



IRF21/1008

Gateway determination report – PP 2021-2495

Proposed Amendment to reclassify Lot 10 DP 1130244 in Berridale and Lot 10 DP 1266613 Cooma from community land to operational to provide for the future operation of Aged Care Facilities.

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Table 1 Reports and plans supporting the proposal

Relevant reports and plans
Snowy Monaro Community Strategic Plan 2018
Royal Commission into Aged Care Quality and Safety Interim Report October 2019
Pricewaterhousecoopers Business case (Attached)
Snowy Monaro Local Strategic Planning Statement 2020
South East and Tablelands Regional Plan 2036

1 Planning proposal

1.1 Overview

Table 2 Planning proposal details

LGA	Snowy Monaro Regional Council
PPA	Snowy Monaro Regional Council
NAME	Reclassify from Community to Operational land two sites to ensure the long term provision of aged care services in the Snowy Monaro Regional Council area.
NUMBER	PP-2021-2495
LEP TO BE AMENDED	Snowy River LEP 2013, Cooma-Monaro LEP 2013
ADDRESS	7 Jindalee Street, Berridale and 1 Binalong Street, Cooma
DESCRIPTION	Lot 10 DP 1130244 Berridale; Lot 10 DP 1266613 Cooma
RECEIVED	4/03/2021
FILE NO.	IRF21/1008
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal

1.2 Objectives of planning proposal

The planning proposal contains objectives and intended outcomes that adequately explain the intent of the proposal.

The objectives of the planning proposal are to:

- Reclassify from Community (no interests changed) to Operational land under the Local Government Act 1993 two lots that currently provide for aged care services.

Council advises that this change will accurately reflect the actual use of the lands as well as allowing for transition to a new aged care provider.

The objectives of this planning proposal are clear and adequate.

1.3 Explanation of provisions.

The planning proposal seeks to amend the Snowy River LEP 2013 and the Cooma-Monaro LEP 2013 per the changes below:

Table 3 Current and proposed controls

Control	Current	Proposed
Reclassify land (no interests changed) from	Community	Operational
Amend Cooma Monaro LEP 2013 Schedule 4 Part 1		Insert locality of Cooma in Column 1, insert Lot 10 DP1266613 in Column 2
Amend Snowy River LEP 2013 Schedule 4 Part 1		Insert locality of Berridale in Column 1, and insert Lot 10 DP 1130244 in Column 2

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

1.4 Site description and surrounding area

In respect to the site at Jindalee Street, Berridale the land was purchased by Council to provide for the future growth of the adjacent Snowy River Hostel.

The site Figure 1, (green lot) occupies an area of 3000 square metres, is zoned RU5 Village with a minimum lot size of 7000sqm, is land locked and can only be accessed over Council owned land. The site is surrounded by single storey detached houses. The subject site is adjacent to the Snowy River Hostel, a 14 bed operational aged care facility owned and currently run by Snowy Monaro Regional Council. The existing aged care facility (in blue) is classified as Operational.



Figure 1 Subject site- 7 Jindalee Street, Berridale (source: Snowy Monaro Regional Council)



Figure 2 Subject Lot, vacant land adjacent to the Snowy River Hostel. (source: Snowy Monaro Regional Council)

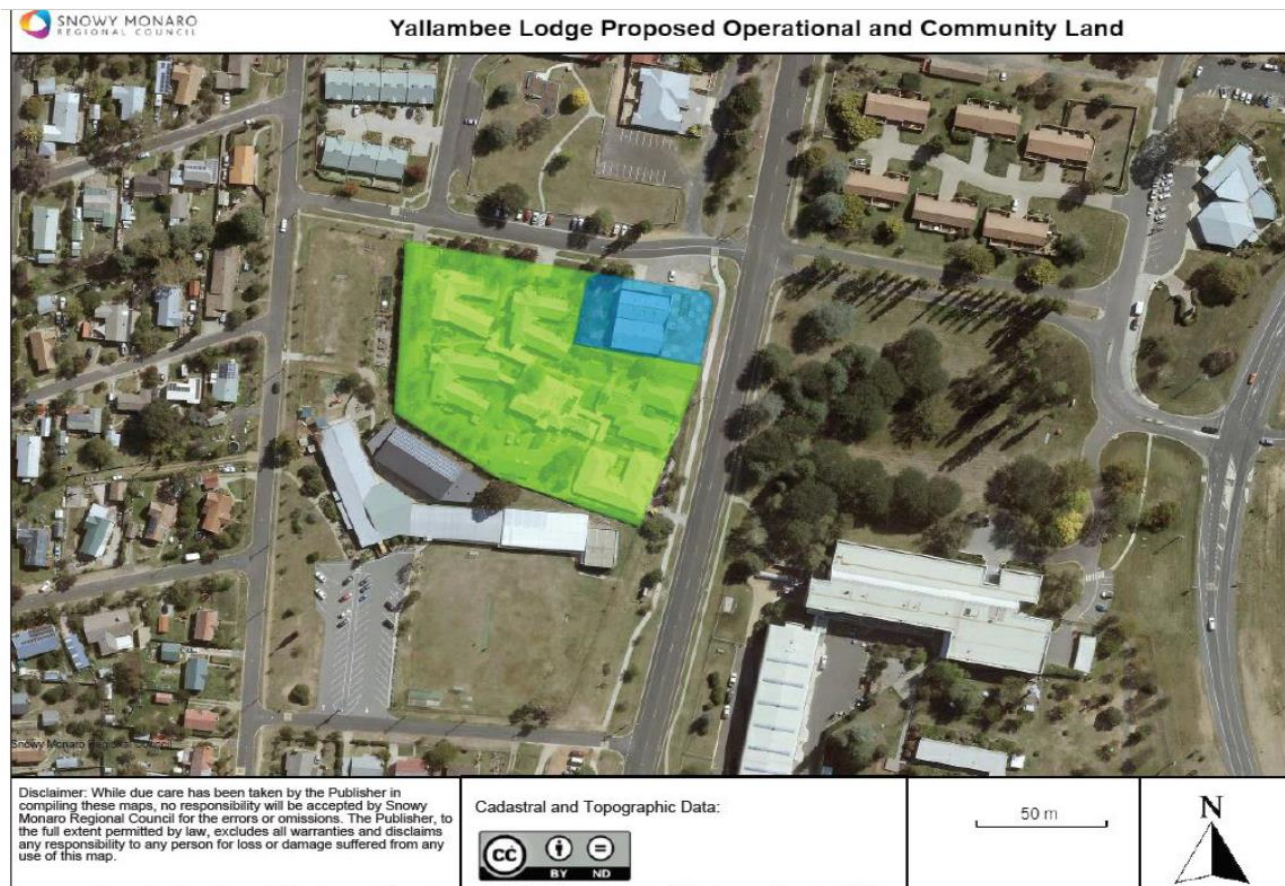


Figure 3- Subject (green) site- Yallambee Lodge, Cooma , proposed to be reclassified Operational. (source: Snowy Monaro Regional Council)

The Cooma site contains an existing 40 bed aged care facility named Yallambee Lodge located at 1 Binalong Street, Cooma . The site is approximately 8666sqm and contains an aged care facility owned and managed by Council. The site is zoned R2 Low Density Residential with a prescribed

minimum lot size of 500sqm. The surrounding uses of the site include schools, offices of Snowy Hydro, vacant land and low density residential uses.

Background

- Both sites are Council owned and managed and provide valuable aged care services to Snowy Monaro residents and ratepayers;
- Council is concerned that the additional requirements as articulated in the directions of the Royal Commission into Aged Care Quality and Safety findings and recommendations Interim Report, October 2019, and subsequent report prepared by Pricewaterhousecoopers identified that Snowy Monaro Council will face significant difficulties and mounting costs if it continues to deliver aged care services;
- In order to provide for the opportunity to enter into a potential sale or license of these facilities for the continued operation of aged care services to an entity that is better placed to manage these operational facilities, Council recognises the subject sites need to be classified as Operational.

Need for the planning proposal

The planning proposal is the only way for Council to enable the transition to a new aged care provider. Both sites must be classified as Operational to ensure Council can achieve its objectives.

The planning proposal is Council's response to the Interim Report of the Royal Commission into Aged Care Quality and Safety. It is also the only means that Council can use to explore options for the future of these facilities consistent with a resolution of Council on 17 December 2020.

The Planning Proposal is consistent with the Goals and Strategies of Council's Community Strategic Plan, adopted on 7 May 2018.

2 Strategic assessment

2.1 Regional Plan

The following table provides an assessment of the planning proposal against relevant aspects of the South East and Tablelands Regional Plan.

Table 4 Regional Plan assessment

Regional Plan Objectives	Justification
Goal 1- A connected and prosperous economy	Consistent - Priority growth sectors include health, disability and aged care.
Goal 3- Healthy and Connected Communities	Consistent- Direction 21- Increase access to health services

2.2 Local

The proposal states that it is consistent with the following local plans and endorsed strategies. It is also consistent with the strategic direction and objectives, as stated in the table below:

Table 5 Local strategic planning assessment

Local Strategies	Justification
Local Strategic Planning Statement	Consistent with Priority 6- Maximise potential for business growth and efficiency; Consistent with the Planning Priority 8 - Use appropriate evidence based planning controls to respond to a diverse region ; Consistent with Planning Priority 9- Provide a variety of housing options throughout the Snowy Monaro, including housing for the elderly, and consistent with 12-Capitalise on growth and change by preparing for new business and population;
Community Strategic Plan	Consistent with Theme- Community- our health and wellbeing needs are met.

2.3 Section 9.1 Ministerial Directions

The planning proposal's consistency with relevant section 9.1 Directions is discussed below:

Table 6 Section 9.1 Ministerial Direction assessment

Directions	Consistent	Reasons for Consistency or Inconsistency
2.6- Remediation of contaminated lands	Yes	Neither of the sites have had a former use which may cause contamination
3.1 Residential zones	Yes	Each of the sites are in existing residential zones, and will provide for future housing opportunities for the elderly
5.10 Implementation of Regional Plans	Yes	Goal 1- A connected and prosperous economy Goal 3-Healthy and Connected communities
6.1 Approval and referral requirements	Yes	Working within local health services
6.2 Reserving Land for Public purposes	Yes	The land zones are RU5 Village, and R2 Low Density Residential. The sites are not designated as public reserves, and no interests are proposed to be changed.
6.3 Site Specific Provisions	Yes	The proposal does not contain any restrictive planning controls.

2.4 State environmental planning policies (SEPPs)

The planning proposal is consistent with all relevant SEPPs.

Table 7 Assessment of planning proposal against relevant SEPPs

SEPPs	Requirement	Consistent/ Not Applicable	Reasons for Consistency or Inconsistency
SEPP 55	Remediation of Land	Yes	The subject sites are not identified as having any past uses that may cause site contamination.

3 Site-specific assessment

3.1 Environmental

The following table provides an assessment of the potential environmental impacts associated with the proposal.

Table 8 Environmental impact assessment

Environmental Impact	Assessment
Reclassification of both sites	There are no environmental impacts arising from the reclassification of the subject lots. Any further development would be assessed on its merits.

3.2 Social and economic

The following table provides an assessment of the potential social and economic impacts associated with the proposal.

Table 9 Social and economic impact assessment

Social and Economic Impact	Assessment
Social Impacts	The planning proposal is an important contribution to Council's commitment to ensuring the provision of quality local aged services in the Local Government Area. The proposal responds to the need to ensure that a future sale or lease of the aged care operations can be undertaken to ensure a better resourced and experienced aged care provider can take over the operation and management of the services currently provided by Council. The Interim findings of the Royal Commission into Aged Care has established that the provision of appropriate local aged care in the future will require significantly more resources and a more sophisticated delivery model than Council could sustain, either financially or operationally.

Economic Impacts

A comprehensive economic analysis and report has been undertaken by Pricewaterhousecoopers which has identified the need for council to find a new provider for both facilities. In order for that to be able to occur the sites need to be classified Operational, and the adjacent site to the Snowy River facility needs to be classified operational to provide for the future expansion of that facility. There are currently 11 FTE employees at Berridale, and 40 FTE working from the Cooma facility. Any future development of either facility will provide for additional local jobs which will assist the year-round economic health of the Cooma and Berridale town ships.

3.3 Infrastructure

There are existing aged care facilities operating on and adjacent to the subject sites. No additional infrastructure is required.

4 Consultation

4.1 Community

Council has already commenced an extensive consultation strategy, including commissioning the economic analysis of each facility which included extensive stakeholder engagement.

Council proposes a community consultation period of 28 days.

The exhibition period proposed is considered appropriate.

4.2 Agencies

No agency consultation on the planning proposal is considered necessary due to the administrative nature of the proposal.

5 Timeframe

Council proposes a 12 month time frame to complete the LEP.

The Department recommends a time frame of 12 months to ensure it is completed in line with its commitment to reduce processing times.

6 Local plan-making authority

Council does not request delegation to be the Local Plan-Making authority.

As the planning proposal is a reclassification of Council owned land and facilities, Council has chosen not to be the relevant planning authority.

Due to the local significance of the proposal and as any future development will go through separate assessment processes it is recommended that Council be authorised to be the local plan-making authority for this proposal.

7 Assessment summary

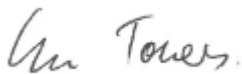
The planning proposal is supported to proceed with conditions for the following reasons:

- It will provide for the continued provision of appropriate quality aged care services at both facilities into the future.

8 Recommendation

It is recommended the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. The timeframe for completing the LEP is to be 12 months from the date of the Gateway determination.
3. Given the local significance of the proposal, Council should be authorised to be the local plan-making authority.



8/4/21

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9/04/2021

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