

**Resolution in relation to Planning Proposal 330.2021.1002 – Draft Minutes from Ordinary Council Meeting 18 February 2021**

The purpose of this report is seek Council endorsement to submit a planning proposal (PP) (Attachment A) which relates to the reclassification of Council owned land from “community” land to “operational” land.

- 7 Jindalee Street, Berridale, Lot 10 DP 1130244 being land adjacent to the Snowy River Hostel
- 1 Binalong Street, Cooma, Part Lot 10 DP 1266613 in Cooma being Yallambee Lodge.

It is to be noted that this lot was recently created through the consolidation of Lot 1 DP 841447 and Lot 464 DP 416596 and at the time of writing this report, the new linen plan had not been received by Council. The area proposed for reclassification is the entirety of former Lot 1 DP 841447.

Under Part 2 of the *Local Government Act 1993* (LG Act), all public land vested in a council (except a road or land to which the *Crown Lands Act 1989* applies) must be classified as either “community” land or “operational” land. Pursuant to Clause 27 of the LG Act, land may be classified or reclassified either through a Local Environmental Plan (LEP) or by Council's resolution in certain limited circumstances.

Under the current circumstances, the land must be reclassified via an amendment to the LEP, requiring a planning proposal.

The need for the reclassification is to align the classification of the land to the use of the land, being the operational delivery of residential aged care services. It is noted that the land on which Snowy River Hostel is located is already operational. The reclassification is also proposed to ensure the services can be properly delivered into the future, either by Council or by another provider given Council has accepted Stream 2 funding under the Australian Government Department of Health Business Improvement Fund in relation to Snowy River Hostel and Yallambee Lodge.

The planning proposal is consistent with the relevant section 9.1 Ministerial Directions, Snowy Monaro Local Strategic Planning Statement, State Environmental Planning Policies and Community Strategic Plan.

<b>COUNCIL RESOLUTION</b>	→	<b>[5/21]</b>
That Council:		
A. → Submit a Planning Proposal for proposed amendment to Snowy River 2013 and Cooma Monaro LEP 2013 to reclassify Lot 10 DP 1130244 in Berridale and Part Lot 10 DP 1266613 in Cooma from community to operational land 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> ; and		
B. → Subject to receipt of a gateway determination from the NSW Department of Planning and Environment, proceeds with the planning proposal and consultation is 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.		
<b>Moved Councillor Stewart</b>	→	<b>Seconded Councillor Corbett</b> → <b>[CARRIED]</b>