal Appeal on Tropic Asphalts case That Council</p> <p>A. Get report on the costing; B. Report from staff on the progress of the case; C. Proceed with the case; and D. Receive and note the information in the report on the Court of Criminal Appeal’s judgment in the Tropic case.</p>	Coordinator Economic Development	<p>05/08/2021 – MA: Preparations continue for the sentencing hearing in October. Alan Bradbury is no longer part of the BAL team working on Council’s case as he has left BAL to take up a position as Acting Commissioner in the Land and Environment Court.</p> <p>30/04/2021 - MA: The prosecution case for the trial is in the process of being developed ahead of the due date in May for the submission of a plea by Tropic.</p> <p>06/04/2021 – DR: The judgement on the appeal has been received. The appeal has been dismissed. The court found:</p> <ul style="list-style-type: none"> • The arguments Tropic sought to appeal are without merit and, at least for that reason, leave to appeal should be refused. • The present application for leave to appeal has caused an unjustifiable interference with the criminal proceedings at first instance. 	Ongoing	N

SMRC Resolution Action Sheet – In Progress

					<p>This means that Council has access to the documentation that shows the quantity of material Tropic Asphalt tendered to supply to the RMS and the detail of the deliveries made. It also shows a low tolerance by the court for the actions being followed by Tropic Asphalt. Tropic Asphalt are required to lodge their plea by 7 May 2021. New hearing dates have been set for 18-22 October 2021.</p> <p>26/2/2021 – MA: The CCA heard the appeal by Tropic in relation to the subpoena matter on 8 February. Council’s legal team thought the proceedings went well and the judges were receptive to their arguments. The judgment is expected to be handed down on 3 March 2021.</p> <p>06/02/2021 – MA: The CCA heard the appeal by Tropic in relation to the subpoena matter on 8 February. Council’s legal team thought the proceedings went well and the judges were receptive to their arguments. The judgment is expected to be handed down on 3 March 2021.</p> <p>29/01/2021 – MA: Preparations continue for CCA Appeal hearing in CCA on 8 February.</p> <p>30/11/2020 – MA: Preparations underway for appeal hearing in CCA in early February 2021.</p> <p>04/11/2020 – MA:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>C. Tropic have appealed against the subpoena judgment which will result in a delay to the trial. Appeal listed for hearing in CCA in early February.</p> <p>28/09/2020 – MA: C. Trial preparation continues. Council successful in subpoena matter judgment.</p> <p>02/09/2020 - MA: A. Complete – report provided to August Council meeting B. Complete – report provided to August Council meeting C. In progress – preparing for trial in November. D. Complete.</p> <p>02/07/2020 – MA: Expecting the outcome of a hearing into a subpoena issued by Council in the early days of the original investigation within the next fortnight or so. A further report will be provided to Council once the outcomes of the hearing are known.</p> <p>03/06/2020 – MA: Proceeding with the case and further report(s) with requested details will be provided to future Council meeting(s).</p>		
718	18 June 2020	80/20	<p>Acquisition of Land - RFS Shed Michelago That Council</p> <p>A. Proceed with the compulsory acquisition of the Land described as part Lot 5405 DP 1244970 Land fronting Ryrrie Street, Michelago between 369.945 Km and 370.000 Km and having an area of</p>	Coordinator Land & Property	<p>02/08/2021 - SR: Advice received from UGL Regional Linx take over of John Holland - PWA advised acquisition should be complete before Jan 2022 take over.</p> <p>06/06/2021 – TP:</p>	28/02/2022	N

SMRC Resolution Action Sheet – In Progress

			<p>approximately 1,162.6m² for the purpose of Rural Fire Shed in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>;</p> <p>B. Make an application to the Minister and the Governor for approval to acquire part Lot 5405 DP 1244970 Land fronting Ryrie Street, Michelago between 369.945 Km and 370.000 Km and having an area of approximately 1,162.6m² by compulsory process under section 186(1) of the Local Government Act 1993;</p> <p>C. Classify the land as operational land in accordance with the Local Government Act 1993;</p> <p>D. Note that this acquisition is not for the purpose of resale; and</p> <p>E. Authorise CEO to sign any documentation required for this Acquisition process.</p>		<p>No further update at this point.</p> <p>27/4/2021 - JH: No further updated at this stage</p> <p>23/3/2021 - JH: The survey plan has been prepared by PWA to enable the acquisition process to continue.</p> <p>28/02/2021 – JH: No further update.</p> <p>12/01/2021 – JH: No further update.</p> <p>25/11/2020 – JH: A to C: This process will take approximately 18 months.</p> <p>20/10/2020 - JH: A to C: Acquisition process underway. D & E: Will be adhered to throughout this process.</p> <p>23/09/2020 - JH: A to C: Survey Plan Quote to be received shortly.</p> <p>26/08/2020 - JH: A to C: Acquisition process underway. Research has to take place to find gazette notices, survey plans to be prepared etc. D & E: Will be adhered to throughout this process.</p> <p>22/07/2020 – JH: A to C: Acquisition process underway. D & E: Will be adhered to throughout this process.</p> <p>24/06/2020 – JH:</p>		
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SMRC Resolution Action Sheet – In Progress

					A to C: The Acquisition process will begin, this is a lengthy process as all items take place under strict timelines. D&E. Complete.		
746	16 July 2020	107/20	<p>Health One Facility, Jindabyne That Council</p> <p>A. Authorise the Chief Executive Officer to execute the Building Management Statement and take steps to finalise and sign the land sale agreement; and</p> <p>B. Approve the establishment of a Building Management Committee to oversee obligations of the Building Management Statement.</p>	Facilities Officer Snowy River Health Centre	<p>27/04/21 – NW: Waiting on Subdivision Certificate approval</p> <p>26/03/2021 – NW: Subdivision Certificate and Modifications now lodged by Dabyne Planning.</p> <p>02/03/2021 – NW: Discussions ongoing between Dabyne Planning and Kleven Spain Surveyors. Subdivision application forms submitted to CEO for signature.</p> <p>12/01/2021 – NW: A. Surveyor provided plans although further information still required. Waiting on information to be forwarded.</p> <p>27/11/2020 – TP: No further update</p> <p>27/10/2020 – NW: A. Awaiting surveyor to provide further information to enable registration of subdivision. Other party (HealthOne) still to sign the Land Sale Agreement. B. Building Management Committee to be formed with HealthOne once above items have been finalised.</p> <p>24/09/2020 – NW:</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>A. Status remains unchanged. Building Management Statement signed by Chief Executive officer. Information has been returned to surveyor for creation of subdivision. Waiting on lawyers for other party regarding the Land Sale Agreement.</p> <p>B. Building Management Committee to be formed with HealthOne.</p> <p>26/08/2020 – NW:</p> <p>A. Building Management Statement signed by Chief Executive officer. Information has been returned to surveyor for creation of subdivision. Waiting on lawyers for other party regarding the Land Sale Agreement.</p> <p>B. Building Management Committee to be formed with HealthOne.</p> <p>22/7/2020 – NW</p> <p>A. Building Management Statement sent to Chief Executive Office for signing.</p> <p>B. Will work on creation of Building Management Committee once BMS signed.</p>		
756	16 July 2020	115/20	<p>Floodplain Risk Management Study and Plan That Council</p> <p>A. Adopt the SMRC Flood and Floodplain Risk Management Studies – Flood Studies (April 2019);</p> <p>B. Notify the property owners identified at significant flood risk, prior to the March 2020 Floodplain Risk Management Studies and Plans being placed on Public Exhibition;</p> <p>C. Agrees to the public exhibition of SMRC Flood and Floodplain Risk Management Studies –</p>	Coordinator Strategy Development	<p>01/06/2021 – PV: Report on findings of Cooma Back Creek Report to be presented to Councillors at debrief session 3rd June. Report Confidential until Councillors determine way forward with report findings.</p> <p>27/04/21 – PV: DRAFT Cooma Flood Warning Analysis Report submitted to Council for review 23/04/2021. GRChydo and DPIE representative will be presenting at June Councillor briefing meeting.</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>Floodplain Risk Management Studies and Plans (DRAFT) report (March 2020);</p> <p>D. Liaise with the NSW SES and landowners at risk to develop an Evacuation Plan for a significant rain event; and</p> <p>E. Submit a Variation Request to the Department of Planning, Industry and Environment (DPIE) Floodplain grant program seeking funding and an amended scope of works to investigate mitigation options for Cooma Back Creek.</p>		<p>07/04/2021 - PV: - The final Floodplain Risk Management Plan and Studies (FRMP&S) has been submitted and been out on public submission (very few submissions from the public); - We have applied for 2 variations, which have been approved by Dept. Planning, Industry and Environment. One variation is to determine the existing flood warning system in Cooma and if it is in fact fit for purpose (report pending but on its way) and the other report is for further detailed analysis of Cooma Back Creek (DRAFT report received (feedback given to consultant and awaiting final report)– at this stage confidential report so not sure how much detail should go into your business paper, that is your call; - Gina and I are going to prepare a report for council with all updates and for recommendation to adopt the FRMP&S Report.</p> <p>04/03/2021 - PV: Still awaiting Cooma Back Creek Study Report - expected by mid-March.</p> <p>04/03/2021 – PV: Still awaiting Cooma Back Creek Study Report - expected by mid-March.</p> <p>31/12/2020 – GM: Awaiting Cooma Back Creek Study variation report, due 31 January 2021.</p> <p>26/11/2020 – GM: No further update.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>23/10/2020 - PV:</p> <ul style="list-style-type: none"> A. Completed. B. Letters were sent out to identified landholders at risk advising of Public Exhibition of FRMP & S. Two residents called me as a result of letters. Concerns over the level of non-native vegetation in that stretch of Cooma Back Creek. Nil comments on the actual study. C. Public exhibition period closed. Total of 4 submissions received. Submissions forwarded to GRChydro to incorporate into final study document. D. No further discussion until Cooma Back Creek study variation report completed (delays due to modelling, now expected to be finalised early 2021). E. Variation approved, works have commenced on the study, as per previous comment report expected early 2021. <p>24/09/2020 - PV:</p> <ul style="list-style-type: none"> A. Completed. B. Discussions with GRChydro (contractor) SES, DPIE and SMRC staff now decided to hold off contacting landholders until the Cooma Back Creek study finalised. SES aware of properties at risk. <p>Letters have been sent out to residents in high risk areas (entire streets not just the identified 11 properties at significant risk) to advise of the FRMS & P being on public exhibition and how to access copies.</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>C. Floodplain Risk Management Studies and Plans (DRAFT) report on public display – Now extended to 7 October.</p> <p>D. Discussions have taken place with SES and SES keen to support SMRC. Decided to hold off actioning EP until end of consultation process – see what comes back from the community. SES happy to support liaison with relevant landholders.</p> <p>E. Variation request approved by relevant DPIE staff.</p> <p>25/08/2020-PV:</p> <p>A. Request sent to Communications to upload document.</p> <p>B. Discussions with GRChydro (contractor) SES, DPIE and SMRC staff now decided to hold off contacting landholders until the Cooma Back Creek study finalised. SES aware of properties at risk.</p> <p>C. Floodplain Risk Management Studies and Plans (DRAFT) report on public display – closes 23rd September.</p> <p>D. PV to liaise with SES – discussions have taken place. SES keen to support SMRC. Decided to hold off actioning EP until end of consultation process – see what comes back from the community. SES happy to support liaison with relevant landholders.</p> <p>E. Variation request approved by relevant DPIE staff. Expect ‘official’ approval to come through in the next few days.</p> <p>31/07/2020-PV:</p>		
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SMRC Resolution Action Sheet – In Progress

					<p>A. Adopted. Environmental Technical Officer organising to have documents uploaded onto the Council website.</p> <p>B. Discussions have taken place. Agreed managers will send a letter to high-risk landowners and invite them in to inform them of their level or risk, plans to develop an Evacuation Plan and undertake further studies to try to mediate risks.</p> <p>C. Hard copies printed, need to be bound and Appendices with maps printed and bound ready for display once Action B addressed.</p> <p>D. Relevant managers aware and need to decide who will liaise with SES to commence this process.</p> <p>Variation documentation 75% complete, should be submitted to DPIE by the end of this week (31 July)</p>		
775	20 August 2020	146/20	<p>Endorsement of SMRC Section 355 Manual That Council send out a draft s355 manual to Committees for review and defer item until a Council workshop can be held.</p>	Governance Officer	<p>01/04/21 – ED: No further update.</p> <p>30/03/2021 – ED: No further update.</p> <p>24/02/2021 – ED No further progress.</p> <p>19/01/2021 – JM: No further progress.</p> <p>26/11/2020 – JM: The consultation period for the committees closed on 12 November 2020 and Council has received 16 comments. Comments are currently being</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

					<p>reviewed a report will be presented to the Councillors at the 4 February 2020 briefing session.</p> <p>02/11/2020 – JM: A webinar was held on 29 October 2020 with all section 355 committees. A workshop will be conducted with councillors on 3 December 2020.</p> <p>25/09/2020 – JM: Documentation has been subjected to a final review and proof read prior to being sent out.</p> <p>31/08/2020 – JM: The Chief Communications Officer is currently reviewing the manual, after which it will be circulated to all committees to review for one month. A webinar will be conducted with all committees to explain the changes and answer questions. A Council workshop will be conducted on 5 November 2020.</p>		
789	17 September 2020	167/20	<p>Acquisition - Easement for Access Adaminaby Sewage Treatment Plant and Town Water Supply That Council: A. Proceed with the compulsory acquisition of the interest in the land described as part Lot 287 DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m for the purpose of easement for access to essential services being the Sewage Treatment Plant in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>;</p>	Manager Water & Wastewater	<p>02/08/2021 – JD: No further updates.</p> <p>09/06/2021 – JD: No further updates.</p> <p>04/05/21 – JD: No further updates.</p> <p>30/03/2021 – JD: No further updates.</p> <p>02/03/2021 – JD: Acquisition currently underway.</p>	30/04/2022	N

SMRC Resolution Action Sheet – In Progress

			<p>B. Proceed with the compulsory acquisition of the interest in the land described as part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services being Town Water Supply in accordance with the requirements of the <i>Land Acquisition (Just Terms Compensation) Act 1991</i>;</p> <p>C. Make an application to the Minister and the Governor for approval to acquire part Lot 287 DP 729870 Land fronting Snowy Mountains Highway, Adaminaby and having an area of approximately 22m and Part Lot 292 DP 729876 having an area of approximately 200m and part Lot 292 DP 729876 Land fronting Chalker Street, Adaminaby and having an area of approximately 344m for the purpose of easement for access to essential services by compulsory process under section 187(1) of the <i>Local Government Act 1993</i>;</p> <p>D. Classify the land as easement for access in accordance with the <i>Local Government Act 1993</i>;</p> <p>E. Authorise the CEO to sign any documentation required for this Acquisition process.</p>		<p>15/01/2021 – JH: No further update.</p> <p>25/11/2020 – JH: No further update</p> <p>25/11/2020 – JH: A-D. Acquisition process underway and being managed by the Water/Wastewater Team. E. This will take place when required.</p> <p>23/09/2020 - JH: A-D. Acquisition process underway. E. This will take place when required.</p> <p>23/09/2020 - JH: A-D. Public Works Advisory (PWA) is being engaged to action this process so that Council secures permanent legal access swiftly. E. This will take place when required.</p>		
794	17 September 2020	172/20	<p>Proposal to Close Part Mittagang Road - Yallambee Lodge That Council;</p> <p>A. Approve the road closing of part of Mittagang Road in accordance with the <i>Roads Act 1993</i>;</p> <p>B. Consolidate the new lot with lot 1 DP 841447 (Yallambee Lodge); and</p>	Coordinator Land & Property	<p>04/08/21 - TP: No further update at this point.</p> <p>06/06/2021 – TP: No further updates at this point.</p> <p>05/05/21 - TP:</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>C. Authorise Council’s CEO to execute all necessary documents to complete the road closing and lodgement of the plan of consolidation.</p>		<p>No further update at this point.</p> <p>31/3/21 - TP: No further update.</p> <p>28/2/2021 - TP: A-C - Corporate Projects consolidated land adjacent to the service station at Yallambee, and inadvertently used the incorrect resolution; thus road closure plan is required to be redone by surveyor to accurately reflect 'new' lot footprint & labels.</p> <p>22/01/2021 – LB: No further update.</p> <p>4/12/2020 – LB: A. Letters have been posted. There is a 28 day period for reply.</p> <p>23/10/2020 – LB: A. Letters have been prepared and are ready to be posted. B. After the road is closed a plan of consolidation will be prepared by a surveyor and the plan will subsequently be lodged.</p> <p>24/09/2020 – LB: A. Letters will be sent in the next two weeks to the notifiable authorities and to properties surrounding Yallambee notifying them of the proposal to close the road. B. After the road is closed a plan of consolidation will be prepared by a surveyor and the plan will subsequently be lodged.</p>		
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SMRC Resolution Action Sheet – In Progress

795	17 September 2020	173/20	<p>Delegate Water Supply Options Report – Update That Council endorse the Options Assessment Report–Delegate Water Supply for public exhibition.</p>	Manager Water & Wastewater	<p>02/08/2021 – JD: Continued discussions with DPIE Water as they were concerned about the plant sizing and that it was too big. They are happy to change plant to 350kl.</p> <p>09/06/2021 – JD: Concept design being undertaken by GHD.</p> <p>04/05/21 – JD: No further updates</p> <p>30/03/2021 – JD: Project and Contract Manager appointed (Cardno) and compilation of tender documents underway to appoint Design and Construction contractor.</p> <p>02/03/2021 – JD: Comments received from DPIE Water on 8/2/2021. Public meeting with Delegate Community scheduled for 9/3/2021.</p> <p>15/01/2021 – JD: Still awaiting endorsement from DPIE Water.</p> <p>25/11/2020 – JD: No further update.</p> <p>05/11/2020 – JD: Awaiting comments on the Options Report from DPIE. Community consultation to take place once comments received.</p>	30/06/2021	N
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SMRC Resolution Action Sheet – In Progress

798	17 September 2020	176/20	<p>Request for Easement Over Council Land in Cooma That Council</p> <p>A. Approve the request to create an easement for water supply over Lot 2 DP 224408 subject to:</p> <ul style="list-style-type: none"> i. All costs being borne by the owner of Lot 1 DP 224408. ii. Any disturbance to Lot 2 DP 224408 to be remediated by the applicant, as soon as possible, to the same condition as prior to disturbance. iii. The owner of Lot 1 DP 224408 obtaining a licence to pump water from Cooma Creek prior to installing the pipeline for water supply; and <p>B. Authorise Council’s CEO to execute any documents necessary to register the easement.</p>	Coordinator Land & Property	<p>04/08/21 - TP: Water licence reference number 40AL418298 is confirmed as held by the Landowner. Land & Property await further advice from the Landowner as to easement survey aspects.</p> <p>06/06/2021 – TP: Follow up with the landowner benefiting from the easement as to the licence status required.</p> <p>05/05/21 - TP: No further update at this point.</p> <p>31/3/2021 - TP: No further update.</p> <p>01/03/2021 – TP: No further update.</p> <p>14/01/2021 – LB: A. The landowner has been requested to notify Council when the pipeline has been installed so that Council has an opportunity to inspect the area to ensure that Council property has been remediated. He has agreed to be responsible for all costs and will send a copy of the water licence to Council when he is in possession of the Licence.</p> <p>4/12/2020 – LB: A&B. Council will await notification from landowner that he has achieved a licence to pump water and that he has a plan ready to create the easement.</p> <p>23/10/2020 – LB</p>	30/03/2021	N
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SMRC Resolution Action Sheet – In Progress

					<p>A. Landowner has been notified and is proceeding with the plan.</p> <p>B. Landowner is aware that he needs a licence to pump water from Cooma Creek prior to Council signing off on the plan for easement.</p> <p>24/09/2020 – LB:</p> <p>A. The landowner will be notified of the Council resolution including the conditions of approval so that he can arrange for a surveyor to do a plan for the easement and an 88B for the terms of the easement.</p> <p>B. The owner of lot 1 will be notified that Council will not permit registration of the plan until he has obtained a licence to pump water from NSW Water. Documents will be sent to the CEO for execution when they are ready.</p>		
836	15 October 2020	217/20	<p>Zoom attendance at meetings That Council:</p> <p>A. Support the continuation of the option for Councillors to attend Council meetings via remote teleconference technology, e.g. Zoom or Team Viewer, to ensure equal opportunity for all;</p> <p>B. Support the Motion to the LGNSW Conference 2020 put by Orange Council, to continue teleconference attendance at Council meetings; and</p> <p>C. Makes webinar facilities available for a 6 month trial at the Cooma Council Offices so that all members of the public, including those in wheelchairs and anyone unable to</p>	Coordinator Governance	<p>5/8/2021 - LO: Response from Minister for Local Government acknowledging the correspondence and providing assurance the submission would be considered.</p> <p>06/07/2021 - LO: Correspondence (Ref: 21/65090) from CEO to Minister for Local Government submitting support for continued remote attendance by Councillors at Council meetings via audio visual link.</p> <p>06/05/21 – LO: After consulting with David Rawlings a letter will be drafted to the Minister of Local Government, setting out Council's support.</p>	Complete	Y

SMRC Resolution Action Sheet – In Progress

			negotiate the stairs, can attend Council Meetings.		<p>15/04/2021 - LO: Council adopted the “Procedures for attendance by councillors at meetings by audio-visual link” included as an attachment to the Office of Local Government’s Circular 21-02 / 1 April 2021 / A765862 after the original amendment to the relevant regulations that allowed Councillors to attend Council meetings via an audio-visual link ended on 25 March 2021.</p> <p>26/03/21 – ED: Action reassigned to O’Sullivan, Luke by Donnelly, Erin</p> <p>04/03/2021 – GT: No further progress</p> <p>19/01/2021 – JM: No further progress.</p> <p>26/11/2020 – JM: Risk assessment has been completed and mitigating controls will be in place for the level of risks identified. The committee room will be available for the next Cooma meeting, which will be on 18 March 2020.</p> <p>02/11/2020 – JM: A. No action required. B. Email send to LGNSW advising of intention of council to support motion. C. No action required. Note: A risk assessment will be shortly undertaken and the IT requirements will be determined after that for the trial to commence from the December Council meeting.</p>	
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SMRC Resolution Action Sheet – In Progress

840	19 November 2020	225/20	<p>Peak View Hall That Council, in order to facilitate the Peak View community's access to Lions International funding to upgrade the Peak View Community hall:</p> <p>A. Support the proposal to relinquish care and control of Crown Reserve 56109 with care and control being transferred to an appropriate community based incorporated association such as the proposed Peak View Progress Association Inc.;</p> <p>B. Authorise the CEO to negotiate with relevant parties an outcome to satisfy the requirements of all parties including the Peak View Community, the Crown, the NSW Aboriginal Land Council, Lions International and the Rural Fire Service.</p>	Executive Assistant to Chief Executive Officer, Mayor and Councillors	<p>02/07/2021 – JB: No further update.</p> <p>09/06/2021 – JB: No further update.</p> <p>03/05/21 - JB: Chris Reeks of Lions Club Cooma advised that there has been no further update regarding this funding.</p> <p>6/4/21 – JB: Chris Reeks has advised that Lions Club is to meet 7/4/21 and this item will be discussed then. The estimated timing for funding is April 2021.</p> <p>26/02/2021 – JB: SMRC is waiting on advice from the Lions Club regarding their success in the grant before proceeding.</p> <p>27/01/2021 – JB: A. Completed B. Discussions in progress</p> <p>26/11/2020 – JT: Discussions are in progress.</p>	Ongoing	N
843	19 November 2020	228/20	<p>Strategy Review - Vale Street Land That Council defer the report to a later date following a Councillor workshop.</p>	Chief Strategy Officer	<p>01/07/2021 - DR: Expressions of interest have been sought to undertake a review to identify if there is a viable option to develop new offices and the process will commence soon.</p>	28/02/2021	N

SMRC Resolution Action Sheet – In Progress

					<p>06/05/2021 – DR: The closing date for expressions of interest to review options for the future use of the site have not yet closed.</p> <p>02/03/2021 – DR: Briefing completed in the Councillor Briefing Session on 04/02/21 with a Vale Street Property Workshop.</p> <p>29/01/2021 – DR: Time has been scheduled in an upcoming councillor briefing session for councillors to discuss this issue.</p> <p>27/11/2020 – DR: Time will be arranged for a fuller discussion on the options for the Council offices.</p>		
850	19 November 2020	235/20	<p>Mature Tree Re-Location Policy That Council:</p> <p>A. Where the removal of mature trees is deemed necessary for Council works of any kind within any urban, village, park or reserve area, the targeted trees are first assessed by a qualified arborist or like expert, for suitability for relocation;</p> <p>B. Where trees are found suitable for relocation Council takes every necessary step to safely relocate the trees;</p> <p>C. As part of its BAU practices, Council identify and maintain a register of relocation sites for mature trees, such as public parks, playgrounds, sporting venues or other appropriate locations;</p>	Chief Operating Officer	<p>27/04/2021 - JM: No further update.</p> <p>06/04/2021 – JM: No further update.</p> <p>03/03/2021 – JM: No further update.</p> <p>29/01/2021 – JM: No further update.</p> <p>02/12/2020 – JM: A&B: Complete. All relevant Council managers and coordinators have been informed of these parts of the resolution.</p>	30/03/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>D. Contractors are advised of the relocation policy and where practicable, the costs of relocation are negotiated when contracts are let; and</p> <p>E. Council affirms the value of mature trees for their social and economic benefits to the community.</p>		<p>C: Register of relocation sites to be prepared.</p> <p>D. Complete. All relevant Council managers and coordinators have been informed of this part of the resolution.</p> <p>E. Completed.</p>		
854	19 November 2020	239/20	<p>Monaro Rail Trail Draft Feasibility Report</p> <p>That the Council action Resolution Number 68/20 Monaro Rail Trail Draft Feasibility Report 16 April 2020 to:</p> <p>A. Receive and note that the reinstatement of the Queanbeyan to Bombala rail line and extension to Eden has been intensely investigated through the Canberra to Port of Eden Feasibility Study. The publically available Executive Summary states on page 10 that “None of the options are shown to be economically viable. All have BCRs that are much less than 1. The present value of benefits is far outweighed by the present value of costs in all options considered.”</p> <p>B. Receive and note all the reports presented as attachments, Senator Jim Molan’s letter and support in principle the Monaro Rail Trail recommendations as presented to Council on 5 November 2020 as per the ten recommendations provided in their submission.</p>	Coordinator Economic Development	<p>05/08/2021 - MA: Working on development of a consultant brief with MRT Inc. and QPRC for a trail development plan for the funded sections</p> <p>30/04/2021 - MA: Amendment to the MoU with MRT Inc. and formal commencement of the working group is still in progress.</p> <p>01/04/2021 – MA: Council resolved at its extraordinary meeting on 4 March not to become the applicant for the BBRF application. A meeting has subsequently been held with MRT Inc. to move forward and a working group will be established until such time as an appropriate 355 Committee can be formed as per the Council resolution. A meeting between Council and TfNSW has also been held to clarify preferred arrangements over the rail corridor should the rail trail proceed. TfNSW appear generally supportive and flexible to a point but will fundamentally require Council to assume responsibility for the asset regardless of the exact legal mechanism used. They encouraged Council to view this as a long term project as the processes to set up a rail trail can take time.</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

					<p>26/02/2021 – MA: Liaison with MRT Inc. has continued in February as they aim to submit an application to the Commonwealth Building Better Regions Fund. A difficulty has arisen in relation to TfNSW requiring as a condition of owners consent for the application that Council agree to accept a lease or transfer of the rail corridor including responsibility for all existing leases and agreements over the rail corridor, and responsibility for its other assets such as heritage buildings. MRT Inc. have been advised previously the Council was not prepared to accept the risks and liabilities this entails at this early stage of the project, however MRT Inc. have written to the Mayor requesting Council change this position to facilitate the BBRF application.</p> <p>29/01/2021 – MA: Staff worked constructively with MRT Inc. throughout December-January to assist with development of a grant proposal, which was lodged by MRT Inc. to the BLER Fund.</p> <p>30/11/2020 – MA: A. No action required. B. Meeting held with MRT Inc. group to discuss resolution. Priority is sending letters to TfNSW, ACT Government and QPRC as well as organising a BLER funding application. Meeting with QPRC staff and MRT Inc. has also been arranged by MRT Inc.</p>		
855	19 November 2020	240/20	Bicentennial Garden/ Parks – Bombala That Council:	Chief Operations Officer	02/07/2021 – GM: No Further Update - Process for heritage listing to be finalised	30/06/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>A. Ensures that gardens, trees and significant plantings in all parks throughout Snowy Monaro Regional Council area are to be protected by a Plans of Management that will manage parks and gardens, with a Tree Management Plan developed to ensure that trees are conserved into the future;</p> <p>B. Acknowledge that the Bombala Bicentennial Garden is significant to the community; and</p> <p>C. Assess the Bombala Bicentennial Garden by a heritage expert for inclusion on Council’s Heritage Listing.</p>		<p>01/06/2021 – GMc: No Further Update - Process for heritage listing to be finalised</p> <p>04/05/21 – GMc C. Council’s Heritage Advisor has prepared a report recommending the trees within the Park are heritage listed.</p> <p>06/04/2021 – JM: No further update</p> <p>03/03/2021 – JM: C. Assessment completed, currently being reviewed by Council’s Strategic Planning team.</p> <p>29/01/2021 – JM: C. Assessment completed, currently being reviewed by Council’s Strategic Planning team</p> <p>25/01/2021 – AA: C. Heritage consultant has undertaken an independent review of the Bicentennial Garden/Park against the NSW Heritage Councils criteria for local heritage listing. The heritage consultant concluded that Bicentennial Park meets the threshold for local heritage listing. The proposed listing will be incorporated into Councils new Snowy Monaro LEP and relevant planning proposal.</p> <p>30/11/2020 –JM: A. To be incorporated into draft the Plans of Management which will go out for community consultation planned for early March 2021.</p>	
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SMRC Resolution Action Sheet – In Progress

					<p>B. Completed. C. A request has been sent to Council’s Heritage consultant to consider this item for heritage listing.</p>		
863	17 December 2020	253/20	<p>Regional Cultural Fund - Proposed grant variation request for Jindabyne Library and Innovation Hub That Council:</p> <p>A. Endorse the submission of a grant variation request to Create NSW seeking to install a modular library of approximately 500m² gross floor area on Lot 31 DP 227005 (adjacent the Jindabyne Memorial Hall) to remain on site as a library for at least five years;</p> <p>B. Authorise the CEO to sign the grant variation request; and</p> <p>C. Acknowledge that additional operational costs (estimated to be around \$100,000 annually in 2020 dollars) will result from the new library, with these costs needing to be included in the 2022-23 operational budget.</p>	Coordinator Economic Development	<p>05/08/2021 - MA: Grant variation was approved. An amended funding agreement has been signed. Project is now in the design and construct phase, responsibility is now with the projects team. Action complete.</p> <p>30/04/2021 - MA: Still awaiting an approved variation to the funding agreement from Create NSW.</p> <p>01/04/2021 – MA: MA - A draft varied funding agreement has now been received from Create NSW and is under review. A response will be provided to Create and following this it is anticipated an approved amended agreement will be received from Create without further undue delay.</p> <p>26/2/2021 – MA: Awaiting determination of the grant variation request (submitted in December) by Create NSW</p> <p>29/01/2021 – MA: A. A request to vary the funding agreement was lodged with Create NSW prior to Christmas and is currently under assessment by them. B. Completed. C. No further action required.</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

864	17 December 2020	254/20	<p>Water and Wastewater Easement Acquisitions - Adaminaby and Bombala That Council:</p> <p>A. Application be made to the Minister for Local Government and the Governor to acquire easements for water supply purposes being 3 metres wide within (or over) Lot 287 DP 729870 and Lot 292 DP 729876 at Adaminaby by compulsory process in accordance with Council's power under Section 187(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act;</p> <p>B. Application be made to the Minister for Local Government and the Governor to acquire easements for purpose of sewer services being 3 metres wide within (or over) Lot 287 DP 729870 and Lot 292 DP 729876 at Adaminaby by compulsory process in accordance with Council's power under Section 187(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act;</p> <p>C. Application be made for a Licence from Department of Planning, Industry & Environment, Crown lands for purpose of town water supply infrastructure on Lot 291 DP 729876 at Adaminaby;</p> <p>D. Application be made to the Minister for Local Government and the Governor to acquire easements for purpose of sewer pump station on Lot 5 DP 758129 and sewer line being 3 metres wide within (or over) Lot 5 DP 758129 at Bombala by compulsory process in</p>	Manager Water & Wastewater	<p>02/08/2021 – JD: No further updates.</p> <p>09/06/2021 – JD: No further updates.</p> <p>04/05/21 – JD: No further updates</p> <p>30/03/2021 – JD: No further update.</p> <p>02/03/2021 – JD: Acquisition of easements has commenced. PWA procured to undertake this acquisition.</p> <p>15/01/2021 – JD: Process has commenced. PWA engaged to assist SMRC with the applications.</p>	30/06/2021	N
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SMRC Resolution Action Sheet – In Progress

			<p>accordance with Council's power under Section 187(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act; and</p> <p>E. Authorise the CEO to sign any documentation required for the acquisition processes</p>				
869	17 December 2020	259/20	<p>Bombala Sewerage Infrastructure Project - Relocation of Mahratta Street Pump Station and Bombala STP and Sewerage Infrastructure Budget Summary</p> <p>That Council:</p> <p>A. Approve installation of the Mahratta Street Pump Station at the option 2 site being north east of the skate park;</p> <p>B. Approve an additional budget of \$230,000 from the water and sewer reserve; and</p> <p>C. Receive and note the information on previous budget variations for the Bombala STP Augmentation and Sewerage Infrastructure Upgrade projects as listed in this report.</p>	Manager Water Wastewater Operations	<p>02/08/2021 – JD: John Holland Group advised they will respond to us in the near future</p> <p>09/06/2021 – JD: No further updates.</p> <p>04/05/21 – JD: Application submitted to John Holland Group for construction approval and owners consent on heritage application</p> <p>30/03/2021 – JD: Heritage advisor currently progressing with the Heritage exemption application.</p> <p>02/03/2021 – JD: Design of the pump station in the new location is underway by GHD. The heritage consultant has carried out an assessment and this assessment and application for exemption in terms of the Heritage Act to commence shortly.</p> <p>15/01/2021 – JD: A. Council approved new location. Design work for new location has commenced.</p>	30/06/2021	N

SMRC Resolution Action Sheet – In Progress

					B. Complete. C. Complete.		
893	18 February 2021	14/21	<p>Bombala region softwoods industry bushfire recovery study</p> <p>That Council receive the information and recommendations made to Council in the Bombala Region Softwoods Industry Bushfire Recovery Study and further consider implementation of relevant recommendations in the process of developing Council's next operational plan.</p>	Economic Development Officer	<p>03/08/2021 - SB: No further update.</p> <p>01/06/2021: SB No further update.</p> <p>27/04/2021: SB No further update.</p> <p>25/03/2021 - SBly: Economic Development Team reviewed the recommendations have included one which can be implemented in Council's next operational plan.</p> <p>25/02/2021 – SBly: Economic Development Team will review the recommendations and consider those which could be implemented in Council's next operational plan.</p>	22/03/2021	N
910	18 March 2021	49/21	<p>Draft Snowy Monaro Regional Council Waste Management Strategy for Public Exhibition</p> <p>That Council endorse the Draft Snowy Monaro Regional Council Waste Management Strategy and Draft Snowy Monaro Regional Council Waste Management Strategy Summary to be placed on public exhibition for a period of 28 calendar days.</p>	Project Specialist	<p>09/06/2021 – DR: Submissions are being assessed and a report being developed for council.</p> <p>06/05/21 - MD: In progress. Closes 6 May 2021. Follow up action present findings to ELT and Council.</p>		N
912	18 March 2021	51/21	<p>Highdale Carpark Improvements - Design Endorsement and Approval to Implement</p> <p>That Council:</p>	Manager Infrastructure	<p>05/07/2021 – GS: Continue to wait for comment from TfNSW</p> <p>06/06/2021 – TP: No further update.</p>	30/12/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>A. Acknowledge completion of the targeted consultation process in relation to proposed improvements to Highdale Carpark, Berridale;</p> <p>B. Endorse the current 80% design to progress to 100% design ready for construction; and</p> <p>C. Approve construction to commence with the aim of delivering proposed improvements by 30 December 2021.</p>		<p>06/05/21 – GS: No Further Update at this Stage. As per the Resolution of Council, Designs are progressing to 100% ready for construction and work is scheduled post Winter 2021.</p> <p>06/04/2021 – JM A – Completed B – Completed – design will now proceed to 100% design for construction. C – to commence on completion of 100% design and after 2021 ski season</p>	
913	18 March 2021	52/21	<p>Post Exhibition Report Land Use Strategies</p> <p>That Council:</p> <p>A. Receive and note the post exhibition report <i>Consultation Report – Draft Rural Landuse Strategy March 2021</i>;</p> <p>B. Send the <i>Consultation Report – Draft Rural Landuse Strategy March 2021</i> to all who provided written feedback and place the report on SMRC YourSay page for community view;</p> <p>C. Publish all submission with personal details of all individuals redacted;</p> <p>D. Amend proposed Environmental zones to be maintained as existed in the Bombala, Cooma-Monaro and Snowy River LEP’s prior to merger. (i.e. remove all proposed new environmental zones as identified in the Draft Rural Landuse Strategy and Draft Settlement Strategy.);</p>	Team Leader Strategic Planning	<p>02/08/2021 – AA:</p> <p>A - No Action required. , B. - Completed, consultation report was sent to all submitters on 24 March 2021. ,</p> <p>C - Completed - All submissions were posted on the YourSay page on Tuesday 13 April,</p> <p>D - Noted this would be amended as part of a revised draft.</p> <p>E - Further consultation will be undertaken when Council exhibit revised draft documents. ,</p> <p>F - An expanded committee with community representatives has been established. Methodologies still under review. It is recommended Council consider the, form and role of this committee to ensure the timely review of land use strategies. , G. revised drafts are to be developed in conjunction with Council working group.</p> <p>H - Revised drafts are to be developed in conjunction with Council working group.</p>	N

SMRC Resolution Action Sheet – In Progress

		<p>E. Consult and work with individual landowners on the revised approach;</p> <p>F. Establish a steering/advisory working group/committee as soon as practical, consisting of all Councillors and relevant staff. Permit this working group/committee to invite representatives, as necessary. The working group/committee’s principle aim is to:</p> <p>a. Review and progress land use planning, zoning and methodologies used in the Draft Rural Landuse Strategy consistent with Ministerial direction(s), legislation(s) and regulation(s).</p> <p>b. Completely review the methodology behind Minimum Lot Sizes</p> <p>c. Review and progress the relationship between the Draft Rural Landuse Strategy and Settlement Strategy</p> <p>d. Report to the Council briefing sessions, as necessary</p> <p>e. Consider all feedback and amend the Draft Rural Landuse Strategy;</p> <p>G. When developed, re exhibit the revised Draft Rural Landuse Strategy for 56 days for feedback;</p> <p>H. When developed, re exhibit the Draft Settlement Strategy for 56 days further feedback</p> <p>I. Cooma and Berridale heavy vehicle alternate routes be moved to the long term strategic plan</p>		<p>I - Noted an amendment will be made to Councils LSPS following completion of SAP and Michelago Masterplans. These amendments will be incorporated at this time.09/06/2021 – DR;</p> <p>Working group has been established and met for the first time.</p> <p>03/05/21 – AA:</p> <p>A. - No Action required.</p> <p>B. - Completed, consultation report was sent to all submitters on 24 March 2021.</p> <p>C. - Completed - All submissions were posted on the YourSay page on Tuesday 13 April</p> <p>D. - Noted this would be amended as part of a revised draft.</p> <p>E. - Further consultation will be undertaken when Council exhibit revised draft documents.</p> <p>F. - A charter for the working group is being drafted for consideration by Council at its May meeting. First working group meeting is expected for Thursday 6 May</p> <p>G. - Revised drafts are to be developed in conjunction with Council working group.</p> <p>H. - Revised drafts are to be developed in conjunction with Council working group.</p> <p>I. - Noted an amendment will be made to Councils LSPS following completion of SAP and</p>	
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SMRC Resolution Action Sheet – In Progress

					<p>Michelago Masterplans. These amendments will be incorporated at this time.</p> <p>06/04/2021 – AA: A. - No Action required. B. - Completed, consultation report was sent to all submitters on 24 March 2021. C. - All submitters were advised that submissions will be posted online on 13 April 2021. Any submitter who does not want their submission published must advise Council by COB 12 April. D. - Noted this would be amended as part of a revised draft. E. Further consultation will be undertaken when Council exhibit revised draft documents. F. A charter for the working group is being drafted for consideration by Council at its May meeting. G. Revised drafts are to be developed in conjunction with Council working group. H. Revised drafts are to be developed in conjunction with Council working group. I. Noted an amendment will be made to Councils LSPS following completion of SAP and Michelago Masterplans. These amendments will be incorporated at this time.</p>		
914	18 March 2021	56/21	<p>Grants Applications - Activity Synopsis as at 28 February 2021</p> <p>That Council receive and note the information related to grants activity up to 31 January 2021.</p>	Grants Officer	<p>SR - 03/05/2021: No further update - next update to be provided June 2021.</p> <p>PR - 07/04/2021: No further update - next update to be provided May 2021</p>		

SMRC Resolution Action Sheet – In Progress

917	18 March 2021	57/21	<p>Nomination of Councillors for Cooma Saleyards Committee</p> <p>That Council</p> <p>A. Appoint Clr Stewart and Clr Corbett to the Sale Yard Committee;</p> <p>B. Appoint the Chief Operations Officer, Manager Community Services as staff members and Coordinator Community Facilities as alternate.</p>	Governance Officer	<p>09/06/2021 – ED: No further update.</p> <p>06/05/21 – No Update provided</p>		N
925	15 April 2021	85/21	<p>Council's Transition to Electric Vehicles and Low Greenhouse Gas Emissions Fleet</p> <p>That Council</p> <p>A. Develop a project plan for the transition to EV or alternative fuel uses that reduce the emissions of Council.</p> <p>B. Write to the Premier seeking the NSW Government not implement taxes on environmentally friendly vehicles as this will create a disincentive to uptake.</p> <p>C. Write to LGNSW asking them to lobby the State government not to implement taxes on environmentally friendly vehicles as per B above.</p> <p>D. Contact DPIE for information about their co-funding scheme for Council fleet operators to procure BEV passenger vehicles as per their net zero emissions policy Stage 1.</p> <p>E. Contact the Electric Vehicle Council to discuss becoming a site host for ESV chargers.</p>	Chief Strategy Officer	<p>05/08/2021 – SS: No further update.</p> <p>07/06/2021 – SS: No further update.</p> <p>06/05/21 – SS: No further update.</p>	17/05/2021	N

SMRC Resolution Action Sheet – In Progress

926	15 April 2021	89/21	<p>Draft Operational Plan Including Budget and Fees and Charges</p> <p>That Council</p> <p>A. Include the rating model presented by Andrew Thaler, Olivier Kapetanakos and Nicole Small in the public consultation on rates harmonisation.</p> <p>B. Place the operational plan and associated revenue policy and fees and charges on public exhibition for the statutory period of 28 days</p>	Chief Strategy Officer	<p>02/07/2021 – Gina Mc: Completed</p> <p>01/06/2021 – GMc: Public Exhibition period closed 16 May 2021. Amended Revenue Policy has been placed on Public Exhibition until 24 June 2021 to include new rates harmonisation model. All draft documents with submissions will be considered at an extraordinary meeting post 24 June, ready to be adopted for 1 July 2021.</p> <p>04/05/2021 - GMc: Draft Operational Plan, Draft Revenue Policy, Draft Fees and Charges are currently on public exhibition seeking community feedback. Exhibition period closes 16 May 2021.</p>	17/05/2021	Y
927	15 April 2021	87/21	<p>Land Surplus to Council's Needs</p> <p>That Council authorise the Chief Executive Officer to place the following parcels of land on the market for sale;</p> <ul style="list-style-type: none"> • Lots 2,3 4 DP852884 Rosemeath Road, Bombala • Lot 77 DP 512739 Adams Avenue, Cooma • Lot 78 DP512739 Adams Avenue , Cooma • Lot 81 DP747169 Baroona Avenue, Cooma • Lots 1, 2 and 3 DP 537242, Mulach Street, Cooma 	Coordinator Land & Property	<p>04/08/21 - TP: Real estate agents engaged. Bombala – Auction date is set for 24/8/21. Cooma – The initial aim was to have the auction/s in late August however expectations have had to be adjusted to early September due to legacy complexities, related to Certificates of Title (holding name & embedded public reserve status) and easement requirements, having been identified for some of the Cooma located land assets flagged for divestment. The identified issues have now been worked through, and (if required) aspects will be managed by Special Conditions in the contracts. , Auction date will be confirmed as soon as the draft Contracts of</p>	30/09/2021	N

SMRC Resolution Action Sheet – In Progress

			<ul style="list-style-type: none"> Lot 2 DP 817452 Mulach Street, Cooma 		<p>Sale are received from the Solicitor. The agent is in agreeance with this approach as a residential property cannot be advertised for sale until a contract of sale has been prepared, and the aim is a minimum 4 weeks advertising in the lead up to ensure high market engagement with the Auction/s.</p> <p>05/06/21 - TP: Outreach process to gain EOI/quotes from a variety of local real estate agents for written indications of estimated sale value (per lot) and commission terms has been actioned.</p> <p>04/05/21 – GMc: Council's Land and Property team will prepare a plan for the sale of these parcels. Council's Strategy Development Team has met with appropriate staff to facilitate this action.</p>		
929	15 April 2021	79/21	<p>Little Paupong Road</p> <p>That Council</p> <p>A. Approve the proposal to create a road corridor over the constructed section of Little Paupong Road through Lots 69 and 70 DP 756708; with acknowledgement that all costs relating to the project will rest with Council.</p> <p>B. Request that Crown Lands transfer the nominated two sections of Crown road, which adjoin Lots 69 DP 756708 and 70 DP 756708, to Council as public road. With Council to then subsequently approve the road closing of these</p>	Coordinator Land & Property	<p>04/08/21 - TP: No further update at this point.</p> <p>06/06/2021 – TP: No further update.</p> <p>05 /05/21 – TP: The resolution actions will be initiated.</p>	30/12/2021	N

SMRC Resolution Action Sheet – In Progress

			segments in accordance with the Roads Act 1993. C. Matter be brought back to Council for approval.				
931	15 April 2021	74/21	Rainbow Pines Caravan Park Lease That Council approve the CEO to negotiate and enter into a new 20 year lease with the current lessees of Rainbow Pines Caravan Park.	Chief Operating Officer	04/08/2021 – KH: Draft lease has been sent by BMR to the lessees solicitor for review 06/05/2021 – KH: Working with current lessee to ascertain what they would like to be covered in the lease. Appointed Blaxland, Mawson & Rose to proceed with writing up a draft lease.	30/06/2021	N
932	15 April 2021	76/21	Snowy Monaro Regional Council Cemetery Advisory Committee Minutes That Council A. Endorse the Cemetery Advisory Committee minutes for the 10 March 2021 meeting; B. Issue the permit for Jake Wertenbach’s plaque; and C. Cemetery Advisory Committee review the ordering of plaques policy	Chief Operating Officer	03/05/2021 – MR: The 250.2020.582.1 - SMRC Ordering of Cemetery Plaque - Policy and 250.2020.583.1 - Ordering of Plaques for Council Cemeteries - Procedure will both be reviewed. This will involve external community consultation, prior to bringing the policy back to Council for consideration. The Wertenbach's were formally advised in writing of Council's decision to approve the plaque.	30/09/2021	N
934	15 April 2021	77/21	Residential Aged Care Resident Handbook That Council approve the Residential Aged Care Resident Handbook.	Chief Operating Officer	06/05/2021 - KS: No further update at this time.	30/06/2021	N

SMRC Resolution Action Sheet – In Progress

935	20 May 2021	102/21	<p>Support for GP services in Bombala</p> <p>That Council</p> <p>A. Obtain an estimate of the rental return available from Council’s 63 Queen St Bombala property if it were fully furnished;</p> <p>B. Make available, to support the attraction and retention of an additional GP, either:</p> <p>(a) Council’s 63 Queen St property, furnished or unfurnished, rent free OR</p> <p>(b) Rental subsidy equal to the estimate obtained from Part A of this resolution depending on the preferences of the GP;</p> <p>C. Expend up to \$30,000 to furnish the Queen St property if required;</p> <p>D. Enter into a Memorandum of Understanding with the MoU subject to annual review.</p>	Chief Executive Officer	<p>09/06/2021 – JB:</p> <p>CEO has spoken with the Practice Manager. Ongoing discussions with numerous stakeholders. No final decision regarding use of Council owned house.</p>	N
938	20 May 2021	105/21	<p>Divestment of residential aged care - endorsement of evaluation criteria</p> <p>That Council:</p> <p>A. Endorse the expression of interest and request for proposal evaluation criteria for the divestment of residential aged care.</p> <p>B. Request the Community Services Advisory Committee nominate a member of that committee to participate in the evaluation of the expression of interest and request for proposals.</p>	Chief Operating Officer	<p>08/06/2021 – JM:</p> <p>Part A - complete</p> <p>Part B - report nominating member coming to June Council meeting.</p>	N

SMRC Resolution Action Sheet – In Progress

939	20 May 2021	106/21	<p>NSW Legislative Council's Portfolio Committee No. 4 – Industry Inquiry - Long term sustainability and future of the timber and forest products industry</p> <p>That Council</p> <p>A. Endorse the attached letter, to the NSW Legislative Council's Portfolio Committee No. 4 – Industry, regarding their inquiry into the long-term sustainability and future of the timber and forest products industry; and</p> <p>B. Write to the Minister requesting Bombala become the future forestry hub of the south east.</p>	Economic Development Officer	<p>09/06/2021 – SB:</p> <p>A. Action complete.</p> <p>B. Economic Development will liaise with the Federal government in regards to the South East Forestry Hub - Forestry Hubs are not a town; they represent a geographical region. It is also unclear if the Hub will have an office presence in the South East, but if this is the case, we will argue for it to be in Bombala.</p>		N
950	20 May 2021	120/21	<p>Motion To Get A Report On A Bed Tax</p> <p>That Council provide a report on the benefits, possible charges, and methods of implementing a bed tax, or other user pays options modelled on successful tourist towns which utilise a user pays system in Australia and overseas.</p>	Coordinator Economic Development	<p>09/06/2021 - MA:</p> <p>In progress.</p>		N
951	20 May 2021	122/21	<p>Bombala streetscape remediation work</p> <p>That Council instruct the CEO to take all steps available to Council to ensure the Bombala Streetscape Upgrade project is completed to the agreed professional standard as soon as possible. Given the contract was expected to be complete at the start of 2020, the contractor has had many months to remediate the aspects of the contract which were not fulfilled. Ratepayers have waited almost five years for this project to be complete.</p>	Coordinator Corporate Projects	<p>09/06/2021 – GH:</p> <p>Staff have provided detail on the identified issues to Councils legal representatives who are evaluating in accordance with the contract requirements and determining course of action to remedy.</p>		N

SMRC Resolution Action Sheet – In Progress

952	17 June 2021	140/21	<p>Delegate Water Treatment Plant Reservoir & Pump Station - Acquisition of Part Lot 1 DP 348134 Delegate - Acquisition of Easements - Application for Crown Licence</p> <p>That Council</p> <p>A. Authorise the CEO to:</p> <p>i. Negotiate the purchase under private treaty of part of Lot 1 DP 348134 Delegate or, if required;</p> <p>ii. Proceed with the Compulsory Acquisition of the land described as part of Lot 1 DP 348134 Delegate and having an area of approximately 507m² for the purpose of water treatment plant, two reservoirs (one existing) in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.</p> <p>a. Make an application to the Minister and the Governor for approval to acquire part of Lot 1 DP 348134 Delegate, having an area of approximately 507m², by compulsory process under section 186(1) of the Local Government Act 1993 and in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act;</p> <p>B. That the land being acquired within Lot 1 DP 348134, having an area of approximately 507m², is to be classified as operational land;</p> <p>C. Application be made to the Minister for Local Government and the Governor to acquire easements for raw water pipeline purposes being 3 metres wide within (or over) Lot 2 DP 1015012 and Lot 8 DP 1167423 at Delegate by compulsory acquisition process in accordance with Council's</p>	Manager Water Wastewater Operations	02/08/2021 – JD: Valuation done on land required and agreement and license being drawn up by BMR Lawyers		N
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SMRC Resolution Action Sheet – In Progress

			<p>power under Section 186(1) of the Local Government Act 1993 in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991;</p> <p>D. Application be made for a Licence from Department of Planning, Industry & Environment, Crown Lands for purpose of town water supply infrastructure on the Delegate River adjacent to Lot 8 DP 1167423;</p> <p>E. Authorise the CEO to sign any documentation required for the acquisition processes defined.</p>				
953	17 June 2021	142/21	<p>Draft Minutes - Community Services Advisory Committee - 1 March 2021 and 7 June 2021</p> <p>That Council:</p> <p>A. receive and note the Draft Notes of the Community Services Advisory Committee meeting held on 1 March 2021 and the Draft Minutes of the Community Services Advisory Committee meeting held on 7 June 2021.</p> <p>B. endorse the Community Services Advisory Committee nomination of Mr Kevin Dunne and Ms Joanne Jeanes (as an alternate) to participate in the Expression of Interest (EOI) and Request for Proposal (RFP) evaluation for a new operator of residential aged care facilities</p>	Executive Assistant (Strategy)		19/07/2021	N
954	17 June 2021	143/21	<p>Recreation Facilities committee minutes - 22 February 2021</p> <p>That Council receive the minutes of the Recreation Facilities meeting held on 22 February 2021.</p>	Supervisor Civic Maintenance		19/07/2021	N

SMRC Resolution Action Sheet – In Progress

955	17 June 2021	144/21	<p>Draft Memorandum Of Understanding (MOU) Between the Snowy Monaro Regional Library (SMRL) and the Cooma Monaro Historical Society (CMHS).</p> <p>That Council endorse the memorandum of understanding between the Snowy Monaro Regional library, Cooma and the Cooma Monaro Historical Society.</p>	Manager Community Services		19/07/2021	N
956	17 June 2021	145/21	<p>Jindabyne Camping 2021 Winter Campaign</p> <p>That Council</p> <p>A. Notes the successful outcomes of the amended 2020 Jindabyne camping campaign.</p> <p>B. Notes that the demand for free camping, both in summer and winter, is increasing as tourist and visitor numbers coming to Jindabyne and the Snowy Monaro Region continue to grow.</p> <p>C. Notes the outcomes of feasibility study undertaken to consider the introduction of a paid parking permit for the Claypits carpark did not support this concept as a standalone strategy.</p> <p>D. Notes negotiations are taking place between key stakeholders to develop a long term strategy to manage camping in the Jindabyne Township and surrounding regions.</p> <p>E. Notes the increase of the annual operating budget to maintain this campaign from \$17,900 in 2020 to \$33,500 in 2021 and that the budget may need to increase as Council’s management strategy evolves and adapts to the increased demands.</p>	Coordinator Public Health and Environment	<p>04/08/2021 – MR: Weekend patrols in Jindabyne have continued. It has been noted that the number of people in the township is less than what would normally be the case. A total of 105 infringement notices and 246 cautions have been issued during the patrols.</p> <p>19/07/2021 – MR: Jindabyne Camping 2021 Winter Campaign</p>	19/07/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>F. Approves the installation of “No Stopping Zone” signs in the Claypits Carpark and the Boat Ramp Carpark restricting parking from 6pm until midnight and from midnight until 7am between 01 June and 31 October annually.</p> <p>G. Approves the installation of “No Camping” signs to cover the townships of Jindabyne and East Jindabyne plus Hatchery Bay and the land surrounding the access road to Council’s landfill site in Jindabyne.</p>				
957	17 June 2021	146/21	<p>Adoption of Recommendations from the Local Traffic Committee Meeting Held on 20 May 2021</p> <p>That Council adopt the recommendations of the meeting of the Local Traffic Committee on 20 May 2021.</p> <p>A. SNOWY MOUNTAINS GRAMMAR SCHOOL PRECINCT</p> <p>That Council approve a Left in and Right in/Left out access option on Barry Way, Jindabyne for the SMGS Sports Precinct carpark and work with Transport for NSW to:</p> <ul style="list-style-type: none"> • Create a 40km/h zone up Barry Way, Jindabyne when the access road becomes open to the public. <p>B. 400 IN 4 CHARITY RIDE</p> <p>That Council approve the 400 in 4 Charity Ride to ride through Cooma on the 13/10/21 and 14/10/21 provided the organisers:</p>	Road Safety Officer	09/07/2021 – RC: Responses sent to each individual applicant	19/07/2021	N

SMRC Resolution Action Sheet – In Progress

			<ul style="list-style-type: none"> • Change the entrance into Cooma on the 13/10/21 to Yallakool Road. • Limit the number in cycling groups to 15 riders each, all with a lead and following vehicle. <p>C. SHOW AND SHINE This submission to the Local Traffic Committee was withdrawn on the 26/05/21.</p> <p>D. SCHOOL ZONE SIGNAGE – Mittagang Road and Barona Avenue That Council change the parking signs around Cooma North Public School and Monaro High along Mittagang St, Cooma and Baroona Avenue, Cooma. This is to reflect the current school hours from 8:00am-9:30am and 2:30pm-4:00pm creating consistency across the region.</p> <p>E. LOADING ZONE – Vale Street, Cooma That Council investigate the parking area outside 57 Vale Street, Cooma by:</p> <ul style="list-style-type: none"> • Speaking to the Taxi drivers about allowing trucks to use part of the Taxi space. • Investigating line-marking on the driveways outside 57 Vale Street, Cooma for to create clear lines of sight for driveway entrances. • Investigating the need for one driveway as opposed to two driveways at 57 Vale Street, Cooma through Council. <p>F. ROCK FLAT CREEK BRIDGE, NUMERALLA</p>				
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SMRC Resolution Action Sheet – In Progress

			<p>That Council approve the Cooma side of Rock Flat Creek Bridge on Numeralla Road to have a give way sign to vehicles coming from Numeralla. This side is encouraged as there is more space for heavy vehicles to wait on this approach.</p> <p>G. DROP & HOODS – Snowy Mountains</p> <p>That Council ask Lateral Management for more information about the Drop and Hood event planned for December 2021. The information should include how this event may impact other council departments, the timing of the races and the number of participants. This can then be submitted to the next Local Traffic Committee meeting.</p> <p>H. ST PATRICKS JUNIOR SCHOOL PARKING</p> <p>That Council investigate measures such as street trees or a barrier to block vehicles parking on the nature strip at St Patricks School, Cooma.</p> <p>I. ILLAWONG ST, ANGLERS REACH – SPEEDING</p> <p>That Council investigate measures to reduce speed along Illawong Street, Angler’s Reach such as the placement of temporary speed display signs as well as speed cushions at all entrance to the lake and caravan park.</p> <p>J. DALGETY ROAD SPEED LIMIT – OUT OF BERRIDALE</p> <p>That Council forward on all information regarding the support to reduce the speed</p>				
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SMRC Resolution Action Sheet – In Progress

			<p>limit on Dalgety Road for 800m, to Transport for NSW to investigate.</p> <p>K. ADAMINABY PARKING</p> <p>Recommendation: That Council undertake a review the parking for light and heavy vehicles throughout Adaminaby.</p> <p>L. POLO FLAT ROAD, NUMERALLA ROAD AND YAREEN ROAD</p> <p>That Council change the two giveaway signs on Numeralla Road and Yareen Road to stop signs with the condition that council also:</p> <p>Place signs warning vehicles to slow down or stop ahead in the lead up to these stop signs on Numeralla Road and Yareen Road.</p> <p>Investigate moving the future stop sign on Numeralla Road back a few metres from Polo Flat Road.</p>				
958	17 June 2021	150/21	<p>Donations and Sponsorship Submissions for FY22 July to December 2021</p> <p>That the items before Council be deferred to the extraordinary meeting to be held on 28 June 2021:</p> <p>A. Determine the submissions to be approved for Donations and Sponsorship July to December 2022FY up to \$50,000.00;</p> <p>B. Continue the previously approved recurring donations and sponsorship for the remainder of the Council term; and</p>	Governance Administration Support	12/08/2021 – LO: Report provided to 28 June Extraordinary meeting of Council. Distribution of approved funds under way.	19/07/2021	N

SMRC Resolution Action Sheet – In Progress

			C. Change Council's policy to having one round each year and remove the set amounts.				
959	17 June 2021	151/21	<p>Review of Plantations and Reafforestation Legislation</p> <p>That Council:</p> <p>A. Receive and note the information in the report.</p> <p>B. Make a submission on the review of the Plantations and Reafforestation Act 1999 and Plantations and Reafforestation (Code) Regulation 2001.</p> <p>C. Be provided with a draft submission for comment seven (7) days prior to the closing date.</p>	Senior Strategic Land Use Planner	<p>02/08/2021 – AA: As per last update - Action is complete</p> <p>29/07/2021 – AA: Submission circulated to Councillors on Monday 21 June 2021., Comments received from Cr Castellari only., Submission lodged with DPI on Sunday 27 June 2021., Action completed.</p>	19/07/2021	Y
960	17 June 2021	152/21	<p>Revenue Recovery Update</p> <p>That Council:</p> <p>A) Receive and note the status of past matters referred to external debt collection agency.</p> <p>B) Receive and note the status of current debt recovery activities.</p> <p>C) Inform the community through media release and advertising that this was a suspended process of debt recovery suspended during the period of COVID and bushfires that has now recommenced.</p>	Financial Accountant		19/07/2021	N
961	17 June 2021	153/21	<p>Request to close part of Mittagang Road Reserve - Boundary Adjustment followed by Land Sale to Owner of Lot 2 DP 815248</p> <p>That Council</p>	Coordinator Land & Property	04/08/21 - TP:	30/04/2022	N

SMRC Resolution Action Sheet – In Progress

			<p>A. Approve to proceed partial road closure of Mittagang Road, being approximately 773m2, at the specified location, in accordance with the Roads Act 1993;</p> <p>B. Authorise the Chief Executive Officer to execute all necessary documents for the partial road closure and boundary adjustment;</p> <p>C. Agrees that all costs incurred in actioning the boundary adjustment and partial road closure are to be borne by the adjacent landowner (Lot 2 DP 815248), inclusive of general legal, registration fees and title creation costs incurred by Council;</p> <p>D. Obtain an independent valuation of the 773m2 land area that is the subject of the boundary adjustment to guide sale price setting;</p> <p>E. Approve the sale of the subdivided land parcel, approximate 773m2 in area, by private treaty to the adjacent landowner (Lot 2 DP 815248) subject to the completion of the road closure process; and</p> <p>F. Authorise the Chief Executive Officer to negotiate the sale price and execute any documentation required to complete the sale, at the appropriate time.</p>		<p>Land & Property is in contact with the Landowner's Representative to progress mechanics and administration arrangements.</p> <p>02/07/21 - TP: The resolution actions will be initiated.</p>		
962	17 June 2021	154/21	<p>Leesville Civil Works Progression to Enable Sale of Subdivision Section 3D (4 Lots) - Sale of Industrial Land</p> <p>That Council</p> <p>A. Approve the completion of the essential civil works required for Stage 3D of the Leesville</p>	Coordinator Land & Property	<p>04/08/21 - TP: Coordinator Projects & Technical Support progressing delivery arrangements for the expanded civil works.</p> <p>02/07/21 - TP: The resolution actions will be initiated.</p>	30/04/2022	N

SMRC Resolution Action Sheet – In Progress

			<p>Industrial Estate subdivision in Jindabyne, expending up to \$600,000;</p> <p>B. Approve Lots 17, 18, 19 & 20 in Stage 3D at Leesville Industrial Estate to be sold by public auction, once civil works are completed;</p> <p>C. Authorise the Chief Executive Officer to establish the reserve price for Lots 17, 18, 19 & 20 at Leesville Industrial Estate ahead of the auction, and to negotiate with the highest bidder should any property fail to meet the reserve;</p> <p>D. Authorise the Chief Executive Officer to undertake all negotiations for the sale of Lots 17, 18, 19 & 20 at Leesville Industrial Estate, including real estate agent engagement; and</p> <p>E. Authorise the Chief Executive Officer to execute all legal documents and contracts for the sale of Lots 17, 18, 19 & 20 Leesville Industrial Estate.</p>				
963	17 June 2021	155/21	<p>Highview Estate, Jindabyne - Boundary Adjustment to Community Land Parcel for the Purposes of Future Road Reserve</p> <p>That Council</p> <p>A. Agrees to the boundary adjustment related to Lot 30 DP 1118132 in principle, informed by boundary change diagram attached to this report (NL180423_CSK13.01 2);</p> <p>B. Acknowledge that the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Division 1 Subdivision 38 Section 2.75 provides the relevant</p>	Coordinator Land & Property	<p>02/07/21 - TP: Resolution direction noted, with the Development team are aware of the agreed actions. This matter is now complete from Land & Property dealings side.</p> <p>02/07/21 - TP: Resolution direction noted, with the Development team are aware of the agreed actions. This matter is now complete from Land & Property dealings side.</p>	19/07/2021	N

SMRC Resolution Action Sheet – In Progress

			development exemption due to the specific circumstances; C. Agrees that that developer will be responsible for all costs incurred in actioning the boundary adjustment and that the boundary adjustment will be formalised at the subdivision certificate stage of the development process.				
964	17 June 2021	158/21	<p>Wild Horse Heritage Management Plan</p> <p>That Council:</p> <p>Write to the NSW Premier urging immediate publication of the draft plan of management of wild horses in Kosciuszko National Park noting that:</p> <ul style="list-style-type: none"> • The plan, which is required under Kosciuszko Wild Horse Heritage Act of 2018, (KWHHA 2018) has not been issued despite the SAP and CAP having provided their reports to the minister. • Activities which may be proposed in the plan are likely to affect tourism operators and employment opportunities in the Snowy Monaro region • The plan of management may have local social impacts that have a bearing on the upcoming Council elections in September 2021. 	CEO	02/07/2021 - JB: Letter sent to Premier with copies provided to Deputy Premier Barilaro and Minister Kean on 28/6/21.	19/07/2021	N
965	17 June 2021	159/21	<p>Business Case Criteria</p> <p>That Council write to the Minister for Local Government requesting clarification of the criteria expected to be satisfied in a business case of the type identified in section 218CC of the Local Government Amendment Bill 2021.</p>	CEO	02/07/2021 - JB: Letter from CEO sent to Shelley Hancock 25/6/21.	19/07/2021	N

SMRC Resolution Action Sheet – In Progress

966	17 June 2021	160/21	<p>Demolition of decommissioned service station</p> <p>That Council demolish the decommissioned service station on Mittagang Road Cooma</p>	Manager Corporate Projects		19/07/2021	N
967	17 June 2021	162/21	<p>Consideration of Work Health and Safety Matters</p> <p>That Council receive and note the report and attachments and review as necessary</p>	CEO	02/07/2021 - JB: Item to be closed.	19/07/2021	Y
968	17 June 2021	164/21	<p>Contract for the Cooma Festival Swimming Pool</p> <p>That Council:</p> <p>A. Enter into a short term lease of 12 months with Monaro Aquatic Services for the 2021/2022 swimming pool season at Cooma Festival Swimming Pool;</p> <p>B. Develop a new lease that will provide some clarity over income and expenditure, including maintenance for the operation of the Cooma Festival Swimming Pool.</p>	Coordinator Community Facilities	<p>04/08/2021 – KH: Followed up with BMR - Solicitor has been on leave and staff are following up this week.</p> <p>29/06/2021 – KH: Blaxland, Mawson and Rose have confirmed they have the draft lease sent to them by Council. They will have a draft copy back to Council and to the lessee's in the first week of July 2021.</p>	19/07/2021	N
969	28 June 2021	143/21	<p>Making of the 2021-22 Annual Rates and Charges</p> <p>That Council approves the making of the rates and charges separately for each category and sub-category as follows;</p> <p>Making of the Levy of Ordinary Rates for Snowy Monaro Regional Council</p> <p>A. For the year 2021/22, in accordance with Section 518 of the <i>Local Government Act 1993</i>, Council make an Ordinary Rate of 0.0033568 rate in the dollar on the land value. In accordance with Section 499 of the <i>Local Government Act 1993</i>, Council make a</p>	28 June 2021			N

SMRC Resolution Action Sheet – In Progress

			<p>base amount of \$475.00 per assessment being 6.5% of the total amount payable on all rateable land categorised as Business. This rate is to be named Business.</p> <p>B. For the year 2021/22, in accordance with Section 518 of the <i>Local Government Act 1993</i>, Council make an Ordinary Rate of 0.0083920 rate in the dollar on the land value. In accordance with Section 548 of the <i>Local Government Act 1993</i>, Council make a minimum amount of \$1,187.50 per assessment being 3% of the total amount payable on all rateable land categorised as Business Electricity Generation. This rate is to be named Business Electricity Generation.</p> <p>C. For the year 2021/22, in accordance with Section 515 of the <i>Local Government Act 1993</i>, Council make an Ordinary Rate of 0.0033568 rate in the dollar on the land value. In accordance with Section 499 of the <i>Local Government Act 1993</i>, Council make a base amount of \$475.00 per assessment being 32.8% of the total amount payable on all rateable land categorised as Farmland. This rate is to be named Farmland.</p> <p>D. For the year 2021/22, in accordance with Section 517 of the <i>Local Government Act 1993</i>, Council make an Ordinary Rate of 0.0083920 rate in the dollar on the land value. In accordance with Section 499 of the <i>Local Government Act 1993</i>, Council make a base amount of \$1,187.50 per assessment</p>				
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SMRC Resolution Action Sheet – In Progress

			<p>being 0% of the total amount payable on all rateable land categorised as Mining. This rate is to be named Mining.</p> <p>E. For the year 2021/22, in accordance with Section 516 of the <i>Local Government Act 1993</i>, Council make an Ordinary Rate of 0.0033568 rate in the dollar on the land value. In accordance with Section 499 of the <i>Local Government Act 1993</i>, Council make a base amount of \$475.00 per assessment being 57.8% of the total amount payable on all rateable land categorised as Residential. This rate is to be named Residential.</p> <p>Levy of Rates</p> <p>F. That the rates as made be levied for the 2021/22 year by service of a Rates and Charges Notice pursuant to section 546 of the <i>Local Government Act 1993</i>.</p>				
970	28 June 2021	150/21	<p>Donations and Sponsorship Submissions for FY22 July to December 2021</p> <p>That Council;</p> <p>A. That the following donations and sponsorships be provided</p> <ul style="list-style-type: none"> i. Berridale Lions - \$6,430 ii. Berridale Tennis Club - \$2,000 iii. Delegate RSL Sub Branch - \$1,093.68 iv. The Community Chest Inc. - \$3,000 v. Bredbo Community Progress Association - \$1,500 vi. Monaro Early Intervention Service - \$5,620 vii. Michelago Memorial Hall Committee - \$4,723 	Governance Administration Support	12/08/2021 - LO: A report containing applications for donations and sponsorship was presented to Council at the ordinary of 17 June 2021.		N

SMRC Resolution Action Sheet – In Progress

			<p>viii. Rotary Club of Cooma - \$2,500 ix. Delegate Presbyterian Church - \$900 x. Snowy Monaro Arts Council - \$1,000 xi. Bombala Exhibition Society - \$3,500 xii. Light Car Club of Canberra - \$1,000 xiii. Jindabyne Art Gallery - \$2,500 xiv. Monaro Community Access Services - \$2,000 xv. Snowy Mountains Care and Early Learning - \$4,733 xvi. Lake Eucumbene Community Association - \$2,500 xvii. Jindabyne Pony Club - \$3,000 xviii. The Shepard Centre - \$1,000 xix. Cooma and District Kennel and Obedience Club - \$1,000</p> <p>B. Continue the previously approved recurring donations and sponsorship for the remainder of the Council term.</p> <p>C. Change Council’s policy to having one round each year and remove the set amounts.</p>				
971	15 July 2021	156/21	<p>330.2021.1002 - Post Exhibition report - Reclassification of land community to operational - Lot 10 DP 1130244, Pt Lot 10 DP 126661</p> <p>That</p> <p>A. Council endorse the planning proposal to amend the Cooma-Monaro Local Environmental Plan 2013 and Snowy River Local Environmental Plan 2013 to reclassify Pt Lot 10 DP 1266613 Cooma and Lot 10 DP 1130244 Berridale from community to operational land.</p>	Senior Strategic Land Use Planner	28/07/2021 – BD: CEO signed and request to PCO to draft the instrument sent 27/07/21	16/08/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>B. Council exercises the function of the Minister for Planning and Public Spaces under section 3.36(2) of the <i>Environmental Planning & Assessment Act 1979</i>.</p> <p>C. The CEO use Council’s delegated plan making authority to implement the amendment described above.</p>				
972	15 July 2021	157/21	<p>Residential Aged Care - Adoption of Policies That Council approve the following policies for implementation:</p> <ol style="list-style-type: none"> 1. Dignity & Choice 2. Assessment & Planning 3. Medication Administration 4. Personal Care and Clinical Care 5. Services & Support for Daily Living 6. Organisation’s Service Environment 7. Feedback & Complaints 8. Human Resources 9. Organisational Governance 10. Serious Incident Response Scheme 	Manager Community Services		16/08/2021	N
973	15 July 2021	159/21	<p>Design for Truck Parking Area at Adaminaby That Council defer for further consultation on the truck parking area.</p>	Project Specialist	02/08/2021 – GH: Item to be referred to Rebecca Copping for discussion at Local Traffic Committee.	16/08/2021	N
974	15 July 2021	161/21	<p>How can Council best leverage the State Government’s recently announced policy on temporary supportive accommodation That Council</p>	Coordinator Economic Development	05/08/2021 - MA: Discussion paper not yet released by the State Government. Continuing to support the State	16/08/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>A. Continue to work with the NSW Government to identify any current opportunities.</p> <p>B. Review the temporary supportive accommodation discussion paper when it is released and develop an action plan to ensure the regions issues are identified and addressed in any action plans that are developed.</p>		Government's research for development opportunities in Cooma.		
975	15 July 2021	162/21	<p>Draft Michelago Master Plan That Council place the draft Michelago Master Plan on public exhibition for a period not less than 28 days.</p>	Team Leader Strategic Planning	02/08/2021 – AA: Public exhibition of the draft plan commenced on 16 July and will run until 16 August. A drop in session was held in Michelago on Saturday 24 July.	16/08/2021	N
976	15 July 2021	163/21	<p>Essential Energy Proposed Upgrade of Street Lights to LED That Council proceed with the Essential Energy bulk LED upgrade program under the option 2 funding model.</p>	Manager Infrastructure		16/08/2021	N
977	15 July 2021	164/21	<p>Kalkite STP Evaporation Dam Refurbishment That Council:</p> <p>A. Approve an increase of the available budget for the Kalkite STP project from \$124,384 to \$958,507.00 inclusive of GST to allow for the construction of a fully reinforced dam wall for the Kalkite evaporation dam re-build.</p> <p>B. Not undertake tenders for the work due to:</p> <p>a. The need to deal with the dam wall as an emergency event,</p> <p>b. That tendering will not provide competitive or reliable tenders, and</p>	Manager Water Wastewater Operations	02/08/2021 – JD: McMahons advised of change of scope of works. Design for new dam wall being finalised by consultants	16/08/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>c. That the current unit rates are the result of a competitive process.</p> <p>C. Approve the continuation of the current contract 024-2021 based on the schedule of rates submitted during the procurement process for the original evaporation dam relining contract, for the new refurbishment project.</p>				
978	15 July 2021	165/21	<p>Expression of Interest Submissions Community Use Tenancy 17 Bent Street JINDABYNE - Lot 2 DP 860886</p> <p>That Council authorise further discussions with the EOI stakeholder groups with the aim of developing a feasible mixed occupancy model to benefit the community and meet the caveat terms.</p>	Coordinator Land & Property	04/08/21 - TP: Further contact from Property NSW anticipated in the coming week in relation to the permitted use nuances.	16/08/2021	N
979	15 July 2021	168/21	<p>Housing and Social Services Committee</p> <p>That Council form a SMRC Housing and Social Services Committee or Working Group to work with Governments and Snowy 2.0 to share information and coordinate a response to the acute and chronic shortage of accommodation and housing across the region and the associated impacts socially.</p> <p>The committee will act under a Terms of Reference, including but not limited to:</p> <p>Terms of Reference:</p> <ul style="list-style-type: none"> To collaborate with NSW DPIE housing, Regional Growth Development Corporation, Snowy 2.0 and other government agencies 	Community Development Planner	02/08/2021 - AA: Council staff working on project plan, subject to Councils project management framework.	16/08/2021	N

SMRC Resolution Action Sheet – In Progress

			<ul style="list-style-type: none"> To collaborate with community housing and service providers in the region <p>To develop</p> <ul style="list-style-type: none"> Immediate, short and medium term responses to housing need, drawing from DPIE and Snowy 2.0 monitoring LGA wide projections of the demand for social services, including education and health etc. <p>To recommend and inform Council of</p> <ul style="list-style-type: none"> Activities that should be considered by Council (planning, studies, innovative solutions, incentives etc.) Investigation of changes to the 1 and 4 year components of the CSP that might be required Possible imposts and costs that might arise The need for coordination or provision of services <p>The makeup of the Committee is at Council's discretion, but could include at the least Mayor and alternate, Councillors, Staff, representatives from the Community, Snowy 2.0 and the Snowy Mountains SAP and other representatives as necessary.</p>				
980	15 July 2021	173/21	<p>Accessible Toilet Facilities for Delegate School of Arts</p> <p>That Council include disabled accessible toilet facilities at the historic Delegate School of Arts, as part of the overall upgrade project, for which a grant of \$720,692.62 has been received.</p>	Manager Corporate Projects		16/08/2021	N

SMRC Resolution Action Sheet – In Progress

			<p>Funding of \$150,000 has been set aside for disabled access facilities, and it is necessary for the works to be carried out concurrently.</p> <p>One disabled toilet and two ambulant toilets should be included in a design as per consultation with the Delegate School of Arts committee if funding allows.</p>				
981	15 July 2021	174/21	<p>Proposed Electoral Commission Advertising</p> <p>That Council contact the NSW Electoral Commissioner to require publication of information for the selection be undertaken through a mix of electronic and print media to ensure that all of our community is properly informed about the upcoming election.</p>	Chief Strategy Officer	21/07/2021 – DR: Letters drafted to be sent to NSW Electoral Commission. Local Member and Minister for Local Government.	16/08/2021	N
982	15 July 2021	177/21	<p>Divestment of Residential Aged Care - Shortlisting of EOI's</p> <p>That Council</p> <ul style="list-style-type: none"> A. Acknowledges receipt of one conforming and one non-conforming expression of interest. B. Invite the conforming expression of interest to the request for proposal stage. C. Proceed with identification of suitable land for a residential aged care facility in Jindabyne and undertake community consultation as part of this process. 	Manager Community Services		16/08/2021	N

10.1 CANBERRA TO EDEN RAILWAY

Record No:

Responsible Officer: Chief Executive Officer

Author: Councillor John Last

Attachments: Nil

Councillor John Last has given notice that at the Ordinary Meeting of Council on 19 August 2021, he will move the following motion.

MOTION

That Council recommends to the NSW Government via the Premier on the basis of the referenced Review and Articles that:

- A. The economic and financial findings of the referenced Feasibility Study should be set aside; and
- B. An independent and expeditious economic and financial assessment of the referenced four-part Concept Plan should be prepared on transparent terms of reference

BACKGROUND

Concept Plan for Canberra to Eden Railway by Edwin Michell, published 2018 in four parts in print and at www.coomansw.com.au by Cooma and Monaro Progress Association.

Canberra to Port of Eden Rail Feasibility Study, Executive Summary dated May 2020 published September 2020 on the Transport for NSW website.

Review of Feasibility Study on Canberra to Eden Railway dated 9 March 2021, published April 2021 in print and at www.coomansw.com.au

Articles by Edwin Michell published at www.hotrails.net:

- Canberra-Eden rail needs another look, 11 May 2021
- Errors in the Canberra-Eden Railway Feasibility Study, 16 May 2021

CHIEF EXECUTIVE OFFICER'S RESPONSE

10.2 EXTENSION OF SAP EXHIBITION PERIOD

Record No:

Responsible Officer: Chief Executive Officer
Author: Councillor John Castellari
Attachments: Nil

Councillor John Castellari has given notice that at the Ordinary Meeting of Council on 19 August 2021, he will move the following motion.

MOTION

That Council, as a matter of urgency, writes to the Minister for Planning, Industry and Environment, asking that the Proposed KNP Plan of Management draft Amendments be placed on hold until the Jindabyne content moves beyond draft stage, and that the public exhibition period for comments relating to KNP be extended to well past the October long weekend.

BACKGROUND

The Snowy Mountains Special Activation Precinct Draft Master Plan and proposed amendments to the Kosciuszko National Park Plan of Management, has been placed on public exhibition until 23 August 2021.

The timing of this is inappropriate for gaining meaningful community input for the following reasons:

- The SAP draft documents are complex and require many hours reading and reviewing to obtain a reasonable idea of the magnitude of change that is being forced upon the wider mountain communities and the Kosciuszko National Park (KNP).
 - The draft documents provide for a 40-year future, took years to compile, and the community is being forced to attempt to provide well-reasoned comment in under 60 days during the busiest time of the tourism year and in a spreading pandemic that has already triggered the postponement of the Local Government elections until December 2021.
 - There is a peak COVID incident barring the community from gathering in a meeting forum to adequately view and discuss this Draft Plan which has major impacts on the wider Snowy Mountains community and beyond.
 - There are travel restrictions, and many local business owners and managers are dealing with mass cancellations and reconfiguring options for tourists. Business owners/managers/staff and residents, have little or no time to read, consider and comment on the content of this large Draft Plan with associated documents as they attempt to deal with the impacts of the pandemic.
 - The timing of the exhibition period does not sufficiently provide for those without access or ability to use the internet, those who have disabilities/mobility challenges, and those who live remotely and find it difficult or inadvisable to get into town during mid-winter and during a pandemic.
 - It is the end of the financial year with requirements to report to the Australian Taxation Office adding more work pressure during this extremely stressful time.
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The complexity of the task facing the community to try to understand what is planned is evidenced by Jindabyne Chamber of Commerce, conducting information sessions for participants on how to make a submission concerning the impacts on Jindabyne. These information sessions by the Jindabyne Chamber do not include the massive, proposed impacts on KNP.

The real commonality between KNP, and Jindabyne is the transport infrastructure that must be capable of transporting the existing tens of thousands of visitors and knowing that year-round tourism will increase visitor numbers.

It makes sense to plan these two entities separately but planning the future mutual transport infrastructure together, and to complete the Jindabyne element of the Snowy Mountains Special Activation Precinct Draft Master Plan before the KNP Plan of Management is considered for amending.

It is the responsibility of the planners and decision-makers to ensure that the wider community is provided with inclusive mechanisms to be involved in consultation.

Extending the consultation period will only delay the project by a few months while increasing public input, support and general credibility for the consultation process and longer term, the outcomes it produces.

10.3 PERFORMANCE REVIEW OF CEO

Record No: I21/24

Responsible Officer: Chief Executive Officer
Author: Councillor Sue Haslingden
Attachments: Nil

Councillor Suzanne Haslingden has given notice that at the Ordinary Meeting of Council on 19 August 2021, she will move the following motion.

MOTION

That Councillor's conduct the Performance Review of the Chief Executive Officer in October 2021.

BACKGROUND

The CEO's review was to be held in November.

Council goes into caretaker mode November 4th 2021.

Due to the Councillor term being extended, this gives the outgoing Councillors an opportunity to participate and conduct the annual Performance Review of the CEO before caretaker mode begins.

The Local Government Association provide detailed templates to enable Councils to review their CEO performance.

Rather than committing to external procedures, the Council have resolved to use the Local Government Review Process to implement the review of their Chief Executive Officer.

As Councillors know, the performance of the general manager/CEO must be reviewed at least annually against the agreed performance criteria for the position. Council may also choose to undertake more frequent interim reviews of the general manager's performance

As is identified, the council's governing body must advise the general manager/CEO, in writing, in clear terms, the outcome of any performance review.

The new performance agreement for the next period should be prepared as soon as possible after the completion of the previous period.

The agreement should be presented to the governing body of council for discussion in a closed meeting together with the outcomes of the previous review period.

Council's Code of Meeting Practice provides as follows:

21.1 It is the duty of the Chairperson at a meeting of Council to receive and put to a meeting any lawful motion that is brought before the meeting.

22.2 The Chairperson must rule out of order any motion that is unlawful or the implementation of which would be unlawful.

21.3 Any Motion, amendment or other matter that the Chairperson has ruled out of order is taken to have been rejected (cl 238 of the Regulation)

22 In the absence if a Councillor who has placed a notice of Motion on the business paper for a meeting of Council:

- a) Any other Councillor may move the motion at the meeting; or
- b) The Chairperson may defer the motion until the next meeting of Council at which the motion can be considered (cl 243 of the Regulation)

CHIEF EXECUTIVE OFFICER'S RESPONSE

13. CONFIDENTIAL MATTERS

In accordance with Section 10A(2) of the Local Government Act 1993, Council can exclude members of the public from the meeting and go into Closed Session to consider confidential matters, if those matters involve:

- (a) personnel matters concerning particular individuals; or
- (b) the personal hardship of any resident or ratepayer; or
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; or
- (d) commercial information of a confidential nature that would, if disclosed;
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law; or
- (f) matters affecting the security of the council, councillors, council staff or council property; or
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege or information concerning the nature and location of a place; or
- (h) an item of Aboriginal significance on community land.

and Council considers that the closure of that part of the meeting for the receipt or discussion of the nominated items or information relating thereto is necessary to preserve the relevant confidentiality, privilege or security of such information, and discussion of the material in open session would be contrary to the public interest.

In accordance with Section 10A(4) of the Local Government Act 1993 the Chairperson will invite members of the public to make verbal representations to the Council on whether the meeting should be closed to consider confidential matters.

RECOMMENDATION

1. THAT pursuant to Section 10A subsections 2 & 3 and Section 10B of the Local Government Act, 1993 (as amended) the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

13.1 Legal actions and potential claims against SMRC as at 31 July 2021

Item 13.1 is confidential in accordance with s10(A)(2)(e) of the Local Government Act because it contains information that would, if disclosed, prejudice the maintenance of law and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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.