



SNOWY MONARO
REGIONAL COUNCIL

ATTACHMENTS TO REPORTS

(Under Separate Cover)

Ordinary Council Meeting

19 March 2020

ATTACHMENTS TO REPORTS FOR ORDINARY COUNCIL MEETING THURSDAY 19 MARCH 2020

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8 PLANNING AND DEVELOPMENT APPLICATION MATTERS

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Our Ref: JEH:908652

17 October 2018

The General Manager
Snowy Monaro Regional Council
PO Box 714
COOMA NSW 2630

Email: council@snowymonaro.nsw.gov.au

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Dear Sir

**Modification MOD 4026/2017 - modification of development consent DA 0106/1999
extend operational timeframe for extractive industry**

Our client has previously objected to this modification application by their letter of 30 September 2017 and letter from Navado Legal of 1 November 2017.

We have read the report to the Council meeting to be held on Thursday 18 October 2018 and wish to make further submissions to Council on important issues relating to the modification application. In our opinion if Council resolve to adopt the recommendations in the report and approve the modification application it would make an error of law and its decision would be open to legal challenge.

The Consent

We understand that the Extractive Industry was approved by DA 0106/1999 in 1999 which approved the extraction of gravel (the **Consent**). Our understanding which is gleaned from the Council report is that the original consent provided three years for the extraction of not more than 30,000 cubic metres of material from the site to occur.

Condition 2 of the original consent read;

'In accordance with the plans and details submitted with the application Council advises that the development is approved for the extraction of a maximum of 10,000 cubic metres per year of material for a maximum of three (3) years. The consent will lapse on 31 December 2003 and all excavation equipment must be removed from the

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site and the site is to be fully landscaped (to comply with the provisions of the Environmental Planning and Assessment Act 1979)'.
The consent was modified twice in 2003 and 2006 to extend the time for additional three year period on each occasion. The last of these modifications extended the extraction timeframe for the operation of the quarry until 2009.¹

The Modification Application (application)

The modification application consists entirely of the Council's form of three pages and includes;

- a description of the development is described as "Extractive Industry";
- the description of the Modification Application is described in the following terms:

'Extension of DA consent to carry out Extractive Industry at the
"Wheat Hill Quarry"
Not sure what Council will allow
10 to 20 years if possible?'
- the description of expected environmental impacts of the modification are the words;

'as per original DA'.

The original DA included a statement of environmental effects consisting of a hand drawn location plan not to scale, a description of the proposal including rehabilitation of stages and some photographs of a farm paddock with small dam.

We have viewed an aerial photograph of the site and can see that the dam has been extended and excavation has occurred over a much larger area of approximately 145 metres long and of variable width to 36 metres wide. This expansion is not reflected in the application and its omission is misleading.

Section 4.55 of the Environmental Planning and Assessment Act (**EP&A Act**) governs modification applications and provides that the consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the Regulations, modify a consent if:

1. It is satisfied that the development as modified is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all); ie the 2009 consent.

¹ Page 157 of planning report to Ordinary Council Meeting of Snowy Monaro Regional Council held on Thursday, 18 October 2018.

2. the consent authority to takes into consideration such of the matters referred to in s4.15(1) as are of relevance to the development of subject of the application.
3. The consent authority takes into considerations the reasons given by the consent authority for the grant of the consent that is sought to be modified.
4. Notification is given.

In addition to consideration of LEP provisions and relevant DCP provisions, s4.51 requires consideration of:

1. The likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.
2. The suitability of the site for the development.
3. Submissions; and
4. The public interest.

Adequacy of Modification Application

Section 115 of the *Environment Planning Assessment Regulation 2000* applies to the application and sets out the information that must be contained in an application for modification of a development consent under s4.55(2).

While the form completed by the applicant ensures that the formal parts of the application are included namely the name and address of the applicant and formal land particulars, the modification application is lacking in the following details:

1. A description of the development to be carried out under the consent as previously modified.
2. A description of the proposed modification to the development consent. (The description of the application is in fact a question "not sure what Council will allow 10 to 20 years if possible?")
3. A description of the expected impacts of the modification; and
4. An undertaking to the effect that the development to be modified will remain substantially the same as the development that was originally approved.

Comment

Quite simply the application is wholly inadequate and the reference to plans and impacts being as per the original DA is unacceptable and it fails to comply with the regulations for the following reasons;

1. The original DA assessed an application for only three years and a completely different set of circumstances which may have changed. For example there could be threatened species of frogs and micro bats in the quarry area that were not present when the consent was granted.

2. There is absolutely no environmental assessment of the current operation and proposed modification.
3. A fundamental flaw in the application is that nowhere in the Council report or "supporting" documentation is there a statement as to how much material has been excavated to date. The consent is clearly limited to 30,000 cubic metres and Council intends to consider the grant of a consent to allow excavation for a further five years to reach that threshold of 30,000 cubic metres.

Council however does not know how much material has been removed. How then can a consent authority assess the environmental impacts of excavation of a unknown amount. For example is it 5,000 cubic metres left to excavate 10,000 or 20,000. Obviously the impacts will be different depending on the amount.

4. In our view the Council cannot determine that the development is substantially the same to that for which consent was granted as there is no information before it to enable it to come to that conclusion.
5. Council is unable to properly assess the environmental impacts of the development as there is no information on which to apply its consideration or to form a view as to satisfaction of the matters required to be satisfied under the Act.
6. While we do not think it legally open to the Council to approve the application - there are several merit matters which also need to be addressed.
7. The application does not contain any noise assessment as required for industrial undertakings such as an Extractive Industry. The Noise Policy for Industry 2017 should be addressed.

While we recognise that an existing operation may have difficulties complying with the Noise Policy this can be dealt with by conditions being imposed as to the operation of the premises for example conditions regarding hours of operation. In our view it is inherently unreasonable for an industry of this time to operate outside the hours of 7.00 am to 5.00 pm Monday to Friday.

Amended Condition 8 refers to 'all persons working on a building site' and there follows restricted hours in relation to power tools. This condition should be amended to delete the words "building site" and refer to hours of operation of the approved use which should be limited to Monday to Friday 7.00 am to 5.00 pm with no work on Sundays or Public Holidays.

Further as the site is in a residential zone the operation of an industrial use is inconsistent with **all** of the objectives of the R5 Large Lot Residential Zone,

8. Council does not know the remainder of the 30,000 cubic metres to be excavated it does not know the number of truck movements anticipated or the size of those trucks and the impacts of same. This could also be limited by conditions.
9. Further proposed Condition 2C does not describe the level of landscaping and to whose satisfaction these work should be carried out. The Council should have regard to rehabilitation conditions for other types of mining development and impose a more rigorous condition. The best method would be to require a staged rehabilitation as was

proposed in the statement of environmental effects and an approved landscape plan showing the rehabilitation of the area.

10. Amended Condition 2 refers to plans and details submitted with the application yet there are no plans or details submitted with the application that are relevant.
11. Condition 2B is recommended however as we understand it nobody knows what the limit of excavation is currently therefore there is no benchmark for Council to address these records to.

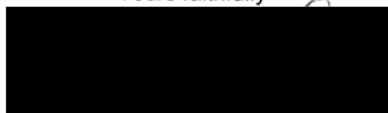
Conclusion

In our opinion the application is so deficient as to form and content that the Council would be making an error of law were it to approve the application

It is our view that the proposed modification application is arguably not substantially the same as that approved in 2009 because the information in the application does not allow it to properly form the requisite opinion. The application should be refused because the application is not properly made in that it fails to comply with the regulation which is a jurisdictional requirement under s4.55. The application modification is not properly framed, nor is there sufficient information provided to enable a proper merit assessment as is required. The application seeks to rely on obviously outdated material, which bears no resemblance to the existing factual situation at the site.

Were Council to adopt the recommendations in the report and approve the modification application it would make an error of law and its decision would be open to legal challenge.

Yours faithfully



Jane Hewitt
Partner
HWL Ebsworth Lawyers

Accredited Specialist Planning &
Environmental Law.

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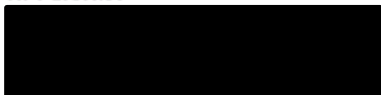
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SNOWY RIVER SHIRE COUNCIL

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Razorback Plaza Gippsland Street Jindabyne
PO Box 143 Berridale NSW 2628
Ph: 64513550 Fax: 64562534
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APPLICANT



APPLICATION	MOD0006/2007
Determination	Consent subject to conditions
Approval Authority	Delegated authority
Endorsement Date	21/08/2006

NOTICE OF DETERMINATION – MODIFICATION OF CONSENT

Issued under Section 96 of the Environmental Planning and Assessment Act 1979

The modification of consent application described below has been considered by and Council and determined:

Development Proposal	Extractive Industry
Modification	Extend lapsing date of consent
Property Address	Rockwell Road, COOLAMATONG NSW 2628
Legal Description	Lot 23, DP 709058, Parish of Coolamatong
Original DA No.	DA0106/1999
Estimated Cost of Works	N/A

CONSENT has been granted subject to the conditions detailed below.

Note: It is advised that this determination replaces the original determination. For ease of reference, all of the previous conditions have been re-listed. Those conditions amended or deleted have been highlighted.

A. Development carried out in accordance with the application.

Amended Condition:

1. The developer is to ensure that the development complies fully with Development application 106/1999 as submitted to Council on the 4 March 1999, the first section 96 application as submitted to council on the 18 September 2003, and the second section 96 application (MOD0006/2007) as submitted to council on the 2 August 2006 with supporting documentation including the Subdivision Plan as stamped by the Snowy River Shire Council and attached to this Notice, except where amended by the following conditions of consent: (To facilitate the development)

Amended Condition:

2. In accordance with the plans and details submitted with the application, Council advises that the development is approved for the extraction of a maximum of 10,000 cubic metres per year of material for a maximum of three (3) years. The consent will lapse on 31 December 2009 and all excavating equipment must be removed from the site and the site is to be fully landscaped. (To comply with the provisions of the Environmental Planning and Assessment Act 1979).
3. No building works are to be commenced without obtaining a Construction Certificate. (To comply with the Environmental Planning and Assessment Act, 1979.)

B. Prior to release of Construction Certificate.

Nil

C. Conditions that apply during construction.

4. That appropriate erosion and siltation control measures are undertaken around the excavation site. Appropriate erosion control measures are to include the placement of hay bales staked in the ground or the erection of geofabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. All disturbed areas are to be revegetated at the completion of site works using a suitable grass mix with complete fertiliser. *(To reduce any erosion and sediment loss during construction).*

5. Any builder's sheds, including temporary sanitary closets, must be:-

- located wholly within the site.
- properly constructed and maintained to Council's satisfaction
- shall be securely anchored to the ground
- removed upon completion of the project

(To comply with the Environmental Planning and Assessment Act 1979)

6. All excavations must be properly guarded and protected to prevent them from being a danger to life or property. *(To comply with the Environmental Planning and Assessment Act 1979)*

7. A person considering the use of explosives during construction must-

- be an operator licensed by the Department of Industrial Relations
- notify the local police and persons likely to be affected by the blasting
- obtain the necessary public liability insurance; and
- use approved and serviceable blasting mats.

(To comply with the Environmental Planning and Assessment Act 1979)

8. All persons working on a building site must not exceed the following hours of operation for all power tools.

Electrical Motors

Mon - Sat	7.00am to 8.00pm
Sunday	8.00am to 8.00pm
Public Holidays	8.00am to 8.00pm

Electrical Power Tools

Mon - Fri	7.00am to 8.00pm
Saturday	8.00am to 8.00pm
Sunday	8.00am to 8.00pm
Public Holidays	8.00am to 8.00pm

(To comply with the Environmental Planning & Assessment Act 1979.)

9. A sign must be erected in a prominent position on any work site. This sign is to contain the following information:-

- the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- a statement that unauthorised entry to the work site is prohibited
- this sign to be removed when the work has been completed

(To comply with the Environmental Planning and Assessment Act 1979.)

D. Prior to occupation of a building

Nil

E. Prior to release of subdivision certificate.

Nil

F. General Conditions.

10. An unsealed type BAL/BAR intersection, as specified within the RTA Road Design guide (details attached) shall be provided at the intersection of the access road to the development and the Rockwell Road. Prior to commencement of works, the developer shall lodge with Council plans of the proposed intersection works for approval by Council's Traffic engineer. (To ensure traffic safety on the Rockwell Road)
11. Haulage trucks are not permitted to move along the section of Rockwell Road to the south of the access road to the development. An exemption to comply with this condition shall apply where delivery of material is required to properties located on the Rockwell, Bulgundara and Werralong (Winery) Roads. The attached map indicates the direction of haulage routes. (To minimise adverse traffic impacts).
12. Prior to commencement of works, the applicant is to demonstrate that the development site has coincidental legal and practical. Coincidental legal and practical access means that there is a road / right of carriageway / right of way or similar legal thoroughfare that connects your site to a public road. (To ensure the development has appropriate access rights)

Reasons for Conditions

The reasons for the imposition of the conditions are:

- 1 To minimise any likely adverse environmental impact of the proposed development.
- 2 To ensure the protection of the amenity and character of land adjoining and in the locality.
- 3 To ensure the proposed development satisfies the relevant statutory requirements.
- 4 To ensure the development does not conflict with the public interest.
- 5 To ensure development proceeds in accordance with approved plans.

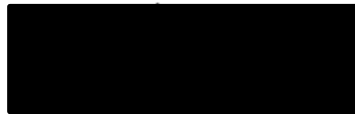
Notes Relating to the Determination

- 1 Pursuant to Section 82A(9) of the Environmental Planning and Assessment Act, this determination replaces the original determination as from the date of the review.
- 2 Pursuant to Section 82A(10) of the Environmental Planning and Assessment Act, if on a review the council grants development consent, or varies the conditions of a development consent, the council is entitled, with the consent of the applicant and without prejudice to costs, to have an appeal made under Section 97 in respect of its determination withdrawn at any time prior to the determination of that appeal.
- 3 Section 97 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within 12 months from the date of receipt of this notice.
- 4 Where the consent is for building work or subdivision work, no temporary buildings may be placed on the site and no site excavation, filling, removal of trees or other site preparation may be carried out prior to the issue of a Construction Certificate and appointment of a Principal Certifying Authority.

- 5 Pursuant to Council's Local Environmental Plan 1997, no tree in Zone 2(a), 2(b), 2(v) 3(a), 3(b) or 4 may be ringbarked, cut down, topped, lopped or wilfully destroyed except with the prior consent of Council which may be given subject to such conditions as Council considers appropriate. However, unless specified otherwise in this consent, those trees which are specifically designated to be removed on the plans approved under this consent or are within 3 metres of an approved building footprint may be removed, provided that a Construction Certificate has been issued for the development the subject of this consent and a Principal Certifying Authority appointed.
- 6 In this consent the developer means the applicant for development consent and any person or corporation who carries out the development pursuant to that consent.
- 7 The applicant is solely responsible for ensuring that all additional consents, permits and/or agreements are obtained from other authorities, as relevant.

Signed on behalf of Murray Blackburn-Smith
Director of Environmental Services, Snowy River Shire Council

Signature:



Delegated Officer:

Iain Knight

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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Extractive Industry on "Wheat Hill" Berridale.

PROPOSAL:

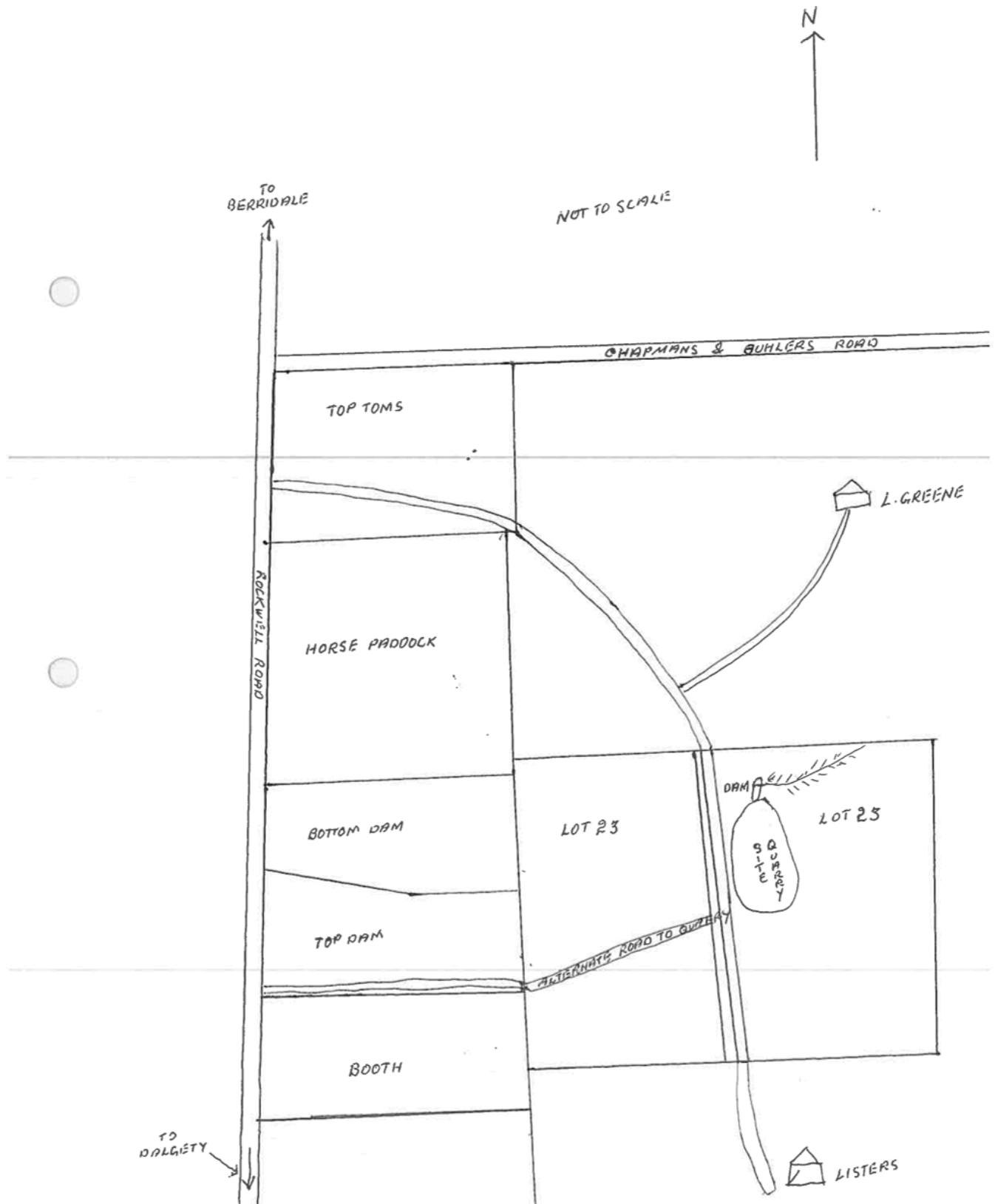
This Statement of Environmental Effects is to accompany the Development Application submitted to Snowy River Shire Council by Mr A M Suthern. The Development Application is for the enlargement of an existing agricultural dam and the removal and sale off-site of the excavated material.

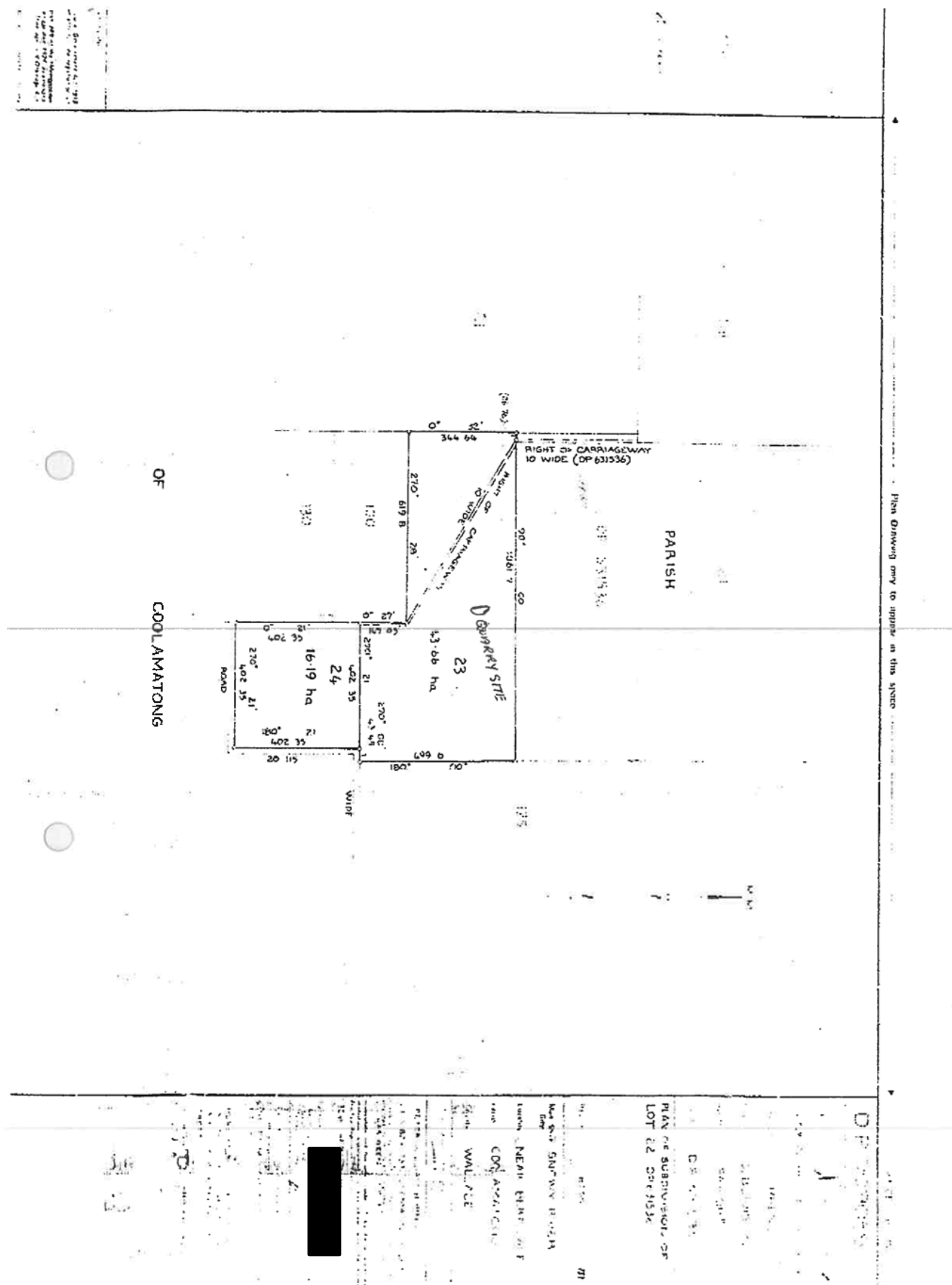
LOCATION:

The subject land is formally known as "Wheat Hill", Berridale and comprises an overall area of 254.5 hectares which encompasses portions 3, 37, 50, 81, 100 and Lot 23 DP709058, in the Parish of Coolamatong. The existing dam and proposed works are to occur on Lot 23, DP709058, Parish of Coolamatong.



Figure 1 - Location Plan.





Proposal

It is proposed to excavate approximately 30,000 cubic metres of material over a three year period (ie a maximum of 10,000 cubic metres per year). The overall surface area of the dam is to increase to approximately 1665 square metres. The material to be excavated is to be sold and used for landscaping, driveway and construction, tennis court surfaces and other sports arenas, and comprises a fine gravel quartz.

No secondary processing of the extracted material is to occur on the site (ie screening, crushing or sorting).

Prior to commencing excavation, all topsoil will be stripped and stockpiled for use in the future re-vegetation works. The stockpiles will be shallow-mounded to a maximum height of 1.5 metres and will be located clear of drainage paths. The existing dam, which is located down stream of the excavation area is to act as a sediment trap.

Drainage diversion banks will be provided to ensure surface flows are diverted from the area to be excavated.

The excavation of the gravel is to be undertaken initially using conventional earthmoving plant (ie small excavator). The excavated material will then be stockpiled awaiting loading onto trucks by bobcat.

The proposal is not a "designated development " as defined under the E P & A Act as:

1. Less than 30,000 m³ of material per year is to be excavated.
2. Less than 2 hectares of land will be disturbed.
3. The quarry area is not located within 40 metres of a natural waterbody, wetland or environmentally sensitive area.
4. No acid sulphate or contaminated soils are present on the site.

5. The land does not slope more than 18 degrees and no blasting is proposed.
6. Is not located within 500 metres of another extractive industry operated in the last 5 years.

The area of disturbed soil will be kept to a minimum at all times as each stage of completed excavation on the site will be progressively rehabilitated with each stage being rehabilitated before a new stage is commenced.

All runoff from within the excavated area will be directed to the existing dam that is to act as a sedimentation pond. The dam/pond will be regularly cleared of sediment to ensure it continues to operate satisfactorily. The sediment and debris will be removed from the dam/pond when it is approximately 60% full. The sediment will be spread on suitable areas within the site.

Following completion of excavation of each stage, the area shall be rehabilitated in the following manner:

1. Where practical, batter slopes shall be graded to a maximum slope of 1:3.
2. Batter slopes and all disturbed surfaces shall be dressed using topsoil previously stockpiled, and seeded with a suitable grass mix.



Details of Proposed Works

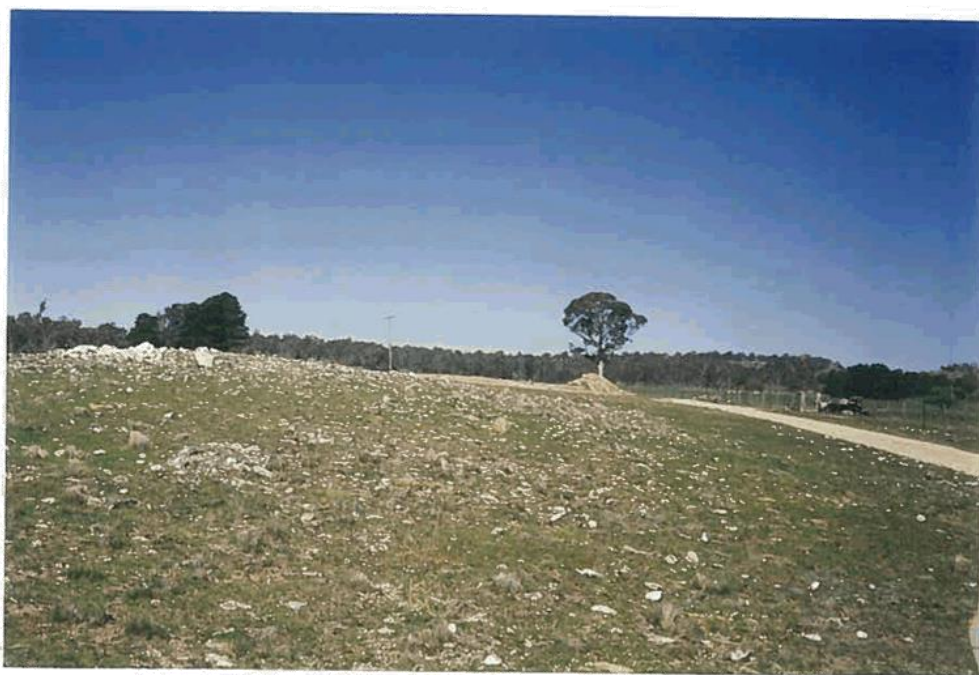
It is proposed to enlarge an existing agricultural dam by excavating material from its southern edge. The existing dam is located approximately in the middle of a paddock on relatively flat ground. An existing unsealed access road lies to the east of the dam that connects directly to Rockwell Road. Mr Suthern owns the portions of land directly to the east and west of the dam site. The lands directly to the south and north are held in different ownership.



Photograph 1 - Existing Dam



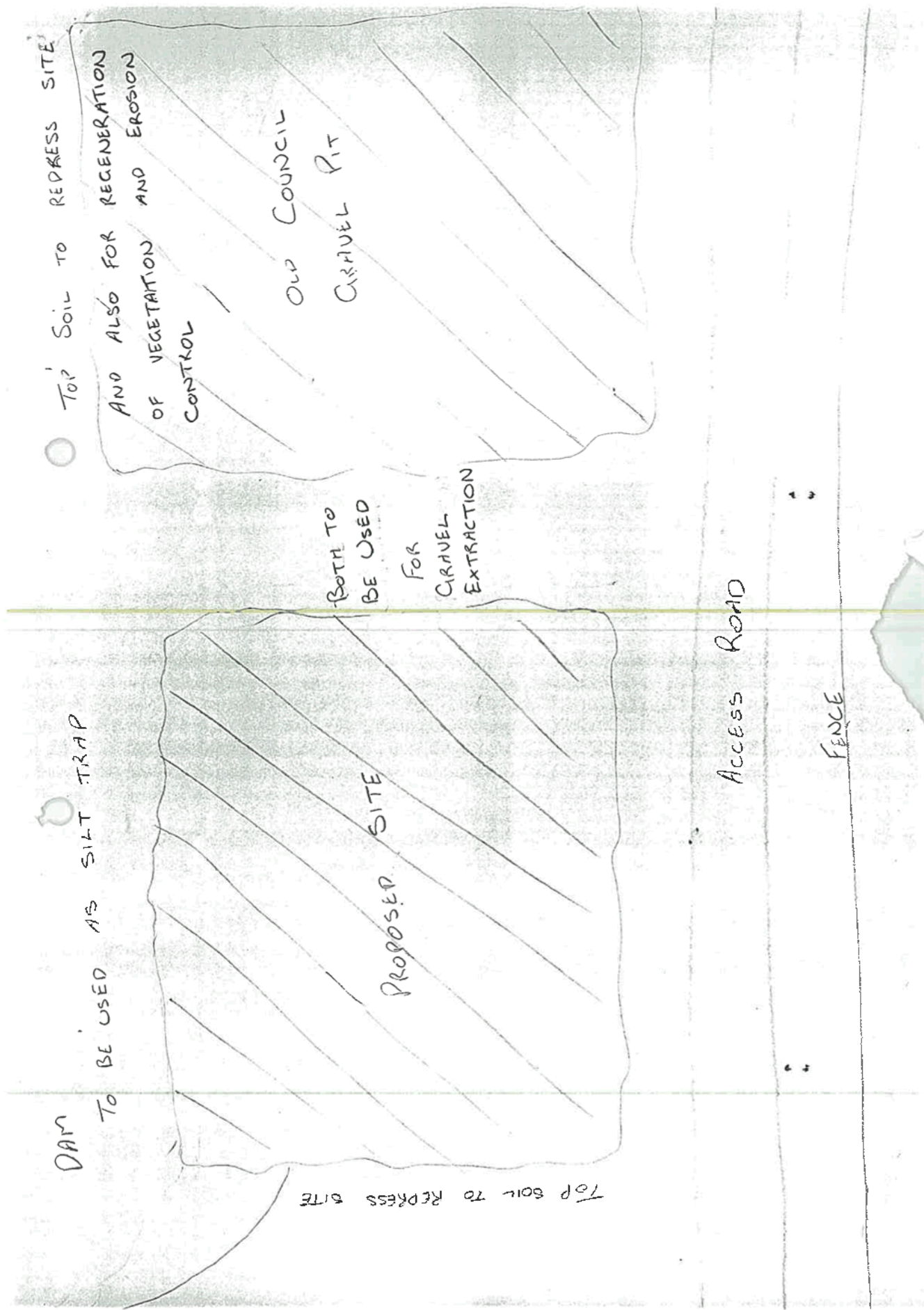
Photograph 3 - Site of Proposed Works



Photograph 4 - Site of Proposed Works

Photograph 5 - Site of Proposed Works (see 1)





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RECEIVED
- 3 OCT 2017

①

BY:

General Manager

Snowy Monaro Regional Council

PO Box 714

Cooma NSW 2630

30th September 2017

Dear General Manager

Re: Development Application Number MOD4026/2017

[REDACTED] Berridale strongly object to this proposal on grounds outlined in the letter below. As our property is less than 500 meters away from the proposed development it will strongly negatively impact on us and our surrounds.

1. Zoning of Land

We purchased our property just over 12 months ago after falling in love with the area as a place of beauty and strong community. Our goal has always been to relocate to this region and we have invested all our efforts and savings to achieve that goal. We currently live on the property part time with the intention to move fully from Sydney as we transition our employment. Our conveyancer confirmed for us at purchase that the property and surrounding land is zoned **rural and residential**.

The proposed development is located on land zoned **R5 "Large lot residential"**. A stated objective of this zone is "to provide residential housing in a rural setting while preserving and minimising impacts on, environmentally sensitive locations and scenic quality." (Snowy River Local Environmental Plan). The type of activity described in development application MOD4026/2017 is not listed in the permitted activities in this zone and arguable negatively impacts on scenic quality.

The development is situated close to three homes, all of which will be impacted by this type of development in a rural and residential zone. It would

negatively impact the residents and local communities' **safety, outlook** from their homes, **noise** levels and **lifestyles**.

2. **Quarry usage, current state and observation of past lack of environmental care**

The development has not been in active use in at least the 12 months we have been on the property. We do not consider it appropriate if the Development Application is "extending" an existing operational time frame. Use of the area has **not** been continuous in nature.

It also is observable at the existing site that no revegetation has been done and seems the intention at the time of ceasing use of the site was not to restore any impact on the land used.

3. **Safety (Access and suitability of public and private roads)**

Public roads and safety of users— the public roads accessing the site are not appropriate for large vehicle access. Already for two vehicles who cross path a significant degree of care must be taken.

Private roads and safety of users — Given the zoning of 'rural and residential', it is understandable that a lifestyle goal of residents is for families to have an outdoor lifestyle. Children and adults on bikes and foot often use the area — they are appropriately supervised but large trucks coming and going will add significant danger to all traffic on these access roads — foot, bike and vehicle. These private roads are also designed and maintained for standard vehicles and not large vehicle/trucks and other machinery.

4. **Maintenance of access roads**

Traffic from trucks accessing the quarry will negatively impact the condition of public roads and in turn will impact on all traffic using **Rockwell Road**. Rockwell Road is already not fully bitumen and the condition of dirt sections can deteriorate rapidly.

Private access roads are required for use to access the site. These are maintained at the expense and time of residents of nearby properties. Trucks using these roads will damage them significant, particularly in the wet. It is an unreasonable burden to place on residents maintaining these roads.

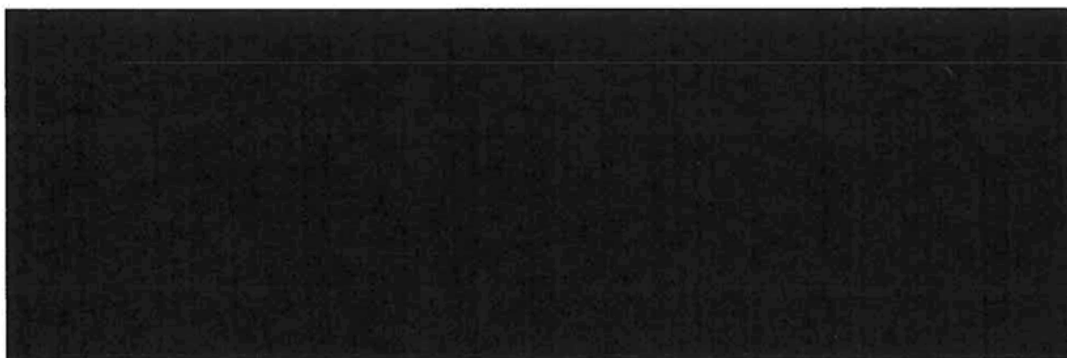
We have so far enjoyed being part of the Berridale community as we transition to living here full time. We have enjoyed introducing our friends to the area - who now have in their calendars many of the local events such as the Berridale Fair, La Tape, October Fest and a range of festivities the area offers. We support the success of Berridale's small businesses and encourage the land around Berridale to be valued for its rural and residential value. We shop locally when we can and as an example our friends now all shop at Berridale for their ski gear on the way to the snow.

We value the Berridale community and work to ensure its growth and success in positive and sustainable ways.

The development proposal has negative and significant impacts for local residents who have no social or economic gain from the proposed development – and indeed stand to lose a lot - not the least of which is a safe and comfortable environment in which to live.

In addition to our strong objection to the development we wish to flag our request for full consideration of the vested interests of the people determining the outcome of this decision. We request the matter be dealt with through a transparent decision making process and early declaration of any conflicts of interest be sort. We request Council directly provide due consideration to our objections.

Thank you for giving due consideration to these serious issues. We strongly object to the proposal.



Associated with
Submission 1.

RECEIVED
- 3 NOV 2017

BY:



NavadoTM
Legal & Financial Group

1 November 2017

Our Ref: PGZ:PP:4203

Your Ref: Applications Co-ordinator

Snowy Monaro Regional Council
PO Box 714
COOMA NSW 2630

Attn: Joseph Vescio, General Manager
John Rooney, Mayor
Sophie Ballinger, DA Manager

By post and email: council@snowymonaro.nsw.gov.au

Dear Sir/Madam

**RE: DEVELOPMENT PROPOSAL TO EXTEND OPERATION TIME FRAME FOR
EXTRACTIVE INDUSTRY
MOD4026/2017 – LOT 23 DP 709058 – ROCKWELL RD, BERRIDALE, NSW, 2628**

1. [REDACTED]
Rockwell Road, Berridale, NSW, 2628 and refer to the above development proposal for which,
we have been informed, Sophie Ballinger is responsible for assessing.
2. Whilst we understand that the period for submissions for the modification application have
now expired, we wish to raise some concerns.

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Notice of Development Application

3. Our client received a Notice of Development Application dated 22 September 2017. However, upon enquiring with the Snowy Monaro Regional Council ("the Council") to inspect the application, a previous application, "MOD0006/2007", was provided. This does not meet the requirements of the Council's Development Control Plan 2013 ("DCP") and reg. 115 of the *Environmental Planning and Assessment Regulation 2000* ("the Regulation").
4. We trust that the failure to provide modification application "MOD4026/2017" was an oversight and request the application be made available for inspection as soon as practicable and that a further 14 days be allowed from the receipt of the application for submissions to be made.

Modification Application "MOD0006/2007"

5. As referred to above, we have been provided with a copy of application "MOD0006/2007", Notice of Determination – Modification of Consent. This application was endorsed on 21 August 2006 and extended the consent until 31 December 2009. This application cannot form the basis of the determination of "MOD4026/2017" and, as already requested above, we seek a copy of the most recent modification application as soon as practicable.

Abandonment of Existing Use

6. We are instructed that the site where the gravel pit is proposed to (re)commence operation has not been in use since 2009. This is a period of about 7 years. Pursuant to s 107 of the *Environmental Planning and Assessment Act 1979* ("the Act"), "*a use is to be presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months.*"
7. There has been a great deal of case law on this topic and we do not wish to cover that in this correspondence, but we note in particular the decision of *Earle Cameron Constructions Pty Ltd v Parramatta City Council* (1981) 46 LGRA 130, where McClelland J said that:

"The fact that...[the development company] may have had some intention of preserving existing use rights is insufficient to preserve them..."

8. In such circumstances, we are of the view that any existing use rights that may have once existed have now well and truly been abandoned. Should the applicant wish to commence an extractive industry in the location proposed, a fresh development application should be made. We formally object to the application and in our view, any grant of consent to the proposed modification in such circumstances would be an error and invalid for the abovementioned reasons.
9. Finally, we request that the application be placed on the agenda of the Council Meeting for determination, and that our client be notified of the time and date of the meeting. We look forward to your prompt response.



Yours Faithfully,
Navado Lawyers & Solicitors
Peter Zada
Principal Solicitor

Contact Solicitor: Patrick Pagin

General Manager
Snowy Monaro Regional Council
PO Box 714
COOMA NSW 2630

RECEIVED
6 OCT 2017

(2)

Cc: Mayor John Rooney
Councillor Peter Beer
Councillor John Last

06/10/2017

Dear Sir

Submission in relation to Development Application MOD4026/2017

Property: Rockwell Road, Berridale NSW 2628
Legal Description: Lot 23 DP 709058 Ph Coolamatong
Property Number: 100415
Development Proposal: ... Extend operational time frame for extractive industry
Notification Period: 14 days – expiring 4:30pm on 06/10/2017

We would like it noted that we bought our property approx 17 years ago and this is the first Notice of Development Application (DA) sent to us regarding this quarry site. It is very disappointing that following a meeting at the Jindabyne Council Office on 29/09/2017 it was discovered there have been previous DA's for the site. By exclusion, we are lacking adequate or sufficient information and were not consulted nor given an opportunity to consider or make comment about each of the DA proposals at the time.

In addition, we have twice emailed Council (council@snowymonaro.nsw.gov.au; copy to sophie.ballinger@snowymonaro.nsw.gov.au) requesting an extension to the Notification Period for this DA. To date we have not received an acknowledgement of the emails nor a response to our request.

This is a submission to oppose the above referenced DA MOD4026/2017 for the following reasons:

1. Lapsing of consent

From documents provided by Council on 29/09/2017 it appears the most recent development consent for 'operational time frame for extractive industry' lapsed on 31/12/2009. It is understood a development consent lapses 5 years after the date from which it operates (EP&A Act 1979 Part 4 Div 7 Sec 95).

A DA for this site should only be assessed against current Quarry Standards; Council's current Local Environment Plan; the EP&A Act; other applicable legislation and approved government policy; and not permitted to rely on continuous/existing use.

2. Zoning

The quarry site is located in Zone R5 – Large Lot Residential.

The DA is lacking any sympathy with its surrounds. By omission within the Zoning clauses of '*Permitted without consent*' and '*Permitted with consent*', this quarry development is prohibited. We request you respect the land zoning to ensure the objectives are achieved.

3. Safety and Environmental Issues

We must use the access road to reach our property and would be directly impacted by the increase in traffic, noise, pollution, and a degradation of the natural environment.

The sheer size of the large tonnage trucks represents immediate hazards on the very basic access road which follows the contours of the hills, includes blind spots and where the road condition is made worse by wet weather. The access road is not suitable for heavy vehicle traffic and would have an impact on the road's stability and on the integrity of the narrow one lane road. There is only 6.6 metres between the fence and the approx 7 metre drop into the dam or the base of the quarry (fence to edge of access road is 1.6 metres; access road width is 2.8 metres; edge of access road to the 7 metre drop into the dam or quarry is 2.2 metres).

Weather will impart additional safety issues including high levels of dust, wet weather affecting the condition of the road and access for 2 wheel drive vehicles due to damage caused from heavy vehicles. In 2016 trucks using the quarry damaged parts of the access road during wet weather leaving it inaccessible by 2 wheel drive vehicles and it was left to the existing residents to repair the road.

It is unclear if a current Site Assessment Report has been conducted, that would advise outcomes for:

- current safety standards (identifying any provisions to significantly improve the single lane access road to accommodate heavy vehicles used in the operation; and any safety measures to mitigate risks and address hazards);
- relevant reporting and accountabilities for monitoring and compliance of site activity (for example site signage; maintenance and availability of quarry excavation log book; site layout plans including markers establishing the total surface area to be disturbed by excavating extractive material; etc); and
- the detailed analysis of environmental impacts (including erosion control; bank stability; effect on the creek and natural water course; rehabilitation of the site; etc).

It is unclear if Council has an official record of compliance to date that demonstrates the amount of extraction already removed from the site. From documents provided by Council on 29/09/2017 it appears the file photos are dated 1999.

4. Delegated Decision

We request any conflicts of interest to be declared and disclosed up front of parties involved.

To avoid any real or perceived pecuniary interest (Local Government Act 1993 Chpt 14 Part 2 Div 1 Sec 442) and to uphold the probity of Council's decision-making process we request the DA is not dealt with by the officers under delegated powers, rather it is referred to a Council committee so it can be properly debated and a determination made.

We request written acknowledgement from Council of this submission.

To confirm again, we oppose the DA.

Thank you for taking our objections seriously.

Regards

Note: electronic copies sent to Cc recipients and hard copies delivered in person to Snowy Monaro Regional Council, Head Office – 81 Commissioner St, Cooma on Friday 06/10/2017 for the General Manager and Cc recipients.

3

Mayor John Rooney
Snowy Monaro Regional Council
PO Box 714
COOMA NSW 2630

RECEIVED
4 OCT 2017

29 September 2017

BY:

Dear John,

**RE: DEVELOPMENT APPLICATION MOD4026/2017; EXTEND OPERATIONAL TIME
FRAME FOR EXTRACTIVE INDUSTRY**

It would appear that the above-mentioned Development Application is relying on existing use rights, in its proposal to 'Extend operational time frame for extractive industry'. The Development Application should not be permitted to rely on continuous/existing use:

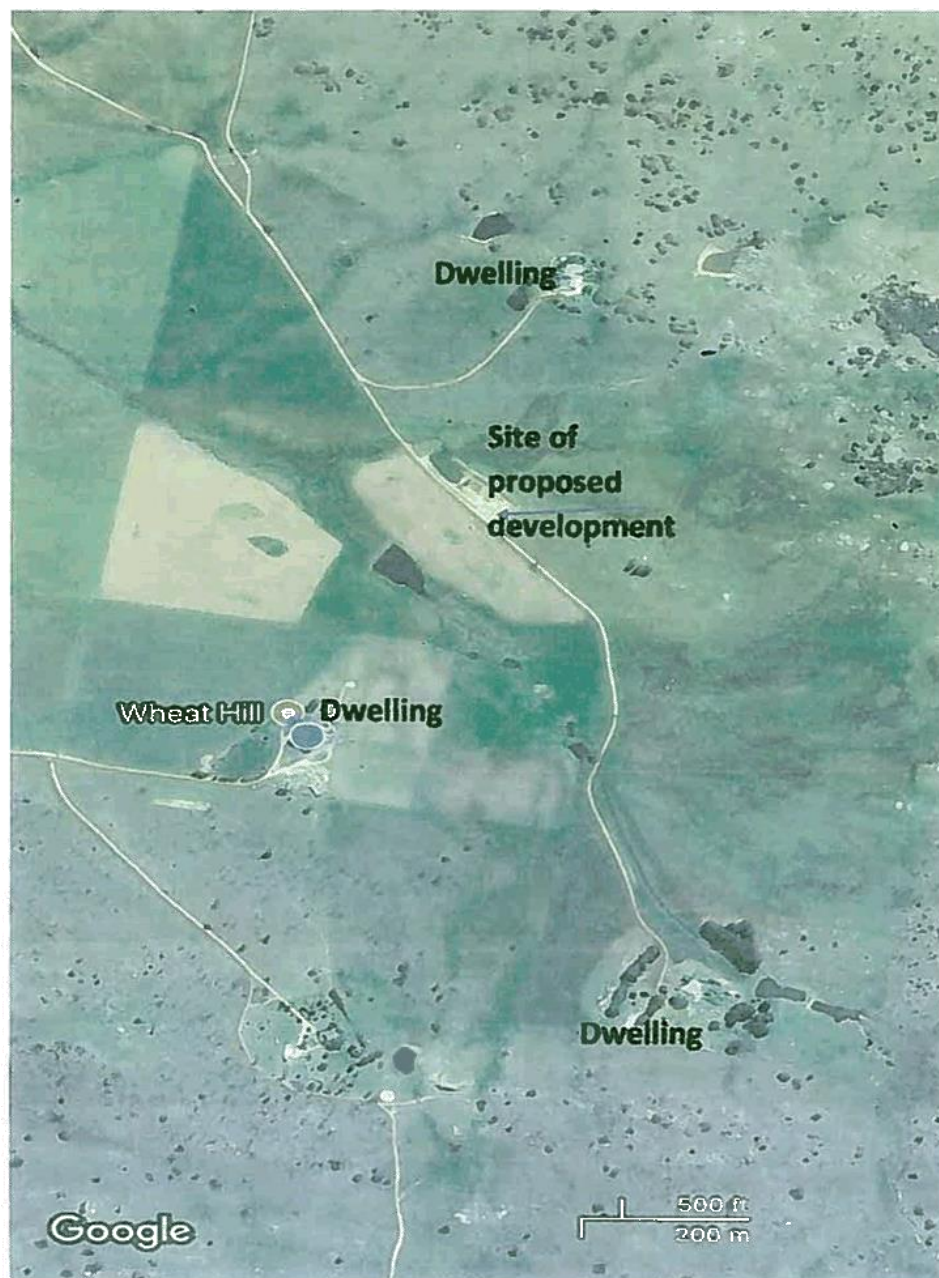
- The quarry was abandoned several years prior to the change in zoning by the Snowy River Local Environmental Plan 2013.
- The quarry did not operate as an existing development for a continuous 12 months after the change in zoning.
- We are aware of it being used once by McMahon's Earthmoving since it was abandoned, that was for a few days in winter 2016. It was wet, and the trucks damaged the private access road which required repairing by residents (not associated with the development).
- The quarry has not been used continuously for the last 12 months or longer.

The Development Application should be assessed against the current Local Environmental Plan and Quarry Standards.

The quarry is located in Zone R5 Large Lot Residential (see attached map), the objective of the zone is to provide residential housing in a rural setting while preserving, and minimising impacts on environmentally sensitive locations and scenic quality:

- The quarry is located close to three dwellings, which are not associated with the proposed development; Our dwelling is one of two dwellings less than 500 meters; the third is 800 meters from the site of the proposed development.

Map showing distance of dwellings from proposed extractive industry:



- Further enlargement of the quarry would increase its current visibility. This would cause a substantial visual impact for current residents and future generations.

- Given the near proximity to dwellings and a dirt access road, the development has the capacity to affect air quality, cause vibration and noise for residents.

The safety of residents near the position of the proposed development would be impacted if the Application was approved:

- Access to one dwelling is along the edge of the pit. Material previously extracted has created a narrow egress. If the quarry was to operate, there is no alternative access available, to ensure occupants can safely reach their dwelling.
- Quarry operations would increase traffic flow on a privately maintained dirt road. Heavy machinery and trucks traveling along the road and operating at its edge, is a major safety concern to local residents.



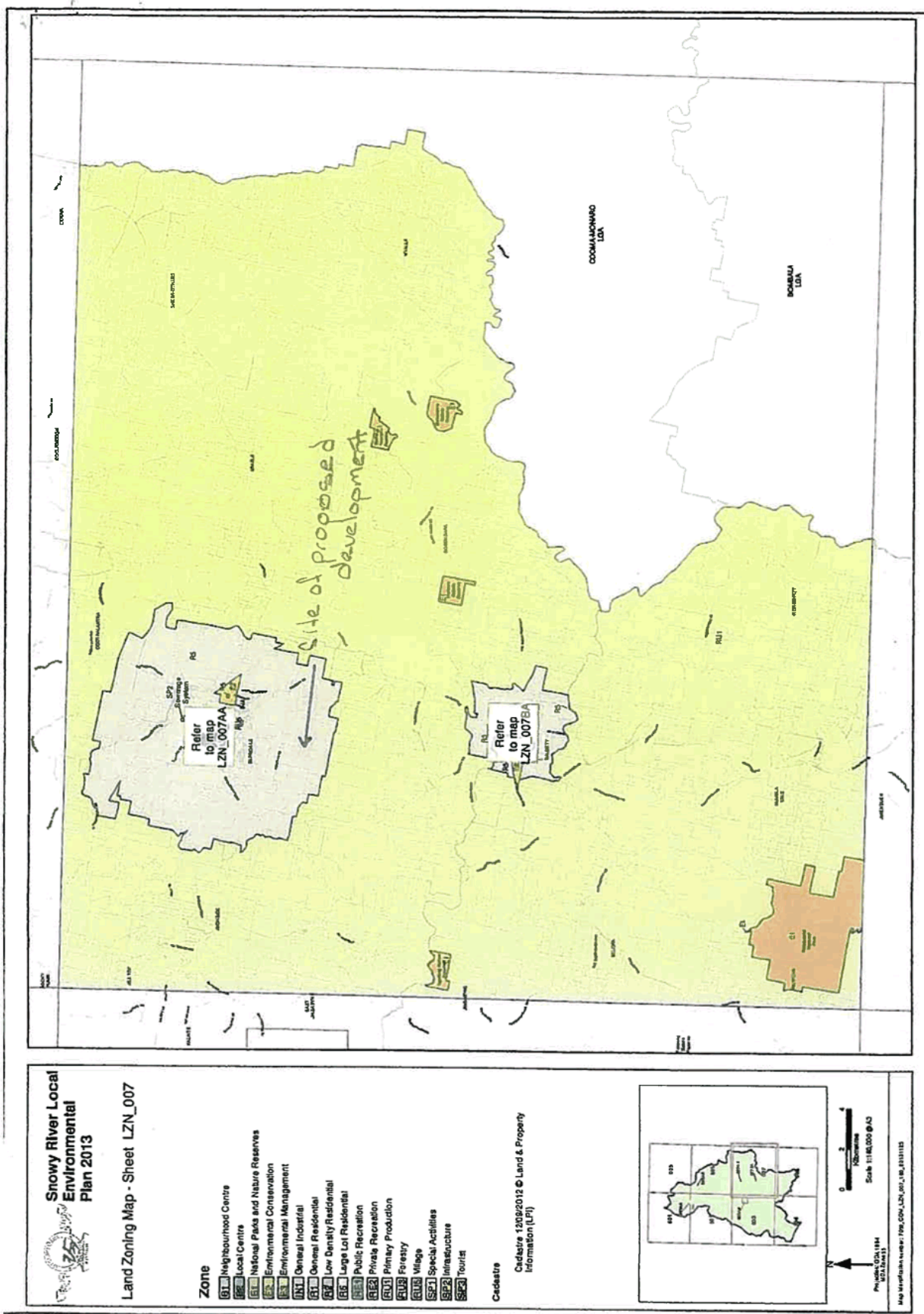
Access road past quarry.

Further objectives of Zone R5 Large Lot Residential is to minimise the conflict between land uses within this zone and land uses within adjoining zones and to provide a buffer between urban development and broad acre rural and environmental areas:

- Extractive industry is listed as being permitted with consent in Zone RU1 Primary Production, it is not listed in Zone R5 Large Lot Residential. This proposed development is less than 5km from the town of Berridale (Urban zone). It would affect the buffer between areas if allowed.
- People living in Berridale use Rockwell Road for recreational activities such as bike riding, walking and running. A short, sealed section of Rockwell Road road joins Boundary Street the remainder of Rockwell Road is dirt. Haulage trucks, a component of an Extractive Industry, travelling on this road would cause dust, noise and deterioration to the road surface, affecting the activities for all users of Rockwell Road.

We oppose the Development Application due to the aforementioned reasons.





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SNOWY MONARO
REGIONAL COUNCIL

RECEIVED
JINDABYNE OFFICE

25 OCT 2016

SNOWY MONARO
REGIONAL COUNCIL

Application to Modify an Approval

Development Consent, Construction Certificate, Complying
Development Certificate or Section 68 Approval

Office Use Only

Number MOD4026/2017

MODIFICATION

- ☒ Development Application ☐ Section 68 Approval
☐ Construction Certificate ☐ Complying Development Certificate

Application Number: MOD0006/2007 Issued Date: 21/08/2006

Description of Development: Extractive Industry

Note: It may also be necessary to modify the corresponding Construction Certificate approval (if one has been issued). Please contact Council's Town Planning Section if any clarification is required.

APPLICANT

Name/Company: JINDABYNE SAND & GRAVEL PTY LTD Phone: 0264541142
Contact Name (if Company): RACHEL McMATON Fax:
Postal Address: PO BOX 898 Mobile:
Town: JINDABYNE State: NSW Postcode: 2627 Email:

OWNER

Name/Company: Rosalie Southern Phone:
Contact Name (if Company): Fax:
Postal Address: 330 Cootralantra Rd Mobile:
Town: Cootralantra State: NSW Postcode: 2628 Email:
Is the subject land Crown Land NO ☒ YES ☐ → Please attach Authority

OFFICE USE ONLY NAR Numbers

LAND TO BE DEVELOPED (Please attach additional sheet if inadequate space provided)

No: Street: Rockwell Rd Town:
Lot: 23 Section: DP/SP: 709058 Lot: Section: DP/SP:
Lot: Section: DP/SP: Lot: Section: DP/SP:

OFFICE USE ONLY Parcel Numbers

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): \$ 0

DESCRIPTION OF PROPOSED MODIFICATION

For Development Applications Only (See Note 1):

- ☐ To correct a minor error, mis-description, or miscalculation [Sec 96(1)]
☐ Minimal environmental impact [Sec 96(1A)]
☒ Other Modification [Sec 96(2)]



For All Modifications:

Give details of manner and extent of modification sought (if insufficient space below attach details).

Extension of DA Consent to carry out
extractive industry at the
'Wheat Hill Quarry'
Not sure what council will allow
10 - 20 years if possible?

DESCRIPTION OF EXPECTED ENVIRONMENTAL IMPACTS OF THE MODIFICATION

As per original DA

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 RACHEL McMAHON	Date 25-10-16
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 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	Name	Date
Signature	Name	Date
DECLARATION AND SIGNATURE OF APPLICANT		
- Provide an undertaking that the development (as to be modified) will remain substantially the same development as was originally approved. In providing the following signatures the applicant/s certifies that the development as modified will remain substantially the same development.		
- 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 RACHEL McMAHON	Date 25-10-16
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.		

Note 1 What type of Modification am I applying for?

Section 96 of the Environmental Planning & Assessment Act 1979 allows for a development consent to be modified under certain circumstances. The following information provides clarification on the type of Modification you are applying for:

- **Modifications involving minor error, misdescription or miscalculation [Sec 96(1)]**
This type of Modification would mean that the form of the development and notification would not be required. For example:
 - typing errors
 - changes to a condition of consent where Council has made an error
 - incorrect plan numbers
- **Modifications involving minimal environmental impact [Sec 96(1A)]**
This type of Modification would be used for minor amendments where there was no impact on privacy, height, overshadowing or scale of the building and notification would not be required. For example:
 - internal design changes

- amendments to external features such as landscaping or drainage design

- Other modifications [Sec 96(2)]

This type of Modification would where an environmental impact is possible and would require re-notification of neighbours. For example:

- changes that involve the external design (eg window placement)
- changes to floor levels or building heights
- changes to roof designs

Note 2 Neighbour Notification

Applications for modification may be renotified in accordance with Council's DCP unless the modification sought is only for a correction of a minor error, misdescription or miscalculation.

Note 3 Existing Conditions

Applicants should note that Council may, as a result of its considerations of Section 79C of the Act, delete or amend any existing conditions of consent, and/or include additional conditions, as may be necessary, following the required assessment.

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Snowy Monaro Regional Council
2 Myack St
BERRIDALE NSW 2628

Dear Sir/Madam

Re: Recommencement of Use – Gravel Pit

As owner of Lot 23 DP 709058 Parish Cootralantra I give permission for Richard McMahon to lodge a Development Application for the continued use of the Gravel Pit previously approved.

I also give permission for Richard to access Council property files and copy any relevant documents in support of the application.

Yours faithfully

A black rectangular redaction box covering the signature of Rosalie Suthern.

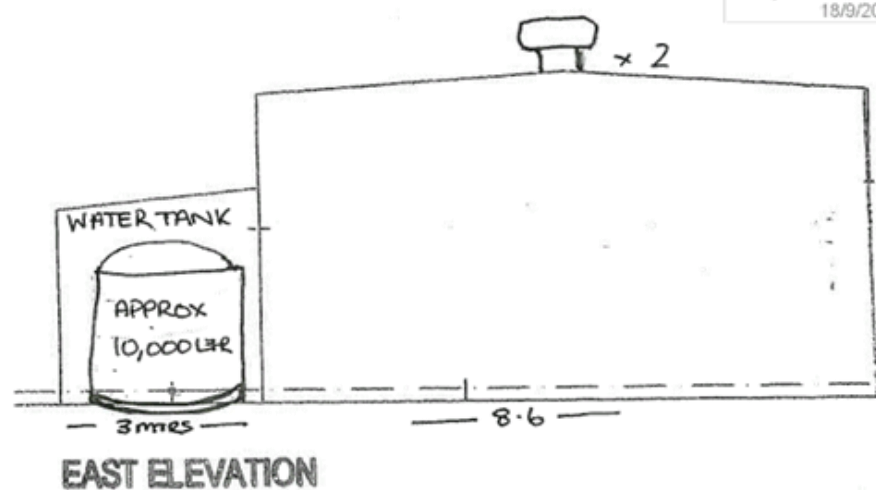
ROSALIE SUTHERN

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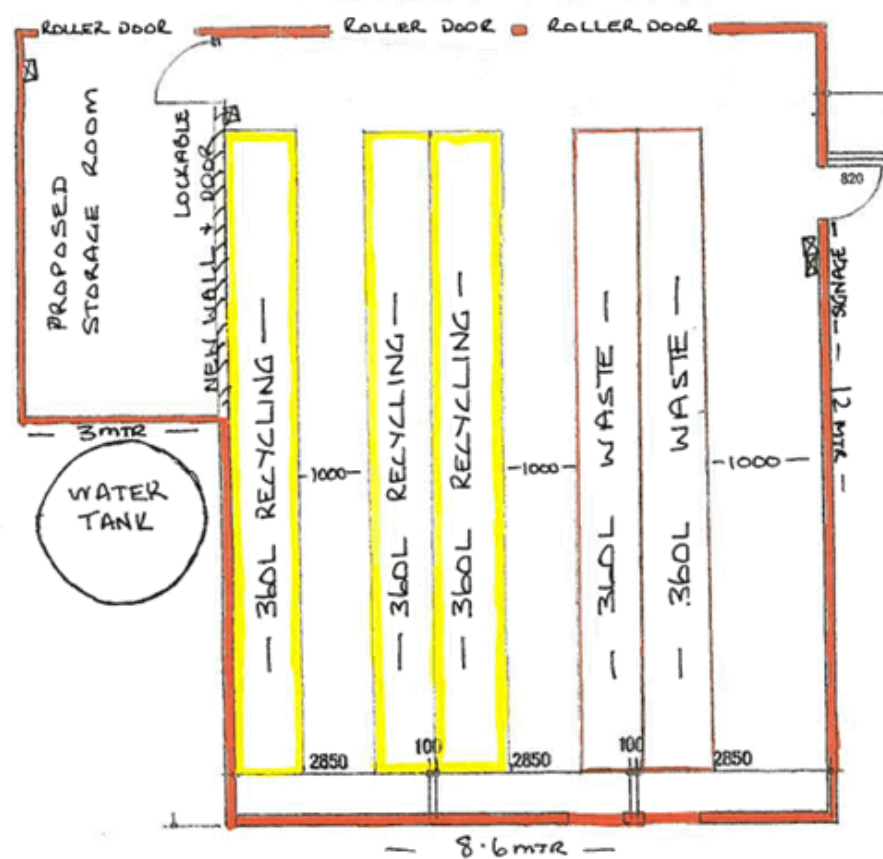
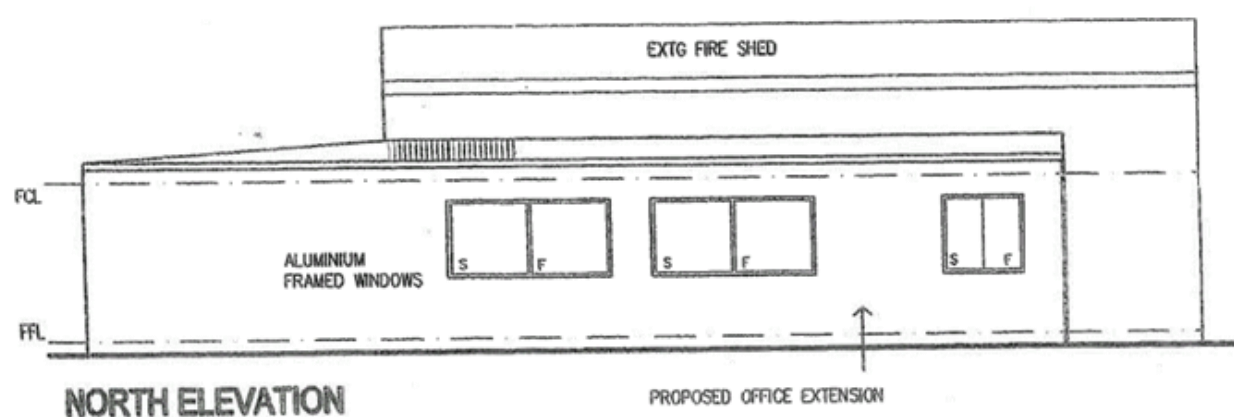
CHANGE OF USE FROM RFS SHED TO ENCLOSED BANK OF BINS

Received
Snowy Monaro Regional Council
18/9/2019



EXTERNAL IMPROVEMENTS

- 2 x VENTILATION WHIRLY BIRDS
- 1 x POLY WATER TANK APPROX 10,000LTR
- 1 x WEATHER AWNING OVER EXTERNAL PA DOOR
- NATIVE VEGETATION GARDEN



INTERNAL IMPROVEMENTS

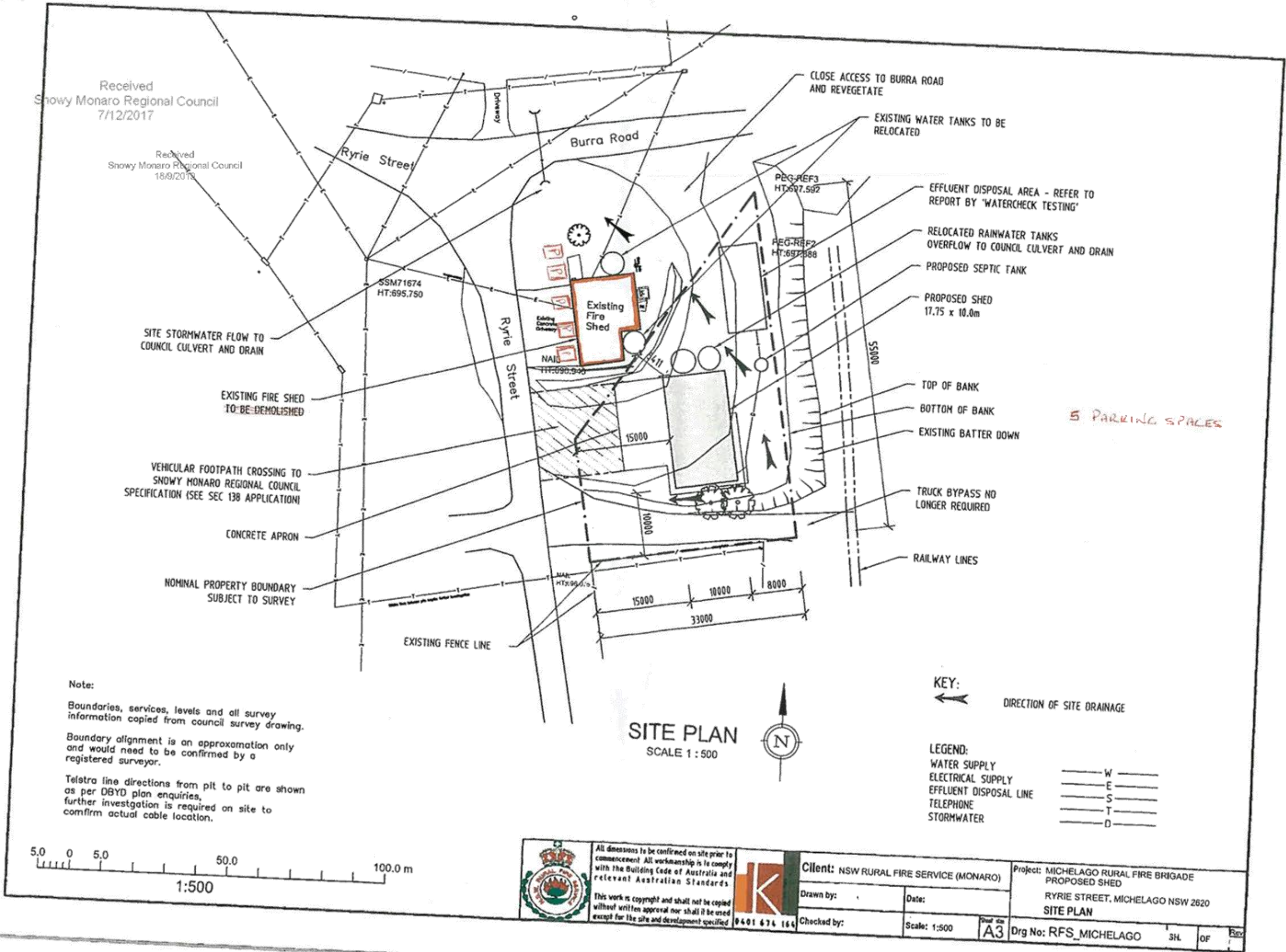
- RODENT CONTROL
- FIRE EXTINGUISHERS
- SECURITY CAMERA'S - INTERNAL + EXTERNAL
- ELECTRIC MOTORS ON 2 ROLLER DOORS
- IMPROVED LIGHTING - INTERNAL + EXTERNAL
- PA DOOR WITH LOCKABLE HANDLE OUTWARD SWINGING
- INTERNAL WALL + DOOR LOCKABLE TO CREATE STORAGE ROOM (PROPOSED)
- SIGNAGE
- HOURS OF OPERATION
 - 7am - 8pm MONDAY to FRIDAY
 - 8am - 8pm SATURDAY + SUNDAY

PLACEMENT OF BINS

- BIN DIMENSIONS - 850L x 650W x 1100H
- 35 x 360LTR WASTE BINS
- 40 x 360LTR RECYCLING BINS

SCALE: 1:100

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Received
Snowy Monaro Regional Council
18/9/2019

Proposed Development

Change of use from RFS Shed to enclosed Bank of Bins

The proposed development is to convert the former Michelago Rural Fire Service building for the purpose of housing a Bank of Bins (BOB) both for the disposal of waste and recyclable material which can be accessed and utilised by the rural residents surrounding the Michelago area.

The former Michelago RFS building was approved for construction on the Council Ryrie Street Road Reserve in 1992 and remains in place.

By utilising the former Michelago RFS building and placing a quantity of waste and recycling bins in BOB enclosures within the confines of the building will go towards addressing some of the concerns raised by the Michelago rural residents at the time of community consultations in 2018, relating to vermin control, climatic conditions, environmental issues and BOB's placed in rural areas becoming illegal dumping grounds.

Utilising the former Michelago RFS shed as an enclosed BOB will ensure that the disposed waste and recycling material remains contained within the confines of the shed giving rural residents a secure place to dispose of their waste and recyclable material at a time convenient to the householder.

Other works that will be undertaken are beautification work around the outside of the building such as landscaping and any facade improvements such as installation of whirly bird ventilation systems, security cameras and lighting and key entry systems.

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Sharon Thompson

From: [REDACTED]
Sent: Thursday, 7 November 2019 7:15 PM
To: Records Snowy Monaro Regional Council
Subject: Response to BOB submission. Ref 10.2019.1371.1

Dear Snowy Monaro Council,

I would like to highlight some issues that council has raised in response to submissions regarding the proposed Bank of Bins letter dated 4th November 2019.

Firstly the newly built RFS shed, when proposed to the Michelago community, was on the premise that the old RFS shed would be dismantled. Now that the new RFS shed has been built council has stated the old RFS shed is a council asset only a short time later. I propose council has misled the Michelago community on their intentions with the old RFS shed.

Currently the Saturday morning collection only services residents in the area that don't have the newly implemented waste and recycling collection. Rates have been raised to account for this new service. Will the residents have the opportunity to opt out of this new service, including a reduction in rates?

The Bank of Bins will be directly across from the community hall and day care, less than 20 meters to be exact, and not much further from residents. Currently the Saturday morning waste collection service affects local village residents for a short period of time, where as the Bank of Bins will effect residents every day of the week.

How has council determined the maximum holding weight of 2.1tonne waste and 2tonne recycling for the Bank of Bins? The application describes the volume of the bins totaling 12600 liters of waste and 14400 liters of recycling holding capacity. Please describe exactly how council will mitigate the odor of 12600 liters of household including kitchen waste, food scraps, dirty nappies and pet litter? 14400 liters of milk cartons, beer cans and pet food containers?

Council states that there will be a 50% reduction in heavy vehicle movements at the site. However doesn't address the influx of light vehicles from 7am to 8pm Monday to Friday and 8am to 8pm Saturday to Sunday.

Who is the Bank of Bins providing a service to? As residents of the village now have bin collection services. Do the people outside of the village want a Bank of Bins in the town accessible throughout the week? Is this a convenient location? Should the village residents bare the burden of their waste throughout the week?

How does an large scale waste holdings site fit with the Michelago village plan?

I look forward to councils response.

[REDACTED]
Michelago property owner

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Petition

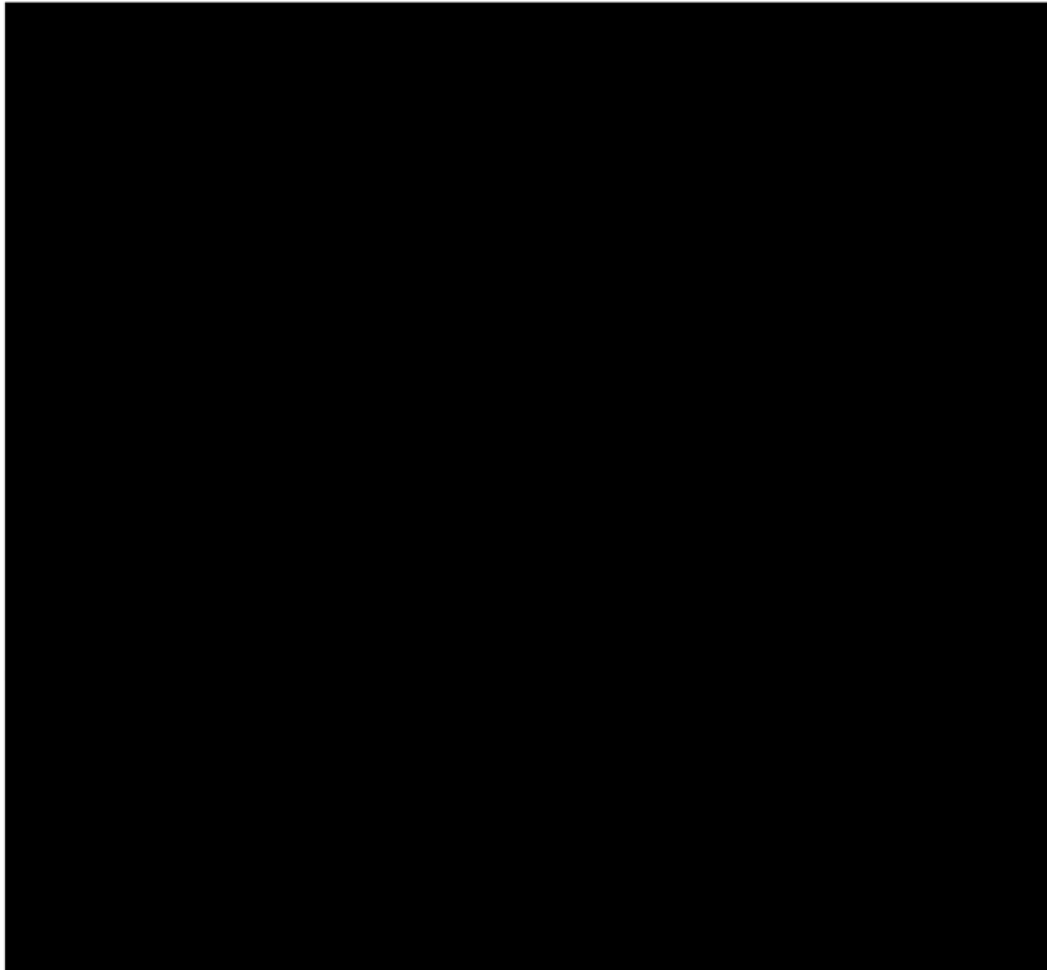
Michelago Fire Shed

The original Michelago fire shed which opened in 1993 was built as a community asset by local residents who donated material, labour and money to erect and extend the shed.

While the old shed sits on land owned by the Snowy Monaro Regional Council, the building belongs to the local community represented by the Michelago Rural Fire Brigade.

As the new shed nears completion, the Michelago Brigade seeks your support to ensure that the building materials from the original site can be dismantled and used by the brigade for the benefit of the community.

We seek your support in urging the Snowy Monaro Regional Council to respect the brigade's intention to re-use these materials.



Sharon Thompson

From: [REDACTED]
Sent: Thursday, 26 September 2019 12:19 PM
To: Records Snowy Monaro Regional Council
Subject: Michelago BOB App No. 10.2019.1371.1

Dear Council Members,

As a landowner in the Michelago town centre I strongly object to the proposal to place an enclosed bank of bins (BOB) in the old rural fire services shed.

A residential area is not an appropriate place for a large BOB of this kind which could potentially hold 12 tonnes of garbage, that is not even taking the recycling into consideration! Can you even imagine 12 tonnes of garbage rotting for 2 weeks in high summer?! Across the road from a child care facility?!

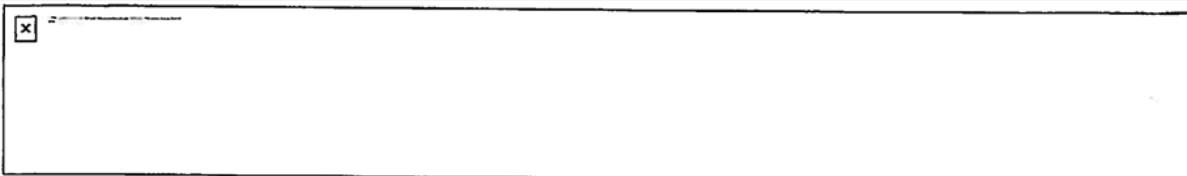
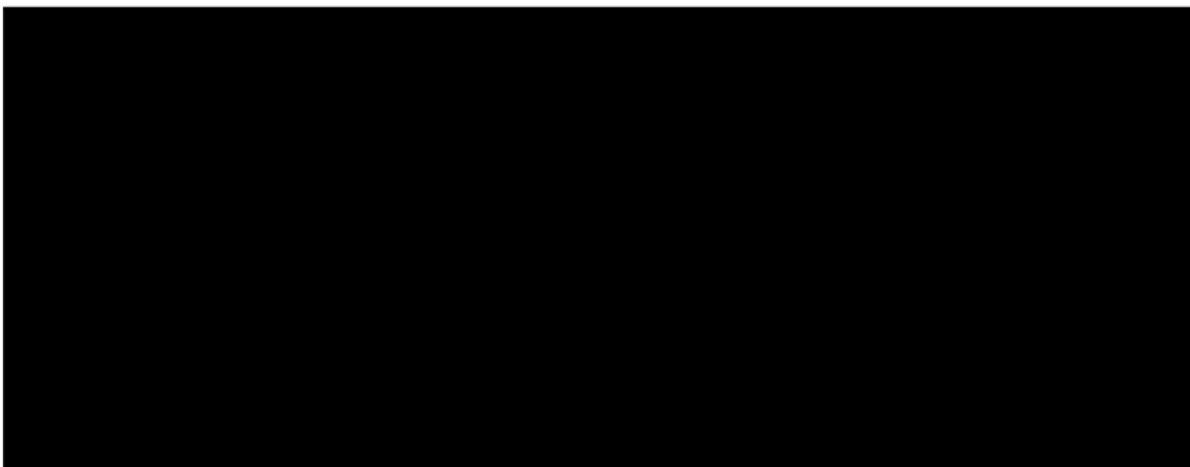
The community hall would be unusable from the stench, flies and other pests attracted to the area, not to mention the townsfolk who live around the proposed BOB.

The smell alone would be enough to completely ruin the town, any chance of turning Michelago into a tourist spot would be destroyed.

And then there is the run-off of rubbish that would inevitably spill all over the road during drop off and collection. All this would end up washing onto private properties and into the creek.

Put your BOB somewhere away from people, there is no need to have it in the RFS shed. You may as well create a dump in the centre of town.

No to the BOB!!



This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed. Any unauthorised use of the content of this email is expressly prohibited.

Sharon Thompson

From: [REDACTED]
Sent: Saturday, 28 September 2019 9:23 AM
To: Records Snowy Monaro Regional Council
Subject: Submission re 10.2019.1371.1

Hi SMRC

Submission re change of use:
Ryrie St Michelago 2620
Application number 10.2019.1371.1

In relation to the proposed change of purpose for the existing RFS shed to enclosed garbage collection point, as a home owner for over 26 years, and living adjacent to the RFS fire shed, I would like to oppose the change of use purpose.

The proposed change will:

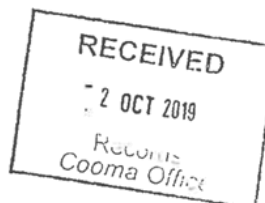
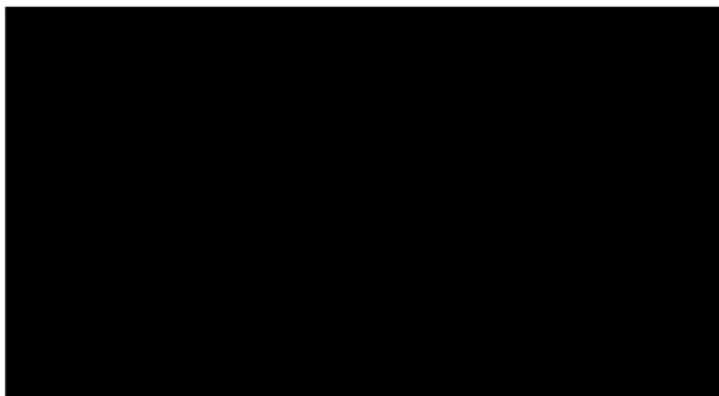
- Add to traffic congestion in the area
- Create issues with potentially multiple vehicles, trailers and trucks in the area
- Create smell of garbage, particularly in the summer months
- Create undue noise whilst accessing
- Create vermin entry into the area
- Negatively impact house/land values in the vicinity of the collection point

I do not believe the centre of the village should become a garbage collection point, and it is not an appropriate location for this purpose. Any such collection points should be in a location on the edge of or outside of the village, not in the centre of a rural village.

Thanks & Regards



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Dear Sir/Madam

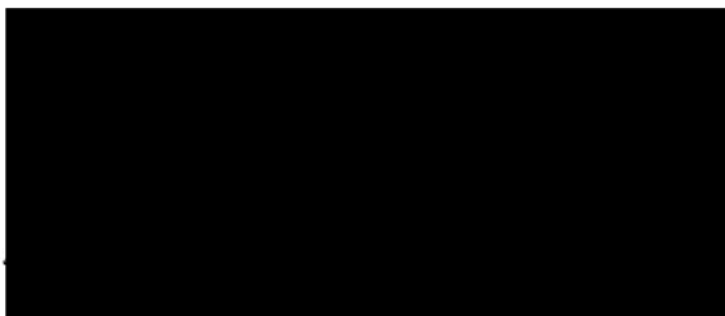
I would like to object to the below proposal for the bank of bins within a residential area, my claims against this proposal can be seen below the application number.

Public Notification – New Proposal

Proposed Development – Change of Use (For the purpose of housing a bank of bins)

Application number - 10.2019.1371.1

Persons who is objecting to this proposal



Prior to establishing my claims against this proposal, I would like to ask why only two people received this public notification. I made enquiries with other people within Ryrie Street and we were the only two people this letter was directed too?

This proposal effects the community of Michelago, and not just the people within the immediate vicinity.

My claims against this proposal are as follows:

Bacteria, insects and vermin thrive from garbage

Waste bins are an ideal breeding ground for bacteria, insects and vermin. The flies that live/visit garbage are also the same flies that roam my house, land on my food, and drop their off spring on my plate. By doing so, they increase the risk of contracting salmonella, which causes typhoid fever, food poisoning, enteric fever, gastroenteritis, and other major

illnesses. Besides flies, other animals that thrive from the garbage in and around the containers include rats, foxes and stray dogs.

Waste causes air pollution and respiratory diseases

One of the outcomes of garbage is air pollution, which causes various respiratory diseases and other adverse health effects as contaminants are absorbed from lungs into other parts of the body. The toxic substances in air contaminated by waste include carbon dioxide, nitrous oxide and methane. In everyday life we identify the polluted air especially through bad odours, which are usually caused by decomposing and liquid waste items. This process will expiate within the warmer months.

Garbage contaminates surface waters, which affects all ecosystems

Garbage and liquid waste that end up in water bodies (my neighbour has an open storm water system that runs through his entire property, and this flows onto his neighbours property, and that neighbour has two Clydesdale horses) negatively change the chemical composition of the water. This proposal will lead to water pollution, (Michelago Creek) and as such all ecosystems existing in the water, and other animals that drink the polluted water. Hazardous household waste items such as batteries, computer equipment and leftover paints can be particularly dangerous for surface waters. You have no control of what waste will be dumped within the proposed area, as there is no supervision.

Direct handling of overflowing waste exposes for health risks

For waste collection staff the risks of picking up and handling garbage that has been sitting in an enclosed environment can include infections, contact with waste can result in skin and blood infections through infected wounds, various illnesses resulting from the bites of animals feeding on the waste, and intestinal infections transmitted by flies feeding on the waste. Garbage is also risky due to sharp objects, needles and potentially hazardous waste. As there is no supervision.

Inefficient waste control is bad for municipal wellbeing

Besides causing all sorts of health and environmental issues, garbage is a public nuisance and eyesore, and the idea of this structure in front of my property is an absolute disgrace. I want to be able to sit out the front of my house without the smell that will eventually occur if this is approved.

Everyone wants to live in a place that is fresh, clean and healthy. The smell that would resinate from this structure would not only create poor sanitation and rubbish all over the place does not attract people or tourists, let alone investments. As such this will reduce people visiting Michelago, and this resulting on the revenue fed in by people visiting this part of the world.

In summary the effects of housing a bank of bins;

- Soil contamination,

- Air contamination,
- Water contamination,
- Property value,
- Negative **impact** on human health,
- **Impact** on animals,
- Disease-carrying pests,
- Adversely affect the local economy,
- Missed recycling opportunities.

There is no benefit to the residents of Michelago, this exercise is just a way for the council to save more money and still continue to charge excessive rates for what, (Rubbish) 3 are 3 components of the rates notice that are linked to rubbish.

1. General rubbish,
2. Rubbish collection,
3. Recycling.

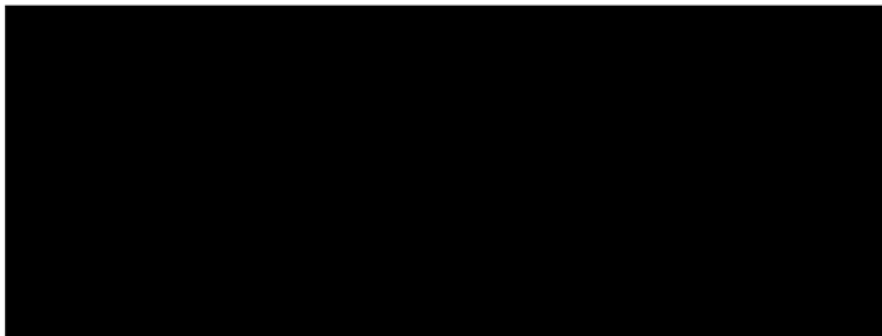
Will you abolish rates for the people listed on this document to compensate for this thoughtless exercise you are pursuing?

Rates in Michelago are extreme for what we get in return. I have friends that live on acreage that pay \$150.00 less a quarter than we do (this is in Burra) they have garbage collection.

It bad enough that you erect a fire shed in a residential area, I now have no views to the Tindary Mountains that I used too. Was I compensated for this? No, and now you want to add to this by erecting a garbage collection point, next to the fire shed.

- Have you sought advice from health?
- Has there been an environment impact study?
- Will you abolish rates as compensation to the people listed on this document due to the savings you will be receiving from not employing staff to stand at a garbage truck on a Saturday?
- Will you compensate for decreased property values?

Your response to can be forwarded to the address listed at the top left hand corner of this document.



From: [REDACTED]
To: Records Snowy Monaro Regional Council
Cc:
Subject: App No. 10.2019.1371.1

Sent: Tue 24/09/2019 12:25 PM

Good morning Cooma Monaro council,

I would like to voice my utmost disapproval of the planning approval notice (10.2019.1371.1) sent to me yesterday.

Having a waste collection facility in the middle of the village would be a disgrace! The proposal would put an industrial facility that deals with waste management in a residential area opposite the town hall and childcare facility. This would bring noise, offensive odor, rodents and heavy vehicles into the centre of the residential area of Michelago village. Liquid Waste and runoff will no doubt end up in the stormwater as there is no precautions made within the plans to prevent this happening. Tourists visiting the townships old train station will travel past a waste management facility and all its short comings. If it is council's intent to drive residents out of the village then this abomination in the centre of town would do just that.

Just to reiterate, HELL NO! to application 10.2019.1371.1



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

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Applicants Response to Submissions: 10.2019.1371.1

Michelago Community -

There is currently a community petition gaining signatures from the community to retain the former RFS shed so that it can be dismantled and used by the brigade for the benefit of the community, the petition has now been signed by 103 members of the Michelago community.

Council Response

Information received from Monaro NSW RFS regarding Council retaining the former (old) Michelago Fire Shed as an asset of Council

Below is an extract of the Rural Fires Act, which is pertinent to consider in this situation, and I have highlighted the parts relative to this issue.

Rural Fires Act 1997 No 65

Current version for 26 October 2018 to date (accessed 23 October 2019 at 12:39)

[Part 5](#) [Division 7](#) [Section 119](#)

119 Maintenance and disposal of fire fighting equipment purchased from Fund

(1) In this section:

fire fighting equipment means fire fighting apparatus, buildings, water storage towers or lookout towers.

- (2) All fire fighting equipment purchased or constructed wholly or partly from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the fire fighting equipment has been purchased or constructed.
- (3) A council must not sell or otherwise dispose of any fire fighting equipment purchased or constructed wholly or partly from money to the credit of the Fund without the written consent of the Commissioner.
- (4) There is to be paid to the credit of the Fund:
 - (a) if the whole of the cost of the purchase or construction of any fire fighting equipment was met by money to the credit of the Fund:
 - (i) an amount equal to the proceeds of sale of any such equipment, and
 - (ii) any amount recovered (whether under a policy of insurance, from the Bush Fire Fighters Compensation Fund under the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987*, or otherwise) in respect of the damage to, or destruction or loss of, any such equipment, and
 - (b) if a part only of the cost of the purchase or construction of any such equipment was met by money to the credit of the Fund—an amount which bears to the amount that would be required by this subsection to be paid if the whole of that cost had been met by money to the credit of the Fund the same proportion as that part of the cost bears to the whole of that cost.
- (5) A council must take care of and maintain in the condition required by the Service Standards any fire fighting equipment vested in it under this section.

- (6) The Commissioner may, with the concurrence of the council in which fire fighting equipment is vested under this section, use any of the equipment not reasonably required by the council to deal with incidents in the area of the council to deal with incidents outside the area.

Firstly, consideration has to be given to where the money came from to build the actual shed. If it came from the Rural Fire Fighting Fund (RFFF), as in the case of their new shed, all money raised from the disposal would have to be credited back to the RFFF.

In its petition, the brigade makes claim that all or part (not fully clarified in the petition) of the shed was funded donated material, labour and money from local residents, and have stated that the shed belongs to the local community represented by the Michelago RFB. However, below is an extract from page 42 of the RFS Brigade Management Handbook.

(Extract from page 42 of the RFS Brigade Management Handbook)

Brigade assets do not include:

- › The brigade station;
- › vehicles or boats that have been provided by the local council or the NSW RFS; or
- › firefighting or other equipment provided by the local council or the NSW RFS.

From this, it can be concluded that the station is a vested asset of Council.

When a decision is made as to the future of the shed by Council, the RFS Monaro district office is obligated to submit a disposal request form relative to that determination, but no funds would be due to the credit of the RFFF. It would also then be removed from the Service Agreement Station asset schedule.

We hope that this information is helpful.

Regards,

Langdon



Inspector Langdon Gould | Business & Infrastructure Co-ordinator | Monaro
NSW RURAL FIRE SERVICE
11 Geebung Street, Cooma, NSW, 2630 | P.O. Box 1206, Cooma, NSW, 2630
P 02 6455 0455 **F** 02 6455 0466 **M** 0419 598 375 **E** langdon.gould@rfs.nsw.gov.au
www.rfs.nsw.gov.au | www.facebook.com/nswrfs | www.twitter.com/nswrfs

PREPARE. ACT. SURVIVE.

John Holland Rail

Requesting council to consider State Environmental Planning Policy (SEPP) (Infrastructure) 2007 and Development Near Rail Corridors and Busy Roads – Interim Guideline (2008) (the Guideline) in its assessment of the DA. And that council install security fencing along the rail corridor to prevent unauthorised entry.

Council Response

Proposed (on Plans) construction of fencing between Railway Corridor and newly built Michelago RFS shed

(Resident)

Concerned that the facility is adjacent to the Community Hall and child care facility and that having potentially 12 tonnes of garbage held on site for 2 weeks in high summer that the smell would completely ruin the town and destroy any chance of turning Michelago into a tourist spot.

Council Response

- The facility in question is located within the same boundary to which the Saturday Morning Collection Service has been operating from for the past 11 years. There will be at least a 50% reduction in heavy vehicle movements at the site from the proposed facility when compared to the current waste services provided in Michelago.
- There is quite some distance between the Community Hall and the shed (bollard fencing and two roads in between both sites) which will minimise the level of interaction between the two locations.
- The facility will hold a maximum of 2.1 tonne of waste material at any given time which will be serviced on a weekly basis and a maximum of 2 tonne of recycling material at any given time which will be serviced fortnightly.
- Odour and Vermin abatement measures will be utilised within the building to mitigate the generation of odour and to reduce the any impacts of vermin.

(Resident)

Disapproval – noise, offensive odour, rodents and heavy vehicles into the centre of the residential area. Liquid waste runoff that would end up in the stormwater. Concerns of Tourists having to pass by a waste facility on their way to the railway station. Driving residents out of Michelago.

Council Response

- Restrictions will be in place on the available times to access the facility being Monday to Friday 7 am until 8 pm, Saturday/Sunday 8 am until 8 pm. These time restrictions will mitigate any noise impacts associated with the operations.
- The facility will be serviced during daylight hours on a weekday reducing the overall noise impact to the surrounding community from vehicles servicing the bins. Service vehicles will only need to be operational for the time required to empty the bins (estimated to be 15 to 30 minutes per vehicle once a week). The current service provision has two trucks operating for three hours each Saturday morning.
- There will be at least a 50% reduction in heavy vehicle movements at the site from the proposed facility when compared to the current waste services provided in Michelago.
- Odour and Vermin abatement measures will be utilised within the building to mitigate the generation of odour and to reduce the any impacts of vermin.
- Leachate generation will be minimised as the facility is housed within a building and is not open to the elements. Waste and Recycling materials will be enclosed in mobile garbage bins, with the waste bins also being lined. Bins are emptied into waste collection vehicles which are purpose built to contain the waste or recycling materials without leaking the leachate.

(Resident)

Oppose to change of use – Traffic congestion, multiple vehicles, trailers and trucks in the area, smell of garbage particularly in the summer months, undue noise whilst accessing, vermin, negatively impact house/land values in the vicinity of the collection point.

Council Response

- Restrictions will be in place on the available times to access the facility being Monday to Friday 7 am until 8 pm, Saturday/Sunday 8 am until 8 pm. These time restrictions will mitigate any noise impacts associated with the operations.
- The facility will be serviced during daylight hours on a weekday reducing the overall noise impact to the surrounding community from vehicles servicing the bins. Service vehicles will only need to be operational for the time required to empty the bins (estimated to be 15 to 30 minutes per vehicle once a week). The current service provision has two trucks operating for three hours each Saturday morning.
- There will be at least a 50% reduction in heavy vehicle movements at the site from the proposed facility when compared to the current waste services provided in Michelago.
- Odour and Vermin abatement measures will be utilised within the building to mitigate the generation of odour and to reduce the any impacts of vermin.
- Leachate generation will be minimised as the facility is housed within a building and is not open to the elements. Waste and Recycling materials will be enclosed in mobile garbage bins, with the waste bins also being lined. Bins are emptied into waste collection vehicles which are purpose built to contain the waste or recycling materials without leaking the leachate.

(Resident)

Objects to proposal – Bacteria (spread of disease), insects, and vermin, air pollution and respiratory diseases, contaminate surface waste and all ecosystems, overflowing waste exposes health risks, inefficient waste control bad for municipal wellbeing, has also written *“It bad enough that you erect a fire shed in a residential area, I now have no views to the Tinderry Mountains that I used too. Was I compensated for this? No, and now you want to add to this by erecting a garbage collection point, next to the fire shed”*.

Council Response

- Waste and Recycling material will be contained within mobile garbage bins inside the shed. Each bin will have a lid to minimise any exposure of the materials. Waste bins will be serviced weekly and recycling bins serviced fortnightly, which is the same level of service provided to the domestic premises in Michelago Village who have waste and recycling collection services.
- Odour and Vermin abatement measures will be utilised within the building to mitigate the generation of odour and to reduce any impacts of vermin or insects.

Enquiries Quinn Maguire
Cooma Office
Our Ref 10.2019.1371.1
Your Ref

Snowy Monaro Regional Council
PO Box 714
COOMA NSW 2630

Notice of Determination of a Development Application

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

Application Number	10.2019.1371.1
Property Description	Ryrie Street MICHELAGO 2620
	UN: 105371245
Development Description	Change of Use (For the purpose of housing a Bank of Bins (BOB))

Determination

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

Notice is hereby given of the determination by Snowy Monaro Regional Council of Development Application **10.2019.1371.1** relating to the land described above.

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

Authority: Council

Determination Date:

Consent to Operate from:

Consent will Lapse on:

Integrated Approval Bodies

Pursuant to Section 93 of the Act

The development application proposal was not Integrated Development. INT_01

Conditions

General

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

Document/Plan Schedule

Ref	Description	Prepared/Drawn By	Received
	Statement of Environmental Effects	Applicant	
	Site Plan	Applicant	
	Floor Plans/Elevations	Applicant	
	Additional Information (response to submissions)	Applicant	

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

- 2) Reflective materials such as zincalume are not to be used on structure facades or roof.
Reason: To comply with Cooma-Monaro Development Control Plan (Amendment 1) 2014 clause 2.1.2 P_0_01
- 3) All outdoor lighting will comply with, where relevant, AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. P_0_02
- 4) The servicing hours of the facility (where garbage trucks may be present to empty bins) are limited to between 7:30am and 2:30pm on weekdays only.
Reason: To mitigate potential impacts on neighboring properties
- 5) The opening hours of the facility (where community members are able to access the facility) are limited to the following;
Weekdays – 7am to 8pm
Weekends – 8am to 8pm
It is the developers responsibility to ensure community compliance with these hours
Reason: To mitigate potential impacts on neighboring properties
- 6) When required, the developer is required to remove excess waste stored on site due to usage of the site
Note: where this requires additional servicing by Council garbage trucks this may not be outside the conditioned hours of servicing
- 7) Some landscaping is to be provided on site, this is to be comprised of mostly low water usage plant species and/or native vegetation.
Reason: to improve the visual amenity of the site
- 8) Safety measures are to be implemented for proposed parking areas to ensure that pedestrians have safe access to the development and that parking areas near hazards are safe. P_0_03

Required Works

- 9) The carparking area/s shall be constructed in accordance with *Cooma-Monaro Shire Council Development Control Plan 2014* and *AS 2890.1 – Off Street Car Parking*.
Reason: To provide car parking in accordance with Council Standards. R_11_01

Conditions to be met prior to commencement of work

- 10) The applicant shall make application to Council for approval under Section 138 of the Roads Act 1993 using the Application for Works within a Road Reserve form prior to commencement of any works on the proposed parking/driveway. All works shall be in accordance with Cooma-Monaro Shire Council Development Control Plan 2014, Specification for Engineering Works and Conditions of this Consent.

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

Reason: In accordance with Roads Act 1993. R_1_02

Conditions to be met prior to release of Construction Certificate

- 11) The building is to be upgraded to provide the following fire protection measures prior to the issuance of an Occupation Certificate;
- Fire extinguisher coverage is to be provided throughout the building complying with the National Construction Code - Building Code of Australia 2019 Volume One and AS 2444.
 - An additional opening outward personal door is to be installed at the rear of the building of a minimum opening width of 870mm and 1970mm in height and is to be provided with compliant door hardware complying with the National Construction Code - Building Code of Australia 2019 Volume One.
 - The existing personal door located on the western side of the building is to be increased in width to ensure the clear opening space is a minimum of 870mm. This door is to open outward and is to be provided with compliant door hardware complying with the National Construction Code - Building Code of Australia 2019 Volume One.
 - A clear path of travel of 1m is required to be maintained all times for all pathways leading to required exits.
 - A site evacuation plan is to be developed for the building and installed in a prominent position within the building. The plan is to identify the location of all fire safety measures installed throughout the building, all paths of travel to required exits and the location of assembly points external of the building in the event of a fire within the building.

Reason: Upgrade requirement of cl 93 of the Environmental Planning and Assessment Regulation 2000. B_0_01

Conditions to be met during Construction

- 12) All Building Work is to comply with the Building Code of Australia.
Reason: Prescribed condition in accordance with clause 98(1)(a) of the Environmental Planning and Assessment Act and Regulation. B_1_01
- 13) Working hours involving machinery or noisy activities being confined within the hours of 7.00am to 8.00pm, Monday to Saturday and 8.00am to 8.00pm on Sundays or Public Holidays. Please contact Council for further advice regarding noise control.
Reason: Requirement of the Protection of the Environment Operations Act and Regulations and to protect the amenity of residents in homes in the vicinity. B_1_09

Conditions to be met prior to release of Occupation Certificate

- 14) The building MUST NOT be occupied until an Interim or Final Occupation Certificate has been issued by the Principal Certifying Authority (PCA). If Council is the PCA, an Application for Occupancy must be made and payment of any applicable fees prior to inspection and issue of an Occupation Certificate.
Reason: Requirement of Environmental Planning and Assessment Act and Regulations. B_4_01
- 15) A rainwater tank of no less than 10,000L is to be installed on site, any overflow from this tank is to be directed to Council infrastructure or dispersed on site in a way that will prevent any negative impacts on the site or neighboring properties.
Reason: to ensure development is completed according to plans while mitigating potential impacts
- 16) All security measures including security cameras, signage showing hours of operation, upgrades to internal and external lighting, fire safety upgrades and locks on external doors are to be installed prior to the issue of any occupation certificate.

Ongoing Conditions

- 17) For the purpose of Clause 168 of the *Environmental Planning and Assessment Regulations*, attached is a fire safety schedule specifying the fire safety measures that are to be implemented in the premises.

The owner, upon completion of construction of the building, must provide Council with a Fire Safety Certificate in regard to the essential services to the effect that the services have been installed and tested by a person competent to carry out such inspection or such has found that the services meet the minimum standards specified by Council.

Hereafter at least once every 12 months, after receipt of the fire safety certificate, the owner of the building must provide Council with a further certificate certifying that each fire safety measure has been maintained in accordance with the provisions of the *Environmental Planning and Assessment Act and Regulations*.

Reason: Requirement of the *Building Code of Australia* and the *Environmental Planning and Assessment Act and Regulations*. [B.4_03](#)

- 18) Developer is to monitor and manage odour created by the development, so that odour is not to become a nuisance to the community.
- 19) Developer is to monitor and manage noise created by the development, so that noise is not to become a nuisance to the community.
- 20) Developer is to monitor and manage any pest or vermin attracted by the development, so that pest or vermin is not to become a nuisance to the community or create health issues.

Conditions provided by Rail Authority

- 21) Boundary fences along the rail corridor must be installed and remain installed in accordance with JHR's (John Holland Rail) engineering standards.
- 22) Access (related to this development) to the rail corridor is strictly prohibited unless otherwise permitted in writing by the appropriate Rail Authority.

Advice to Applicant

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

Note: Under the *Telecommunications Act 1997 (Commonwealth)*, Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the *Criminal Code Act 1995 (Cth)* and is liable for prosecution. Furthermore, damage to

Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact Telstra's Network Integrity Team on 1800 810 443.

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

Notes

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

nil

On behalf of the above Council:

Quinn Maguire
Urban & Rural Planner



Snowy Monaro Regional Council Heritage Strategy 2020-2023

'Learning from our past to inspire our future'

DRAFT



Acknowledgement of Country

Snowy Monaro Regional Council acknowledges the Traditional Custodians of the region, the Ngarigo, Walgalu, Ngunnawal and Bidjawal peoples. We pay our respects to elders past, present and future.

Bombala River

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Message from the Mayor

I would like to present Snowy Monaro Regional Council's Heritage Strategy. A strong understanding of where our community has come from and where we are headed, has underpinned the development of the Heritage Strategy. This approach provides a strategic framework to guide Council's approach to valuing, enhancing, and celebrating the Snowy Monaro region's rich cultural and heritage fabric.

The Snowy Monaro community has expressed its aspirations that heritage planning and streetscapes are enhanced. This will result in an economic boost for the region's town and villages.



With a strong, proactive approach and ongoing collaborative actions, we look forward to partnering with the community to celebrate and enrich the region's heritage value.

Peter Beer, Mayor



Introduction

Council recognises that our region has a diverse cultural identity that needs to be preserved and enhanced to provide for opportunities to maintain our health and social wellbeing.

This strategy forms part of an integrated approach within the Snowy Monaro 2040 Community Strategic Plan (CSP) and the 2018-21 Delivery Plan incorporating the 2019 Operational Plan:

Community Outcome Two:

Our region's diverse cultural identity is preserved, and we foster creative expression and spaces

2020 CSP Strategy 2.1

Our culturally diverse heritage is preserved and celebrated for the richness it brings to our regional identity.

2018-2021 Delivery Program Objectives - Strategy 2.1.2

Council celebrates and enriches the heritage fabric throughout the region.

Operational Plan Action 2.1.2.1

Finalise an integrated Heritage Strategy

This strategy forms part of the draft Local Strategic Planning Statement as per Planning Priority 9.4: Develop a Heritage Strategy for the Snowy Monaro Region.

At the time of adoption of this strategy, Council has over 450 heritage items listed in the Local Environmental Plans covering the Snowy Monaro Region. These include:

- (a) Snowy River LEP 2013 - 210 items and 4 conservation areas
- (b) Cooma-Monaro LEP 2013 - 228 items and 10 conservation areas and 1 Aboriginal place of heritage significance
- (c) Bombala LEP 2012 - 21 items

Throughout the CSP, the Snowy Monaro Community has expressed its aspiration that local heritage be celebrated and enriched throughout the region. Snowy Monaro Regional Council respects and acknowledges those who came before us, the traditional custodians of the land in the Snowy Monaro region and all of the members of our community that have contributed to our rich history.

Council is committed to fostering creative expression and spaces that preserve our cultural diverse heritage and to celebrate the richness it brings to our regional identity through the development of the strategies and the actions contained within.



Strategies and Actions

Asset There are key strategies each with a specific objective and list of actions. These are:

1. Community participation
2. Schedule of Heritage items
3. Heritage and urban design service
4. Proactive heritage management
5. Local heritage incentives
6. Asset Management of Council's heritage properties



Strategy One: Community Participation

Objective;

Increase community participation, awareness and appreciation of heritage in our local area

Actions

- 1.1 Strengthened links to existing historical societies and organisations through bi-annual community forums with the community and Council's Heritage Advisor to discuss key heritage issues and local and state government grant opportunities
- 1.2 Update Council's website to include links to the NSW Heritage branch website
- 1.3 Explore, in conjunction with our community stakeholders, funding opportunities to promote heritage appreciation throughout our local area



Strategy Two: Schedule of Heritage Items

Objective;

Increase background knowledge and encourage proactive management of heritage in our local area

Actions

- 2.1 Update listings in Council's Local Environmental Plan (LEP) Schedule as part of the new LEP consultation process
- 2.2 Where sites are identified as being of State Heritage significance, prepare State Heritage nominations for these sites
- 2.3 Ensure heritage conservation is a key consideration in the development of Council's Town and Village Planning studies
- 2.4 Ensure LEP provisions recognise key heritage streetscapes in development of a new Snowy Monaro Regional Council Local Environmental Plan



Objective;

Provide a heritage advisor service for Council and our Community

Actions

- 3.1** Provide specialised professional heritage referral service to Council for assessment of development applications relating to listed heritage items
- 3.2** Provide free and accessible heritage advisory service to the community and potential applicants

Objective Four: Proactive Heritage Management

Objective;

Increase community participation and proactive conservation management of heritage in our local area through grant funding opportunities

Actions

- 4.1** Allocate funding each year to the Local Heritage Grant Funding for local conservation projects where there are positive heritage outcomes
- 4.2** Promote Local Heritage Grant Funding results each year through all forms of media formats



Objective Five: Local Heritage Incentives

Objective;

Increase awareness and appreciation of heritage by Council, owners and the community

Actions

- 5.1 Development assessment staff undertake annual heritage training sessions
- 5.2 Update Council's website to include heritage guidelines and publications

Objective Six: Asset Management of Council Heritage Properties

Objective;

Implement a best practice heritage asset management framework for Council owned or managed heritage assets

Actions

- 6.1 Update Council's inventory of Council owned and/or managed heritage items
- 6.2 Prepare, update and review conservation management plans for Council owned and/or managed heritage assets
- 6.3 Explore grant funding opportunities for the restoration and interpretation of these assets.



Contact Us

Phone: 1300 345 345

Post: PO Box 714 COOMA NSW 2630

Email: council@snowymonaro.nsw.gov.au

Web: www.snowymonaro.nsw.gov.au

Council Offices

Head Office - Cooma

81 Commissioner Street Cooma NSW 2630

Berridale

2 Myack Street Berridale NSW 2628

Bombala

71 Caveat Street Bombala NSW 2632

Jindabyne

2/1 Gippsland Street Jindabyne NSW 2627

9.3.2 SNOWY MONARO DRAFT LOCAL STRATEGIC PLANNING STATEMENT
ATTACHMENT 2 APPENDIX A - IMPLEMENTATION PLAN

Page 219

No.	Actions	Timeframe	Implementation (how do we achieve this action?)	Monitoring (how do we know it is working?)	Responsible Unit/Agency	Action Completed
	Berridale's sewerage treatment plant for anticipated growth levels.		determine efficient methods to expand STP to meet future demand.	population growth.	Wastewater unit	
8.8	Investigate potable water options for Old Adaminaby.	Medium	Investigate and implement potable water supply for Old Adaminaby	Monitor water quality and usage	SMRC – Water and Wastewater unit	
Planning Priority 9 - Protect and enhance the cultural and built heritage of the Snowy Monaro						
9.1	Undertake an Aboriginal Heritage Study for the region.	Medium	Partner with a suitably qualified consultant to deliver an Aboriginal Heritage Study for the region	Aboriginal Heritage Study Finalised and adopted by Council	SMRC – Strategic Planning and Development Assessment units	
9.2	Review development controls for Bombala and Delegate with regards to streetscape amenity, built form, heritage significance, and visual amenity.	Short/ Medium	Implement DCP controls which encourage adaptive re-use of heritage buildings and improved amenity. Implement heritage conservation area over Bombala and Delegate main streets in new LEP.	Monitor development applications lodged for Bombala and Delegates main streets. Review controls periodically.	SMRC – Strategic Planning and Development Assessment units Councils Heritage Consultant	
9.3	Review the planning controls relating to Heritage Conservation Areas in Cooma	Medium	Review heritage conservation areas in Cooma to determine their effectiveness to achieve desired outcomes.	Amend controls as required and monitor development applications within relevant HCA(s)	SMRC – Strategic Planning and Development Assessment units - Councils Heritage Consultant	
9.4	Develop a Heritage Strategy for the Snowy Monaro Region	Short	Develop a Heritage Strategy in line with NSW Government guidelines	Council to finalise and adopt Heritage Strategy	SMRC – Strategic Planning and Development Assessment units - Councils Heritage	



SNOWY MONARO
REGIONAL COUNCIL

Minutes

**Berridale Community Meeting
Snowy Mountains Country Club
30 October 2019 5pm**

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PRESENT:

Peter Beer, Mayor (PBe) Chair
Peter Bascomb, General Manager (PBa)
Gary Shakespeare, Group Manager Transport Infrastructure (Operations) (GS)
Nola Brady, Group Manager Governance (NB)
John Castellari (Jc)
Berridale Community Members who spoke:

- Mark Davis (MD) VP RSL Sub Branch
- Tony Hays (TH)
- Nadine Watson (NW)
- Marion Castle (MC)
- Ian Schofield (IS)
- Cheryl Mould (CM)
- Jim Crocker (JC)
- Bruce Wilson (BW)
- Leigh Poulton (LP)
- Jane Redmond (JR)
- Sue from Snowliner Coaches (Sue)
- Phil Daley (PD)
- Vicky Wallace (VW)
- Ken Baxter (KB)
- Keith Clarke (KC)
- Colin (Colin)
- Mark Winter (MW)
- David Jardine (DJ)
- Ian Burke (IB)

Register of Community members who logged attendance is attached to the minutes **Appendix A**

1. OPENING OF THE MEETING

The Chair opened the meeting at 5.02PM

2. MEETING DISCUSSION

PBE Introduced himself to the attendees.

Read the published apology from Council

Advised the Agenda:

Item	Subject	Speaker
1	Apology from Snowy Monaro Regional Council to the public.	Snowy Monaro Regional Council Mayor Peter Beer. 5 minute address.

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2	Presentation by Mr Mark Davis highlighting the significant levels of community concern over Council's participation in the desecration of Berridale's Memorial to the fallen.	Mr Mark Davis Snowy River RSL Sub Branch. 5 minute address.	..
3	Explanation into the communication, process and decisions behind proposed works to Myack Street and Memorial Park.	Q&A Discussion chaired by Mayor Peter Beer.	
4	Discussion on how the project might progress enabling flood mitigation measures to be implemented in Berridale between Myack Street, Memorial Park and Park Street.	Q&A Discussion chaired by Peter Beer (Mayor)	

PBe Invited Mr Mark Davis to speak for 5 minutes

MD Described the issue as a Desecration of the Memorial from the spray painting of the trees and the proposed removal of the trees without consultation.

Advised he was a representative of the RSL

Advised he had met with P Beer and P Bascomb prior to the meeting and presented options for Council to consider.

**** Document attached that had been circulated at the meeting as **Appendix B****

Indicated he needed to follow through with Response 4 to Q1 and response 3 in Q2 with the RSL Sub Branch senior committee to further investigate the incident.

His intent to find out who painted the tree and who authorised it.

He felt there was an ongoing issues with non-consultation by Council – lessons may not be learned.

He indicated that the community were astonished that “crime” occurred.

He stated it was un Australian.

PBE Noted meeting before the meeting.

It is the role of the GM to manage and discipline staff not Council

Complaints about staff must be made to the GM in writing.

It is a pity that it happened.

Discussion about some of the issues on the agenda

Trees have been discussed – we have apologised.

Acknowledged Cr John Castellari's arrival.

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Discussion on the Flood Study findings.

Looked at several towns in the Council area.

Flood study shows where the 1:100 and 1:200 year flood levels are.

3 main areas of Berridale identified and funds available to rectify the issues.

1. Houses opposite Post Office
2. Hill behind the shops flooding into Hostel
3. Causeway near the trees discussed.

Level to raise causeway to manage the flooding will impact the trees.

If we don't undertake the rectification work Council would be liable for the resulting damage. This would impact Rate Payers.

Next Item for discussion: Beautification Program

Beautify the Carpark, Hotel and Park.

Toilet Block and Playground have been addressed.

We must thank Lions Club who did extensive work and the volunteers maintaining.

\$1 Million available for the work.

PBe Go Project Jindabyne

Berridale is growing because people like the town.

More houses and subdivisions will impact drainage and affect flooding impact.

Money available for this project from the Government.

Changes there may drive people to Berridale and we need to prepare.

PBe Impact of Snowy 2.0 to the area.

Impact for Berridale not yet known.

EIS for Snowy 2.0 is at the library for those interested.

Berridale in the middle and will continue to grow probably.

PBe Open for Questions and Criticism.

TH Tony Hays advised this was the 4th plan for beautification.

1st one was 20 years ago students completed – very extensive.

2nd was developed by the Chamber of Commerce – that work has been completed after a grant.

3rd – Whole of Berridale

Now – similar to the one from 20 years ago

Why isn't the current plan available for view at the Council Chambers?

PBe Should be there.

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Advised Council would make it available at the Berridale Office

- GS** Tree assessment and management plan consultation process led to this design and they were put on public consultation and display.
- PBe** Agreed it should be and asked GS to undertake.
- NW** Nadine Watson requested it **on the website as well.**
- PBe** Agreed
- MC** Marion Castle – Flooding – In 1984 there was flooding and Bob Bryce put a plan in for swale. Roberts st fall to the creek area.
Where are they are they available were they consulted?
- PBe** Flood study will be available for public consultation – ask to look at the plan and have it explained as it is quite Technical document.
We need to use the money to fix the issues identified and liable if we don't.
It happened with the poplars previously.
- IS** Ian Schofield – I have built a couple of houses and requested a flood study and what was provided was kindergarten quality where the floods have occurred or likely to occur.
No knowledge of the levels and when they occurred.
- PBe** It was only completed a couple of weeks ago
- IS** Why is it only now.
Why isn't something available for people in Berridale building freely from Council.
I had to pay for an engineer in Cooma.
- PBe** The previous council never had the funds – money was now available as a result of the merger.
They are going to put money behind it.
Further discussion re quality and availability.
- CM** Cheryl Mould – Cooma rate payer
Thanked everyone for coming
Thank Peter Beer for acting quickly and getting the meeting organised and stopped the work on the trees.
Listened to the flood issues.
The War Memorial has been there since 1922 – trees planted in honour of the service men and women.
The Trees have to stay and flood mitigation has to happen as well.
Huge heartfelt request to save the trees
Indicated there was no mention of the trees being impact in the consultation processes that she attended.
Challenge – Make the changes but leave the trees and replant the ones that have died.
- All** Here Here
- MD** Applied to Council sponsorships – beautification on the park phase 1.

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- Indicated comms with Council was not good.
- There was a phase 2 as well but I have lost motivation.
- PBE** **Gave an undertaking that consultation will start again to look at all the options before making a final decision.**
- If the worst comes to the worst that will be discussed as well.
- Final decision will rest with the 11 Councillors. You need to express your views to the Councillors.
- JC** Jim Crocker Snr Vice President RSL Sub Branch
- Apologise the RSL Sub Branch President was not in attendance – away at a conference.
- Request qualified arborist should be engaged to check on the health of the remaining trees – I have experience and there are 2 trees that have a very suspicious health status.
- PBe** Take that on board.
- JC** If the trees are to be taken out suitable trees should be found replace and they should be planted by the descendants.
- MC** Who owns the land from Parks st to the creek?
- Some Discussion regarding exactly where.
- CM** Leased land for the community after soldier settlement – paid for land to stay in community custody.
- MC** No further down where the water can't get away
- PBe** **We can check on that**
- BW** Bruce Wilson – Is the current beautification taking in the carpark area?
- PBe** Indicated Yes
- IS** Are the Flood mitigation and beautification separate funding? Where coming from?
- PBe** I believe it is separate.
- Further discussion
- GS** Advised details regarding Deputy Premier John Barilaro grants for beautification \$500K, funding from the \$14M as well to make the \$1M.
- Includes the carparks
- IS** Why just there not further in Berridale?
- GS** Further flood mitigation plans to go on display. Tomorrow.
- IS** Why has it taken this meeting to put them on display?
- PBe** It is going on display following the Council meeting just a week ago – the plans were only recently provided to Council.
- IS** What works to take place above the creek ? Lions Park.
- Why not in consultation with the whole study on Berridale?
- PBe** We are concentrating on the area taking in the trees but other areas are covered in the study.

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- LP Leigh Poulton - Why not focus on another spot to fix water flow from Jindabyne further up rather than at the war memorial?
- PBe I am not an expert can't answer – raise it at the consultation sessions.
- LP It should be fixed further up the line.
- PBe Put in to the consultation process
- JR Jane Redmond Can we have an attendance sheet?
- PBE Yes we will
- Sue - Snowliner Coaches
- Moved buses for flood mitigation work
- Children getting off buses and at risk – disaster waiting to happen.
- PBe Noted will be looked at.
- PD Phil Daley - Lowest point in Berridale water will get there eventually
- Does the proposed structure take into account the levels reflected in the Flood study because I don't think the structures proposed won't take that sort of water.
- GS **4 Engineering companies have looked at it – if we get that 1:100** – current and new infrastructure will not support that event.
- Proposal will reduce the 1:20 water levels and possibility damage to property.
- PD Will take 1st and last but not in between.
- GS Yes
- PD Grades down to 0.2% encouraging build up
- Potentially a bridge would fix it
- JC Ex snowy hydro worker
- Gauging stations and records from snowy of the past flood records including photos.
- Further discussion re 70th anniversary information – archives in Canberra
- PD Demolition of Pedestrian bridge concerns – plan only allows for footpath – bridge access vital in flooding
- PBe Noted – hadn't picked that up
- VW Vicky Wallace - What is timeframe on funds for mitigation to be available?
- GS 30 June 2020 end
- PBe May need extension and negotiate with State Govt.
- Restart consultation as soon as we can.
- KB Ken Baxter - If the worst comes to the worst – has been said 3 times
- 35 years flood– asked to find 100 yr level – never had a flood and insurance doubled told based on Hydrological company and the council.
- Further discussion
- Water not containable in any pipes when it floods
- Further Discussion

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- Will people listen to our comments
- PBe** Yes
- KB** Confused that we are talking about the beautification program
- PBe** They are linked
- KB** You indicated two separate sources of funding
- PBe** Dependencies between them.
- KB** Any structure will become a dam
- IS** Why hasn't it been done before
- PBe** I can't answer that.
- Insurance changed as a result of QLD
- KC** Keith Clarke Do works higher up – large volume of water diverted to Coolamatong lake.
- PBe** Point taken
- MD** Confidence consultation will be better and more candid, however
- In Agenda – Community groups on the agenda were consulted – Historical society said haven't been spoken with – GS said they have been.
- Further comments.
- GS** Keith is a member of the Historical Society and was spoken to by a member of staff he knew.
- KC** Acknowledged he did speak to someone privately
- Aware of the tree planting but not records of which tree for who.
- Colin** Council is doing a flood mitigation study.
- PBe** Yes
- Colin** Why 2 weeks ago looking at trees when study is not concluded?
- PBe** Can't answer that question
- Colin** Ask Council will they give an undertaking that they won't touch any trees or do any further work to the memorial area without speaking to the community.
- PBe** agreed
- JC** agreed
- MW** Mark Winter - Works now delayed on mitigation – can they move back to bus stop while survey being done .
- PBe** Will ask if I can happen
- DJ** David Jardine Same undertaking revisited
- PBE** Yes as stated
- TH** Tony Hays - Problem with communication with the community and council and staff
- We have a beautification committee as a S355 - Heard nothing at all about new plans
- PBe** Point taken
- CM** Cheryl - Ian Burke – has done research on the war memorial, can we hear him speak.

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- Colin** What are we going to do with the volume of water from a thunderstorm?
How do you get rid of the water?
- PBe** Don't know but it would be part of the study
- VW** How can the community provide comment
- JC** Occasional meetings drop in sessions
- IB** Ian Burke
Heritage listings are inadequate – state significance of the memorial
State Archives – whole shelf of Berridale war memorial state significance
Confused about beautification – talk about flood mitigation and cannot understand how you can beautify by ripping the guts out of it.
It took 3 years to get permission to put the trees there
Trees are listed in perpetuity
Park was handed over to the town - Never to be neglected.
Flood mitigation – not a convincing plan – need to see more detail
Have not previously pointed out heritage significance – because no plan has ever affected them before.
- PBE** Thankyou
Meeting closed at 6.10pm

Actions Identified – highlighted in minutes:

1. Beautification Plans to be available at Berridale Council Office for view and on website.
2. Gave an undertaking that consultation will start again to look at all the options before making a final decision.
3. Identify - Who owns the land from Parks st to the creek?
4. Look at the issues with the temporary bus location and potentially move back until work commences.
5. The Mayor agreed to an undertaking - that they won't touch any trees or do any further work to the memorial area without speaking to the community.

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Appendix A

Sign In Sheet

Appendix B

Mark Davis Document



SNOWY MONARO
REGIONAL COUNCIL

Summary of Discussion Points

From the

**Community Meeting at
Berridale Community Hall on
16 December 2019 from
6pm to 7.30pm**

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BACKGROUND

As part of the ongoing community consultation relating to proposed drainage works on Myack Street and through Memorial Park, Berridale; Council gave notice of the intention to hold a further public meeting on Monday 16 December 2019. This followed an undertaking provided by the Mayor at the public meeting on 30 October 2019 that consultation would start again to look at all the options before a final decision on drainage improvement works was considered by Councillors at the February 2020 meeting.

Council's information release on 9 December 2019 stated that *"The purpose of this meeting is to discuss your thoughts on how we might better preserve the significance of Memorial Park and the trees, improve drainage between Myack Street and Park Street and to explore what future work opportunities might exist that would improve Memorial Park for community and visitor use."*

In an attempt to provide those attending the meeting with discussion points, a meeting guide was presented that suggested the following:

Subject/Discussion/Topic	Lead	Time
Introduction & Welcome	Mayor Peter Beer	5 Minutes
Is there continued support of the Berridale Landscape Masterplan within the Community?		10 Minutes
Does the community support the proposed works on Myack Street and its intersection with Jindabyne Road to: <ul style="list-style-type: none"> lift the road; insert new culverts; and reduce the effects of stormwater through Memorial Park, Park Street and Jindabyne Road? 	Community	20 Minutes
Do the community believe work through Memorial Park is necessary to: <ul style="list-style-type: none"> improve the flow of water between Myack Street and Park Street; and to improve access to Memorial Park for residents & visitors? 	Community	20 Minutes
If trees have to be removed due to health and risk issues; what options would the community suggest that would allow their removal but preserves the history behind why these trees were initially planted in 1935?	Community	30 Minutes
Do the community believe there's any future work that could be planned to improve access for people with all abilities to Memorial Park	Community	15 Minutes
Closing Remarks	Mayor Peter Beer	5 minutes

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PURPOSE

The purpose of this document is to provide a summary of the main discussion points, from the community, as they related to the above guide.

This document does not attempt to create a word-by-word record of comments, nor is it intended to identify those who contributed to the discussion other than “the community”.

INTRODUCTION & WELCOME

The meeting opened at 6pm with the Mayor of Snowy Monaro Regional Council welcoming those attending and outlining the meetings objectives in anticipation that the community would assist Council in its deliberations on whether to move forward with drainage works on Myack Street and through Memorial Park, Berridale. It was confirmed that the outcome of this meeting will provide Councillors the additional information needed when they are asked to make a decision in relation to proposed drainage improvement works on Myack Street and through the Memorial Park.

ITEM 1 - IS THERE CONTINUED SUPPORT OF THE BERRIDALE LANDSCAPE MASTERPLAN WITHIN THE COMMUNITY ?

Discussion took place as to the relevance of the Berridale Landscape Masterplan and the recommendations for beautification contained within the plan. It was noted that works on Myack Street were identified through the Masterplan which, in 2014/2015 had the support of the community.



There was general discussion around current community familiarity of the Berridale Landscape Masterplan and availability of the plans contents to community members. There was a request for the plan to be displayed and discussed at a meeting in early 2020, which was accepted and will be scheduled in the New Year.

Those attending were informed that the Berridale Landscape Masterplan, combined with community support and Council adoption of the plan was used to enhance Council's application for funding that resulted in an initial allocation of \$500,000 to address stormwater/drainage issues on Myack Street, through the Major Projects Program. An additional \$558,525¹ was announced by the Hon John Barilaro

¹ It should be noted that confirmation of the \$558,525 funding through the Regional Communities Development Fund was received at Council on 19 December 2019, which was after this meeting concluded.

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MP as a pre-election commitment and this funding was to be split between works on Myack Street, Highdale Car Park and Beautification.

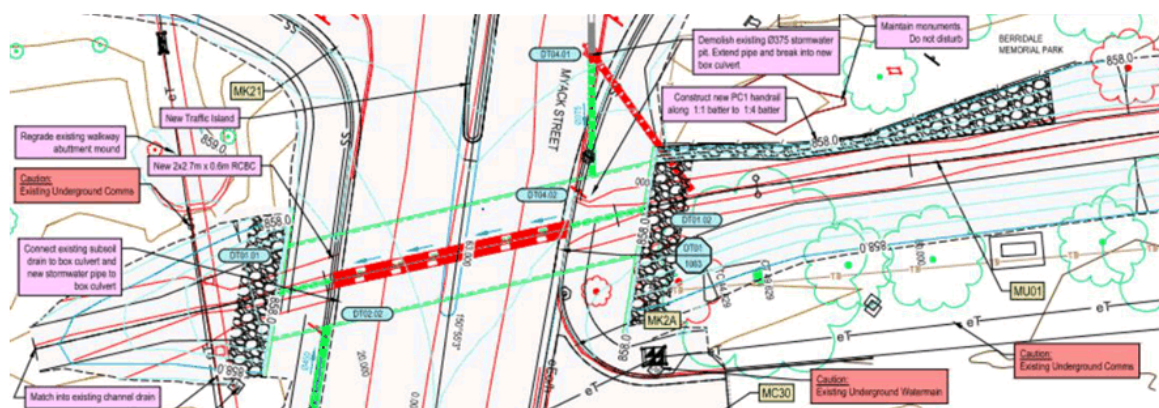
Summary of Discussion

There was broad agreement that Council should revisit the Berridale Landscape Masterplan with the community and undertake work to update the plan in-line with community expectations. However it was also acknowledged that elements of the Berridale Landscape Masterplan remained a positive vision for the future beautification of Berridale.

ITEM 2 - DOES THE COMMUNITY SUPPORT THE PROPOSED WORKS ON MYACK STREET AND ITS INTERSECTION WITH JINDABYNE ROAD ? LIFT THE ROAD TO;

- **INSERT NEW CULVERTS; AND**
- **REDUCE THE EFFECTS OF STORMWATER THROUGH MEMORIAL PARK, PARK STREET AND JINDABYNE ROAD?**

The community expressed concerns that proposed works on Myack Street and through Memorial Park would not be sufficient to stop stormwater over-running Myack Street and backing-up stormwater as it crosses Park Street in a 1 in 100 year flood event. Concern was also expressed that flood issues existed along a number of areas through Coolamatong Creek and proposed works would do nothing to alleviate that risk or threat to property and infrastructure.



Comment captured through the community feedback form, relating to flooding and reiterated at the meeting was as follows:

FLOODING. The proposed works will do nothing to accommodate the flooding across Myack Street above the 20% AEP - 1 in 5 year flood event. The works proposed through the park will do nothing to moderate the flooding caused by any flood above the 20% AEP and doubt the stream channel works proposed downstream of Myack Street will accommodate the 20% AEP. The works proposed will certainly have no positive impact on the 1% and 2% as well as the PMF. I believe there should be some work done in the vicinity to assist with vehicular access during say a 50% AEP - 1 in 2 year event which may not require any further modification to the outlet drain through Memorial Park other than some minor revetment works. The proposed box culvert under Myack Street could possibly have its invert raised and also only one cell may be required to accommodate the 1 in 2 year event. This will need further detailed engineering design and the community needs to accept the fact that flooding of that site will still occur during those shorter interval flood events. That needs to be examined and the full details made available in lay-man's terms so the ramifications are clear to the community.

Concern over planned removal of the footbridge (see diagram below) created some discussion and it was suggested that, in the event of flood, pedestrian movement was not inhibited over the bridge as it

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remained above flood levels. However, if the bridge was removed and a footpath installed, this would be constructed at the level of the road and therefore, once water overran the road, the footpath would become inaccessible to pedestrians.



Once again, comment captured through the community feedback form, relating to the footbridge and reiterated at the meeting was as follows:

FOOTBRIDGE. The proposal to remove the footbridge will do very little to relieve the restriction in the water course because the Telstra pit near the Council offices which is planned for retention, will need to be moved in order to open up the floodway. A footbridge bridge across the Coolamatong Creek is required to permit pedestrian access to the shopping centre and the north-western side of town during more intense flood events. It is appreciated that the abutments of the existing footbridge restricts the waterway so a replacement bridge, lengthened to open up the floodway should be installed.

General Discussion

There was a considerable amount of discussion in relation to meetings between Council and RMS and the approval of RMS for works proposed on Myack Street.

An explanation was provided that confirmed works to Myack Street was in two stages. Stage 1 was the installation of stormwater culverts across Myack Street and this work did not require RMS approval. However, Stage 2 was the intersection of Myack Street and Jindabyne Road with designs to improve vehicle access to Jindabyne Road and address concerns with pedestrian safety when crossing Jindabyne Road. It was the Stage 2 works that required RMS comment and approval.

It was also confirmed that discussions between Council and RMS in relation to these works had been ongoing for some time and those discussions had covered both Stage 1 and Stage 2 proposals.

Summary of Discussion

It was noted that Council had sought the advice of engineers and experts to assess the effects of stormwater flow through Coolamatong Creek and Myack Street. These findings and recommendations have been captured in two reports. These were:

- Flood Study – Berridale Township (Myack Street – Kosciuszko Road Intersection) dated 24 July 2015; and
- Myack Street Culvert Upgrade Report dated 24 January 2019.

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It was reiterated that expert advice had informed the decision and design of Myack Street work, which then determined the necessity to improve drainage through Memorial Park and eventually identified that some trees would need to be removed.

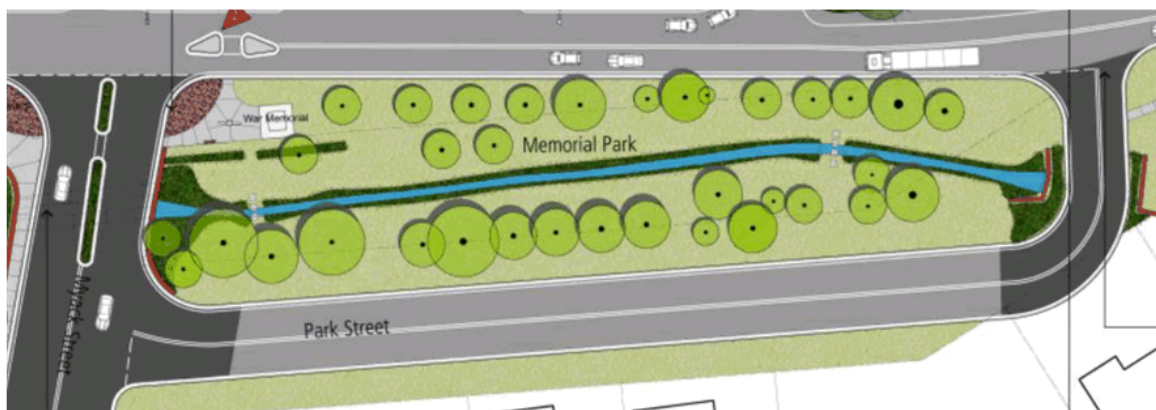
Community views are being captured through consultation and community feedback opportunities and they too will assist Council to make an informed decision in relation to drainage work on Myack Street and through Memorial Park.

Comments relating to the availability of information across a broader section of the community and concern that some community members were hesitant to submit feedback due to possible reprisal were noted.

ITEM 3 - DO THE COMMUNITY BELIEVE WORK THROUGH MEMORIAL PARK IS NECESSARY TO:

- **IMPROVE THE FLOW OF WATER BETWEEN MYACK STREET AND PARK STREET; AND**
- **TO IMPROVE ACCESS TO MEMORIAL PARK FOR RESIDENTS & VISITORS?**

There was some positive discussion around future work and maintenance of Memorial Park, especially improving access to the Memorial and movement of pedestrians through the park. Conversation highlighted the Berridale Landscape Masterplan and identification of pedestrian crossing points over Coolamatong Creek that enabled access to both the Memorial and through the park.



Those attending were unanimous in suggesting Memorial Park could be better maintained and that Council should invest in the advice of a qualified arborist and staff to implement measures aimed at retaining and improving the health of the trees; not removing them.

Comment was made in relation to the use of staff and inmates from the Cooma Correctional facility to assist with tree maintenance. The suggestion was that assistance would be provided if requested by Council.

ITEM 4 - IF TREES HAVE TO BE REMOVED DUE TO HEALTH AND RISK ISSUES; WHAT OPTIONS WOULD THE COMMUNITY SUGGEST THAT WOULD ALLOW THEIR REMOVAL BUT PRESERVES THE HISTORY BEHIND WHY THESE TREES WERE INITIALLY PLANTED IN 1935?

While the overwhelming opinion of those attending supported the view that NO trees were to be removed from Memorial Park, there was some discussion that considered how trees might be removed respectfully and when doing so, recognise the soldiers these trees represent and the reason they were planted in the first place.

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The meeting was informed that all trees planted in Memorial Park were now listed on a Memorial Register and, as such, the trees were protected from removal.

At this point the Mayor was presented with a petition of 720 signatures supporting the preservation of the trees in respect of the heritage they represent and as a sign of honour to the fallen and returned as they were intended for.

ITEM 5 - DO THE COMMUNITY BELIEVE THERE'S ANY FUTURE WORK THAT COULD BE PLANNED TO IMPROVE ACCESS FOR PEOPLE WITH ALL ABILITIES TO MEMORIAL PARK?

The majority of those attending were adamant that NO Trees were to be removed from Memorial Park, Berridale. However, all those attending agreed that work to improve access to and the appearance of Memorial Park is necessary and Council should work with the community to discuss those works and work together as works are implemented.

Mayor Comment

The Mayor informed those attending that a report on Myack Street and drainage works through Memorial Park would be presented to the February 2020 Council meeting for discussion. It would be the decision of Council that determined what, if any, works would commence.

The Mayor reiterated that a number of factors needed to be considered by Council to allow an informed decision in proposed drainage works through Memorial Park, especially the impacts of stormwater on infrastructure, the Heritage and Social significance of Memorial Park and those properties located in the vicinity of Myack and Park Street.

CLOSING REMARKS

Prior to the meeting closing, a request was made for two motions to be considered. These were

Motion 1. That Council improve its communication strategy in relation to proposed works on Myack Street and through Memorial Park. Communication should include information/updates sent to each attendee at the meeting of 30 October 2019 and implement a "letter drop" strategy to ensure information is available across a broader section of the community.

Mayor Comment

The Mayor confirmed staff would review its communication strategy but could not promise the request for letter drops or emails to individual accounts would be implemented.²

Motion 2. That Council undertake a full Heritage Impact Statement, inclusive of the trees and make that information available to the public.

Mayor Comment

The Mayor confirmed that this work had already commenced and was expected to be complete in January 2020.

MEETING CLOSURE

The meeting closed at 19.30pm.

² Mrs Cheryl Mould volunteered to send correspondence to individual email addresses providing the information was sent to her email address.

Public Comment – Proposal to Remove Trees in Berridale Memorial Park

Comment	Captured
<p>My concern is that the proposed removal of the trees is proceeding without any form of consideration of the heritage and historical value of the trees or how they should be preserved. Conservation of this important listed area is imperative and its preservation, conservation and maintenance are critical in line with the trust given to the people of Berridale 84 years ago – but the Snowy Monaro Regional Council (SMRC) has not even bothered to consider these issues.</p> <p>Proceeding with work in this area without any form of consideration of preservation and conservation of heritage and historical values that would be affected by the work is completely and totally contrary to the stated duties and policies of the SMRC and completely and totally contrary to recent statements to the effect the SMRC is aware of and respects heritage and historical values.</p> <p>The trees have been identified as significant in the Snowy River Local Environment Plan of 2000 and again in 2013, and this significance has been listed in the NSW State Gazette. For any proposed changes to listed items or areas, SMRC is required to consider the impact on the heritage significance of the place. SMRC's stated policy is to take action to conserve the heritage values of assets coming under its management, and to set a good heritage practice model for the community to follow.</p> <p>In this case, SMRC has failed significantly to follow or apply its own duties and policies. So far as I am aware, SMRC's Heritage Adviser was not consulted on the matter. SMRC has commissioned and accepted reports that fail to meet these standards (presumably because no instructions to this effect were given to the consultants engaged by SMRC). Further, the SMRC has attempted to proceed with this work on the basis of these reports in clear breach of its duties and policies.</p> <p>The GHD Report for Snowy Monaro Regional Council – Myack Street Berridale – Drainage Upgrade, review dated 29 October 2019 (the Report), gives no consideration whatsoever to the preservation and conservation of heritage and historical values, and indeed shows a complete unawareness of the historical background and value of the trees. These issues are not considered or even referred to anywhere in the Report.</p> <p>The Report refers to the gun and lone pines trees planted in the area, stating that they would not be touched. However the Report does not explain how these items can remain as they are while the trees need to be removed, because they are as much in the direct flood line as are the cypress trees which the Report considers it is necessary to remove. This may indicate that the Report is so badly informed that it sees the <i>only</i> values in the area to be in the gun and the lone pines. This is completely incorrect; the gun and lone pines are much later artefacts, and, unlike the trees, are without significant heritage or historical value within the local context. Whereas the heritage and historical value of the trees has been publicly recognised.</p> <p>The Report also makes the point that the row of cypress trees along the Jindabyne road will not be affected. It is not clear why the Report refers to these particular trees but it may be that the consultant was under the impression that the <i>only</i> value of the trees lies in their effect on the streetscape. No other values inherent in these trees are mentioned and the Report is unaware (or gives the appearance of being unaware) of the far deeper heritage and historical values held by these trees or the duty of the SMRC to address the issue of their conservation and preservation.</p> <p>The Tree Report @ Myack and Park Street Intersection, Berridale provided by Snowy Monaro Tree Service, dated 14 October 2019, Appendix C to the Report (the Tree Report) also fails to give any consideration to the heritage and historical values of the trees or their conservation and preservation. It also fails to consider the impact of the age of the trees under consideration or to take their age into consideration as it affects their management. These considerations would be expected in any arborist's report relating to trees of this age and in a location such as this, and this Tree Report is badly flawed to the extent it has not considered them. This flaw in the Tree Report, and in particular its failure to take into consideration the age of the trees and what management is appropriate for trees of that age, casts considerable doubt on its value.</p> <p>I realise that these flaws in both reports may be attributable to paucity in the instructions given by SMRC to the consultants who prepared the reports, but if that is the case, the original issue arises as to why SMRC is proceeding in this instance in a way that is clearly in breach of its own stated duties and policies.</p> <p>Further, neither report gives any consideration to the amenity and community use of the area nor how it would be affected by the proposed works. The area is of significant importance as it is the site of one of the most important annual gatherings of the Berridale community on Anzac day. The area has served this function for 100 years and it is now of vital importance as a focal point for the community. No work should proceed in this area without this vital aspect being fully considered, and without the impact of any proposed work assessed and options to address it examined. In particular, options for preservation, conservation and maintenance of the area must be considered in the light of its historical and heritage value. This consideration should also investigate ways in which the amenity of the area could be addressed given its current use by and focus of the community.</p> <p>As a further comment on the issue of amenity, I note that the Report proposes the removal of the footbridge. The footbridge has been in place since 1924 (although the current bridge replaced the original timber bridge in the 1960s) and has provided the only pedestrian access across the creek at that point. With the removal of the bridge there will be no provision for pedestrians to cross the creek, other than (presumably) by using the proposed causeway. However the proposed design of the causeway does not appear to make explicit reference to dedicated pedestrian access. It would be extremely unsafe for pedestrians and motor vehicles to share the causeway. This issue needs to be very adequately addressed.</p> <p>In conclusion, I, along with a large proportion of the Berridale community, am deeply concerned at the badly flawed process adopted by SMRC in this matter, and by its total disregard of the town's heritage and historical values in complete breach of its own duties and policies. Contrary to the clear wishes of the townspeople, the SMRC is attempting to proceed on a most pragmatic basis which threatens to result in the ignorant and uninformed destruction of the highly significant heritage of Berridale.</p>	Community Feedback Form

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Comment	Captured
Berridale needs and deserves to look her best. The flood mitigation works present a wonderful opportunity for this to happen. The significance of the trees is not lost on me, but this area could and should look so much better to pay better respect to our heroes and their families.	Community Feedback Form
Shame on you for marking the memorial trees, whoever authorised it should be dismissed immediately	Email 6/11/2019
It's a no brainer. Keep the trees. They are symbolic to those we have lost.	Your Say Snowy Monaro 15/11/2019
This project and concept is fantastic. I think it will be an absolute improvement to Berridale. I know there is issues with tree removal but perhaps they can be replanted somewhere else within the plan. Or maybe make a dedicated area with a plaque to explain who they are planted for so people are aware.	Your Say Snowy Monaro 15/11/2019
Please cut all the trees down... There an eyesore for the whole of the town... Town squares are meant to be inviting, clean & pretty, Berridale's is not. It doesn't invite any tourist whatsoever to stop and enjoy our beautiful town. Nothing can grow underneath those awful pine trees as they poison the soil that there planted in. Not to mention the problematic creek that flows through the middle. There's no access to cross over whilst there is water flowing. My grandmother actually planted some of these trees and I'm sure she will not miss them either... The town will be a lot better off cosmetically and financially if all the trees are removed... It's plain common sense	Your Say Snowy Monaro 15/11/2019
The trees should only be taken out if they are dangerous in their own merit, as they currently stand. Not for being compromised by works. The planned drainage works in this park seems to be an absolute overkill in relation to the very occasional flooding that occurs at this intersection. There is surely more work further downstream that would improve these very occasional floods and prevent the backing up that does happen and where there is less if not no infrastructure. This would allow for less widening of the creek bank and no trees to be compromised. The power pole can certainly be removed as long as an adequate power source for the cenotaph use is replaced at SMRC cost. If done tastefully this would be an improvement! Councils blatant lack of consultation has been an absolute disgrace and the staff and councillors who were putting this plan into play obviously show a complete disconnect with their community and a complete disregard for the respect with how any RSL cenotaph or memorial is to be revered. This is particularly concerning at the management level where these decisions have been made. The damage done to Councils reputation and integrity is immense. Council or senior staff need to really own this decision and a penalty for such a poor judgement should surely be the result.	Your Say Snowy Monaro 15/11/2019
I, like most Berridale residents, respect our cenotaph and those servicemen and women it honours. The planting of a range of conifers was a great gesture for this memorial. However, the town has grown since the site was constructed and Berridale continues to see rapid growth in its population. Storm water management and traffic safety is of greater concern now and what was appropriate many years ago for a small village is no longer viable. It is not OK for flood water to stream down the park, right behind the playground, over the road intersection and dangerously near housing north of the park. As we all know, many of the trees are dying and present a hazard, as well as an eyesore, at the entrance to our town. I fully support the proposed upgrade of the storm water management system and the selective removal of trees. I think this will conserve the dignity of the memorial site and improve the safety and appearance of our town precinct.	Your Say Snowy Monaro 15/11/2019
I want to have input into any intention to cut down trees around the war memorial in Berridale. You just simply cannot do this! These trees are sacred –especially the one from Lone Pine at Gallipoli. These trees mean so much to the families who lost sons in the World wars. Also this is a beautiful part of Berridale where travellers stop and enjoy the shade. Hey folks – get with the program – it is just not right to chop any more trees down – we need them to stabilise the creek edge, we need them for shade, we need them for oxygen, we need them to beautify the area. I'm coming to the meeting. These trees give joy to people, people get peace. Does Snowy Monaro council have a climate change action policy? Does Council have a tree planting policy? These trees need to remain and more trees need to be planted. Please re-plan your maintenance priorities to something more positive than a chainsaw addicted tree murderer.	Email 15/11/2019
REPORTS NOT MADE AVAILABLE TO THE PUBLIC PRIOR TO THE MEETING Council has used the reports of 3 consulting engineering firms to determine the requirements of flood treatment at this site. The last report by GHD simply comments on the flood information provided by Cardno and Kleven. The yield of this catchment varies from 17.6cm/s (Kleven) to 28.1cm/s (Cardno), which is a huge difference. Council now has the SMEC floodplain report which covers this site as well so surely a more accurate figure of the catchment yield can be arrived at. PROPOSED TREE REMOVAL The tree removal issue requires far more community input than just the proposed removal of the 7 trees in the Memorial Park. The independent arborist only reported on the health of the 7 trees proposed for replacement. Surely from a risk management perspective, all the trees in Memorial Park should have been assessed as it appears that other trees within the park are in similar condition to the ones proposed for removal. The community needs to be advised of the health of all the trees before expecting it (the community) to decide on a preferred and acceptable (to it) course of action. FLOODING The proposed works will do nothing to accommodate the flooding across Myack Street above the 20% AEP - 1 in 5 year flood event. The works proposed through the park will do nothing to moderate the flooding caused by any flood above the 20% AEP and I doubt the stream channel works proposed downstream of Myack Street will accommodate the 20% AEP. The works proposed will certainly have no positive impact on the 1% and 2% as well as the PMF. I believe there should be some work done in the vicinity to assist with vehicular access during say a 50% AEP - 1 in 2 year event which may not require any further modification to the outlet drain through Memorial Park other than some minor revetment works. The proposed	Your Say Snowy Monaro 15/11/2019

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Comment	Captured
<p>box culvert under Myack Street could possibly have its invert raised and also only one cell may be required to accommodate the 1 in 2 year event. This will need further detailed engineering design and the community needs to accept the fact that flooding of that site will still occur during those shorter interval flood events. That needs to be examined and the full details made available in lay-mans terms so the ramifications are clear to the community.</p> <p>FOOTBRIDGE The proposal to remove the footbridge will do very little to relieve the restriction in the water course because the Telstra pit near the Council offices which is planned for retention, will need to be moved in order to open up the floodway. A footbridge bridge across the Coolamatong Creek is required to permit pedestrian access to the shopping centre and the north-western side of town during more intense flood events. I appreciate that the abutments of the existing footbridge restricts the waterway so a replacement bridge, lengthened to open up the floodway should be installed. Again, the community need to be made aware of the entire proposal so that informed decisions can be made by the community and then by the Council. The community may decide it does not want a footbridge!</p> <p>ACCESS TO THE CARPARK I have made submissions previously that the carpark entrance (ingress and egress) opposite Myack Street needs to be closed so as to prevent vehicles proceeding either in or out of the carpark at that location. The access point does not meet the Australian Standard for Car Parking and there are simply far too many conflicting traffic movements in that vicinity to consider it safe. At the very least it should be an exit only access with the access to the West being an entry only.</p>	
I do not see the need for seven trees to be removed. Three at the most! There is little point in upgrading drainage if you are not going to continue it on to the other side of the park. Why do half a job. The intersection of Mack St and Jindabyne Rd should have a roundabout this would slow the traffic travelling through town and is the only really safe solution for that intersection.	Your Say Snowy Monaro 17/11/2019
I do not support the removal of any trees from the memorial park. This park holds very special significance for a large number of local families and the descendants of those for whom the trees were planted. I would strongly urge the council to investigate alternative methods of proceeding with any upgrade work. The park in its present form is part of the character of the town. We have already lost some poplar trees from the main thoroughfare, we do not want or need to lose any more foliage from this area	Your Say Snowy Monaro 17/11/2019
The historic and emotional aspect of these trees is more important to the Berridale community cohesiveness than the planned upgrade.	Your Say Snowy Monaro 17/11/2019
<p>It is with great concern that council is planning to remove any tree from the Berridale War Memorial. This park was undertaken with great care, planning and respect for the soldiers from our towns that served at war by their families and towns people left behind. As the names on the Cenotaph show some that did not return and some who returned who served their country well. Is this the way we treat our soldiers who are the reason we are here today???</p> <p>I have downloaded and read with interest your flood risk management studies and your Myack Street Drainage report –final and your Drainage option review. They appear to all be at odds with each other when you compare the statistics and are not going to solve the problem of the waters that run through our town when our 100-year floods occur. If anything, they appear to increase the risks with no proper solution just a beautification process with the end result lost.</p> <p>Your “independent” report by GHD is structured only on the information that council has supplied and not independent at all. It does not consider other options and one would like to ask at what cost this report was undertaken only after public outcry? – You have totally confused the public and digressed from the real course.</p> <p>The tree report from Snowy Monaro Tree Service clearly stated “ONCE EXCAVATION OF NEW DRAIN IS COMPLETE THE ROOT SYSTEM WILL BE SEVERLY DAMAGED.</p> <p>These trees are in very good condition with a life expectancy of up to 240 years plus. If looked after and cared for they will outlive us all and stand tall and proud for our service men. You have not undertaken the necessary public consultation and chose to move forward with no regards to anything or anyone. From the dates on the reports you appear to have only undertaken some of these after the community was horrified with your proposed actions. The mayor gave his word nothing would happen until after the community had had a chance to put forward their concerns but again council chose not to listen and again tried to remove power and dig trenches within the park with no consideration to remembrances day. One definitely questions the gung-ho attitude of the council staff running these works and their ability to follow clear direction.</p> <p>Council has a legal obligation as per their own heritage legislation to preserve this park and would be in direct conflict to these laws if you proceed. Your bullying tactics with your own heritage advisor needs to be questioned as your pay for his valued input and knowledge and he should have been consulted in the process but you reprimand him because he dares to question!! This is not acceptable behavior at all.</p> <p>I put to you that with all the expertise you have available with your engineers and specialist that you are paying that council moves forward with the clear direction and NOT damage a single tree, NOT remove a single tree and to undertake the works in a way that will achieve all the objectives by all concerned</p> <p>Please step back and consider all aspects of what your about to do – your actions will set in place the people’s faith and trust from this point forward.</p> <p>PLEASE RESPECT THE FAMILIES AND THE FALLEN AND THE BERRIDALE MEMORIAL PARK.</p>	Email 19/11/2019
I find it shocking that Council would even start to contemplate removing these memorial trees. No one I have spoken to in the community sees the need to do this “flood” mitigation work and neither do I. Spend the money on more urgent works – there are plenty.	Community Feedback Form
Each tree was planted for a former digger. The Snowy River RSL will put in a plaque in front of every tree stating when each tree was planted and for whom that tree represents. We have money set aside for this. Therefore no tree will be allowed to be removed.	Community Feedback Form

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Comment	Captured
NO	Community Feedback Form
I would like to see the creek, into which the water from the proposed piping will flow, cleared out of tree roots so the water can flow properly. This will also make the creek area more attractive for both walkers and wildlife. This should be done prior to any pipe diversion works. If trees from the memorial need to be removed due to disease then they should be replaced.	Your Say Snowy Monaro 1/12/2019
Whilst I am not in the position of second-guessing Snowy Monaro Regional Council's need to undertake a major landscape upgrade as part of its asset management improvement program, I am confounded by the approach which ignores the cultural heritage significance and intact integrity of ALL the memorial trees in the Berridale Memorial Park. Since 2004 TREENET, through its national Avenues of Honour program, has been documenting original tree plantings commemorating the military service, sacrifice and suffering made on behalf of all Australians. This program aims to engage with the community to help preserve, promote, restore, reinstate commemorative plantings under the umbrella of "Avenues of Honour". https://avenuesofhonour.org The significance of the memorial trees in Berridale Memorial Park is also listed in the NSW War Memorial Register & with Monuments Australia, respectively: https://www.war memorialsregister.nsw.gov.au/content/berridale-memorial-park-and-cenotaph https://monumentaustralia.org.au/themes/conflict/ww1/display/95695-berridale-memorial-park . Simple and standard due diligence and homework in the development and planning stages would clearly have revealed this incredibly significant history and heritage, and respectful and appropriate solutions could have been explored, to avoid the risk of damage to the vitality of any of the trees likely to be impacted by the current plan indicating the need to remove seven of these special trees. These trees are clearly not your everyday, amenity trees and should not be treated as the line of least resistance for an engineering solution for improved drainage, devised but limited by ignorance and convenience. I'm aware of local community outrage, which TREENET shares by default. Now the sensitive nature of the Berridale Memorial Park trees is well disclosed, I trust that alternative solutions can be explored so these original memorial plantings can be subject to rigorous protection and their heritage status clearly recognised in perpetuity. Those individuals from the Berridale and districts commemorated by these trees do not deserve to die twice.	Your Say Snowy Monaro 1/12/2019
<p>I am writing on behalf of my husband and myself to voice our concerns regarding Council's proposed removal of seven (7) established trees of historical significance from the Berridale Memorial Park. Give their historical importance, Council would better serve the Community by nurturing & maintaining these trees rather than removing them. Our Cenotaph, including the Memorial Park is unique, with the significance of these trees not only affecting the descendants for those of whom the trees were planted, but for many other local residents with links to various war conflicts. We believe that with Community input, suitable alternatives are possible.</p> <p>With the proposed works in their present form, only addressing the 1 in 5 year Average Recurrence Interval (ARI) event and not the 1 in 100 ARI event, it seems a drastic compromise to remove 7 established trees of major historical significance to our town so as "to eliminate damage to the new drainage system & make safe the area for the public". Without the plan to extend the watercourse downstream to Myack Creek, there seems little benefit in assisting with the flow of water from the affected sites. We note the Snowy Monaro Tree Service Report advises the affected trees are predicted to be affected by the excavation of the swale impacting the roots so why not look to other alternatives? The report also states a few are "displaying some level of significant decline" and yes, there are signs of dieback, as there is on many trees on the Monaro, this could be addressed with the guidance of an Arborist, thereby improving the affected trees health and address Public safety concerns.</p> <p>Despite Councils undertaking to provide opportunities for members of the public to comment on its proposals under the guise of Community Consultation, it is not surprising many in the Community see Council's proposed works as a fait accompli. It too the inadvertent desecration of 7 trees prior to Remembrance Day to raise awareness of the ramification of Councils proposed works. Many concerned Community members are not digital savvy, are not on Facebook or the internet and due to work or family constraints are unable to, as suggested, "pop" into Berridale Council Chambers to respond to Council's "Have Your Say" nor attend meetings. It was I who suggested an attendance sheet at the Council Meeting (30 October 2019) & willingly supplied my email address and as yet, to receive feedback or minutes. The Community feedback form is not user friendly & requests limiting email response to only 255 characters.</p> <p>Having read, with difficulty online, the Village landscape Master Plan Report (2014) and attended two Community Meetings, Council's on the 30th October & a Public Meeting on the 25th November 2019) and since studied the Executive Summary October 2019, we agree with Councils acknowledgment that it is clear there is a diverse range of opinions existing within the Township of Berridale and feel they deserve to be acknowledged & addressed. We feel Council underestimated the amount of Community angst generated by Councils decision to remove these trees and should be open to adopt alternative practical options offered by concerned Community members. The level of Community displeasure is obvious, given the amount of circulating petition signatories, both online & hard copy versions, attendance at relevant meetings and individual feedback to Council. Council has the opportunity to reconcile what is a distasteful outcome to its local residents & in doing so gain the Community's respect.</p> <p>We are aware the Government funding/Grant for part of this project requires the works to be carried out by June 2020, works that could proceed in other parts of the submission, and hereby request an extension for the memorial Park works to ensure Council & the Community reach a satisfactory outcome for all parties. Mayor Peter Beer assured the Community of Berridale the memorial Park works will not be actioned at this time. Therein is an anomaly with the scheduled removal of the Power pole/stay by Contractors on the 12th December 2019 – "Work necessary for the proposed drainage works on Myack Street & installation of stormwater pipes". Clarification on who owns the land would also be appreciated.</p> <p>Having spoken to other concerned townsfolk that attended Councils meeting on the 30th October and others who have responded in writing, it appears there has been limited, if any, feedback from Council. We would appreciate a copy of the minutes from the 30th October Meeting & request Council to formally acknowledge this letter and address our concerns and those of our Community.</p>	Community Feedback Form

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Comment	Captured
<p>No work should be done that in any way affects the trees in Memorial Park, the width of the park between Kosciusko Road and Park Street or the space around the Memorial. The same amount of water will always run in to this depression in the middle of town regardless of what extensive “flood mitigation” measures are undertaken. A better flow can be achieved by concentrating on where the drain crosses Park Street and immediately beyond this point. Just removing accumulated build-up of silt would be a good start and relatively inexpensive option. A walk down this watercourse to where it joins Myack Creek makes this obvious.</p>	<p>Community Feedback Form</p>
<p>The feedback process undertaken is inadequate and does not consult the broader community’s feelings. The Option / No Viable Option information does not constitute a consultative process. However, the options put forward at the community meeting on the 25 Nov 19 has community support and is not one of the options provided in this so-called formal process. Being that the person responsible from council to coordinate feedback, nor anybody else from council did not attend the meeting it appears that a decision has been made without actually ‘listening’ to the community. To properly move forward, working together, council need to recognise this option for the most effective outcome for both parties. Even though the Mayor Peter Beer and councillor John Castellari attended the aforementioned meeting, it was obvious there is a huge disconnect from the actions of council and the thoughts of the councillors and the community. I trust (unlike other requests I have personally made) that all feedback provided will be available for public viewing, names redacted of course. If it isn't, then this process is completely flawed and an absolute waste of everybody's time. It important that council fixes its inadequate consultation process and employ a more consolidated and broader approach. The plans distributed for comment are convoluted and impossible for the lay person to understand. Just because, in retrospect, from the damage already done, council tells us what they are doing fixes the trust already broken, I can report that it does not, if anything it’s getting worse. Every single person I have spoken to tells me that they do not trust the process, and therefore until there is a way to measure the confidence the community deserves to have in its council, then no further works should take place. Some inroads to that type of consultation were made at the meeting on the 29th but without proper council representation the voice of the community is not being heard other than translations through the Minutes and the represented councillors. The best way forward, as I have discussed with several community stakeholders, and the community in general, is to do is invite the community to the site in question (Berridale War Memorial), and provide a visual representation on the ground to allow people to have their say in a robust, transparent and candid discussion. Until that happens the community will be dissatisfied with any so-called consultation and continued angst about the whole beatification / flood mitigation project.</p>	<p>Your Say Snowy Monaro 8/12/2019</p>

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Arboricultural Assessment

Snowy Monaro Regional Council
Berridale Memorial Park
Park St Berridale, NSW
Contact: Pam Vipond

Date:
25/02/2020

Ryan Winefield, AQF5 Diploma of Arboriculture (current), AQF3 Certificate III in Arboriculture
QTRA Licensed User and Arboriculture Australia member



ACT Tree Felling–Berridale Memorial Park

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ACT Tree Felling–Berridale Memorial Park

Brief

The author has been asked to conduct a site visit and carry out an arboricultural assessment of seven trees indicated for removal as part of a proposed development. This report aims to provide information on overall tree health, condition, size, form, potential problems which may decrease life expectancy and make an assessment of the actual need for removal should the development proceed.

Background

A proposal has been put forth for the augmentation of a stormwater culvert through the centre of the Memorial Park is located on the corner of Jindabyne Road and Myack Street Berridale, NSW.

The site currently consists of a grassed area with an informal stormwater culvert running through the centre. There are approximately 37 coniferous trees of mixed species, a marble and stone cenotaph, a WWII era QF 40mm MK gun, a large granite boulder with numerous memorial plaques and several picnic tables.

The client provided a plan set for the proposed development prepared by Cardno (NSW/ACT) Pty Ltd, design project: 50518092,
Sheets: GE-1000, 6 February 2019,

GE- 1001, GE-1002, GE-1003, RD-1010, RD-1011, RD-1015, RD-1016, RD-1020, RD-1021, RD-1022, RD-1023, RD-1030, RD-1031, RD-1032, RD-1033, 19 September 2018,

RD-1040, RD-1041, RD-1042, RD-1043, 18 June 2018,

RD-1044, RD-1045, RC-1050, RC-1051, RC-1052, RC-1053, RC-1054, SM-1060, SM-1061, SM-1062, SM-1063, UT-1110, UT-1111, PV-1120, RF-1030, RF-1131, RF-1132, 19 September 2018.

Snowy Monaro Regional Council Heritage report, authored by Pip Giovanelli, 20 January 2020.

When on-site indication was made of an amended plan set, however, when requested, the advice given was these were not required as no changes to this site were made.

An extrapolation of information found on *espade*¹ indicates current soil type is likely a sandy clay loam over clay loam with a pH of approximately 6.

¹ State of NSW and Office of Environment and Heritage, 2018, *eSPADE V2.0* viewed 13 February 2020
www.espade.environment.nsw.gov.au



ACT Tree Felling–Berridale Memorial Park

Method (and Limits)

The site was visited and inspected on the 29th of January 2020.

Only the seven trees specified for removal have been assessed and documented in this report, any others which may be potentially impacted by the development have not been included.

Soil data extrapolated from espade

A limited Visual Tree Assessment (VTA)² was performed from the ground on all trees specified and only includes what was visible at time of inspection.

Health has been determined using the information found in table 1 (Appendix 1)

The condition has been determined using the matrix provided in table 2 (Appendix 1)

The DBH (Diameter at Breast Height) was measured at a height of 1.4m using a diameter tape, with the sum being taken for multiple stems.

The DBH for trees 1 and 7 was not taken at 1.4m due to the canopy structure and foliage density of these species it was not possible to accurately measure at this height, instead diameter at base height was measured.

Height has been recorded using a digital clinometer.

Canopy spread is expressed as the sum of measuring 2 points estimated to be the furthest from the main stem with a laser measure.

The area around visible wounds was sounded with a nylon sounding hammer extending to a height of no greater than 2.4m (author's reach).

The identifications made have been based on the broad features visible from the ground at the time of assessment and not on full taxonomical inspections.

Rainfall data has been taken from the Bureau of Meteorology monthly rainfall table for the region³.

All images have been taken by the author unless otherwise stated.

² Mattheck, C & Brelour, H (1994), Field guide for visual tree assessment (VTA), Arboricultural Journal, Vol18 pp 1-23

³ Bom.gov.au. (2020). *Monthly Rainfall - 071022 - Bureau of Meteorology*. [online] Available at: http://www.bom.gov.au/jsp/ncc/cdio/wData/wdata?p_nccObsCode=139&p_display_type=dataFile&p_stn_num=071022 [Accessed 13 Feb. 2020].



ACT Tree Felling–Berridale Memorial Park

Observations

Tree 1

Located at the Myack Street end of the park, Tree 1 has been identified as *Cupressus sempervirens* (Pencil Pine), with a measured height of 7.8 metres, a 515mm diameter at the base and a canopy spread of 2.55m.

The age of the tree cannot be accurately determined, however, aerial images available (Appendix 2) appear to show the presence of a tree in this location in 1964 and not in 1944, this potentially places the age of the tree somewhere in the 56-76 year range.

It presents in reasonable health with good foliage density and colour, given the natural columnar form of this species it is apparent previous pruning has been completed most likely to obtain clearance from the electrical wires. This pruning appears to have had little effect on the overall condition of the tree which presents as good.

Tree 2

Located in between Tree 1 and another nearby tree, Tree 2 has been identified as *Hesperocyparis macrocarpa* (formally known as *Cupressus macrocarpa*) or commonly a Monterey Cypress with a measured height of 10.4 metres, a DBH of 406mm and a canopy spread of 2.55m.

This is likely secondary to the original plantings in the park, as it is also absent from the 1944 image but present in the 1964 image making it within the same year range as tree 1.

The tree appears in moderate health, exhibiting signs of minor stress such as chlorosis of some foliage and minor dieback, these are consistent with water stress. There are abscission scars from the flowers present on the apex of branchlets which can give the appearance of further stress.

There are dead branches on one side resulting in an asymmetric canopy, consistent with phototropism as a product of competition with the nearby tree on the opposite side to Tree 1.

Tree 3

Located in the second row on the northern side of the park (towards the Myack street end) Tree 3 has been identified as a *Hesperocyparis macrocarpa* (Monterey Cypress) with a height of 13.2 metres, DBH of 374mm and a spread of 8.1 metres.

The age is estimated as greater than 76 years as it appears to be present in the 1944 image.

The tree presents as in moderate health and in reasonable to good condition. There is a small amount of necrotic foliage and chlorosis present, indicative of minor stress. The tree has plenty of cones which can be an indication of good vigour, flower abscission scars present also giving the canopy a more stressed appearance from a distance, however, the majority of



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foliage at the tips is healthy.

There are some dead lower branches which are typical of species, a small wound at the base with good wound wood development (possible lawnmower damage) and a deep sinus at the base approximately 100mm deep. There is evidence of insect activity, which appears to be a species of Darkling beetle based on the larvae found.

Tree 4

Located next to Tree 3 on the side opposite Myack Street, Tree 4 has been identified as a *Hesperocyparis macrocarpa* (Monterey Cypress), which is 13.6 metres high, with a DBH of 429mm and a spread of 9.36 metres.

The age for this tree is also estimated as greater than 76 years as it appears to be present in the 1944 image.

Structurally, the condition is good, but the overall health appears as the lower end of fair, the tree looks to be more stressed than the others of the same species with a fairly sparse canopy, with some tip dieback, approximately 30-40% of the canopy has necrotic leaves and significantly fewer cones.

Tree 5

Located towards the middle of the park on the Park Street side, this tree has been identified as a *Hesperocyparis arizonica* (formally *Cupressus arizonica*) or commonly as an Arizona Cypress, with a height of 16.4m, DBH 843mm and a spread 14.67m.

One of the larger trees, it is suspected to be one of the original plantings. Presence in the 1944 image indicates its age as older than 76 years which is consistent with its size.

The overall health appears as reasonable with good foliage density and colour. Asymmetries in the canopy have developed due to competition growth from neighbouring trees. A small number of necrotic leaves are present however, these are distal from the tips and appear to be older season growth abscising.

There are two reasonably large trunk wounds near the base, with good wound wood development. The areas around the wounds were sounded with a hammer, indicating the damage extends to approximately 50% of trunk circumference.

The primary cause for the decay in the wound is currently unknown, although the lack of insect damage to the cambial zone and sapwood suggests the cause may be fungal. There is, however, frass present under bark and at the base of the tree, with the carcasses of two different beetles believed to belong to the Tenebrionidae family observed.

Tree 6

Located next to Tree 5 on the Park Street side, Tree 6 has been identified as a *Hesperocyparis arizonica* (Arizona Cypress). The measured height of 18.5 metres, a DBH of 810mm and a spread of 12.17m.

The age is estimated as older than 76 years, as it appears to be present in the 1944 image.



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The tree presents in good health and condition with good foliage density and colour. There is deadwood present in the lower canopy, which is normal for the species and signs of a possible soil disturbance.

Tree 7

Tree 7 has been identified as *Cupressus sempervirens* (Pencil Pine), with a measured height of 5.7 metres, a 365mm diameter at the base and a canopy spread of 3.37m.

Aerial images available appear to show the presence of a tree in this location in 1964 and not in 1944, this potentially places the age of the tree somewhere in the 56-76 year range

Overall health is fair, there are some necrotic leaves and dieback at the branch tips. The tree has poor form, evidence suggests this is due to the previous lopping. There are signs of small borer activity on dead branches, these don't appear visible any live branches or causing notable stress.

Although all other trees on site weren't assessed as part of this report, observations made of the plans indicate it is likely several other trees may be impacted by construction should the proposed development proceed. The correct management of these trees, by way of a Tree Management Plan (TMP), will be required to ensure their health into the future.

Discussion/Conclusion

Tree species

Cupressus sempervirens (trees 1&7) is an evergreen conifer with a columnar shape, with origins of the Mediterranean regions of southern Europe. Preferring moist to dry clay, loam or sandy soils tolerant of both acidic and alkaline soils, tolerant of drought with the longevity of 50-150years[1].

Hesperocyparis macrocarpa (trees 2,3&4) are an evergreen conifer with a spreading decurrent shape, naturally growing in a small area along the Monterey coast of California. Preferring moist to dry, clay or loam, acidic to slightly alkaline soils, tolerant of drought with the longevity of 40-150years[2].

Hesperocyparis arizonica (trees 5&6) is an evergreen conifer with a conical shape, native to central Arizona. Preferring well-drained, loam or sandy acidic soils, tolerant of drought with the longevity of 50-150years[3].

When a tree and site match, the longevity of the tree is increased, this appears to be the case in this instance where both the tree species and soil profile are compatible.

Trees 1-4

These trees present as mildly stressed with signs/symptoms consistent with those associated with water stress. This is likely a result of the current dry conditions, with the average rainfall



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down by almost 50% on that of 10 years ago (BOM reference). These trees sit in the lower range of their life expectancy and present no factors which are likely to reduce this.

Tree 5

Tree 5 is one of the largest trees on the site and shows fewer signs of stress when compared to the other trees assessed. However, it has two large wounds on the trunk with sections of sapwood missing. There is no visible damage normally associated with phytophagous insects (these are insects which feed on green plant matter, leaves, stems, roots etc) and appear to be the result of a fungal infection. There is evidence of two species of beetle believed to belong in the Tenebrionidae family which are saprophagous (only eating decaying organic matter), making them secondary to the cause of decay.

The development of wound wood indicates the tree is compartmentalizing the damage and defending against the cause of the decay. A healthy tree will continue to do this unless the stress increases to the point of strain and exceeds the resources of the tree.

This wound wood also increases the strength around the wound, maintaining structural integrity.

At this stage, the impact of these wounds on the overall structural integrity is likely to be low, taking into account this wound wood and the existence of heartwood then applying Mattheck's t/R ratio (Mattheck, Bethge and Weber, 2015), which suggests once a cavity only has 30% solid wood remaining, greater consideration should be given to the remaining strength of the tree and factors that affect this, but doesn't suggest when a tree reaches this threshold it becomes dangerous, it just requires further inspection.

Tree 6

Of the trees assessed Tree 6 is the tallest and presents as the healthiest, with little to no indicators of stress, visible wounds or other damage. There is a small patch of soil which looks as though it may have been disturbed but no other signs or symptoms currently present.

Tree 7

Tree 7 doesn't display the same signs of stress as the other trees although, there is some deadwood present. It does, however, have poor rather scraggly form, largely a result of having been previously lopped at the main stem.

Trees on development sites

There are several ways in which trees can be damaged during developmental work. Some of these are visible such as direct impact to the tree i.e. broken branches, wounds or damage to the trunk or direct damage to the roots through trenching or excavation etc.

However, some damage may not be as visible; for example, compaction of the soil above and around the roots, sealing or adding extra fill around the root system. These activities can



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limit the amount of water and oxygen available to the roots and inhibit normal root activity.

It is this non-visible damage that is of greatest concern and the most effective method of tree protection is the establishment of an exclusion zone around the tree also known as the Tree Protection Zone (TPZ).

Root systems

To understand the impact occurring to the roots when development proceeds adjacent to trees, it is important to understand the root system.

Roots are opportunistic, starting as pioneer roots, they push through the soil to utilize available soil moisture and soluble nutrients (solutes). This push by the roots is produced by the cells dividing and elongating at the tip, this area is known as the 'zone of elongation' and is typically 100 mm or less in length.

To stimulate this elongation of cells, roots optimally need water, available soluble nutrients (solutes) and a soil temperature of generally between 7°C - 16°C ⁴.

When the roots have become fully elongated small root hairs develop and become 'absorbing roots' which are responsible for the uptake of almost all water and solutes used by the tree.

These absorbing roots only last a short time, often only a few weeks; this time can, however, be increased when in association with beneficial fungi. When the tree is already growing well it can be assumed the available soil solutes and temperature are satisfactory; highlighting water availability as the biggest limiting factor to root growth.

Some of these roots will survive the environmental stresses and become 'woody roots'. These roots range in size from less than a millimetre to hundreds of millimetres in diameter and are in effect, underground branches with thick bark. This bark protects and prevents them from drying out just as the bark on branches would do but as a result, they are very ineffective at absorbing water and solutes.

Due to environmental damage, disease or competition, numerous young woody roots will die, some will, however, become long-lived acting as the connection between absorbing roots and the tree.

The small number of these woody roots grow directly from the trunk and provide a pathway for transport of water and nutrients as well as structural support to the tree, both in compression and tension. These are usually thicker, stronger and have a greater content of wood (lignin) cells.

When either tensional or compressive forces are applied these (structural) roots will put on reactive tissue resulting in an asymmetrical rather than circular shape. These roots become rapidly thinner (known as the 'zone of rapid taper') and more circular the further from the trunk they grow.

⁴ ALVAREZ-URIA, P. and KÖRNER, C. (2007). Low temperature limits of root growth in deciduous and evergreen temperate tree species. *Functional Ecology*, 21(2), pp.211-218.



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Most of the roots are likely to occur in the first 1.2 metres of soil depth, with the majority of absorbing roots being located 30-45cm from the surface.

Tree removal

The evidence suggests there is no arboricultural necessity to remove these trees if the development was not to proceed and appropriate measures are put in place to manage the site into the future.

However, the provided plans for the proposed development indicate a requirement for 7 trees to be removed (those contained in this report).

A review of the current plans confirms the need for removal of these trees, signifying the encroachment caused by the new stormwater culvert on the root zones and the subsequent damage, which is likely to occur will be too great, making it unviable for the retention of these trees.

There is the possibility of retaining some of the trees should the design be altered in such a way as to minimise encroachment of the root zones.

Those whom the final decision regarding the retention of these trees lies should consider the sentimental/historic value and the benefits provided to the community by these trees. Consideration should also be given to the benefits of the new infrastructure, taking into account any impact on the local community the loss of these trees may have.

Recommendations

The current design has the required trench running through the area currently occupied by numerous trees and creating a major encroachment to the root zones of the others; if these trees are to be retained changes must be made to the width and route of the trench, reducing the impact caused to the root zones. However, this may result in other trees being impacted. A need for a Tree Management Plan (TMP) will also arise if retention becomes the goal.

If it is not possible to draft a suitable design allowing the retention of the trees, another option may be to propagate new trees from the existing ones. The benefit of this is; the newly propagated plants will have the same genetics as the existing trees, effectively being the same tree and can be planted in the best possible location after all the construction works have taken place.

The shade cloth on trees 1 and 7 should be removed if they are to be retained. The manner which the shade cloth is wrapped is likely to cause dieback of foliage due to decreased exposure to light, having the same effect as shade from another tree.



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Appendix One

Tree Health	<ol style="list-style-type: none"> 1. Good – In good health and appears to be free of significant faults, defects or stress factors. 2. Reasonable—Tree appears to have average vigour for its species and site conditions and appears to be free of significant faults, defects or stress factors. 3. Moderate – Tree presents some faults or health problems which can be managed and are unlikely to cause problems in the short term. 4. Poor – Significant issues with health or structural defects with management unlikely to be adequate or appropriate.
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Condition Rating	Tree Structure
1. Excellent	Root plate undisturbed, buttressing has normal development. No visible trunk defects or cavities. Branch spacing/structure and attachments are free of any defects. Excellent form, very well-balanced crown with excellent density for species. Trunk is sound and solid. Little to no dieback (deadwood 5% or less), No apparent pest problems.
2. Good	Root plate appears normal; little to no damage present. Minor trunk defects, with good closure and wound wood development. Good branch habit, good form and symmetry for location and species. minimal dieback (5-15% deadwood), possibly with some signs of previous pruning. Canopy density good for species and location, minor to no pest problems.
3. Fair	May have, root plate revealing previous damage or disturbance with dysfunctional roots present, may be visible around main stem, basal wounds up to 50%, evidence of trunk damage or cavities with decay or defects present, less than 30% of bark sections missing on trunk. Codominant stems with acute angles or bark inclusion may be present. Branching habit and attachments indicate poor pruning or damage, which requires moderate corrections. Moderate dieback (15-50% deadwood). Moderate form, Asymmetric canopy, significant phototropic or geotropic growth (lean). Obvious signs of pest problems contributing to lesser condition however, likely to be treatable. Some decay areas found in main stem and branches.
4. Poor	May have, root plate disturbance and defects which indicate major damage with girdling roots around the trunk flare, basal wounds in excess of 50% of circumference, trunk reveals more than 50% of bark section missing, poor branching structure or attachment, with several structurally important dead or broken. Canopy reveals signs of damage or previous topping or lions tailing, with major corrective actions required. Lacking full crown, significant dieback (>50% deadwood), especially affecting larger branches. Significant or severe pest problem Extensive decay or hollow.
5. Very Poor	Severe damage within the root plate, with root collar exhibiting major defects which could lead to failure or eventual death. Branching is extremely poor or severely topped with severe dieback in canopy (>50% deadwood) Canopy density is extremely low, Severe decay in the trunk and major branches.



Appendix Two

Tree photos



Image 1: Aerial view of Berridale in February 1944 (Source: NSW Land and Property Information Division) Arterra report



Image 2: Aerial view of Berridale 1964 (Source: NSW Land and Property Information Division) Arterra Report



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Image 3: Tree 1



Image 4: Tree 1 upper die back



Image 5: Tree 1 lower dieback



Image 6: tree 2



Image 7: tree 2 flower



Image 8: tree 2 necrosis of foliage



Image 9: Tree 3



Image 10: tree 3 base wound



Image 11: tree 3 sinus at base



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Image 12: tree 3 necrotic foliage



Image 13: tree 3 larvae and frass



Image 14: tree 4



Image 15: tree 4, tip die back



Image 16: tree 4, necrotic foliage



Image 17: tree 5



Image 18: tree 5, foliage



Image 19: tree 5 wound on Jindabyne St side



Image 20: tree 5, wound on Park St side



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Image 21: tree 5, wound wood development



Image 22: tree 5, frass found in wound



Image 22: tree 5, one of two beetle carcasses found



Image 23: tree 5, second carcass



Image 24: tree 6



Image 25: tree 6, foliage



Image 26: tree 6, possible disturbance of the soil



Image 27: tree 7



Image 28: tree 7, dieback



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Image 29: tree 7, Previous
'lopping' cut



Image 30: tree 7, borer holes on
dead branch



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Appendix Three

Tree map



Image source: Spatial Services, NSW Department of Finance, viewed 25 February 2020, <https://maps.six.nsw.gov.au/>

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SMRC Councillors' Questions – In Progress

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
2	05 April 2018	21.4	Disability Friendly Premises for Council Meetings Councillor John Castellari Question: Could Council identify disability friendly premises for our meetings so that we are inclusive of all our population?	Group Manager Facilities Management	<p>02/03/2020 – GH: Final BCA reports and compliance cost estimates received. Total compliance upgrade cost estimated at \$2.5M. Facilities investigate stair lift to Chamber. Internal stairs unsuitable leaving only Public access stairs. Accessible amenities would be required at basement level for this option. Continuing investigation of relocating Chambers to the ground level "finance area". CEO EA investigated use of school halls for Council meeting with this option deemed unsuitable. Facilities are proceeding with auto door install for the front Commissioner St entry.</p> <p>31/01/2020 – GH: Draft building inspection reports received and being reviewed. Following receipt of final reports in February cost estimates will be requested for identified issues and will be submitted to Council for consideration in March.</p> <p>03/12/2019 – GH: Audit continuing and report due February 2020.</p> <p>31/10/2019 – LN: Compliance audit for building (81 Commissioner Street) underway. Report due February 2020.</p> <p>30/09/2019 – GH: Council currently considering premises in Vale St OR the potential to upgrade the Commissioner St premises. RFT</p>	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>currently out to undertake Compliance Inspection of the Commissioner St premises.</p> <p>27/08/2019 – GH: Lease of premises in Vale St is being considered for Council Meetings.</p> <p>24/07/2019 – GH: Alternate options are still being discussed at ELT.</p> <p>02/07/2019 – GH: Alternate options are being discussed at ELT.</p> <p>03/06/2019 – GH: Still being reviewed.</p> <p>02/05/2019 – GH: Awaiting GM/Director advice on proposed ground level floor plan alterations including Council Chambers relocation to Finance area.</p> <p>After exploring the option of providing a chair lift for the Council Chambers, staff are developing options for an alternate space for Council meetings. A report will be provided to Council soon.</p> <p>30/10/2018 – GH: Supplier inspected proposed stairwell 17/10, with preference for the public entry stairwell due to clearance issues in the internal stairwell from the ground floor. This option prevents access to disabled</p>	

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>toilets. Waiting for finalised report from Technician.</p> <p>31/08/2018 – GH: Price estimate for installation of wheel chair lift to public entry stairwell requested. Continuing EOI process for new civic centre.</p> <p>21/08/2018 – GH: Council has resolved to investigate a new Civic Centre in Vale St. Call for EOI for master plan and concepts is currently out with suitable architectural firms and two site meetings have been conducted. Interim solution for "accessible" meeting is the use of the library or multi-function center – neither have available webcasting capabilities. Staff are investigating feasibility of a platform wheelchair lift for the current chambers.</p> <p>16/08/2018 – DC: Action reassigned to Glen Hines by: Debbie Constance.</p> <p>11/08/2018 – DC: A report will be presented to Council on changes required to make the existing building compliant and other possible premises under Council's ownership. – Ongoing.</p>	
57	15 Nov 2018	18.3	Delegate School of Arts, Drainage Councillor Anne Maslin What is the time frame for repair work to be done on gutters and downpipes to improve drainage at the Delegate School of Arts?	Group Manager Facilities Management	<p>02/03/2020 – GH: Draft design plans received, awaiting final cost estimates. Upgrades to be divided into 3 stages. Hoping to deliver stage 1 (new toilets) and stage 2 (paths and ground water controls) concurrently. Stage 3 is the internal upgrades to the hall and is dependent on SCCF 3 outcome.</p> <p>31/01/2020 – GH:</p>	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>Design engineer will provided final design and costs for the SoA early Feb including drainage and storm water. It is expected to proceed with new toilets and pathways with funds allocated by Council last year.</p> <p>03/12/2019 – GH: Site meeting with design engineer scheduled for 04/12/19.</p> <p>29/10/2019 – GH: RFT being prepared for construction of toilets and to be put on Vendor Panel in November. Awaiting outcome of SCC3 application for other works.</p> <p>30/09/19 – GH: SCCF Round 3 Grant application submitted for upgrade works in line with compliance report recommendations</p> <p>27/08/2019 – GH: Council resolved to fund construction of new toilets. Facilities staff to project manage this. L&P staff to prepare SCCF 3 application for improvement works as scoped by the building compliance reports.</p> <p>24/07/2019 – GH: August report to Council and preparation of Grant Application.</p> <p>01/07/2019 – GH: Report received early this week. Application for funding under SCCF Round 3 to be prepared in line with report</p>	

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>recommendations. Report will be tabled at August Council meeting.</p> <p>03/06/2019 – GH: Awaiting Building Inspection report.</p> <p>02/05/2019 – GH: Scope is much greater than repairs to gutter and downpipes. Council allocated \$50K for a building inspection and projects scope with report expected in May. A Fire inspection was carried out by Council staff which identified a significant amount of recommendations to achieve compliance. Following receipt of the building inspection report and estimates, funding for upgrades and repairs will be sought either through Council Reserves or available Grants. Facilities only hold \$10K in Capital Project funding for both School of Arts and Pre-School combined.</p> <p>02/04/2019 – GH: Crown advised that owner is SMRC (former BSC) and this was not clear due to an administrative error at time of transfer. This excludes Council from pursuing funding for the toilets through Crown Land. Inspection and planning as per below to continue as planned and Staff will investigate funding possibilities and present to Council.</p> <p>26/02/2019 – GH: Council resolved to allocate \$50K (21 March) to undertake building inspection and developing scope of works for drainage works and project management. Land and Property liaising with Crown regarding</p>	

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>boundary adjustment or establishing easement to facilitate drainage works. Grant application to be submitted to Crown for installation of public toilets and rear of block (est \$80K+).</p> <p>29/01/2019 –GH: Awaiting Crown Land advice on boundary adjustment. Investigation ongoing with the scope to be included under Major Projects team undertaking the street drainage works.</p> <p>03/12/2018 – GH: Group Manager Facilities, Commercial Land Officer and Bombala Property Maintenance Officer attended the Delegate School of Arts 27/11/18, meeting with Committee Members and inspecting the building and grounds. Staff are preparing a scope that will be shared with the Major Projects team undertaking the street drainage works and if possible be packaged into this body of work with funds already allocated in the Facilities capital projects for this facility.</p>	
124	17 October 2019	12.6	<p>Werralong Road Councillor John Rooney Question: When will Werralong Road be gazetted and maintained as a public road as previously agreed by Council?</p>	Group Manager Transport Infrastructure (Operations)	<p>02/03/2020 – GS: Once Council approval from the Minister for Local Government and the Governor have been received Werralong Road can be gazetted and the road maintained. As yet, these approvals have not been received.</p> <p>28/01/2020 – AW: Currently Councils Solicitor is preparing the section 30 agreements for the affected landowners.</p>	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					<p>Once completed an application will be submitted to the Office Of Local Government for approval.</p> <p>29/11/2019 – GS: At the meeting of Council on Thursday 21 November, Councilors approved the acquisition and gazettal of Werralong from the Constance/Cherry boundary through to the Snowy River. Staff are preparing a submission to the Minister/Valuer General to approve the acquisition process.</p> <p>31/10/2019 – GS: An updated report will be prepared for the November Council meeting. A meeting has been requested by one of the complainants with the GM and Director Environment & Sustainability. Correspondence has also been received from the daughter of one of the landowners who has recently passed. The outcomes of these discussions and correspondence are being factored into an updated report for consideration at the November meeting of Council.</p>	
126	17 October 2019	12.8	Storm water Drain in Michelago Councillor John Rooney Question: What progress has been made on remediating the storm water drain running	Group Manager Transport Infrastructure (Operations)	02/03/2020 – GS A Report on the progress of remediating storm water drainage through 60 Ryrie Street was scheduled for March 2020 but, due to an unexpected departure to the	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			through two properties in Michelago Village?		<p>UK in January, this report has been delayed. However, 3 options have been considered and investigated and these are:</p> <ul style="list-style-type: none"> • Option 1. Move of the existing culvert across Ryrie Street approximately 25 metres north. • Option 2. Construct a new culvert discharge point. • Option 3. Retain the existing configuration <p>The details of each option will be available once the report is submitted.</p> <p>28/01/2020 – AW: A report provided by Public Works Advisory on possible solutions is currently being assessed. A report on workable options will be provided to Council when Completed.</p> <p>29/11/2019 – GS: A report is being submitted to the Council meeting of 19 December 2019 that will provide an update on the issue of storm water drainage through two properties in Michelago Village.</p> <p>31/10/2019 – GS A meeting with the affected property owner took place on Wednesday 23 October 2019. This reiterated an agreement from a previous meeting with Councillor Rooney the Group Manager and the property owner that any decision and/or remediation work was incumbent on his son allowing survey work to be undertaken on the property.</p>	

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					A more detailed analysis of flood mitigation measures through this property is being progressed and that analysis report will be available in November 2019.	
127	17 October 2019	12.9	Grading Povey's Road Councillor John Rooney Question: Would it be possible for Council to grade 1.5kms of Povey's Road known as Old Ravenswood Road?	Group Manager Transport Infrastructure (Operations)	<p>02/03/2020 – GS: As per Councils resolution 420/19 in relation to Poveys Road that states: C. Enter into negotiations with the Crown to authorise Council to carry out minor maintenance grading on certain Crown roads, to be identified, at the landowners' expense subject to a Memorandums of Understanding with the Crown and landowners. Those negotiations continue and a list of Crown Roads has been supplied to the Crown Lands Department. Once an MOU is in place, staff will look at the possibility of grading Poveys Road.</p> <p>28/01/2020 – AW: The proposed MOU is currently under negotiation.</p> <p>29/11/2019 – GS: The issue of Poveys Road was considered by Council at the meeting of 21 November 2019. Following the resolution to NOT acquire the section of Poveys Road classified as Crown Road, staff are now negotiating with Crown Lands to establish an MOU that would allow Council to maintain the Crown Road Section with all maintenance costs to be recovered from residents.</p> <p>31/10/2019 – GS: A report will be submitted for Council consideration in</p>	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
					relation to Povey's Road at the November meeting of Council.	
133	19 December 2019	12.2	Berridale Flood Work and Memorial Park Councillor Sue Haslingden Question: Can the Berridale Historical Society, RSL Sub Branch and Community be confident that no works be commenced within the Memorial Park until further investigation and community consultation?	Group Manager Facilities Management	02/03/2020 – GS: A report will be presented to the March Council meeting. 14/01/2020 – PS: A further report was put to Council in February but has been deferred to March due to staff deployment to assist with fire and other urgent times. No further action will occur until a council resolution is made.	N
134	20 February 2020	12.1	Michelago Creek Bridge Councillor John Rooney Question: The recent bushfires demonstrated once the need to improve access to the Michelago Fire Shed, to reduce the response time of the fire trucks, whose crews live mainly on Michelago Road. The best way to do this would be a bridge over the Michelago Creek connecting the fire shed on Ryrie Street to the crews on Michelago Road. Does the recently completed flood study	Group Manager Transport Infrastructure (Operations)	02/03/2020 – GS: An update from the project team dated 28/02/2020 stated: The flood study and modelling has provided options for the crossing and the final report will provide some high level costing and recommendations based on flood impacts, overall cost and benefit. Unfortunately the crossing will have a number of restrictions on it due to incoming flows from Booroomba Creek, increased risk of flooding to property and land ownership. Initial findings to be confirmed in final report is that a	N

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			support an application for State Government Funding for a flood proof creek crossing on Ryrie Street?		low level culvert option is possible but will be quite expensive. A low bridge is possible but will require some land acquisition and negotiation with the rail authority. This should be read in conjunction with Action 138 of Actions Report from the February Council meeting.	
135	20 February 2020	12.2	<p>Michelago Management Committee Councillor John Rooney Question: Following the resignation of the Michelago Hall Committee, Council staff met with the community to ask what arrangements should replace it. Michelago Community representatives met on the 26 November 2019 and agreed that they preferred the establishment of a single s355 Committee of the Council to manage all community asserts and events in the Michelago Region. The minutes of that meeting were submitted to Council staff on 9 December 2019. So far, no response has been received. Is Council prepares to trial a precinct style committee in Michelago, that if successful, might serve as a model for other small communities that have sufficient numbers to staff multiple committees?</p>	Manager Corporate Governance	<p>03/03/2020 – JM: Council has not received a resignation from the Michelago S355 Committee to date. The Governance Officer contacted the President of the S355 Committee on 26 February 2020 to follow up on the resignation of the Committee. The President advised that the Committee has decided to stay on board until the decision is taken on the proposal regarding the management of all Michelago community assets and events by the S355 Committee. Further, the Governance Officer phoned the Community Champion on 11 February 2020 to confirm the Minutes of the meeting had been submitted to consider the proposal. Due to the bush fires in the region and the collapsed reservoir, the review of the proposal has been delayed and is still under consideration.</p>	N
136	20 February 2020	12.3	<p>Grant Funding - Cow Bed Bridge Councillor Lynley Miners Background: During the fires a Council float and grader crossed this bridge making the</p>	Grants Officer	<p>03/03/2020 – TP: No Fixing Country Roads (FCR) application has been lodged for Cow Bed Bridge. FCR is freight focused. Application under the most recent round of FCR was</p>	Y

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			locals cranky and nervous of losing their access. Question: Has Council lodged a fixing country roads application on this bridge which has been spoken on many times? I didn't see any roads / bridge applications in tonight's report. Or any bridges.		deferred in late 2019 due to a lack of technical readiness and critical data evidence, a particular challenge for the mandatory Benefit Cost Ratio modelling. Council has advocated via CRJO for \$11.67M in dedicated bridge funding, with a list of priority sites being advised to CRJO in November 2018.	
137	20 February 2020	12.4	Electric Vehicle Charging Network Councillor John Castellari Question: Could you please advise the progress with the electric vehicle charging network, which I understood was to be extended to Nimmitabel and Bombala.	Group Manager Transport & Infrastructure Group Manager Facilities Management	03/03/2020 – GS: Negotiations with NRMA in relation to Level 2 Electronic Charging Systems for Bombala and Adaminaby remain on-going. The priority installation remains a Level 3 Charging System at the Massie Street Car Park in Cooma to complete the North/South EV facilities between the ACT and Jindabyne.	Y
138	20 February 2020	12.5	Community Drivers Councillor John Last Confidential Letter at the 20 February 2020 Council Meeting.	Group Manager Community Support Services & Aged Care	04/03/2020 – BP: The issue raised in the Confidential Letter has been actioned and resolved. 27/02/2020 - AS: Confidential Letter tabled at the 20 February 2020 Council Meeting. Letter has been passed to the appropriate staff member for response.	Y
139	20 February 2020	12.6	Canberra Hospital Visitor Units Mayor Peter Beer Question: Can Council make representations to the ACT Government regarding the Canberra Hospital closing its units for people	Executive Assistant to Director Corporate and Community	02/03/2020 – DR: Letter sent to the Minister for Health, ACT Government making a representation from SMRC regarding accommodation for family/carers at the Canberra Hospital..	Y

No.	Date rec'd	Item No.	Question/Request	Responsible Officer	Response	Compl Y/N
			from New South Wales who are visiting their family who are in hospital?	Services		

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SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
12	15 March 2018	64/18		<p>Creation of road reserve over Jerangle Road through lot 6 DP 754888 at Jerangle That Council</p> <p>A. Accept the quotation from Bradley Surveying and Design Pty Ltd in the amount of \$9,500</p> <p>B. Agree to the expenditure of an additional estimated \$2,000 to include the closure of the corresponding section of Crown reserve road passing through lots 5 and 6 in the survey plan.</p> <p>C. Authorise the General Manager to execute the necessary documents, including the Transfer of the closed section of Crown reserve road to the landowner in compensation.</p> <p>D. Apply to the Department of Primary Industries to take the sections of Crown reserve road within Jerangle Road into Council's public road assets register.</p> <p>E. Gazette the entire length of Jerangle Road as a Council public road.</p>	Property Officer	<p>27/02/2020 - JH: Plan was registered on 14 January 2020 and received by Council. Land and Property Officer preparing Gazettal Notice.</p> <p>15/01/2020 - JH: A further request has been sent on 15/01/2020 to the Solicitor for an update on this item.</p> <p>28/11/2019 – JH: Have requested further update from Solicitor.</p> <p>17/10/2019 – JH: The plan of subdivision is lodged and ready for registration, as is the possessory title application for the balance of Jingera Lot 6 DP 754888</p> <p>24/09/2019 -JH: No further update from Solicitor with regard to approval from LPI.</p> <p>27/8/2019 –JH: Solicitor has advised some minor technical requisitions with the lodged plan have been dealt with by the surveyor. Solicitor now awaiting advice from LPI. Solicitor will update Council when this advice is received.</p> <p>23/7/2019- JH:</p>	30/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Email has been sent to Solicitor requesting an update. Waiting for a response.</p> <p>01/07/2019 – JH: No further update from Solicitor. Staff will advise Council as soon as advice is received.</p> <p>5/6/2019-JH: Solicitor has advised that they are still waiting on discharge of mortgage and will advise Council as soon as this has taken place.</p> <p>30/4/2019 –LB: Waiting on discharge of mortgage.</p> <p>26/3/2019-JH: Solicitor has advised lodgement of the subdivision plan has been awaiting consent from NAB as they hold the mortgage over one of the affected lots. NAB has arranged the Discharge of that Mortgage – the registration of Discharge is imminent and the plan will then be lodged forthwith.</p> <p>29/02/2019 –JH: Update request sent to solicitor still waiting reply.</p> <p>30/01/2019- JH: Still waiting for update from the landowner's Solicitor.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>02/01/2019 –JH: Have sent an email request to Andrew Freer who advised they will advise when lodgement of the plan of subdivision has occurred.</p> <p>22/11/2018 –LB: Landowners solicitor has been asked for further update. Presently awaiting response.</p> <p>24/10/2018 – LB: Still waiting on landowner's solicitor to lodge the plan – mortgagor's consent needed.</p> <p>03/10/2018 – LB: Waiting on landowner's solicitor to lodge the plan.</p> <p>27/08/2018 – LB: Email sent to surveyor and solicitor asking for update on progress of registration of the plan.</p> <p>02/08/2018 – LB: Plan has been lodged. Email sent to solicitor acting for the other party asking for an update.</p> <p>23/07/2018 –LB: Waiting on registration of plan of subdivision.</p> <p>11/07/2018 – LB:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Documents returned to surveyor for lodgement with the LPI.</p> <p>21/06/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 30 Jun 2018 To: 30 Sep 2018.</p> <p>21/06/2018 – LB: All documents have been executed by Council and sent back to the surveyor for lodgement at the LPI.</p> <p>04/06/2018 – LB: Currently waiting on Subdivision Cert.</p> <p>26/05/2018 – LB: Application has been submitted to Council for Subdivision Certificate. When the Certificate is issued it will be sent along with the plan and Administration sheet to the landowners surveyor for lodgement at the LRS.</p> <p>23/04/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 16 Apr 2018 To: 30 Jun 2018.</p> <p>24/04/2018 – DC: Surveyor has been contacted and is proceeding with survey of road. The Administration sheet and the plan have</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						been sent to Cooma office by the surveyor. When they are received Council staff will progress the matter. – Ongoing.		
16	05 April 2018	118/18		Proposed Road Closure & Sale of old Lions Park at Bombala That Council; A. Approve the partial road closure on the corner of High Street and Stephen Street Bombala so that the fence line becomes the boundary of lot 9 DP 995614; B. Engage the services of a land surveyor to provide a plan for the boundary adjustment; C. Authorise the General Manager to execute any documents necessary to complete the boundary adjustment and sale of the property; D. Readvertise the property on the open market for auction with an appropriate reserve; and E. Make the Report public once the matter is settled.	Property Officer	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. 15/01/2020 - JH: The Surveyor has advised that he is hoping to have the consolidation plan ready for the end of January 2020. 28/11/2019 – JH: Surveyor advised the plan of consolidation is being prepared and should be completed by January 2020. 17/10/2019 - JH: Plan has been registered for the road closure and a request for a plan of consolidation has been requested to finalise this project. 24/09/2019- JH: Surveyor enquiring with LPI as to status of this registration. 27/08/2019-JH: The plan has been submitted to the Land Registry Service for registration.	30/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>23/07/2019-JH: Email sent to Surveyor requesting an update. Waiting on a response.</p> <p>01/07/2019 –JH: Awaiting Subdivision Plans from Land Registry Service.</p> <p>05/06/2019–JH: Subdivision documents are being lodged by the Surveyor and once returned, the process to combine into one Lot and DP will begin</p> <p>30/04/2019 – SA: Planning Staff actioning the subdivision this week.</p> <p>26/03/2019 –JH: Still waiting return of subdivision certificate from Council.</p> <p>29/02/2019 – JH: Plans with Council waiting for return of subdivision certificate.</p> <p>30/01/2019 – JH: Plan is with Council and waiting for return of Subdivision Certificate.</p> <p>02/01/2019 – JH: Plans are lodged with Council for Subdivision Certificate waiting return of Certificate.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>21/11/2018 – JH: 28 day notification period has ended. Council has received 8 submissions for the proposed closure. All submissions received had no objections with the proposed closure. Responses sent to those who made submissions advising of this. Documents have been prepared to close this council public road reserve: Subdivision Certificate has been sent for processing.</p> <p>25/10/2018 – JH: The Submission period ends 8 November 2018, some submissions have been received from adjoining landowners and the authorities, these submissions have been with no objection to the closure.</p> <p>25/10/2018 – JH: The Submission period ends 8 November 2018, some submissions have been received from adjoining landowners and the authorities, these submissions have been with no objection to the closure.</p> <p>05/10/2018- JH: Letters have been sent to adjoining landowners with notification of the proposed closure and notification letters to the authorities are being prepared. The advertisement has been placed</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>in the Monaro Post for 11 October and 25 October. The 28 day period for submissions ends on 8 November. Submissions will be reviewed and the correct process followed.</p> <p>03/10/2018 – LB: Notifications sent out to commence road closing.</p> <p>27/08/2018-LB: Plan has been received. There are issues with a previous resumption which has not been registered on title. When these issues are sorted out and the notification period for road closing has expired, and the resumption issues have been resolved then the plan will be registered and the land will be listed for sale.</p> <p>02/08/2018 – LB: Spoke to surveyor this week and he has promised to get the plan to me within the week.</p> <p>23/07/2018 – LB: Still waiting on plan for boundary adjustment.</p> <p>11/07/2018- LB: Still waiting on plan from surveyor. Contact with the surveyor revealed that there were issues with the road alignment and he was working on it.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>21/06/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 30 Jun 2018 To: 30 Sep 2018.</p> <p>21/06/2018 – LB: Surveyor has confirmed that Council will receive the plan etc. in about two weeks.</p> <p>04/06/2018 – LB: Currently waiting on survey plan for road closing.</p> <p>23/05/2018 – LB: Waiting on plan.</p> <p>23/04/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 16 Apr 2018 To: 30 Jun 2018.</p> <p>23/04/2018 – LB: Surveyor has been engaged to provide a plan for boundary adjustment and road closure will commence as soon as a plan is available.</p>		
19	19 April 2018	147/18	16.9	<p>Compulsory Acquisition of Lot 13 DP 239506 - Access to Jindabyne Sewerage Treatment Plant, Jindabyne Landfill and Sewer Pump Station 6</p> <p>That Council</p> <p>A. Rescind resolution 131/14 of 26 August 2014</p>	Land & Property Officer	<p>02/03/2020 – LB: The invoice has not been issued and a further enquiry has gone to Public Works who will follow up.</p> <p>15/01/2020 – LB: Follow up with Public Works revealed that an enquiry has been placed with Crown Lands and</p>	25/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>B. Proceed to acquire Lot 13 Deposited Plan 239506 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Roads Act 1993 for the purposes of providing legal access to the Jindabyne Sewer Treatment Works, Jindabyne Landfill and Sewer Pump Station 6.</p> <p>C. Dedicate the land as Public Road in accordance with the Roads Act 1993</p> <p>D. Note minerals are to be excluded from this acquisition</p> <p>E. Note this acquisition is not for the purpose of resale</p> <p>F. Make the necessary applications to the Minister for Local Government and the Governor</p> <p>G. Authorise the Common Seal be affixed to all documentation required to be sealed to give effect to this resolution.</p>		<p>we are expecting the invoice to be issued shortly.</p> <p>28/11/2019 – LB: Follow-up with Public Works revealed that the invoice still has not been received.</p> <p>28/10/19 – LB: Email from Public Works confirmed that the valuation was received and sent to Primary Industries. Invoice is yet to be received for payment.</p> <p>30/09/2019- JH: No further update from Public Works at this stage.</p> <p>02/09/19 – LB: Confirmed with Public Works that receipt of an invoice for compensation has not yet been received.</p> <p>26/07/19 – LB: Still waiting on invoice.</p> <p>01/07/19 – LB: Waiting on receipt of invoice for compensation of the land acquisition.</p> <p>31/05/2019 – LB:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Valuation has been received by Public Works. PW will forward to Council after reviewing the valuation.</p> <p>30/04/2019 – LB: Still waiting for the valuation from the Valuer General.</p> <p>27/03/2019 – LB: Waiting for the Valuer General to send an invoice for the value of the land.</p> <p>04/03/2019 – LB: Land has been gazetted to Council.</p> <p>30/01/2019 – LB: This property will be gazetted to Council in February 2019.</p> <p>22/11/2018 – LB: Council has been advised that gazettal of the transfer of the stock route to Council will take place in February 2019. Roads, Waste and Waste Water have been notified.</p> <p>24/10 2018 – LB: Minister's consent to the acquisition has been received and we are now progressing to finalise the matter by 30 November 2018. Council has been notified by Public Works that OLG has approved acquisition and we are</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>currently waiting on gazettal and notification from the Valuer General for the cost.</p> <p>03/10/2018 – LB: Waiting on Valuer General's valuation of the land.</p> <p>27/08/2018 – LB: This matter is still waiting on consent from the OLG.</p> <p>02/08/2018 – LB: This matter is still with the Governor.</p> <p>23/07/2018 – LB: Waiting on reply from the OLG.</p> <p>11/07/2018 – LB: Application is with the OLG and we should receive word from the Valuer General within the next month with respect to purchase price.</p> <p>21/06/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 21 May 2018 To: 21 Oct 2018.</p> <p>21/06/2018 – LB: Application has been sent to OLG for consent.</p> <p>04/06/2018 – LB:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>This matter has been submitted to the Dept of Local Gov. for consent.</p> <p>23/05/2018 – DC: Application has been submitted to the Dept of Local Government for consideration. Ongoing.</p> <p>01/05/2018 – LB: Dept. Finance notified of Council resolution and as soon as the Mayor signs the page of the Minutes containing the resolution it will be sent to Dept. of Finance to follow up with Application to the Minister and the Governor.</p>		
20	07 May 2018	162/18	11.1	<p>Proposal to Realign the Barry Way Jindabyne and to Address Issues with the Intersections of Barry Way with Eagle View Lane and Bungarra Lane 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</p>	Land & Property Officer	<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> <p>28/11/2019 – LB: Waiting on amended plan from surveyor. Landowner is under the impression that the Crown will grant a right of way over the TSR. An email has been sent to the Crown asking for clarification as the Crown has always maintained that they will not approve a right of way over the TSR.</p>	01/06/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>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>A letter has been sent to the landowner over whose property Eagle View Lane passes notifying him of the Council resolution and requesting that he contact the Land and Property Officer.</p> <p>28/10/19 – LB: NSW ALC has confirmed that they are prepared to consent the acquisition of land (TSR) by relinquishing the claim over the road 20m wide. They have requested an amended plan prior to consent being given for the acquisition. The surveyor is currently amending the plan. Letter has been sent to Local Land Services seeking consent to the acquisition but no reply has been forthcoming at this time.</p> <p>30/09/2019-JH: Communicating with NSW Aboriginal Land Council with regard to a parcel of Crown Land required for this access.</p> <p>02/09/19 – LB: Realignment of Barry Way at the intersection of Bungarra Lane has commenced. Eagle View Lane Intersection will be addressed within the next month.</p> <p>26/07/19 – LB:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Survey plan has been received. Negotiation with landowners to commence shortly.</p> <p>01/07/19 – LB: Survey plan still not received. When the plan is received, negotiations with affected landowners will commence.</p> <p>31/05/2019 – LB: Surveyor has completed survey to Moonbah Bridge. He is currently checking his calculations and expects to be able to send it to Council within a week.</p> <p>30/04/2019 – LB: Survey and plan is still underway with the surveyor.</p> <p>27/03/2019 – LB: No further update.</p> <p>04/03/2019 – LB: Survey is ongoing. Surveyor has given assurance that work is progressing.</p> <p>30/01/2019 – LB: No further update. It is anticipated that the survey work will be ongoing for approx. 12 months.</p> <p>22/11/2018 – LB:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>No further update. It is anticipated that the survey work will be ongoing for approx. 12 months</p> <p>24/10/2018– LB: Surveyors are presently working on identification plan.</p> <p>03/10/2018- LB: Keven Spain engaged to carry out survey.</p> <p>27/08/2018 – LB Surveyor selected and work to progress shortly.</p> <p>07/08/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 06 Jun 2019 To: 31 Dec 2019.</p> <p>02/08/2018 – LB: Call for expressions of interest from local land surveyors. Submissions currently being considered.</p> <p>23/07/2018 – LB: No EOI s received by due date. All surveyors were contacted and were given an extension of time to submit their EOI. Closing date is 27/7.</p> <p>11/07/2018 – LB: Specification sent to three surveyors requesting that they submit expressions of interest. Due by cob 13/7.</p> <p>21/06/2018 – LB:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Revised Target Date changed by: Lyn Bottrill From: 06 Jun 2018 To: 06 Jun 2019.</p> <p>21/06/2018 – LB: Draft specification with Group Manager Transport and Infrastructure for approval.</p> <p>04/06/2018 – LB: The specification is currently been developed for the work to be carried out by the surveyor. Council will call for expressions of interest to carry out the work.</p> <p>23/05/2018 – LB: Specification being developed to seek quotations from suitably qualified land surveyors.</p>		
29	21 June 2018	253/18	22.3	<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> <p>C. Engage the services of a suitably qualified contractor to demolish the residence, clear the site and dispose</p>	<p>Water & Wastewater Consultant</p> <p>Water & Wastewater Manager</p> <p>Land & Property Officer</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> <p>03/12/2019 MR: Ongoing.</p>	30/06/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>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>28/10/2019 – MR: Waiting on finalisation of Bombala/Delegate Water Options Study Report on the refurbishment/replacement of the Bombala Water Treatment Plant.</p> <p>02/10/2019 – MR: W&WW is waiting on the finalisation of the Bombala/Delegate water supply options report so that a decision can be made around incorporating the demolition of the cottage in the potential rebuild/rehabilitation of the BWTP and associated site. The preferred option is to have the demolition/removal, timing and cost of the cottage be a component of the \$15M grant funding to improve Bombala's and Delegate's water supplies.</p> <p>02/09/2019 – RP: The power and sewerage services have been disconnected and water service is being disconnected from the house. Once the disconnection of services is completed, quotes will be sourced for the demolition of the house based on the outcome of the option assessment of the water treatment plant.</p> <p>26/08/2019 – RP:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Awaiting on Options Study Report from GHD. It is anticipated the report will be received mid-August.</p> <p>Removal of the cottage will form part of the Bombala Water Treatment Plant refurbishment or replacement.</p> <p>26/07/2019 – MR: Awaiting on Options Study Report from GHD. It is anticipated the report will be received mid-August.</p> <p>Removal of the cottage will form part of the Bombala Water Treatment Plant refurbishment or replacement.</p> <p>01/07/2019 – MR: Power and water being disconnected. OSSM connections being investigated. House won't be demolished until the Options Study- Bombala Water Treatment Plant has been finalised.</p> <p>31/05/2019 – LB: Council's Water and Wastewater Department is currently seeking quotations to demolish the cottage.</p> <p>30/04/2019 – LB: Planning to demolish the cottage is underway.</p> <p>27/03/2019 – LB:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Tenant has found alternative accommodation and has been given an extension to 7 April to move out of the cottage at Bombala Waterworks.</p> <p>04/03/2019 – LB: Tenant has until 31 March 2019 to vacate the premises.</p> <p>30/01/2019 – LB: Disadvantaged housing in Delegate must be advertised. This is currently being done and the tenant will be given an additional written reminder to vacate.</p> <p>10/12/2018 – LB: Tenant has been notified that alternative housing has been found for him in Delegate. The accommodation in Delegate is managed by Council and the house needs work before anyone moves in. This work will take approx. 1 month so it is intended to give the tenant at the Waterworks cottage notice to vacate when the work is completed.</p> <p>24/10/2018 – LB: Commercial Land & Property Officer investigating availability of housing in Delegate for tenant.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>08/10/2018 – LB: Enquiries currently being made to Southern Cross Housing re consideration of tenant at Waterworks cottage for disadvantaged housing at either Bombala or Delegate.</p> <p>03/10/2018 – LB: Looking into disadvantaged housing for tenant in either Bombala or Delegate.</p> <p>27/08/2018 – LB: Enquiries made of real estate agents if they have any properties for rent in Bombala. Emailed tenant details to access assistance with rental bond.</p> <p>02/08/2018-LB: Currently working with tenant to find suitable alternative accommodation.</p> <p>23/07/2018 – LB: Revised Target Date changed by: Lyn Bottrill From: 23 Jul 2018 To: 29 Sep 2018</p> <p>23/07/2018 – LB: Still waiting on tenant finding new premises. Council has supplied a letter saying that he has always paid his rent on time.</p> <p>23/07/2018 – LB: Tenant has been notified and is looking for new premises.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Council resolution not to proceed to demolish the cottage until tenant has found new tenancy.		
57	6 September 2018	314/18		<p>Proposed Acquisition of Land in Cooma</p> <p>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>	Property Officer	<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> <p>28/11/2019 – JH: A request from OLG for further information was received 9/11/2019 and the information gathered and sent to OLG 11/11/2019. Waiting for response from OLG.</p> <p>17/10/2019 – JH: Application is with the OLG for processing. No updates have been received from OLG.</p> <p>24/09/2019 – JH: No response from Crown Lands with request from Council to begin project. No response yet from OLG about the acquisition application. Applications traditionally take approximately 90 days to be processed.</p>	8/10/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<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>02/09/2019 – LB: Email has been sent to the Crown requesting permission to proceed with the truck wash.</p> <p>26/07/2019 – LB: Application to OLG imminent. Currently waiting on results of searches of Native Title Register.</p> <p>01/07/2019 – LB: Consent received from the Crown. Advertising period still current. Acquisition cannot proceed until advertising period has concluded.</p> <p>31/05/2019 – LB: Still waiting on consent from the Crown.</p> <p>30/04/2019 – LB: Update from the Crown in response to email from Council revealed that the Crown has not dealt with the matter yet.</p> <p>27/03/2019– LB: Still waiting on consent from the Crown.</p> <p>04/03/2019 – LB: Waiting on consent from the Crown.</p> <p>30 January 2019 – LB: Letter of notification has been prepared. Consent of Crown has been requested.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>22/11/2018 – LB: Compulsory process has been commenced. The process will take approx. 12 months to complete.</p> <p>30/10/2018 – GH: Documentation for acquisition currently being prepared. Documentation for acquisition currently being prepared.</p> <p>28/09/2019 – LB: Preliminary investigations are being carried out to commence the compulsory acquisition process.</p>		
74	4 October 2018	353/18	15.1	<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</p>	Chief Executive Officer / Executive Assistant to CEO, Mayor & Councillors	<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).</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>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>LGNSW has made representations to the previous Minister for the Environment and Minister for Local Government prior to the latest cabinet reshuffle.</p> <p>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> <p>C & D – No action to date.</p> <p>03/07/2019 – PB:</p> <p>A. Complete</p> <p>B. GM spoke with LGNSW and the Local Member. LGNSW have agreed to put it on their agenda.</p> <p>C. C & D – no action.</p> <p>29/04/2019 – PB:</p> <p>Complete.</p> <p>B, C and D, no action to date.</p>		
88	1 November 2018	394/18	12.1	<p>Planning Proposal 461 Barry Way, Moonbah to Amend Snowy River Local Environmental Plan 2013</p> <p>That:</p>	Senior Strategic Land Use Planner	<p>02/03/2020 – BD:</p> <p>No further update.</p> <p>20/01/2020 – AA:</p>	28/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<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 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>A.</p>		<p>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>02/12/2019 – AA: Still awaiting response.</p> <p>4/11/2019 – KM: Still awaiting response.</p> <p>30/09/2019 – AA: Still awaiting response.</p> <p>29/08/19 – AA: Still awaiting response.</p> <p>26/07/19 – AA: Still awaiting response.</p> <p>27/06/2019 – AA: Still awaiting response.</p> <p>30/05/2019 – AA: Further information has been requested from the proponent – awaiting response.</p> <p>01/05/2019 – AA: Advice from Office of Environment and Heritage received – awaiting further clarification.</p> <p>29/03/2019 – AA:</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>Staff are still awaiting advice from Office of Environment and Heritage.</p> <p>11/03/2019 – AA: Application has been referred to the Office of Environment and Heritage as per the Gateway Determination. Will be placed on public exhibition once advice has been received from OEH – estimated to be April 2019.</p> <p>04/02/2018 – MA: The Gateway Determination has been received and the applicant contacted. Looking to progress to public exhibition and consultation with government agencies.</p> <p>20/12/2018– MA: Staff are expecting to receive Gateway Determination imminently</p> <p>06/12/2018 – MA: B. Planning proposal has been submitted to the Minister of NSW Planning and Environment for a Gateway Determination. 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>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
89	1 November 2018	395/18	12.2	<p>DA Best Practice Guideline and Processing Times</p> <p>That Council endorse the following recommendations;</p> <ol style="list-style-type: none"> 1. Council staff develop a Snowy Monaro Region Development Guide that also includes a rural and regional context; 2. Increased promotion of pre-lodgement meetings with applicants and a media campaign be undertaken; 3. Creation of a user friendly information portal on Council's website; 4. Development assessment staff actively participate in the review of the consolidated LEP and DCP with the Strategic Planning Group to achieve practical workable provisions; 5. A review and report be presented to the General Manager on resourcing requirements for Building Surveying and Development Engineering staff in order to reduce development application referral times, assist with approvals relating to the issuance with Complying Development Certificates and provide efficient and timely advice to applicants; 6. Councillors continue to be provided with a list of applications lodged with Council on a monthly basis and a list of 	Group Manager Development & Building Certification	<p>03/02/2020 – JG: The Draft DA Best Practice Guideline will be presented to the March Council meeting.</p> <p>03/02/2020 – JG: The Draft DA Best Practice Guideline will be presented to the March Council meeting.</p> <p>02/12/2019 – JG: The Draft DA Best Practice Guideline is currently being formatted in accordance with Council's style guide. Once complete it will be presented to Council.</p> <p>04/11/2019 – JG: Draft will be finalised for presentation to Council in December.</p> <p>30/09/2019 – KM: Ongoing.</p> <p>29/08/2019 – JG: Draft developed for presentation to council in November.</p> <p>26/07/2019 – JG: To be discussed as part of the internal audit project.</p> <p>01/07/2019 – JG:</p>	30/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>determined development applications on a monthly basis;</p> <p>7. Ensure that when the corporate IT platform is implemented it includes online tracking of applications and use of mobile IT platforms, to improve efficiencies in administration of development assessment and building certification processes;</p> <p>8. That checklists and guidelines are updated and expanded to ensure applicants have detailed information to ensure applications are submitted with all relevant information as required by Part 1 of Schedule 1 of the EP&A Regulation (in accordance with Clause 51 of the EP&A Regulation);</p> <p>9. A review be undertaken and report be put forward to Council proposing amendments to the Bombala, Snowy and Cooma DCP's to align notification requirements as being commensurate with impacts and to reduce the number of development applications being notified;</p> <p>10. That development applications be determined based on the information held at the time where an applicant has been requested to provide additional information (under Clause 54 of the EP&A Regulation) but</p>		<p>1 – Being developed in anticipation of workshop and consultation with councillors.</p> <p>03/06/2019 – JG: 1 – Being developed. 3 – Portal being created as part of IT platform development. Completed. 5 – Review being undertaken as part of organisational redesign review. Completed. 9 – Completed.</p> <p>03/05/2019 – JG: 1 - Being developed 3 - Being developed 5 - Waiting for structure 6 - Report going to June meeting</p> <p>4/4/2019 – JG: 1. Being developed 2. Completed 3. Being developed 4. Completed 5. To be provided in proposed structural review of organisation 6. Completed 7. Completed. Brief for corporate system incorporates use of mobile IT platforms and DA tracking 8. Completed 9. Report being compiled and to be reported to Council May 2019</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				has failed to respond within 21 days; and 11. Additional information requests be provided to applicants in a timely manner. The response time on these requests be increased from 14 days to 21 days.		10. Completed. Step included in DA assessment processes. 11. Completed. Step included in DA assessment processes. 11/03/19 – KM: Ongoing. 01/02/2019 – JG: 1. To be developed 2. Ongoing 3. To be developed 4. To be undertaken 5. To be undertaken 6. Lists have been and will be continued to be provided 7. Ongoing 8. Completed 9. To be undertaken 10. Ongoing 11. Ongoing 20/10/2018– JG: No further update at this time 06/12/2018 – DA: Best Practice Guideline and Processing Times is to be developed.		
117	20 December 2018	575/18	10.3	Proposed Acquisition of Shannons Flat Community Hall That Council	Land & Property Officer	02/03/2020 – LB: Currently waiting on a response from the landowner to confirm their intentions.	30/05/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>A. Agree to accept the gift of Shannon's Flat Community Hall and approximately 800m2 of land surrounding the hall.</p> <p>B. Classify the property as "community land" upon transfer to Council.</p> <p>C. Engage the services of a surveyor to survey lot 78 DP 750527 and create a plan of subdivision of the land to excise the hall and surrounding land within the immediate fence line.</p> <p>D. Agree to bear all costs associated with the subdivision and registration of the plan including any legal costs.</p> <p>E. Fund the costs of approximately \$8,000 from former Cooma Reserves.</p>		<p>20/01/2020 – LB: A report will be submitted to Council updating Councillors on the status of this matter. At present Council is paying the power bills.</p> <p>28/11/2019 – LB: Landowner has been informed that the plan has been registered. Landowner has indicated that the community has had a change of heart and no longer wishes to transfer the hall to Council. However, Council pays the insurance and power for the Hall property.</p> <p>28/10/19 – LB: Plan of subdivision has been registered. This was lodged and processed prior to discussion with the landowner who has now requested that the transfer of the land to Council be delayed.</p> <p>30/09/2019 – JH: No further update from the Landowner.</p> <p>02/09/19 – LB: Landowner has requested that this matter be placed on hold until they investigate their options.</p> <p>26/07/19 – LB: Recent discussion with the landowner resulted in Council being requested to delay the matter</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>for the time being as the family was not sure it wanted to progress with the transfer of the property to Council.</p> <p>01/07/19 – LB: Still waiting on the plan of subdivision. Mr Luton contacted and situation explained.</p> <p>31/05/2019 – LB: Surveyor expects to be able to send plan of subdivision to Council next week.</p> <p>30/04/2019 LB: Still waiting on the plan of subdivision.</p> <p>27/03/19 – LB: Contacted the surveyor on 25 March and he agreed to prioritize the plan of subdivision.</p> <p>04/03/2019 – LB: Waiting on plan of subdivision from the surveyor.</p> <p>28/02/2019- JH: Plan for subdivision has been requested and waiting for return of plan from the Surveyor.</p> <p>30/01/2019 – LB: Mr Luton has agreed to the proposal going ahead with a signed consent.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						Kleven Spain has been engaged to provide a plan of subdivision to excise the hall.		
165	21 February 2019	68/19	13.9	Parking in the laneway at the rear of the Jindabyne Town Centre That Council 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. B. Receive a further report regarding the results of the public consultation and the proposed way forward together with detailed costings.	Land & Property Officer Roads Safety Officer	02/03/2020 – LB: Waiting on survey and design so that public consultation can be arranged. 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. 02/12/2019 – GH: Letter received from Transport for NSW (RMS) stating that Council has been successful in obtaining funding for survey and design work in the amount of \$ 12,500.00. 29/10/2019 – GH: Letter forwarded to NSW RMS requesting funding for survey and design work. 28/09/2019 – GH: Road Safety Officer, through the Local Traffic Committee, has been requested to: A. Initiate report to Council seeking approval to commence with the project. B. Investigate the survey & design costs with Councils Manager Construction.	31/12/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>C. Draft letter on behalf of the Director Infrastructure & Operations requesting funding from RMS to cover cost of the survey and design process.</p> <p>02/09/2019 – LB: RMS is seeking funding to develop a strategy for parking and traffic movement in the laneway.</p> <p>26/07/2019 – LB: Council's Roads Safety Officer is currently working with RMS to apply for funding.</p> <p>01/07/2019 – LB: Council's Road Safety Officer is in discussion with RMS regarding the possibility of grant funding to progress this matter.</p> <p>31/05/2019 – LB: This has been revised and a report will be prepared for the July 2019 Council meeting.</p> <p>30/04/2019 – LB: Public consultations were held and a report will be presented to the June meeting of Council.</p> <p>27/03/2019 – LB: A good response was received from the shopkeepers and shop owners. Public consultation will be held at two sessions on 2 April at 2pm and 6.30pm.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						04/03/2019 – LB: Letters to go to shop owners/shopkeepers this week advising of date for public consultation.		
200	21 March 2019	114/19	9.2.5	Proposed Acquisition of Crown land - Part lot 209 DP 729704 That Council <ul style="list-style-type: none"> A. Acquire 3210m² of lot 209 DP 729704 by compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Roads Act 1993 for the purpose of road; B. Include minerals in this acquisition; C. Make the necessary applications to the Minister for Local Government and the Governor D. Affix the Common Seal to all documentation required to be sealed to give effect to this resolution; and Request the owner of lot 6 DP 709106 to enter into a Deed of Agreement with Council requiring the owner of that land to be responsible for all costs associated with the acquisition, survey, transfer fees, solicitors fees and LRS fees etc. prior to commencing the process	Land & Property Officer	02/03/2020 – LB: The landowner has been asked to amend the Deed of Agreement. Council is currently waiting on amended Agreement. In the meantime the NSW Aboriginal Land Council has been approached for consent to acquire the “road” across lot 209. 20/1/2020 – LB: Discussions with the Crown and the ALC are ongoing. 28/11/2019 – LB: This project forms part of the project to realign the Barry Way. Investigations into Native Title and Aboriginal Land Claims revealed a number of claims over the TSR and the NSW ALC has stated that whilst it is prepared to lift the ALC over the formed road from the Barry Way through the TSR (lot 209) it will not consent to Council acquiring the 3210m ² . At present Council is waiting on the plan of subdivision in order to progress the matter. 28/10/2019 – LB: Cost agreement still has not been received. NSW ALC has confirmed that they are prepared	31/12/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>to consent to acquisition of land (TSR) by relinquishing the claim over the road 20m wide. They have requested an amended plan prior to consent being given for the acquisition. The surveyor is currently amending the plan. Letter has been sent to Local Land Services seeking consent to the acquisition but no reply has been forthcoming at this time.</p> <p>30/09/2019 – JH: Waiting on a copy of cost agreement from landowner/developer.</p> <p>02/09/2019 – LB: Landowner/developer is currently preparing the costs Agreement.</p> <p>26/07/2019 – LB: No further update. To be followed up with landowner.</p> <p>01/07/2019 – LB: Further letter has been sent to landowner's solicitor.</p> <p>31/05/2019 – LB: Waiting on landowner's Solicitor to respond to correspondence.</p> <p>30/04/2019 – LB: Still waiting on the Deed of Agreement.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						27/03/19 – LB: Council's solicitor has been asked to provide a Deed of Agreement for the landowner to cover all costs associated with the land acquisition.		
211	21 March 2019	127/19	13.2	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.	Acting Manager - Land & Property	02/03/2020 – KH: Mail out to the community at Delegate seeking their feedback to be arranged asap to gauge thoughts. Ongoing. 03/02/2020 – KH: Ongoing. 28/11/2019 – KH: Further communication to the broader community is yet to occur. 30/10/2019 – KH: Further communication to occur with a broader cross section of community. 30/09/2019 – KH: Acting Land and Property Manager has met with the Delegate Progress Association – they would like to have a say as to who resides in this accommodation. Survey to be sent to the residents to request feedback.	30/06/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>27/08/2019 – KH: Staff to meet with some members of the community in Delegate on Thursday 29 August. Survey to be sent to each resident to complete and return.</p> <p>26/07/2019 – KH: Have made contact with the Project Team and the Communications Team about the best way to consult a broad cross-section of the community.</p> <p>01/07/2019 – KH: Ongoing.</p> <p>29/05/2019 – KH: Ongoing – Community Consultation Plan is in the draft stages.</p> <p>02/05/2019 – KH: Staff are preparing a Community Consultation Plan for the Delegate Community.</p> <p>26/03/2019 – KH: Facilities Team to prepare a plan as to the best way to communicate with the Delegate Community.</p>		
227	17 April 2019	151/19	9.2.2	Consolidation of Reserve no. 530002 Centennial Park and Lot 6 DP 758280 Cooma Visitors Centre as one Crown Reserve for General Community Use	Land & Property Officer	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 and that the	01/06/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<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>		<p>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> <p>02/12/2019 – LB Continuing discussion with the Crown on the most expedient way to achieve the desired result is ongoing.</p> <p>28/10/2019 – LB: The Crown has agreed to take the matter to a higher level and seek advice on whether the amalgamation of the two reserves can be achieved.</p> <p>30/09/2019- JH: Crown have rescheduled this meeting for the third week in October.</p> <p>02/09/2019 – LB: A meeting is being arranged with the Crown to discuss this matter and the process Council needs to follow.</p> <p>26/07/2019 – LB: No further update. Request has been sent to Crown Lands for meeting to discuss the way forward.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>01/07/2019 – LB: Still waiting on the Crown for advice on procedure.</p> <p>31/05/2019 – LB: Waiting on advice from the Crown regarding process and procedure.</p> <p>30/04/2019 – LB: Email has been sent to the Crown requesting that they advise Council of the process on this matter.</p>		
241	17 April 2019	166/19	13.1	<p>Purchase of Part Lot 1 DP101714 and Part lot 1 DP 222016 in Commissioner Street Cooma - Flood Mitigation Works Stage 2</p> <p>That Council</p> <p>A. Rescind Resolution 39/14 of 10 February 2014;</p> <p>B. Offer to purchase lot 4 DP 1242464 \$9,650 ex GST;</p> <p>C. Offer to purchase lot 3 DP 1242464 for the sum of \$5,500 ex GST;</p> <p>D. Authorise the General Manager to negotiate with the owners of lots 3 and 4 to within 10% of the valuation;</p> <p>E. Calculate the apportionment of property rates from the date of</p>	Land & Property Officer	<p>02/03/2020 – LB: A report has been submitted for the March Council meeting. Council is currently waiting on a response from the vendor's solicitor.</p> <p>20/01/2020 – LB: There is a report to the February meeting of Council.</p> <p>02/12/2019 – LB: Negotiations are ongoing.</p> <p>28/10/2019 – LB: Offer of \$25,000 plus GST and costs received from the vendor. This has been referred to the General Manager.</p>	31/05/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>registration of the plan of subdivision (17 December 2018);</p> <p>F. Classify both lots as operational land upon acquisition; and</p> <p>G. Authorise the expenditure and allocate an amount of \$21,450 ex GST in the 2019 Financial Year Budget with funding to be provided from other internal reserves.</p>		<p>30/09/2019-JH: Council is waiting on a response for the offer submitted for lot 3.</p> <p>02/09/2019 – LB: Purchase of lot 4 has been completed. Offer has been submitted for lot 3 and Council is now awaiting response.</p> <p>26/07/2019 – LB: Contracts have been exchanged for the purchase of lot 4. Lot 3 is subject to a Council report in August.</p> <p>01/07/19 – LB: The owner of lot 4 D 1242464 has agreed on the purchase price and purchase of the land is proceeding. Council is still in negotiations with the owner of lot 3.</p> <p>31/05/2019 – LB: Negotiations are ongoing.</p> <p>30/04/2019 – LB: The resolution of Council has been sent to Council's solicitor so that negotiation can take place.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
251	16 May 2019	185/19	9.2.1	CMCA RV Park – Cooma That Council support in principle the development of a CMCA RV park at the Hawkins St site and provide in-kind assistance through internal plant rates.	Group Manager Facilities Management	<p>02/03/2020 – GH: Final plans and estimates received by CMCA. CMCA has provided a draft MOU and a sample lease documents which will be included in a report to Council. Pending support from Council to proceed a DA will be lodged.</p> <p>31/01/2020 – GH: Local surveyor is finalising plan for CMCA and is expected by end of January.</p> <p>03/12/2019 – GH: CMCA has provided draft design to Council and has requested review as well as availability of fill for entrance works.</p> <p>29/10/2019 – GH: Draft designs complete, CMCA awaiting review and will discuss with Council when review complete.</p> <p>30/09/2019 – GH: CMCA have advised that they have engaged a local design engineer and are expecting draft designs and estimates shortly. This will inform CMCA as to the cost and viability of proceeding with this proposal.</p> <p>02/08/2019 – GH :</p>	28/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>CMCA have been unable to secure local design consultant and are approaching suitable firms in the ACT.</p> <p>24/07/2019 – GH: CMCA have advised they are still trying to secure a local design consultant.</p> <p>01/07/2019 – GH: CMCA requested and were provided with local survey and design engineer contacts that can undertake detailed design and estimates for the establishment of the RV Park in Hawkins St. Awaiting responses from CMCA as to whether the project is feasible within CMCA site establishment cost criteria inclusive of Council resolved internal plant hire rate for civil works.</p> <p>05/06/2019 – GH: CMCA advised of Council resolution regarding in principle support and will now proceed with more detailed investigation, design and costing for site establishment.</p>		
260	16 May 2019	194/19	9.4.1	Classification and Categorisation of Crown Land in Council's Care and Control That Council approve the proposed categorisation of Crown land as per attachment 1 to report Classification and	Land & Property Officer	<p>02/03/2020 – LB: Council is waiting on confirmation of approval of categorisations. The Plans of Management are currently underway.</p> <p>20/1/2020 – LB:</p>	30/05/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Categorisation of Crown Land in Council's Care and Control		<p>Requests for classification and categorisation have been submitted for approval by CL. A copy of the submission has been sent to Council's Contractors to enable them to commence work on the Plan of Management for Crown Land to be managed as community land under the Local Government Act.</p> <p>02/12/2019 – LB: Still waiting on consent from the Minister for Council's recommended classifications. Determinations over caravan and holiday parks has been deferred for the time being.</p> <p>28/10/2019 – LB: Reply from Crown Land confirming that rubbish depot sites have been classified as operational land. Two sites have been deferred and one drainage site in Cooma has been classified as community land.</p> <p>Tender responses received for POM and are currently under evaluation. Preferred consultant should be identified by the end of the week.</p> <p>30/09/2019 –JH: Tender for Plans of Management closed Friday 27 September and all submissions are being reviewed.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>02/09/2019 – LB: Tender process for development of Plans of Management has commenced through Tender Panel.</p> <p>26/07/2019 – LB: Waiting on response from the Minister. In the meantime request for tender to prepare Plans of Management is in progress.</p> <p>01/07/2019 – LB: Application has been submitted to the Minister.</p> <p>31/05/2019 – LB: Application to the Minister with maps and aerial photos is currently being prepared. One application for change of classification and another for categorisation.</p>		
290	20 June 2019	227/19	9.4.1	<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>	Resource & Waste - Project Manager	<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;</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>B. Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot under Crown control;</p> <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</p> <p>Request the purpose of land be changed to Urban Services for Reserves 15472 & 49491</p>		<p>B. Confirmation has been received Council is the Land Manager of Bombala Landfill Lot 123 DP 756819, Reserve 15472 for Night Soil Depot;</p> <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> <p>29/11/2019 – MD: Advice not yet received.</p> <p>02/09/2019 – MD: No further progress. Advice received from Crown Lands is that this will take some months to complete.</p> <p>26/07/2019 – PC: No further progress.</p> <p>01/07/2019 – MD: Property Officer has contacted Crown Lands regarding A, B, C, D and E. They have advised they will respond with actions that are necessary to be undertaken to appoint Council</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						as land manager. At this stage the timeframe of completing this task is unknown.		
333	18 July 2019	277/19	13.1	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.	Property Officer	27/02/2020 -JH: Council Solicitor and NRMA Solicitor are reviewing Agreement and making some minor amendments. 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. 28/11/2019 – JH: Documents are with NRMA and Snowy Hydro for review and signing and to be returned to Council Solicitor. 17/10/2019 – JH: Council Solicitor is liaising with NRMA for this Lease Agreement to be finalised. 24/9/2019 – JH: Council Solicitor is preparing documents for the Lease Agreement to be in place on the due date. 27/08/2019 –JH: NRMA notified of Council Resolution, Lease document being prepared.	30/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						23/07/2019 –JH: Australian Tourist Park Management NRMA advised of outcome from Council meeting. Lease documents being prepared.		
342	15 August 2019	291/19	9.1.3	Delegate School of Arts and Delegate Preschool That Council A. Approve the construction of toilet amenities at the rear of the School of Arts and an accessible pathway from exit points in the School of Arts to the toilet facility; B. Fund the toilet amenities and pathway from former Bombala LGA internal reserves to the value of \$120,000 including project management cost; C. Apply to the Stronger Country Communities Fund Program for grant funding to carry out the works identified in the Building Condition Report attached to this report in the amount of \$385,791. D. Seek quotations for a Building Condition Report for the Delegate Preschool to be funded from former Bombala LGA internal reserves; and E. Bring a report to Council for consideration when the Building Condition Report is completed.	Land & Property Officer	02/03/2020 – LB: This project is being managed by the Special Projects Group. Council has not received any response concerning the grant application. 20/01/2020 – LB: Building condition assessment is currently underway for the Preschool. Tenders to carry out the remediation of the School of Arts have closed and are currently being evaluated. 02/12/2019 – LB: Request for EOIs have been sent to a number of firms to quote for a building condition assessment of the preschool in Delegate. A further report will be sent to the December 2019 meeting for a resolution to get the building condition assessment carried out. 28/10/2019 – LB: This will go to vendor panel within the next week. 30/9/2019 – JH:	31/05/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>An application for grant funding has been submitted, waiting for outcome of this submission.</p> <p>02/09/2019 – LB: Group Manager Facilities is managing the construction of the toilets at the rear of the School of Arts. The application for grant funding for the School of Arts is currently underway.</p>		
345	15 August 2019	294/19	9.1.6	<p>Minutes of the Arts and Culture S355 Committee Meeting held 12 June 2019</p> <p>That Council note the minutes of the Arts and Culture 355 Committee meeting held 12 June 2019 and adopt its recommendations, being:</p> <p>A. That Council accepts the donation of the Taking Flight sculpture from Lake Light Sculpture and funds the cost of lighting associated with the installation (up to an amount of \$1000), and accepts responsibility for ongoing maintenance as required;</p> <p>B. That the Rix Wright Shearing Sculpture is installed in the preferred location in Centennial Park after consultation with Council engineers regarding the installation</p>	Community Development Planner & Support	<p>25/02/2020 – KH: A. Installation is ready to proceed with, however staff are engaging in negotiations with Council's insurance company who believe someone could be injured if they were to climb on it and fall.</p> <p>04/02/2020 – KH: No further updates.</p> <p>02/11/2019 – KH: A. Options for location continue to be explored.</p> <p>04/11/2019 – KH: The design for the plinth is completed. Staff are currently reconfirming the installation location.</p> <p>30/09/2019 – KH & DS: A. The installation plan for Taking Flight is underway, with the artist and the Design</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				requirements e.g. plinth construction, lighting; and That the amendments to the Charter are noted and approved		<p>Engineer working together on concept designs. Once an installation design is confirmed, the installation will move to the next stage in partnership with Lake Light Sculpture and NPWS.</p> <p>B. The Shearer sculpture project is now finalised with the sculpture permanently erected in Cooma Centennial Park. An unveiling ceremony was held on 17 September 2019 with all contributors and those involved in the project invited to attend. About 50 people attended.</p> <p>29/08/2019 – KH:</p> <p>A. Council's Design Engineer has agreed to draw up design options and costings for installation of the plinth. Once this has been completed, we will be able to move forward with installation.</p> <p>B. Design of the display plinth and plaques was conducted in consultation across Council teams and with relevant community members. Construction of the plinth is almost complete, with a grand opening expected to take place in mid-September. Mayor and Councillors, the artist's family, former Arts 355 Committee members and other relevant stakeholders will receive an invite.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
347	15 August 2019	296/19	9.2.1	Road Closure and Creation of Road Reserve - Badja Road That Council 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; B. Engage the services of a Surveyor to prepare a plan of subdivision for the creation of a road reserve over Badja Road; 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 D. Authorise the General Manager to execute the documents to give effect to the above	Land and Property Officer	02/03/2020 – LB: Survey work is currently being carried out. 20/01/2020 – LB: Landmark Surveys have been engaged to carry out the survey and produce a plan. 02/12/2019 – LB: Currently waiting on quotations from surveyors to carry out the work. Local surveyors were not available so quotations were sought from a number of Canberra firms. 28/10/2019 –LB: This matter has been delayed due to absence of staff. The letters and advertisement will be sent out during the next two weeks. 30/09/2019 –JH: Letters to adjoining land owners have been prepared and the notice will be advertised. 27/8/2019 –JH: Land and Property Officer has commenced this process.	30/04/2020	N
352	15 August 2019	301/19	9.3.4	Proposed Closure and Sale of Public Pathway in Kalkite That Council A. Agree to close the pathway and sell the land 50% to each adjoining	Land & Property Officer	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.	30/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>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 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>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> <p>02/12/2019 – LB: Progressing. Currently waiting on the Crown to respond to enquiries about the process.</p> <p>28/10/2019 – LB Landowners have been notified of the Council resolution and the process of road closing is underway.</p> <p>30/09/2019-JH: Process for closing the pathway is underway and each party has been contacted and advised of the process.</p> <p>02/09/2019 – LB: Landowners to be notified and road closing process to commence.</p>		
354	15 August 2019	303/19	9.4.2	<p>An Alternative Solution to Recruitment Shortfalls That Council</p> <p>A. Approve participation in Wagga Wagga City Council’s one-year trial of an office located in Sydney to</p>	Chief Executive Officer / Executive Assistant to	<p>04/03/2020 – SC: Transition offered as potential benefit to Chief Officer positions.</p> <p>04/02/2020 – SC: Invoice received and paid. No staff currently based in the Sydney Office.</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>facilitate the recruitment of suitable staff;</p> <p>B. Authorise the General Manager to enter into an appropriate sub-lease or other agreement with Wagga Wagga City Council; and</p> <p>C. Fund the trial through a transfer from Council's adopted budget for consultants.</p>	CEO, Mayor & Councillors	<p>03/12/19 – SC: Teleconference held with participating councils 21 Nov 19. The offices are available for use, but no formal documentation (lease) received from Wagga Council.</p> <p>30/10/2019 – SC: Sub lease documentation not yet received. Site visit conducted by GM.</p> <p>27/09/2019 – SC: Still waiting for sub lease documentation. Expect it to be received within the next few weeks.</p> <p>28/08/2019 – SC: Wagga City Council has been advised of Council's decision. Awaiting sub lease documentation.</p>		
363	15 August 2019	310/19	10.2	<p>NSW Government Funding</p> <p>That Snowy Monaro Regional Council lobby the NSW Government for a grant of \$6.5 million to cover the outstanding costs of amalgamating the Cooma Monaro, Snowy River and Bombala Shire Councils and reduce the current deficit.</p>	Acting Director Corporate & Community Services	<p>04/03/2020 – DR: Council is following up on the resolution with a letter having been sent to the Premier seeking the requested funding.</p> <p>04/02/2020 – DR: Issues around the bushfires have led to this item being deferred until there is time to revisit the issue.</p>	31/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<p>03/12/2019 – DR: No additional information.</p> <p>01/10/2019 -DR: NSW Government funding of \$6.5 million for merger costs – the issue has been raised with the Member for Monaro and Deputy Premier John Barilaro MP by the Mayor and General Manager. This was a positive discussion on the issue and a formal request is being developed for submission with the NSW Government for consideration of funding.</p> <p>09/09/2019 – DR: Background information has been gathered to support the lobbying efforts. Draft correspondence under development.</p>		
367	15 August 2019	315/19	13.3	<p>Replacement of Council's road maintenance truck. Plant number 3028 That Council approve the following</p> <p>A. Purchase the Fuso FK61FK/Flocon Engineering combination from Hartwigs Trucks Pty Ltd for \$248,284 excluding GST;</p> <p>B. Additional funding of \$11,075 from plant reserves to be included in the QBRS for September 2019; and</p> <p>C. The disposal of Plant 3028 via public auction with a reserve set at \$36,000</p>	Manager Fleet & Plant	<p>27/02/2020 – DC Flocon sending layout plans for our review to ensure suitability. Delivery April 2020.</p> <p>14/01/2020 – SS: Delivery is still expected in April 2020.</p> <p>27/11/2019 – SS: Delivery is expected April 2020.</p> <p>30/08/2019 – SS: PU027415 – Ordered 16.8.19, approximately 36 week delivery timeframe.</p>	30/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
371	15 August 2019	319/19	13.7	<p>Purchase of Lot 3 DP 1242464 and Lot 4 DP 1242464 - Cooma Levee Bank That Council</p> <p>A. Note the purchase price for lot 4 DP 1242464 being \$10,500 ex GST;</p> <p>B. Submit an offer to purchase lot 3 DP 1242464 for the sum of \$18,000 ex GST;</p> <p>C. Authorise the General Manager to negotiate within 10% of \$18,000 ex GST; and</p> <p>D. Authorise the expenditure and allocate an amount of \$15,150 ex GST (in addition to previous resolution 166/19 of \$21,450 ex GST) in the 2020 Financial Year Budget with funding to be provided from other internal reserves</p>	Land & Property Officer	<p>02/03/2020 – LB: A report will be presented to the March Council meeting.</p> <p>20/01/2020 – LB: The vendor has rejected Council's offer of \$18,000 and has made a counter offer of \$25,000. A report will go to Council in March 2020.</p> <p>02/12/2019 – LB: Negotiations are ongoing.</p> <p>28/10/2019 – LB: Offer of \$25,000 plus GST and costs has been received and passed to the General Manager.</p> <p>30/9/2019-JH: Waiting for response to the offer submitted.</p> <p>02/09/2019 – LB: Offer for lot 3 has been submitted.</p>	30/04/2020	N
379	19 September 2019	333/19	8.2	<p>Finalisation of Draft Bush Fire Prone Lands Map 2019 That Council</p>	Senior Strategic Land Use Planner	<p>02/03/2020 – BD: No further update.</p> <p>05/02/2020 – AA:</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>A. Receive and note the report of the Senior Strategic Land Use Planner on the finalisation of the draft Bushfire Prone Land Map;</p> <p>B. Submit the draft Bush Fire Prone Land Map and associated supporting documentation to the NSW Rural Fire Service for certification and provide a letter (attachment 3) to the NSW RFS Commissioner;</p> <p>C. Consent to a public notice (attachment 4) being attached to Section 10.7 (formerly Section 149) Planning Certificates advising of the bushfire prone lands changes until such time as the draft map is certified; and</p> <p>D. Advise the community and stakeholders via its website and the local newspaper once the Bush Fire Prone Land Map has come into effect.</p>		<p>No further update.</p> <p>02/12/2019 – AA: No further update.</p> <p>5/11/2019 – AA: The RFS have responded to our letter and have advised they will progress with the finalisation of the mapping and is likely to be signed by the Commissioner in April/May 2020.</p> <p>30/09/2019 – AA: A. Noted. B. Letter will be forwarded the Rural Fire Service on 1 October 2019. C. Information has been circulated to all relevant planning administration officers to be distributed with all 10.7 certificates</p> <p>Will be actioned once the Rural Fire Service have advised that the map will be certified by the commissioner.</p>		
382	19 September 2019	336/19	9.1.3	<p>Adoption of Road Name Black Sallee Lane and Candlebark Circuit That Council endorse</p> <p>A. The name of Black Sallee Lane for crown road accessed from Alpine Way, Crackenback Gazetta; and</p> <p>B. The spelling of Candlebark Circuit and proceed with measures needed to</p>	GIS Administrator	<p>04/03/2020 – JC: Ongoing.</p> <p>02/12/2019 – JC: A. Black Sallee Lane Gazetted 4 October 2019 B. Candlebark Circuit name is concurred. Erratum Notice for road name Candlebark Circuit to be published.</p>	28/02/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				ensure this spelling of the road name is consistent on the road signage and in council and state government databases.		02/10/2019- JC: Gazettal Notice for Black Salle Lane has been submitted and approved for publication The following actions are in progress for Candlebark Circuit. 1. Writing to all affected property owners to inform them of the Council decision and confirm their address 2. Preparation of Erratum Notice for Gazettal of name Candlebark Circuit 3. Once gazettal is complete the roads signs will be replaced, Valuer General and Spatial Services notified and advised to update relevant NSW databases.		
388	19 September 2019	343/19	9.3.1	Proposed Compulsory Acquisition of Part Lot 7002 DP 1028529 Crown Land Travelling Stock Reserve That Council 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; B. Seek approval from the Minister for Local Government and/or the	Land & Property Officer	02/03/2020 – LB: The NSW Aboriginal Land Council has given consent in principal and is waiting on a survey plan. 20/01/2020 – LB: Currently waiting on survey plan. 02/12/2019 – LB: Survey will be carried out shortly. 28/10/2019 LB: Provisional consent to the acquisition has been received from the NSW ALC upon production of a plan of subdivision. Currently waiting on quotations for survey.	28/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>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</p>		<p>30/09/2019 – JH:</p> <p>The Acquisition process has commenced with approval being sought by the Minister.</p>		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				any documents related to the acquisition; and G. That upon acquisition the acquired Property is dedicated as road following gazettal of the acquisition;				
389	19 September 2019	344/19	9.3.2	Proposal to Close Part of Laneway (Lot 32 DP 227005) At the Rear of Jindabyne Town Centre That Council A. Approve the proposal to close part of the road reserve (lot 32 DP 227005) which forms the unnamed laneway behind the Jindabyne Town Centre shops in accordance with the plan attached to this report; and B. Classify the new lot as “Operational land”.	Land & Property Officer	02/03/2020 – LB: The plan will be lodged as soon as the subdivision certificate is to hand. 20/01/2020 – LB: Application for subdivision certificate has been lodged. Application for gazettal of road closure will be submitted when SC is received. 02/12/2019 – LB: This matter is subject of a later resolution 408/19 of 21/11/19. 28/10/2019 – LB: Letters will be sent this week and advertisement will appear in the Monaro Post next week. 30/09/2019-JH: The process to close part of laneway at rear of Jindabyne Town Centre has commenced. Notice to be placed in Monaro Post and letters to adjoining land owners being prepared.	30/11/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
390	19 September 2019	345/19	9.3.3	<p>Proposed Men's Shed Relocation to the Ti Tree Racecourse, Cooma</p> <p>That Council</p> <p>A. Approve a payment of no more than \$8,970 for those costs for services that cannot be reused for any development application for construction of the Men's Shed at the Ti Tree Racecourse, Cooma, with such payment to be deferred until Council receives written confirmation of an agreement between the Ti Tree Trust and Cooma Men's Shed Inc to use the Ti Tree Racecourse site; and</p> <p>B. Request the General Manager prepare a report on potential future use of the Mulach St property.</p>	General Manager / Executive Assistant to CEO, Mayor & Councillors	<p>04/03/2020 – SC: Ongoing.</p> <p>04/02/2020 – SC: A. Men's Shed DA lodgement in Dec 19 was incomplete. Men's shed still waiting for approval from Crown Land. B. No action pending completion of racecourse DA.</p> <p>03/12/2019 – SC: C. Men's Shed DA lodged 2 Dec. Currently being reviewed. D. No action pending completion of racecourse DA.</p> <p>28/10/2019 SC: A. Written confirmation received from Ti Tree Trust. Waiting for Men's Shed to lodge DA. B. No action pending completion of racecourse DA.</p> <p>27/09/2019 SC: A. Letter sent to the Men's Shed advising of Council Resolution 345. Awaiting written confirmation of an agreement. B. No action pending confirmation from the Men's Shed that the Mulach St site is not required.</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
408	17 October 2019	369/19	9.1.6	Arts and Culture Advisory Committee Meeting held 11 September 2019 That Council A. Receive and note the minutes of the Arts and Culture Advisory Committee meeting held 11 September 2019; B. Support the Committee recommendations relating to Item 5.3 – Community Arts and Culture facility in Cooma; C. Support the Committee recommendation relating to Item 5.5 – Communication / Promotion of Committee; and D. Supports the Committee recommendation relating to Item 5.6 – Bombala Arts and Innovation Hub.	Community Development Planner & Support	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. 04/02/2020 – KH: No further updates. 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 drafted and are expected to go live in the next 2 weeks. D. To be actioned after December Arts and Culture 355 meeting. 4/11/2019 – KH: A. Noted. 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.	28/02/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						C. The communications team are to prepare a media release and additional website to be included on the website. D. Community Development Planner & Support to form working group.		
421	17 October 2019	382/19	9.4.7	Adjustment of Purchasing and Tendering Policy to Reflect Legislative Changes. That Council update policy 250.2016.55.2 – Purchasing and Tendering Policy to reflect the legislative change that tenders are only required for purchases over \$250,000.	Finance - Procurement	04/03/2020: - MP: The Policy has been updated. 04/04/2020: - MP: Revised Estimated Completion Date. 03/12/2019 – MP: Revised Estimated Completion Date. 6/11/2019 – MP: This is being updated as part of a broader re-write of the policy which is due for revision. It will be presented to Council for adoption the near future.		Y
422	17 October 2019	383/19	9.4.8	Audit, Risk and Improvement Committee and Internal Audit Annual Report 2018/2019 That Council A. Receive and note the information in the attached Audit, Risk and Improvement Committee and Internal Audit Annual Report 2018/2019, and B. Authorise publication of the attached Audit, Risk and Improvement Committee and Internal Audit Annual	Senior Internal Auditor	03/03/2020 - TK: Webpage on ARIC is live on Council website, with Annual Report published. 05/02/2020 – TK: No further update. 6/11/2019 – TK: A. Receive and note – no further action required.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				Report 2018/2019 on Council's website.		B. Webpage on ARIC will be created by Feb 2020 and ARIC & IA Annual Report will be published on that webpage.		
429	17 October 2019	389/19	13.2	Proposed Acquisition of Part Lot 6 DP 218752 for the Purpose of Road That Council, consistent with the guidelines contained within with the body of report, A. Authorise the General Manager to negotiate the purchase of 0.2542ha of lot 6 DP 218752; B. That Council be responsible for any additional costs including survey, legal fees, fencing; C. Authorise the General Manager to execute all necessary documents and affix Council's Seal if required; and D. Approach the plantation owners for a contribution towards the works prior to commencing the project.	Land and Property Officer	27/02/2020- JH: 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. 28/11/2019 – JH: Letter of offer has been sent to land owner, waiting for response. 28/10/2019 – LB: Letter of offer has been drafted and will be sent to the General Manager for execution.	30/03/2020	N
439	21 November 2019	408/19	9.1.1	Closure of Part of the Road Reserve in Barrack Street Cooma That Council 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;	Land & Property Officer	02/03/2020 – LB: The plan will be lodged as soon as the subdivision certificate is to hand. 20/01/2020 – LB: Registration of the plan should be gazetted soon. 03/12/2019 – LB:	28/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				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.		The application to the Crown has been sent off and it is anticipated that registration of the plan will take effect early in the new year.		
449	21 November 2019	418/19	9.3.2	Minutes of the Water and Sewer Committee held on 29 October 2019 and adoption of recommendations That the recommendations of the meeting of the Water and Sewer Committee held on 29 October 2019 be adopted.	Engineer W&WW Contracts & Development Group Manager Water & Wastewater Services	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. 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. B. Awaiting advice from DPIE Water prior to Councillor workshop and date for workshop to be determined after receipt of advice.	01/05/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
						<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.</p> <p>S64 DSP Councillor workshop has been proposed to be held on 19 Dec 2019.</p>		
550	21 November 2019	419/19	9.3.3	<p>Amendments to the SMRC Sewerage Pricing and Billing Policy That Council</p> <p>A. Approve the following proposed amendments to the SMRC Sewerage Pricing and Billing Policy:</p> <p>Add the following subclauses 2.2.1 and 2.2.2 under the current clause 2.2 “Residential and Non-residential Strata, Flats, Dual Occupancies and Vacant Properties”:-</p> <p>2.2.1 – Discount on sewer access charges for multiunit properties with area under 60m² The sewer access charge for multiunit properties with an area</p>	Group Manager Water & Wastewater Services	<p>02/03/2020 – MR: Completed.</p> <p>24/01/2020 – GA: The above mentioned actions (#449) is being undertaken and on target to complete by 31 January 2020.</p> <p>27/11/2019 – GA: The following actions will be taken: A. Finalise the amendments to the policy and make available the policy on Councils internet. B. Multiunit owners and customers discharging only effluent will be notified in writing the adoption of the amendments and the effect of this change to their sewer charges.</p>		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>under 60m² will be discounted by 50% of the 20mm residential access charge. The 20mm access charge that will apply shall be the charge as set in the Annual Fees and Charges for that particular year.</p> <p>All customers who qualify for this discount will need to make an application to Council in writing stating the number of units with area under 60m² subject to meeting the following criteria:</p> <ul style="list-style-type: none"> <input type="checkbox"/> All units are legal and considered habitable residential units <input type="checkbox"/> All units are serviced by one service line / water meter <input type="checkbox"/> All units are a studio style accommodation (one living area, separate bathroom, kitchen) and each unit has a floor area of no more than 35m² measured as the internal area (including any internal dividing walls). <input type="checkbox"/> Applications shall include the approved plan of the unit. <p>2.2.2– Discount on sewer access charges for development pumping</p>				

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>effluent ONLY into Councils sewerage network</p> <p>A 50% discount shall apply to properties that have been approved to pump effluent only into Council's sewerage network subject to the following conditions:</p> <ul style="list-style-type: none"> ☐ The property owner shall make an application to Council for the discount ☐ Council's approval to pump effluent only shall be attached to the application <p>B. All references in the current policy to the "Revenue Policy" to be amended to "Fees and Charges".</p> <p>C. The 50% discount to be applicable from the date of adoption of the amendments and on approval of the applications. Customers shall be refunded any extra charges that have been billed this financial year. Notification regarding these amendments to the policy will be sent to all customers with the next water bills.</p>				

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
551	21 November 2019	420/19	9.3.4	Request for Council to Apply for Poveys Road Colinton to be Transferred to Council as a Council Public Road That Council A. Decline the request to open the Crown reserve road section of Poveys Road as a Council public road; B. Notify the landowner of Council's decision; and C. Enter into negotiations with the Crown to authorise Council to carry out minor maintenance grading on certain Crown roads, to be identified, at the landowners' expense subject to a Memorandums of Understanding with the Crown and landowners.	Land & Property Officer	02/03/2020 – LB: MOU is currently with the Crown. A list of Crown roads in the Shire has been submitted to be attached to the MOU. 20/01/2020 – LB: Crown Lands is currently looking into their Minor Road Maintenance Policy (Crown Roads) and Council is gathering the list of Crown Roads which they will maintain. 02/12/2019 – LB: Landowners have been notified of Council's decision. Negotiation is ongoing with the Crown and in the meantime Council staff are compiling a list of Crown Roads to attach to the MOU with the Crown.	30/04/2020	N
553	21 November 2019	422/19	9.3.6	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.	Group Manager Asset & Engineering	28/02/2020 – LN: Ongoing. 03/02/2020 – LN: Ongoing. 27/11/2019-LN: Additional consultation to be arranged.	30/04/2020	N
564	21 November 2019	433/19	9.4.11	Organisational Structure Review That Council A. Create the position of Chief Operating Officer as a senior staff position;	Acting Director Corporate & Community Services	04/03/2020: - DR: Completed. 04/04/2020: - DR: A. Recruitment for the positions is underway.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				B. Create the position of Chief Strategy Officer as a senior staff position; C. Designate the position of General Manager to be Chief Executive Officer; D. That the role of the senior staff positions be: (a) Chief Operating Officer: (i) Support the Council in development of effective strategies to ensure efficient and effective provision of services to the community and management of infrastructure used by the community and in providing services, (ii) Develop plans of action to ensure that the strategies of Council are being achieved through the delivery of services and management of infrastructure. (iii) Effective management of the resources		03/12/2019 – DR: C. Staff have been advised that the new structure has been adopted. Recruitment companies are being engaged to assist with the recruitment of the Chief Officer positions. The timing of recruitment will be determined in consultation with the agency selected to undertake the recruitment. D. Completed		

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				provided by Council for the provision of services and infrastructure for the community.				
571	21 November 2019	441/19	13.5	Replacement of Council's waste landfill compactor. plant 3088 That Council A. Approve the purchase of a Tana E260 from GCM Enviro Pty Ltd for \$666,000 excluding GST; and B. Accept trade in offered by GCM Enviro Pty Ltd for Tana Plant 1616 for \$50,000 excluding GST	Manager Fleet & Plant	27/02/2020 – DC: Unit currently being shipped to Australia. Delivery April 2020. 14/01/2020 – SS: Expected Delivery March 2020. 27/11/2019 – SS: Purchase order PU030359 supplied to GCM Enviro 27/11/2019, awaiting delivery advice.	30/04/2020	N
573	21 November 2019	443/19	13.7	Werralong Road - Proposed Acquisition With and Without Consent That Council 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.	Land & Property Officer	02/03/2020 – LB: When consent is received from the OLG Werralong Road will be gazetted to Council. 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. 02/12/2019 – LB:	31/06/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<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 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>		Resolution of Council has been sent to Council's solicitor to lodge with OLG for consent of the Minister and the Governor.		
583	19 December 2019	464/19	9.3.1	<p>African Lovegrass Stakeholder Collaboration</p> <p>That Council corresponds with the Deputy Premier and other relevant ministers to advocate for future and on-going funding for;</p> <p>A. Continued and future research, in particular research for biological control for African Lovegrass.</p> <p>B. The development of mapping for the region identifying African Lovegrass infestation and spread.</p> <p>C. Construction of public vehicle hygiene stations to inhibit the spread</p>	Acting Director Environment & Sustainability	<p>03/03/2020 – BJ: Letter is in draft form awaiting approval and should be sent by 06/03/2020.</p> <p>27/02/2019 – BJ: Letter is currently being drafted.</p> <p>04/02/2019 – BJ: Letter is currently being drafted.</p>	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>of African Lovegrass seed to areas of economic, environmental and/or social assets of value.</p> <p>D. Support of the Monaro African Lovegrass Taskforce and ongoing support for the Monaro African Lovegrass Project administered by South East Local Land Services.</p> <p>E. Continued financial support to Council through the South East Weeds Action Program.</p>				
584	19 December 2019	466/19	9.3.3	<p>Request for Council to Apply to the Crown for Cappanana Road to be Transferred to Council</p> <p>That Council</p> <p>A. Refuse the request to have Cappanana Road transferred to Council as a Council public road;</p> <p>B. Write to the landowners who signed the petition notifying them of the decision;</p> <p>C. Add Cappanana Road to the list of Crown Roads to be attached to the MOU for grading by Council at the landowners' cost; and</p> <p>D. Request the CEO develop a policy to manage requests to accept the ownership of crown and private roads or undertake maintenance of non-Council roads</p>	Land & Property Officer	<p>02/03/2020 – LB: Cappanana Road has been included on the list of Crown Roads attached to the MOU with the Crown.</p> <p>20/01/2020 –LB: Letters have been sent to landowners who signed the petition. Negotiation with Crown Lands is ongoing.</p>	30/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
593	19 December 2019	475/19	9.4.8	Naming of Roads That Council: A. Endorse the names Calabria Way and Aratula Drive for advertising prior to the gazettal process; B. Proceed to gazette the road names if the Geographical Names Board concurs with the names and no objections are received during the advertising period.	GIS Administrator	04/03/2020 – JC: No further update. 05/02/2020 – JC: Road name was concurred by GNB. Advertising is completed and no objections received. Gazettal Process is underway.	28/03/2020	N
599	19 December 2019	483/19	13.2	Request for Lease - Snowy River Health Centre That Council : A. Accept the request to lease space within Snowy River Health Centre from Mr Gavin Fuller and consider the proposed lease terms; B. Accept the proposal to rent the space at 50% reduced rate for a period of three years and allow a sublease on non-operational days.	Facility Officer - Snowy River Health Centre	02/03/2020 – NW: Approval received from Department of Health. Lease signed by both parties and further approval received to go ahead and register lease. Lease currently with lawyers undertaking registration. 24/01/2020 – NW: Lawyers currently drafting lease for approval by Department of Health prior to signing off by parties.		Y
600	19 December 2019	483/19	13.3	Sale of Council Land - Percy Harris Street Leesville by Auction off the Plan That Council A. Approve for Lots 14, 15 and 16 at Leesville Industrial Estate to be sold off the plan via Public Auction;	Property Officer	27/02/2020 JH: Met with Surveyor 27/2/2020 and was advised he will be visiting the site the week of 2 March 2020 to begin the design plan. 15/11/2020 - JH:	01/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				B. Authorise the Chief Executive Officer to establish the reserve price for Lots 14, 15 and 16 at Leesville Industrial Estate ahead of the auction, and to negotiate with the highest bidder should the property fail to meet the Reserve; C. Authorise for the Chief Executive Officer to select the Agent to carry the sale; D. Authorise the Chief Executive Officer to undertake all negotiations for the sale of Lots 14, 15 and 16 at Leesville Industrial Estate; and E. Authorise the Chief Executive Officer to execute all legal documents and contracts for the Sale of Lots 14, 15 and 16 at Leesville Industrial Estate.		A Real Estate Agent has been approved to carry out the sale by auction. The design plan should be received by end of January from Surveyor. The draft contract has been prepared by Solicitor and the process for sale is taking place.		
601	19 December 2019	484/19	13.4	Request to extend lease That Council: A. Approve the extension of the Lease and Operation of Cooma Festival Swimming Pool for an additional season 2020/2021; B. Authorise the expenditure of \$284,231.00 as quoted in the attached submission from Monaro Aquatic Services.	Acting Manager - Land & Property	03/02/2020 – KH: Letter has been sent and returned – actioned completed. Letter to Monaro Aquatic Services to be sent to confirm extension. 03/02/2020 – KH: Letter to Monaro Aquatic Services to be sent to confirm extension.	28/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
603	19 December 2019	486/19	13.6	Audit, Risk and Improvement Committee - Minutes of Meeting held on 23 October 2019 A. Receive and note the attached minutes of meeting of the Audit, Risk and Improvement Committee held on 23 October 2019, and B. Reports to ARIC be written not verbal or otherwise recorded.	Senior Internal Auditor	4/03/2020 - TK: B. Notes on update provided by CEO will be included in minutes of meeting going forward. 5/02/2020 - TK: A. Receive and note – no further action required. Will consult with ARIC and provide update at next meeting.		Y
606	19 December 2019	489/19	13.9	Award Of Tender For The Reseal And Relining Of The Snowy 1 Reservoir - Cooma Water Supply System That Council approve: A. The award of tender as per the recommendation in the tender evaluation report for a tender amount of \$920,488.20 (Including GST). B. The shortfall in the budget allocation be adjusted in the quarterly budget review in December.	Group Manager Water & Wastewater Services	02/03/2020 – MR: Asset no longer in service and has been demolished. 24/01/2020 – GA: The Project Manager was informed on 6 January 2020 to advise all Tenderers of the withdrawal of this Tender. Hunter Water, the consultant who did the Cooma water servicing strategy which included the servicing for the Snowy 2.0 segment plant and the servicing of new growth areas of four mile has been engaged to conduct a risk management workshop to determine Snowy 1 reservoir capacity for the future. This workshop will be held on 28 January 2020.		Y
607	19 December 2019	490/19	13.10	Chief Executive Officer's Annual Review That Council: A. Approve the variation of the Chief Executive Officer's contract by:	General Manager / Executive Assistant to	04/03/2020 – SC: A. In progress B. Deed under review. C. Completed. D. Not yet Finalised	Ongoing	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				a) Extending the term from three years to five years; b) Increasing the total remuneration package from \$300,000 pa to \$320,000; c) Permitting the CEO to participate in Council's leaseback vehicle arrangements in a manner consistent with other senior staff. B. Authorise the Mayor to develop an appropriate Deed of Variation to give effect to the above; C. Authorise the Performance Review Panel to determine a new performance agreement with the Chief Executive Officer's.	CEO, Mayor & Councillors	04/02/2020 – SC: A. In progress. B. Not yet finalised.		
608	20 February 2020	9.1.1	5/20	Section 355 Committee Minutes: Bombala Exhibition Ground, Nimmitabel Hall That Council receive and note the Minutes of the Bombala Exhibition Ground and Nimmitabel Hall.	Manager Corporate Governance	02/03/2020 –JM: Receive & note. No further action required.		Y
609	20 February 2020	9.1.2	6/20	Monthly Funds Management Report - December 2019 That Council:	Finance Officer	27/02/2020 –AS: Receive & note. No further action required.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				A. Receive and note the report indicating Council's cash and investments position as at 31 December 2019, and B. Receive and note the Certificate of the Responsible Accounting Officer.				
610	20 February 2020	9.1.3	7/20	Lake Jindabyne Shared Trail Project Grant Funding That Council cover the ongoing maintenance costs of the Lake Jindabyne Shared Trail extension to the amount of \$100,000 per year from 2022-23.	Recreation Planner	02/03/2020 – KM: Noted.		Y
611	20 February 2020	9.1.4	8/20	Monthly Funds Management Report - January 2020 That Council: A. Receive and note the report indicating Council's cash and investments position as at 31 January 2020, B. Receive and note the Certificate of the Responsible Accounting Officer.	Finance Officer	27/02/2020 – AS: Receive & note. No further action required.		Y
612	20 February 2020	9.1.5	9/20	Snowy Monaro Local Traffic Committee Report That the recommendations of the meeting of the Local Traffic Committee held on 23 January 2020 be adopted.	Road Safety Officer	27/02/2020 – GH: Minutes adopted and applicants notified.		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
613	20 February 2020	9.1.6	10/20	Section 355 Snowy Monaro Tourism Advisory Committee That Council: A. Receive and note the information regarding the purpose and membership of the Section 355 Snowy Monaro Tourism Advisory Committee; B. Endorse the Charter for this Committee as attached to this report; and C. Approve the community members recommended for membership of the Committee, being Mr Luke Kneller (CEO TSM), Ms Susie Diver, Mr Peter Cottrell, Ms Gail Eastaway, Mr Tim Corkhill, Mr Barry Wrenford and Mr Duncan Isaksen-Loxton.	Manager – Tourism & Events	02/03/2020 – KM: A. Noted B. Noted Noted. Committee members are to be notified.	30/03/2020	N
614	20 February 2020	9.1.7	11/20	Transfer of Crown Road Bunyan That Council A. Write to the Crown requesting the section of Greystone Road of approximately 1.67km be transferred to Council as per the map outlining the area; and	Property Officer	27/02/2020 -JH: A. Resolution received 27/2/2020 application to Crown for transfer of road is being prepared for submission. (Janine) B. Can't be completed until Crown has transferred Road to Council.	10/04/2020	N

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				B. Include the road in Council's roads assets register.				
615	20 February 2020	9.3.1	12/20	Request to Acquire and Repair/Replace Bairds Crossing Bridge over Snowy River That Council: A. Receive and note the report on the request to acquire, repair/replace Bairds Crossing Bridge over the Snowy River; B. Reject the proposal for Bairds Crossing Bridge to become a Council Asset and be subject to Council's asset maintenance/replacement program; and 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.	Group Manager Transport Infrastructure (Operations)	28/02/2020 – GS Residents near Bairds Crossing Bridge were informed of Council's decision and amendment to the report recommendations; especially the inclusion of recommendation. C. Staff now await the advice from the minister, through the proponent in order to provide a further report for Council consideration.	April 2020	N
616	20 February 2020	9.3.2	13/20	Snowy Monaro Draft Local Strategic Planning Statement That Council: A. Receives the report from the Senior Strategic Land Use Planner, and B. Endorse the public exhibition of the draft Local Strategic Planning Statement (attachment 1) and Appendix A - Implementation Plan	Senior Strategic Land Use Planner	02/03/2020 – BD: A. Noted. B. Document is currently on public exhibition until 5 April 2020.		Y

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No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				appendix (attachment 2) for a minimum period of 28 days in accordance with Schedule 1 (Part 1 Division 1 clause 3) of the <i>Environmental Planning and Assessment Act 1979</i> .				
617	20 February 2020	9.4.1	14/20	Quarterly Budget Review Statement (QBRs) to December 2019 That Council A. Receive the quarterly budget review statement (QBRs) for the period ended 31 December 2019, and B. Authorise the adjustments to the Council's budgeted Income & Expenditure, Capital Expenditure and Cash & Investments as shown in the QBRs.	Management Accountant	27/02/2020 – JS: Adjustments to the budget have been posted as per the QBRs for December 2019.		Y
618	20 February 2020	9.4.2	15/20	Answers to Questions With Notice That Council receive and note the Councillor Questions In Progress report for the period ended December 2019.	Secretary Council & Committees	27/02/2020 – AS: Receive & note. No further action required.		Y
619	20 February 2020	9.4.3	16/20	Resolution Action Sheet Update That Council receive and note the In Progress Resolution Action Sheet Update for the period ending December 2019.	Secretary Council & Committees	27/02/2020 – AS: Receive & note. No further action required.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
620	20 February 2020	9.4.4	17/20	Endorsement of Government Information Public Access (GIPA) Policy and Agency Information Guide That Council adopt the Government Information Public Access (GIPA) Policy and the Agency Information Guide (AIG).	Manager Corporate Governance	02/03/2020 –JM: The Agency Information Guide and GIPA policy is uploaded on the Council website and Intranet.		Y
621	20 February 2020	9.4.5	18/20	Disaster Recovery Funding Arrangement Program That Council: A. Based on the category of hardship waive: (a) Council fees associated with the lodgement of a development application, including any pre-lodgement advice, complying development certificate, other certificates and associated inspections for current owners to rebuild their lost or damaged buildings on the basis of hardship. (b) Council fees for replacement of development approvals, licenses, certificates of permits lost in the fires. B. Support bushfire affected residents through the compassionate uses of Council's hardship provisions to waive interest on rates and charges.	Acting Director Corporate & Community Services	02/03/2020 – DR: Extraordinary Council meeting scheduled for 5 March 2020 to consider a Rescission Motion.	05/03/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>C. That the \$1million grant for disaster resilience be allocated as follows:</p> <p>(a) Employment of a recovery team and associated expenses to develop and co-ordinate recovery actions and support the community in gaining access to the available programs of support.</p> <p>(b) To provide grant of \$10,000 to the owners of each house destroyed by the recent bush fires.</p> <p>(c) Providing funding to support fire affected properties to erect boundary fencing destroyed by the bushfire, priority to be given fencing on roads not eligible for other funding.</p> <p>(d) Provide for a business advisory service to support businesses directly or indirectly impacted by the bushfires.</p> <p>(e) Provide funds to undertake works to improve the fire resilience of Council's infrastructure and reduce identified fire risks.</p>				

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				<p>(f) Develop a strong understanding of the impacts of the bushfires covering the short, medium and long term to enable Council to invest in programs that will achieve positive outcomes for the community and support Council in seeking additional support to strengthen the economy of the Snowy Monaro area.</p> <p>(g) Provide funding to undertake identified projects and utilise as seed funding to maximise the potential funds that can be raised to support resilience activities.</p> <p>(h) Provide \$20,000 towards wildlife rescue services.</p> <p>D. Council receives monthly reports of how money is being spent.</p>				
622	20 February 2020	9.4.6	19/20	<p>Royal Military College Duntroon request to conduct stability exercises</p> <p>That Council</p> <p>A. Approve the Royal Military College Duntroon request to conduct stability</p>	Tourism Promotion & Event Coordinator	<p>27/02/20 – KM:</p> <p>A. Noted – item complete.</p> <p>B. Noted – item complete.</p>		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
				exercises in Cooma during the month of March 2020, and B. Approve the waiver of any applicable fees for short-term, periodic use of Council facilities for the exercises (noting that the fees would total a minor amount).				
623	20 February 2020	9.4.7	20/20	Aligning the token value of Gifts and Benefits Policy with Code of conduct That Council adopt a change to Gifts and Benefits policy to set a token value of \$50 instead of \$25.	Manager Corporate Governance	02/03/2020 –JM: The token value of \$ 50 is updated in gifts and benefits policy.		Y
624	20 February 2020	9.4.8	21/20	Grant Applications - Activity Synopsis as at 31st January 2020 That Council receive and note the information related to Grants activity for the quarter ending 31 December 2019, and the month of January 2020.	Grants Officer	27/02/2020 –AS: Receive & note. No further action required.		Y
625	20 February 2020	9.4.9	22/20	Delivery Program Operational Report S404 For the Period July - December 2019 That Council receive and note the Progress Report on the Operational Plan for the period July 2019 to December 2019	Governance Officer	27/02/2020 –AS: Receive & note. No further action required.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
626	20 February 2020	10.1	23/20	Bombala Water Security That Council support a viable water supply for Bombala by revisiting a weir on the Bombala River.	Manager Water & Wastewater	02/03/2020 – MR: Recent history has shown the Coolumbooka River to be a more reliable water source than the Bombala River. DPIE Water and other State agencies have previously indicated their objection to impounding the Bombala River further in line with NSW State Planning, Water Management Act, EPA and other relevant legislation. Further floodplain and rising water table studies are required to assess the impacts on existing buried assets, building foundations and established tree welfare in the proposed weir impoundment zone. Without fully understanding these impacts and the consent of other Statutory Authorities the proposal has severe limitations in offering a viable water supply for Bombala.		Y
627	20 February 2020	10.2	24/20	Security Guard at Council Meetings That Council no longer employ a security guard at Meetings.	Manager Corporate Governance	02/03/2020 – JM: Security agency notified of services not required from March 2020 council meetings.		Y
628	20 February 2020	10.3	25/20	Bombala Library Sign That Council put up a sign at the street frontage entrance to the Bombala Library, indicating the opening hours for the Library and CTC before the end of May 2020.	Acting Manager Land and Property Group Manager	02/03/2020 – GH: Acting Land and Property Manager consulting with Bombala based Councillors and library staff for sign design and placement location	28/04/2020	N

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
					Facilities Management			
629	20 February 2020	11.1	Nil.	Mayoral Minute Mayor Beer passed on his thanks to staff and Council for their support and hard work during our horrific fire season.	General Manager / Executive Assistant to CEO, Mayor & Councillors	03/03/2020 – SC: Noted. No further action required.		Y
630	20 February 2020	13.1	27/20	Renewal of Deed of Licence – NKB That Council A. Approve the Deed of Licence to NKB for a term of three (3) years with a further two (2) year optional period at the discretion of Council; and B. Authorise the CEO to execute the Deed of Licence.	Property Officer	27/02/2020 - JH: Deed of Licence prepared for review and signing by NKB, then for Council and Snowy Hydro signatures.	30/03/2020	N
631	20 February 2020	13.2	28/20	Legal Actions and Potential Claims Against SMRC as at 31 January 2020 That Council receive and note the information in the Legal Actions and Potential Claims Against SMRC as at 31 /January 2020 report.	Executive Assistant to Director Corporate and Community Services	27/02/2020 –AS: Receive & note. No further action required.		Y

SMRC Resolution Action Sheet – In Progress

No.	Meeting Date	Res. No	Item No.	Action	R/Officer	Progress	Estimated Completion Date	Compl Y/N
632	20 February 2020	13.3	29/20	Request by Lessee for Mount Gladstone Nature and Flora Reserve and Lookout That Council A. Approve a 12 month waiver of the Lease Fee from November 2019; B. Require the Lessee pay the Rates Fee as per the Lease Agreement which includes the waste fee and on-site sewer management fee; C. Require the Lessee pay 25% of the annual water fees (delivered to tank); and D. Require the Lessee to pay all outstanding Lease Fees and Rates under a payment plan agreement.	Property Officer	27/02/2020 - JH: Account and Rates department notified of outcome to begin process of fee waiver and payment plan. Letter to Lessor prepared for notification of same.	30/03/2020	N
633	20 February 2020	13.4	30/20	Tender Award - Insurance Related Services and Insurance Coverage That Council accept the tender recommendation report and award the contract for insurance related services and insurance coverage to Civic Risk Mutual.	Chief Financial Officer	03/03/2020 – MP: Local Government Procurement (LGP) advised of decision to accept the tender 24/2/2020. Civicrisk Mutual formally notified by LGP 28/2/2020. Initial meeting with Civicrisk Mutual scheduled for 4/3/2020 to go through transition process.		Y
634	20 February 2020	13.5	31/20	Waste disposal and residential accommodation That Council endorses the proposed actions as outlined in items 1 and 2 of this report.	Acting Director Operations & Infrastructure	05/03/2020 – DC: Endorsed by Council as per Resolution 31/20.		Y

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