



SNOWY MONARO
REGIONAL COUNCIL

ATTACHMENTS TO REPORTS

(Under Separate Cover)

Ordinary Council Meeting

21 December 2016

**ATTACHMENTS TO REPORTS
FOR
ORDINARY COUNCIL MEETING
WEDNESDAY 21 DECEMBER 2016**

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SNOWY MONARO REGIONAL COUNCIL

Title of Policy	SMRC 127 – Heritage - Works of a Minor Nature or Maintenance		
Responsible Department	Service Planning	Document Register ID	250.2016.127.1
Policy Owner	Planning Officer	Review Date	Date
Date of Council Meeting	Date Approved	Resolution Number	Number
Legislation, Australian Standards, Code of Practice	<p><i>Environmental Planning and Assessment Act 1979</i></p> <p><i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i></p> <p><i>Bombala Local Environmental Plan 2012</i></p> <p><i>Bombala Development Control Plan 2012</i></p> <p><i>Cooma-Monaro Local Environmental Plan 2013</i></p> <p><i>Cooma-Monaro Development Control Plan 2014 (Amendment 1)</i></p> <p><i>Snowy River Local Environmental Plan 2013</i></p> <p><i>The Snowy River Development Control Plan 2013</i></p>		
Aim	<p>To conserve the heritage significance of Heritage Items and Heritage Conservation Areas including associated fabric, settings and views.</p> <p>To identify works of a minor nature or maintenance associated with a Heritage Item or a place in a Heritage Conservation Area which do not require the formal development consent of Council (via a Development Application).</p> <p>To provide guidelines to meet the requirements set out in the <i>Bombala Local Environmental Plan 2012</i>, <i>Cooma-Monaro Local Environmental Plan 2013</i> and <i>Snowy River Local Environmental Plan 2013</i>.</p> <p>Note this Policy is for historic places (eg buildings and items) and may not necessarily apply to natural and Aboriginal places</p>		

1 Definitions

(in relation to a heritage item, Aboriginal object or Aboriginal place of heritage significance, or a building, work, archaeological site, tree or place within a heritage conservation area and applicable to this Policy)

Heritage Conservation Area – means an area of land identified as having heritage significance, including any heritage items situated on or within that area, listed in the *Cooma-Monaro Local Environmental Plan 2013* and *Snowy River Local Environmental Plan 2013*.

Heritage Item – means a building, work, place, relic, tree, object or archaeological site identified as a heritage item listed in the *Bombala Local Environmental Plan 2012*, *Cooma-Monaro Local Environmental Plan 2013* and *Snowy River Local Environmental Plan 2013*.

Heritage significance – means the historic, aesthetic, scientific, technical, social or other values of a place or item.

Maintenance – means ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology.

Routine Maintenance – means a mundane activity or process carried out to ensure the safe and/or continued operation or use, and typically includes:

- weeding, watering, mowing, top-dressing, pest control and fertilizing necessary for the continued health of plants, without damage or major alterations to layout, contours, plant species or other significant landscape features;
- pruning (to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material), not exceeding 10% of the canopy of a tree within a period of two (2) years;
- the removal of vegetation and litter from gutters and drainage systems to prevent deterioration or replacing guttering;
- resealing and tightening fixtures of loose elements of building fabric;
- re-hinging doors and gates;
- replacing broken windows, fly screens, etc;
- lubricating equipment and services which have moving parts;
- the application of protective coatings such as limewash, polish, oils and waxes to surfaces which have previously had such coatings applied;
- painting and decoration to the interior of the house and installation of joinery items;
- repainting surfaces which are already painted (Council may be able to assist with suggesting sympathetic colour schemes), including timberwork and metalwork;
- cleaning by the removal of surface deposits using methods other than aggressive mechanical or chemical techniques such as high pressure, high temperature or strong solvents which may affect the substrate; and
- pest control.

The routine maintenance activities listed above **do not** require notification to Council.

Repairs – means the replacement of services such as cabling, plumbing, wiring and fire services that use existing service routes, cavities or voids or replaces existing surface mounted services and does not involve damage to or the removal of significant fabric; or the repair (such as refixing and patching) or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing and does not involve damage to or the removal of significant fabric.

2 Background

Regular and appropriate maintenance is essential to all buildings to protect the fabric from the effects of age and weather and prevent deterioration of the property.

Maintenance and repair works are encouraged for heritage items and all properties in conservation areas and generally do not require development consent from Council if they are of a minor nature and would not adversely affect the heritage significance of the item or conservation area.

Clause 5.10 of the *Bombala Local Environmental Plan 2012*, *Cooma-Monaro Local Environmental Plan 2013*, and *Snowy River Local Environmental Plan 2013* (the LEPs) addresses heritage conservation, and in particular when development consent is and is not required for heritage affected places. To reduce unnecessary or onerous obligations on owners of heritage property, clause 5.10 (3) identifies development consent is not required under the LEP if:

- (a) *The applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:*
- (i) *is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and*
 - (ii) *would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or*
- (b) *the development is in a cemetery or burial ground and the proposed development:*
- (i) *is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and*
 - (ii) *would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or*
- (c) *the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or*
- (d) *the development is exempt development.*

Council must, before responding to a written request to undertake works of a minor nature or maintenance in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.

3 Works of a Minor Nature or Maintenance

3.1 Applications

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the SEPP) identifies types of development that are of minimal environmental impact that may be carried out without the need for development consent.

However, a number of sections within the SEPP exclude development from being 'exempt' because the site contains a heritage item or *draft* heritage item or is located within a heritage conservation area or *draft* heritage conservation area.

The Works of a Minor Nature specified in Attachment A of this Policy may however be permitted without obtaining formal development consent, provided the proposed work/s are in keeping with the guidelines in this document and comply with all other relevant development standards identified in the SEPP applicable to the proposed work/s.

Maintenance and repairs in accordance with Attachment B of this Policy will only be considered minor when significant fabric is **not** damaged, moved, removed, disturbed or altered. In all cases, the damage or removal of significant fabric is not permitted without approval via a Development Application (DA) to Council. Note the development must also **not** result in a development which is inconsistent with any specific conditions of a previous approval (please check with Council to confirm).

A person proposing to undertake any of the works described in Attachment A (Works of a Minor Nature) and/or Attachment B ((Maintenance and Repairs Guidelines) of this Policy **must** write to Council (preferably completing and submitting a 'Works of a Minor Nature or Maintenance' Application Form) and describe the proposed activity. If Council is satisfied that the proposed activity meets the criteria in Attachment A and/or Attachment B, Council will notify the applicant in writing that the development may proceed (in accordance with the recommendations, requirements and/or conditions of Council's written advice).

3.2 Essential Requirements

To be considered as 'Works of a Minor Nature', for the purposes of this Policy, the development must:

- (a) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia* and applicable Australian Standards, or if there are no such relevant provisions, must be structurally adequate, and
- (b) must not, if it relates to an existing building, cause the building to contravene the *Building Code of Australia* or applicable Australian Standards, and
- (c) be installed in accordance with the manufacturer's specifications, if applicable, and
- (d) not involve the removal or pruning of a tree or other vegetation that requires a permit or development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent, and
- (e) Development that relates to an existing building that is classified under the *Building Code of Australia* as class 1b or class 2-9 will be considered to be works of a minor nature for the purposes of this Policy only if:
 - (i) The building has a current fire safety certificate or fire safety statement, or
 - (ii) No fire safety measures are currently implemented, required or proposed for the building.

3.3 Assessment

Persons intending to undertake Works of a Minor Nature and/or Maintenance are encouraged to seek preliminary advice from Council's Heritage Advisor or Town Planning staff prior to lodging a Works of a Minor Nature or Maintenance Application Form.

Wherever possible, applications for Works of a Minor Nature and/or Maintenance will be assessed by Council's Town Planning staff. In the event that a more detailed professional design or conservation advice is required, the application will be referred to Council's Heritage Advisor.

Provided the submitted information is sufficient for an assessment to be undertaken, Council will endeavour to provide a written response within five (5) working days. Note a written response from Council is required **before** any works or maintenance are undertaken.

3.4 Fees

No fee is applicable for an application for Works of a Minor Nature or Maintenance.

Where a Development Application (DA) is required because the works proposed do not meet the criteria for 'works of a minor nature', but would otherwise meet the criteria of 'exempt or complying' development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* were the item not heritage listed, Council will make a donation of all applicable fees.

It must be noted that Applicants must pay the applicable fee/s at the time of lodgement of their DA, and using the 'Application for donations' form, make written request to Council for the donation of such fee/s.

Where Council's schedule of Fees and Charges requires payment for assessment of 'Heritage – Works of a Minor Nature', that fee will apply.

3.5 Appeal

In the event an application for Works of a Minor Nature is refused on the grounds that:

- the works are not considered to be of a minor nature, or
- the works would adversely affect the significance of a Heritage Item or Heritage Conservation Area,

an applicant is able to submit a formal Development Application (DA) to Council. If the DA is refused on the grounds that it would adversely affect the significance of the Heritage Item or Heritage Conservation Area, the applicant is able to appeal Council's decision under Section 97 of the *Environmental Planning and Assessment Act, 1979* via the NSW Land and Environment Court.

Documentation

Bombala Local Environmental Plan 2012

Cooma-Monaro Local Environmental Plan 2013

Snowy River Local Environmental Plan 2013

250.2016.125.1 Works of a Minor Nature or Maintenance Application Form

4 Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.

5 Attachment A – Development which is considered to constitute Works of a Minor Nature

Works of a Minor Nature Acceptance Criteria – The following works may be accepted as **minor** if **all other** Development Standards specified in the relevant clauses of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* **are met**, and permitted without obtaining formal development consent, but **do require** a written response from Council **before** being undertaken. The Development Standards for each of the works below contain important additional clauses and should be considered prior to making an application for Works of a Minor Nature approval.

The relevant SEPP Development Standards can be found at <http://www.legislation.nsw.gov.au>

Specified Development	Clause	This specified development may be considered minor provided all other standards are met and if the development is:
Access ramps	2.2	located other than in the rear yard. [2.2(e)]
Aerials, antennae and communication dishes	2.4	attached other than to the rear wall and roof plane of the existing building and/or are higher than the highest point of the roof of the building. [2.4(1)(iv)] There must be no more than three (3) developments per lot. [2.4(2)(a)] Note a mast is not considered a Works of a Minor Nature, and Council consent is required.[2.4(c)(iv)]
Air-conditioning units	2.6	wall mounted or constructed or installed on or in a heritage item. [2.6(1)(g) & (1A)(e)] located other than in the rear yard if constructed or installed in a heritage conservation area, if for residential uses only. [2.6(1)(h)] located forward of the building line of any road frontage, if for purposes other than residential uses only. [2.6(1A)(f)]
Animal shelters	2.6B	located other than in the rear yard, when it is not a stable for the keeping of horses. [2.6B(1)(i)] There must be no more than two (2) developments per lot. [2.6B(2)]
Automatic teller machines	2.6D	installed or constructed on land in a heritage conservation area. [2.6D(a)(ii)]
Awnings, blinds and canopies	2.10	located other than in the rear yard if constructed or installed on or in a heritage conservation area. [2.10(d1)]
Balconies, decks, patios, pergolas, terraces and verandahs	2.12	located forward of the building line of any road frontage if constructed or installed in a heritage conservation area. [2.12(o)]
Cabanas, cubby houses, ferneries, garden sheds, gazebos and greenhouses	2.18	located other than in the rear yard if constructed or installed in a heritage conservation area. [2.18(1)(j)] It must be a Class 10 building and not be habitable. [2.18((1)(l)] There must be no more than two (2) developments per lot. [2.18(2)]
Carports	2.20	located other than in the rear yard if constructed or installed in a heritage conservation area. [2.20(1)(m)] There must be no more than one (1) development per lot if there is a dwelling on the lot. [2.20(3(a)]
Earthworks, retaining walls and structural support	2.30	located other than in the rear yard. [2.30(c)]
Evaporative cooling units (roof mounted)	2.30B	located other than in the rear yard and is visible from a public road. [2.30B(g)]

13.1 RECOGNITION OF HERITAGE IN THE SNOWY MONARO REGION
 ATTACHMENT 1 POLICY 127 - HERITAGE - WORKS OF A MINOR NATURE OR MAINTENANCE

Specified Development	Clause	This specified development may be considered minor provided all other standards are met and if the development is:
Fowl and poultry houses	2.42	located other than in the rear yard. [2.42(1)(j)] There must be no more than one (1) development per lot. [2.42(2)]
Hot water systems	2.46B	located on a roof, [2.46B(b)(i)] and located other than in the rear yard. [2.46B(b)(ii)]
Landscaping structures	2.48	located other than in the rear yard. [2.48(e)]
Rainwater tanks (above ground) RU1, R5, E3 or E4 Zone	2.64	located other than in the rear yard. [2.64(1)(k)]
Rainwater tanks (below ground) – RU1 or R5 Zone	2.66	located other than in the rear yard. [2.66(1)(e)]
Screen enclosures (of balconies, decks, patios, pergolas, terraces and verandahs)	2.70	attached to any balcony, deck, patio, pergola, terrace or verandah that faces any road. [2.70(j)]
Shade structures of canvas, fabric, mesh or the like	2.72	located other than in the rear yard. [2.72(k)]
Skylights, roof windows and ventilators	2.74	visible from any road frontage. [2.74(g)]
Water features and ponds	2.80	located other than in the rear yard. [2.80(1)(b)]

Attachment B – Maintenance and Repairs Guidelines

Activities identified below are considered as *maintenance of a heritage item* and under the *Cooma-Monaro Local Environmental Plan 2013* and may be permitted without obtaining formal development consent, but **do require** a written response from Council **before** being undertaken.

Maintenance

Maintenance is distinguished from repairs, restoration and reconstruction as it does not involve the removal of or damage to existing fabric or the introduction of new materials, and is a continuing process of protective care.

Repainting of existing painted surfaces can be included as maintenance, and minor works can include such repairs to a building as the replacement of fascias, and can even include replacement of roofs where like materials as the ones being replaced are used.

Note only routine maintenance as defined in this Policy which does not involve a change to the building or site (such as lawn mowing, cleaning, inspecting gutters) **does not** require reference to Council nor development consent.

Repairs

Repairs must be based on the principle of doing as little as possible and only as much as is necessary to retain and protect the element. Therefore replacement must only occur as a last resort where the major part of an element has decayed beyond further maintenance.

Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.

Repairs must maximise protection and retention of fabric and include the conservation of existing detailing, such as vents, capping, chimneys, carving, decoration or glazing.

Painting

Painting of surfaces which have **not** previously been painted such as face brickwork, stone, concrete or galvanised iron is likely to adversely affect the heritage significance of the item and **will** require the concurrence of Council's Heritage Advisor.

Likewise, the stripping of paint coatings which were intended to be protective may expose the substrate to damage and cause the loss of the historical record and significance of the building. Paint removal of failed layers to achieve a stable base for repainting should aim to avoid the loss of the significant historical record.

The application of protective coatings such as limewash, polish, oils and waxes to surfaces which have previously had such coatings applied, **do not** require notification to Council.

Excavation

The excavation or disturbance of land **not** requiring notification to Council may only be undertaken for the purpose of:

- exposing underground utility services infrastructure which occurs within an existing service trench;
- carrying out inspections or emergency maintenance or repair on underground utility services;
- maintaining or repairing the foundations of an existing building; or
- exposing survey marks for use in conducting a land survey; and
- will not affect any other relics.

Restoration

Restoration **does not** involve the removal of fabric, and only relates to the return of fabric which has been removed to storage or has been dislodged from its original location **without** the introduction of new material/s.

Landscape Maintenance

Landscape features and gardens can be of heritage significance in their own right. They are often vital to the curtilage of a heritage item and fundamental to the setting of other (eg built or archaeological) heritage items and important to the appreciation of their heritage significance.

Landscaping maintenance includes:

- removal of dead or dying trees; or
- tree surgery by a qualified arborist, horticulturist or tree surgeon necessary for the health of those plants.

Where an item such as a garden has been listed, the ordinary day-to-day maintenance and replanting of garden beds **does not** require approval. The removal of significant mature trees, however, or changing the form of a garden designed in a certain style, **does** require consent.

In relation to cemeteries, landscape features include monuments, grave markers, grave surrounds, fencing, path edging and the like.

Signage

The following signage may only be considered as Works of a Minor Nature following assessment and formal written response from Council:

- temporary signage which is located behind or on the glass surface of a shop window which is not internally illuminated or flashing and is to be removed within eight (8) weeks;
- a real estate sign indicating that the place is for auction, sale or letting and related particulars and which is removed within ten (10) days of the sale or letting of the place;
- non-illuminated signage for the sole purpose of providing information to assist in the interpretation of the heritage significance of the item and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage or obstruct significant views of and from heritage items;

- signage which is in the form of a flag or banner associated with a building used for a purpose which requires such form of promotion such as a theatre or gallery, which is displayed for a maximum period of eight (8) weeks and which will not adversely affect significant fabric including landscape or archaeological features of its curtilage;
- not conceal or involve the removal of signage which has an integral relationship with the significance of the item;
- be located and be of a suitable size so as not to obscure or damage significant fabric of the item; or
- be able to be later removed without causing damage to the significant fabric of the item; and
- reuse existing fixing points or insert fixings within existing joints without damage to adjacent masonry.

Burial Sites and Cemeteries

In addition to burial remains and artefacts, above ground cemetery elements may include headstones, footstones and other burial markers or monuments and associated elements such as grave kerbing, iron grave rails, grave furniture, enclosures and plantings.

Works of a Minor Nature within a burial site or cemetery includes:

- the creation of a new grave;
 - the erection of monuments or grave markers in a place of consistent character, including materials, size and form, which will not be in conflict with the character of the place; or
 - an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers;
- provided that there will be no disturbance of human remains, to relics in the form of grave goods, associated landscape features or to a place of Aboriginal heritage significance.

Works of a Minor Nature **does not** apply to the erection of above-ground chambers, columbaria or vaults, or the designation of additional areas to be used as a burial place.

Safety and Security

Emergency maintenance and repairs apply in circumstances where there has been damage caused by a sudden change in circumstances of the building such as required following a catastrophic event (eg storm) rather than safety risks which may arise from ongoing neglect of maintenance, or works for the temporary or emergency securing of safety for users or the public include:

- the erection of temporary security fencing, scaffolding, hoardings or surveillance systems to prevent unauthorised access or secure public safety which will not adversely affect significant fabric of the item including landscape or archaeological features of its curtilage; or
- development, including emergency stabilisation necessary to secure safety where a building or work or part of a building or work has been irreparably damaged or destabilised and poses a safety risk to its users or the public.



Title of Policy	SMRC 128 – Conservation of Council-owned and or Managed Heritage Items		
Responsible Department	Service Planning	Document Register ID	250.2016.128.1
Policy Owner	Planning Officer	Review Date	Date
Date of Council Meeting	Date Approved	Resolution Number	Number
Legislation, Australian Standards, Code of Practice	<i>The Burra Charter (Australia ICOMOS – Charter for the Conservation of Places of Cultural Significance)</i> <i>Guidelines on Conservation Management Plans and Other Management Documents (NSW Heritage Office)</i>		
Aim	To show how the heritage significance of Council-owned and/or managed heritage items may be enhanced and maintained.		

Under the *Local Government Act 1993* councils are required to prepare draft plans of management for Council-owned land classified as ‘community land’.

In-line with best practice and Council’s commitment to comply with relevant legislation, Council extends this practice to have in-place Conservation Management Plan/s (CMP) for heritage items on Council-owned land classified as ‘operational’ land.

The Conservation of Council-owned and or managed heritage items Policy (the Policy) applies to all Council-owned and or managed heritage items as listed in the current Local Environmental Plan (LEP). Having a CMP in-place also aids Council in applying for grant funding, when and where applicable.

Heritage items can be buildings, structures, places, trees, relics or other works of historical, aesthetic, social, technical/research or natural heritage significance.

This Policy recognises that parts of a site might already be compromised by development, and therefore substantial alterations or adaption can be justified. Also parts of a site might be of exceptional significance, such that extensive intervention may not be appropriate.

All CMPs the subject of this Policy will be based on the ‘*Guidelines on Conservation Management Plans and Other Management Documents*’ produced by the NSW Heritage Office, detailing why an item is considered to be of heritage significance and outlining policies to retain this significance that allow for economic re-use, possible future development and ongoing management and maintenance of Council-owned and or managed heritage items.

Any CMPs relating to Council-owned or managed heritage items will be recorded in Council’s Heritage Register and cross-referenced to the applicable parcel of land.

Variation Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.



Title of Policy	SMRC 140 – Recognition of Heritage in Snowy Monaro Regional Council		
Responsible Department	Service Planning	Document Register ID	250.2016.140.1
Policy Owner	Planning Officer	Review Date	Date
Date of Council Meeting	Date Approved	Resolution Number	Number
Legislation, Australian Standards, Code of Practice	<i>NSW Heritage Act 1977</i> <i>Local Government Act 1993</i> <i>Environmental Planning and Assessment Act 1979</i> <i>The Burra Charter</i> <i>National Construction Code</i>		
Aim	<p>To demonstrate Council’s recognition of heritage in the Snowy Monaro Region, by working with the community to know, value and care for our heritage.</p> <p>To improve Council’s standards and streamline Council’s statutory processes to enhance heritage outcomes.</p> <p>To set a good example to the community by properly managing heritage items owned or managed by Council.</p>		

1 Background

In 1985 a Ministerial direction was issued to local councils that gave local government the primary responsibility for managing local heritage in New South Wales.

Following the adoption of amendments to the *Heritage Act 1977* in 1999, heritage management in NSW is now a two-tiered system where:

- items of local heritage significance are listed and managed by local councils; and
- items of State heritage significance are listed on the State Heritage Register by the Minister for Planning and managed by the Heritage Council.

The principle tools that guide local government management decisions are the heritage study and the local environmental plan.

2 Heritage Study

A heritage study identifies and assesses heritage items in accordance with the key historical themes for an area. It also makes recommendations on policies the local council should adopt to protect and conserve the identified heritage items. The Cooma Main Streets Study was prepared in May 1995 and the Nimmitabel Main Street Study in August 1995.

Council's Policy is (1) to consider recommendations listed in relevant heritage studies when associated activities are being undertaken.

3 Local Environmental Plan

The local environmental plan (LEP) translates the recommendations of the heritage study into a legal document that provides a broad framework for future management of the area's heritage.

The three operating LEPs across the Region are the *Bombala Local Environmental Plan 2012*, *Cooma-Monaro Local Environmental Plan 2013*, and *Snowy River Local Environmental Plan 2013* which are 'standard template' LEPs. The LEPs also contain some exceptions where development consent is not required, but an applicant must notify Council in writing of a proposed development and receive written advice from Council that it is satisfied the proposed development meets the requirements of the LEP.

Council's Policy is (2) to abide by the requirements outlined in the relevant local environmental plan.

4 Local Approval Policies and Development Control Plans

As well as the LEP, some councils also produce local approval policies (LAPs) under the *Local Government Act 1993* and development control plans (DCPs) under the *Environmental Planning and Assessment Act 1979* to provide more detailed guidance to developers and owners in specific localities, such as heritage conservation areas. These may deal with the treatment of fences, colour schemes, replacement of vegetation, setbacks and other factors that contribute to the heritage significance of an area.

Council's Policy is (3) to prepare appropriate provisions for its development control plan and consider provisions, when assessing development applications.

5 Local Heritage Items

Local heritage items are those items of heritage significance to the local area of the Snowy Monaro Region. Heritage significance includes items of historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value. These items contribute to the individuality, streetscape, townscape, landscape or natural character of an area and are irreplaceable parts of its environmental heritage.

Council's Policy is (4) to sympathetically manage and/or regulate local heritage items within the Snowy Monaro Region.

6 Heritage Conservation Areas

A heritage conservation area is more than a collection of individual heritage items, more than a place which 'looks good' because of its design, its neighbourhood amenity, or because of the individual buildings in it. Conservation areas have a sense of place, or character that reflects not just the buildings in them, but also the reasons for the buildings, the changing social and economic conditions over time, and the physical responses to those changes.

Council's Policy is (5) to sympathetically manage and/or regulate heritage conservation areas within the Snowy Monaro Region.

7 Local Government Heritage Management Program

As a demonstration of Snowy Monaro Regional Council's commitment to play an active role in heritage conservation (as well as complying with legislation), it partners with the NSW Heritage Office in the local government Heritage Advisor Funding Program. Under this Program councils must prepare, adopt and implement a heritage strategy.

Council's Policy is (6) to prepare, adopt and implement a heritage strategy in accordance with the requirements of the NSW Heritage Office.

8 Role of the Heritage Advisor

The role of the Heritage Advisor covers many facets from assisting Council and the community to identify, conserve and manage the heritage of the local area, to providing urban design advice, and encouraging increased community participation, awareness and appreciation of heritage within the Shire.

Council's Policy is (7) to seek comment from the Heritage Advisor on all development applications affecting a heritage item or within a heritage conservation area.

Council's Policy is (8) to seek advice and input from the Heritage Advisor into the ongoing management of Council-owned and/or managed heritage items.

9 Managing local heritage in a positive manner

Council acknowledges heritage buildings do not always meet modern building regulations, especially in regards to fire safety and disabled access. Listing permits sympathetic development of heritage places through an approval process. Proposed changes are assessed on their merit/s and Council is required to determine whether the proposed works will have an acceptable impact on the heritage significance of the place. Owners have an opportunity to submit their own assessment in the 'statement of heritage impact' before a decision is made.

Council's Policy is (9) to adopt a flexible and sympathetic approach to conservation works or development proposals, providing that the heritage significance of a place is not compromised, and also meets the *National Construction Code*.

Council's Policy is (10) to not impose a financial burden on applicants solely because their property is locally listed in the LEP, and to this end will abide by its policy on donations.

10 Educational and Promotional Programs

Educational and promotional programs ensure Council staff and Councillors are equipped to make informed decisions on heritage management, the implementation of conservation instruments, and the assessment of development applications. Dissemination to the wider community on heritage and heritage management, procedures, initiatives and techniques in the Snowy Monaro Region will be achieved by providing information on heritage resources, management, heritage tourism and links to relevant websites, and facilitate public presentations, exhibitions and information sessions on heritage issues and topics.

Council's Policy is (11) to provide training and resources for staff to assist with the assessment of development applications and the provision of customer service in relation to heritage within the Region.

11 Council-owned or managed heritage items

Careful conservation and management of heritage items by Council ensures their long life and provides an appropriate setting for heritage items, owned by others in the community. By specifically addressing Council-owned and/or managed heritage items in Council's Asset Management Plan with actions for conserving the item for its heritage values, a good heritage practice model is being set by Council for the community to follow.

Council's Policy is (12) to provide training and resources for staff to conserve and manage Council-owned and/or managed heritage items.

12 Minor works

Regular and appropriate maintenance is essential to all buildings to protect the fabric from the effects of age and weather and prevent deterioration of a property.

Maintenance and repair works are encouraged for heritage items and all properties in conservation areas, but there is no obligation to restore a listed place. No approval is required to sell or lease a listed place. Generally minor works, day-to-day repairs and maintenance rarely need approval because they will normally fulfil criteria for exempt development which would not adversely affect the heritage significance of the item or conservation area. Maintenance and repairs may include work such as:

- painting and decoration to the interior of a house and installation of joinery items;
- removing leaf litter from gutters to prevent deterioration or replacing guttering;
- tightening fixings to ensure fixtures are securely held in place;
- re-hinging doors and gates;
- replacing broken windows, fly screens etc;
- minor repairs to roofing, brickwork, timberwork and metal work;
- pest control; and
- re-painting surfaces which are already painted.

The current LEPs also contain some exceptions where development consent is not required, but the applicant must notify Council in writing of the proposed development, and receive written advice from Council that it is satisfied the proposed development meets the requirements of the LEP.

Council's Policy is (13) to encourage proponents of development proposals affecting heritage places (identified item or Heritage Conservation Area), where possible, to discuss with Council's Heritage Advisor prior to submission of a development application, to determine if Consent is required and to ensure the proposed work is appropriate.

13 Development Assessment

Assessment of development applications affecting heritage places will consider all aspects of the proposal that may impact on the significance of the place and these may include, but are not limited to:

- scale
- bulk
- setback
- materials
- colours
- character/style
- curtilage
- setting
- landscape
- streetscape

Council's Policy is (14) to consider the policies, articles, guidelines and general approach set out in *The Burra Charter* (the Australia ICOMOS Charter for Places of Cultural Significance) when assessing development applications relating to heritage places.

Variation

Council reserves the right to review, vary or revoke this policy and should be reviewed periodically to ensure it is relevant and appropriate.



ALPINE LAW

REPORT TO SNOWY MONARO REGIONAL COUNCIL

PROPOSED REZONING AND RECLASSIFICATION OF PUBLIC LAND

**PART LOT 20 DP 219584
ADJACENT KOSCIUSZKO ROAD, JINDABYNE**

**REPORT ON PUBLIC HEARING HELD
THURSDAY, 3 NOVEMBER 2016**

**PREPARED BY
GARRY HUGGETT, LAWYER
CHAIRPERSON OF PUBLIC HEARING**

15 NOVEMBER 2017

T: 61 2 6181 0277 F: 61 2 6181 0278 WWW.ALPINELAW.COM.AU

PO BOX 1027 JINDABYNE NSW 2627 · DX 23604 JINDABYNE NSW

SUITE 2,13 KALKITE STREET, NUGGET'S CROSSING JINDABYNE NSW 2627

ALPINE LAW PTY LTD · ABN 32 610 118 628 T/A ALPINE LAW

Garry Huggett
Lawyer Director

Kylie Smith
Lawyer Director

Alison Briscoe
Practice Director



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Introduction

This is a report into a public hearing held on Thursday 3 November 2016 in the Education Room at the Snowy River Health Centre.

The purpose of the hearing was to review a proposal under consideration by Snowy Monaro Regional Council (**Council**) to reclassify part of Lot 20 in DP 219584 from community to operational land and rezone that land from public recreation to general residential in line with adjoining development.

A plan of Lot 20 is **Annexure B** to this report.

The proposal under consideration by Council is for only part of Lot 20 as shown on the plan. Most of the lot is to be retained as community land and as a green buffer along Kosciuszko Road within the Jindabyne Township. Lot 20 has an area of approximately 5,500 m². The part under consideration in this proposal totals approximately 680 m² (approximately 85 metres in length and 8 to 9 metres wide) and is at the eastern end of Lot 20. Therefore, the area is approximately 12% of the total of Lot 20.

Under the regime for classification of public land introduced with the *Local Government Act 1993 (LG Act)* all public land must be classified as either community or operational land.

Public land comprises all land "vested in or under the control of the Council". Therefore, land Council has under its control for use by the community and land Council holds for investment purposes or for storage of plant and equipment are all designated as public land. The principal effect of the classification of public land is to "restrict the alienation and use of the land".

Operational land has no special restrictions other than those that may apply to any piece of land.

Community land is different. Classification reflects the importance of the land to the community because of its useful special features. Generally, it is land intended for public access and use and this gives rise to the restrictions in (the LG Act) intended to preserve the qualities of the land.

Community land:

- cannot be sold
- cannot be leased, licensed or any other estate granted over the land for more than (30 years), and
- must have a plan of management prepared for it.

STATUTORY PROVISIONS FOR PUBLIC HEARINGS

There are inter-dependent provisions within the *Environmental Planning and Assessment Act 1979* (EPA Act) and LG Act, which set up the statutory provisions for public hearings relating to land reclassification proposals. Whenever there is a proposal to reclassify community land to operational land, section 29 of the LG Act provides that the council must arrange a public hearing under section 57 of the *Environmental Planning and Assessment Act 1979* (**EPA Act**).

Section 57(7) of the EPA Act provides that after a public hearing:

"A report of any public hearing is to be furnished to the relevant planning authority and may be made publicly available by that authority."

Section 47G(2) of the LG Act provides:

- "(2) The person presiding at a public hearing must not be:*
- (a) a councillor or employee of the council holding the public hearing, or*
 - (b) a person who has been a councillor or employee of that council at any time during the 5 years before the date of his or her appointment."*

In accordance with these provisions I was appointed to preside over the public hearing and prepare a report.

REMARKS ON HEARING AND THIS REPORT

The hearing into this matter was held on Thursday, 3 November 2016. It commenced at 5:30 PM and finished at 6:45 PM.

The hearing was held after public notification of the intended reclassification and rezoning of community land and exhibition of various accompanying documentation. The public notification was titled draft *Snowy River LEP 2013, Amendment Number Two* and invited members of the public to make submissions at the hearing.

The public notification was published in the *Monaro Post* newspaper, which circulates throughout the Snowy Monaro Regional Council area.

The planning proposal and associated documents for the amendment were publicly exhibited from Wednesday, 28 September 2016 to Tuesday, 25 October 2016 and the documentation was available at:

Snowy Monaro Regional Council offices at:

- **81 Commissioner Street Cooma**
- **2 Myack Street Berridale**
- **Shop 2 Razorback Office Gippsland Street Jindabyne**
- **71 Caveat Street Bombala**

and on :

- **www.snowymonaro.nsw.gov.au**

The public notification advised that all submissions received would be considered public, with the proviso that a person may request to have their personal details suppressed. No person or party advised me that they wished to have their personal details or their submission suppressed.

Eight people attended the public hearing. Three Council staff members were present but did not make submissions. Two people made formal presentations. Considerable time was allowed for comments, questions and answers. There was also the opportunity to make written submissions to the hearing and two such submissions were received prior to the hearing.

After the hearing, one couple sought leave to follow-up with a further written submission. Council staff considered and agreed to that request. Council extended the same opportunity to the other party who made a formal presentation; and that party declined to make a further written submission. They advised that their client relied on the Daybne Planning report dated April 2016.



Submissions

The following made a presentation to the hearing

- Mr J and Mrs A Robinson, residents of the local community, spoke about their written submission to the Council dated 21 October 2016. That written submission is the annexed to this report.
- Dabyne Planning's Ivan Pasalich (a planning consultant retained by the registered proprietor of the adjacent Lot 22) spoke on behalf of his client, who was present.

The names of the persons and organisations who made written submissions are provided in the table at **Annexure C**. I have read those written submissions.

A number of those attending the hearing appeared to be objecting to the previously approved Council proposal of a commercial/residential development on the adjacent Lot 22 in DP 219584 (3 McLure Circuit, Jindabyne).

PRESENTATION BY MR ROBINSON

Mr Robinson:

- showed Professor Winston's 1961 plan of Jindabyne Township
- acknowledged the subject land was about 8 m wide and put the view that the land created an active street frontage in that part of town
- spoke of the three adjacent properties (the Caltex garage and ski hire, the vacant block (3 McLure Circuit, previously a house) and the strata apartment development known as Jindabyne Lakeside Apartments (SP4685)
- acknowledged that the development for 3 McLure Circuit had been previously approved by Council (then the Snowy River Shire Council)
- acknowledged he did not have a problem with the development approved, *per se*, but expressed concerns about car parking/access issues at present and wondered how a further development could address those existing issues

PRESENTATION BY DAYBNE PLANNING'S MR PASALICH

Mr Pasalich:

- advised he acts for the registered proprietor of the vacant block (3 McLure Circuit, Jindabyne).
- noted the development approved late last year was for three shops with access from the Kosciuszko Road and three rooftop apartments, with access from McLure Circuit.
- summarised the history of the planning advice his client received. One option was for all vehicle access to go via McLure Circuit. The approved development is the shops having access from Kosciuszko Road and the apartments having access from McLure Circuit.
- referred to his report dated April 2016.

COMMENTARY ON SUBMISSIONS

During the hearing the following submissions/comments were made by the attendees:

- Two nearby residents supported the approved development. However, they advised they would not support all access to the site being via McLure Circuit. This was a commonly held opinion.
- Many people made comments about the current zoning of the land in question (RE1-Public Recreation, this objective never/not reached). The question asked was *does this reclassification/rezoning act as a precedent for further re-zonings in the Jindabyne township?* Council's representatives advised it does not set a precedent; each proposal is considered on a case-by-case basis.
- Many attendees acknowledged the existing usage/part alienation of the land via access/driveways to the three adjacent properties that essentially front the Kosciuszko Road.
- The developer of the vacant land put the view forward that, after some three years of planning and design work, the development is the best outcome for the community. He specified one option he discarded was to utilise his land for maximum accommodation purposes and direct all traffic via McLure Circuit, into the block's northern entrance.
- One attendee suggested the site be planted for recreational use and to soften the development as seen from the Kosciuszko Road.
- Another suggested that if pedestrian/road safety issues existed Council should fund them.
- A question raised was *if the land is sold to adjacent property owners, what happens to the funding that would be raised?* It was suggested it should go to sporting facilities or more viable recreational lands within the Township.
- It was observed that road safety issues exist and that if this proposal addresses those safety issues, then it should proceed.
- Attendees concurred much has changed since the 1961 land use plan for Jindabyne; it was mentioned that approximate 10 to 12% of Lot 20 of the proposal is currently unmaintained and generally alienated. The site has provided access to 3 and 5 McLure Circuit since at least the mid-1970s.
- It was agreed that the proposal provides an improved social and economic impact for the three sites fronting Kosciuszko Road.



Conclusion

The submissions and oral comments expressed were reasonably resolute on the proposal, offering various understandings and reasons for their positions, either for or against the proposal, or supporting the proposal conditional on reasonably achievable outcomes.

Submissions fell within three groups:

- local effects
- more strategic issues
- procedural concerns.

Generally, the starting point for a reclassification proposal for the subject land would be to evaluate the entire benefits provided by the community land site.

Those present at the meeting appeared to grasp this concept, and the notion of potential future benefits. Whilst the views were not entirely uniform, the concepts were recognised.

I am not required to express a view as to the merits or otherwise of the proposed reclassification, including as to if the site is needed for Council directed community facilities or if the proposed reclassification opens opportunities to meet social and/or commercial needs.

An important function of this report is to assist Council in the decision-making process by summarising submissions/comments put forward in respect to the public exhibition process.

I have formed the view that the process followed complies with the statutory provisions for public hearings to consider reclassifying community land to operational land and further that this report to be furnished to Council on the public hearing satisfies the provisions of section 57 of the *Environment Planning and Assessment Act, 1979*.

Garry Huggett, Lawyer
Appointed Chairperson



Annexure A - Copy public notification in Monaro Post

PUBLIC EXHIBITION
DRAFT SNOWY RIVER LEP 2013, AMENDMENT 2

Snowy Monaro Regional Council is exhibiting a minor amendment to Snowy River Local Environmental Plan 2013 (SR LEP 2013). The proposed changes will rezone and reclassify part of Lot 20 DP219584 as show below located in Jindabyne. The area outlined in red below is to be reclassified from community to operational land and rezoned from Public Recreation to General Residential in line with adjoining development. The majority of the lot is to be retained as community land and be a green buffer along Kosciuszko Road.



Where to view: The Planning Proposal and associated documents for the amendment will be on public exhibition from the Wednesday 28th September 2016 to Tuesday 25th October 2016, and can be viewed at:

- Snowy Monaro Regional Council Offices
- 81 Commissioner Street, Cooma
- 2 Myack Street, Berridale
- Shop 2 Razorback Office, Gippsland Street, Jindabyne
- 71 Caveat Street, Bombala
- between the hours of 8.30am and 4.30pm Monday to Friday.
- Councils website – www.snowymonaro.nsw.gov.au

A public hearing will be held on Wednesday 26th October 2016 to further consider public comments. Details of the hearing will be advertised separately.

How to make a comment: If you wish to comment, please forward a written submission to the General Manager, Snowy Monaro Regional Council, PO Box 714, Cooma NSW 2628 or via email: council@snowymonaro.nsw.gov.au.

Submissions should be marked: "Submission to SR LEP 2013 – amendment 2". The closing date for submissions is the 25th October 2016. If you make a submission and have made political donations or gifts, a statement must be completed. A form is available from Council's website. Any submissions received are considered public, however a person may request to have their personal details suppressed.



Annexure C - Written documentation received prior to the meeting

NEW SOUTH WALES GOVERNMENT TRANSPORT- ROADS AND MARITIME SERVICES, SOUTHERN REGION, DATED 22 SEPTEMBER 2016

<p>Our Ref: STH12/00087/04 Contact: Sasha Ryan 4221 2769</p>	 <p>Transport Roads & Maritime Services</p>
<p>22 September 2016</p>	
<p>Rochelle Crowe Snowy Monaro Regional Council BY EMAIL: records@snowyriver.nsw.gov.au</p>	
<p>GATEWAY DETERMINATION – LOT 20 DP 219584, KOSCIUSZKO ROAD JINDABYNE, PLANNING PROPOSAL</p>	
<p>Dear Madam</p> <p>Roads and Maritime Services (RMS) refers to your email dated 1 September 2016 regarding the subject development application.</p> <p>RMS does not object to the development application in principle.</p> <p>RMS highlights that the existing lots which currently have access over Lot 20 DP 219584 will need a "Right of Way" legally certified on the title of part of Lot 20 DP 219584 (the burdened lot) as part of the re-zoning so they can legally retain their existing access by way of a Section 88B Instrument under the Conveyancing Act, 1919.</p> <p>If you have any questions please contact Sasha Ryan on 4221 2769.</p> <p>Yours faithfully</p> <p><i>K Westlake</i></p> <p>Kendrick Westlake A/Manager Land Use Southern Region</p>	

J AND A ROBINSON, 4 MCLURE CIRCUIT, JINDABYNE, DATED 21 OCTOBER 2016

Friday, 21 October 2016

General Manager, Snowy Monaro Regional Council, PO Box 714, Cooma NSW 2630

"Submission to SR LEP 2013 – Amendment 2"

Dear Sir,

As residents of the local community we wish to make the following comments in response to Council's public submission for the proposed LEP 2013 amendment.

In the Planning Proposal document it is stated; (see **bold** references)

'The proposal is considered consistent with Snowy River Shire Management Plan for Community Land - 2004'

Sec.A Q 1;

This is merely an unsubstantiated subjective statement.

What is the category of this land under the relevant Local Government Act Ch.6 Part 2

Sec. 36?

Nothing on this matter is referenced or qualified in the proposal to support that the proposal is 'consistent' with the SRSMP.

This is an important parcel of land that was intended to provide community benefit and should not be considered otherwise.

Further this proposal claims;

' The land has no value as open space or community land'

Sec. A Q. 1;

We believe that this land does have intrinsic (essential) value and was clearly planned in its location to provide a buffer to Kosciuszko Road - a 'green space'. This proposal will be jeopardising pedestrian safety, further compounding traffic issues and the general safety of the community, if it is adopted.

The change in zoning to R1 will completely change the original controls - allowing commercial operations in what was originally planned in the Jindabyne Town Plan to be used as community land adjacent to permanent residential land.

We believe this proposal needs further careful consideration by the community rather than the quick paced, and rather rushed approach of land re-classification, which only serves to be to the benefit of the developers.

The proposal also claims,

'It is surplus to Council's and the community's needs'

Sec.A Q.1;

How has this conclusion been reached and through what public process?

This comment in the proposal is an opinion and does not demonstrate any strategic planning value. It dismisses the lands community worth through a superficial statement and not through any substantiated judgement . This is only to the benefit of developers. There has been no consultation with the broader community - the ones most adversely affected.

'The proposal is a minor change'

Sec.A Q.4(a)

Minor in nature due to its physical size, its dimensions, its use - how exactly is it minor? We disagree.

J. & A. Robinson - 4 Mclure Circuit, Jindabyne.

Page 1 of 3

Friday, 21 October 2016

This is hardly a justification to re-classify and rezone the land.
This will make it available for inclusion and possible consolidation of both existing properties. (3 & 5 Mclure) These are the only properties likely to benefit the most through commercial gain with this planning amendment proposal.
The 'change', as referred too, needs careful consideration for the longterm impact and planning scenarios for this Kosciuszko Road and Mclure Circuit precinct.
We believe that the original intent and needs of the community land remain in place. It is a worthy contribution to the benefit of the broader Jindabyne community.
This may seem like a minor change to some, but it has the potential to have a wider sweeping impact on Kosciuszko Road, Mclure Circuit and Jindabyne Township.

'This will also facilitate an improved vehicular and pedestrian access into three of the adjacent properties'

Sec.A Q4(b)

It seems to us that the existing service station, petrol garage and ski hire operation currently generates the majority of existing traffic use, crossing the reserve areas, via three separate driveways. (2 to Kosciuszko - 1 to Mclure)

The garage has a boundary frontage access to Kosciuszko Road served by two driveways and hence does not utilise the existing community land. (as we understand it)

The volume of traffic during peak winter and holiday periods accessing the garage site presently creates it's own significant traffic issues. We believe that by allowing increased traffic generation across the community land parcel, this will only further congest the area and will not improve it - as stated in the proposal.

All things being considered, how could it improve it?

Through this proposal the combined Kosciuszko Road frontages will impose enlarged, massive impervious traffic crossings and congestion which is hardly improving the situation and raises safety issues for pedestrians and drivers.

Faster moving east-bound traffic is travelling upwards of 60Km/hr. travelling past the site, and increasing the volume accessing these future sites will certainly compound these existing traffic problems.

There is no justification for this proposal through so called traffic improvement as a result of this outcome.

This parcel of community land was originally intended to be a buffer between the Kosciuszko Road and Mclure Circuit. Regardless of what each site may propose by way of future re-development, if this buffer is lost - it is lost forever.

'The planning proposal will facilitate the opportunity for the development of shop-top housing on the adjacent allotment'

Sec. 3

The current land use zoning R1 of the properties (3 and 5 Mclure) already allows for development of shop-top housing.

The proposal is not changing the zoning of 3 and 5 Mclure. Nor is it needed.

There are also many other permissible uses under the current LEP available for these allotments. (Subject to Development Approval)

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

Q.9

This is unsubstantiated and has not been demonstrated through any community consultation, that we have been made aware of.

Yes, it could provide a positive economic (financial) benefit to these property owners and developers for the 2 sites in Mclure, but will be to the detriment of locals and tourists alike.

J. & A. Robinson - 4 Mclure Circuit, Jindabyne.

Page 2 of 3

Friday, 21 October 2016

How is this a benefit to 'the wider locality' - as is suggested in this proposal? This is just a throw-away comment that sounds fanciful, and perhaps even optimistic. Where are the facts in the proposal supporting this comment?

If the land was appropriately restored, managed and regularly maintained in good appearance (like similar community areas) this would facilitate a site improvement and through better visual appearance, be of greater benefit to the community. It would be more likely recognised and identified for what it actually was originally intended to be.

It seems to us that this proposal is devoid of a lot of relevant facts. It is based largely off subjective opinions that do little more than support the needs of developers and their financial interests. The proposal is without consideration of the effects this change will have on the immediate and greater community and on tourism for the town of Jindabyne.

The existing 'green space' RE1 zone, provides a setback for constructions which is visually in keeping with the over all appearance of the rest of Jindabyne.

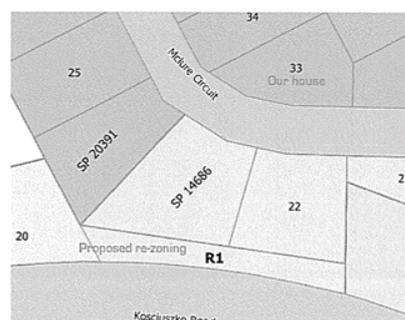
Retaining the current land use reduces the risk of over development of the site. Further amalgamation of the sites, 3 and 5 Mclure and this rezoned RE1 land, would create an unwelcome precedent in Jindabyne and would detract from the over all feel of the town. It would not be in keeping with the rest of the town, and this location would become an eyesore for both locals and tourists – all for the benefit of the developers.

The original town plan obviously considered the need and value for this community land 'green space' carefully, as this theme occurs in number of other locations. The various historical planners of the township saw it as important on a number of levels as already discussed. It is still just as important to the town to day.

The RE1 'green space' community land is currently run down due to lack of council maintenance. This land could be offered to the community for use for a project to enhance the area and add tourist appeal – rather than for an ill placed over developed construction.

Once this planning and rezoning is done there is no going back, and the community is stuck with it and all of the associated problems.

We thank you for this opportunity to submit our comments and our concerns regarding this planning proposal.



J. & A. Robinson - 4 Mclure Circuit, Jindabyne.

Page 3 of 3



Annexure D – Presentations made at public meeting

- Jeff Robinson
- Dabyne Planning, on behalf of the registered proprietor, 3 McLure Circuit Jindabyne



Annexure E – Submissions made after public meeting

A AND J ROBINSON 4 MCLURE CIRCUIT JINDABYNE DATED 7 NOVEMBER 2016

Ann and Jeff Robinson
4 Mclure Cct., Jindabyne NSW 2627

Gen. Mgr.,
Snowy Monaro Regional Council
Attention: Mr Adam Wood
Strategic Planner – Jindabyne Branch Office

Monday, 7 November 2016

Dear Adam,

Re Public Hearing Meeting 03/11/2016 about Reclassification of Community Land
in Jindabyne

Thank you for the opportunity to speak about our concerns re the proposal plan currently
before the Council for the reclassification of community land on Kosciusko Road
Jindabyne.

We would like to ensure that it was noted that we were not given any notification of this
meeting and were lucky to find out about it on our own. As a neighbouring property to this
proposal, where the land at No. 3 Mclure would benefit from the sale of the community
land, we had been assured we would be sent a notification letter, which we never
received. We were also not advised about the nature of the meeting and only found out
late on the day before the meeting when we phoned Ms Crowe. Consequently we were ill
prepared to give a presentation. The developers who would benefit from the sale of the
community land did not seem so disadvantaged.

We would also like to ensure that a number of facts were noted.

1. That the Council planning proposal was basically a copy and paste of the
developer's application and hence should be viewed as bias to the needs of the
developer.
2. This planning proposal is driven by the developer for No.3 Mclure Cct. who needs,
as part of their DA, to acquire the community land, as his plan approval is
conditional on this. If the developer's original application had complied with Council
regulations they would not have the need to buy the community land. They could
also have amended their plan if they did not comply rather than the council giving
them the option to buy the community land.
3. Sale of the community land does not alleviate the pedestrian and road safety issues
or the traffic and visual problems of the conditionally approved planned
overdevelopment of the adjacent land No.3. Note: approx. two thirds of each shop
on the DA is shown as storage/un-habitable as it is only a few centimetres below
habitable height limits – thus ensuring the developers do not have to provide
adequate parking – whether they acquire the community land or not.
4. Sale of the community land could allow the developer to enlarge his current plan for
No.3 or amalgamate with No.5 (which is for sale) to construct a much larger
development abutting our residential area.
5. At the meeting, the Owner of No 3 Mclure suggested he could erect a larger

1 of 2

- 'backpacker' style building and not the just the low quay form the site has DA approval for. We note in any case, a 'backpacker' use of the DA approved building could still be proposed when and if Council adopts the reclassification proposal.
6. Sale of the community land creates a streetscape that is not in keeping with the original town plan, current LEP nor the current appearance of the town. Where, for example, community land has previously been sold for use by Nuggets Crossing it should be noted that it is an elevated site and they have provided landscaping to act as an additional visual buffer. The current community land is a level site. Passing tourists and locals will see a large box like construction fronted by an expanse of concrete with no visual buffer. This proposed building will be visually dominant and is inappropriate compared with the various existing rural building styles of the town.
 7. We do not buy newspapers and relied on the council website for information. The council website still shows the meeting as the 26/10. We feel that the lack of public attendance to the hearing reflects a lack of awareness to the proposal and not so much lack of concern by others. The hearing was actually held on 3/11 and not as indicated on Council website.
 8. We are concerned that we were refused permission to see the RMS letter that the proponent for the developer used as the basis for why the land should be sold off for the development. We have only just seen the newspaper notification for the meeting that said all documents were supposed to be available and on display for the community to see. Why were we denied this access prior to the meeting? Additionally, this RMS letter was tabled as a proponent response to the land reclassification proposal – which is contrary to RMS policy as we understand it having spoken with Wollongong Office of RMS.
 9. The proposal claims that the RMS has given it's approval and supports this proposal. The RMS advised us that they do not give approval on these sorts of things. The RMS can only state that they have no objection to a plan based off the limited information the developer gives them in this case. The location of this site on a busy road, on a curve, at the top of a hill, with limited visibility for approaching traffic (causing traffic to slow down -sometimes quickly - to turn in), next to a busy petrol station and ski hire shop, opposite the main shopping centre and National Parks Visitor Centre needs careful consideration for pedestrian safety crossing the road and on the "footpath" area, as well as car, bus and truck parking and traffic safety issues – especially during the chaotic winter/ski season time. We believe sale of the community land will only cause more problems (as already outlined).

If this proposal is approved it would be setting an unwelcome precedent for the newly amalgamated Snow Monaro Regional Council. It would be encouraging developers in similar locations or situations to put in DA's that don't comply and then use loop holes and manipulate the system so that they could, for example, buy adjacent community land through it's reclassification and/or overdevelop a site.

Progress is not about a developer making as much money as he can at the expense of the community's needs and safety. As we have outlined, the implications of the reclassification of this land are very concerning for the community.

Yours Sincerely,

Ann and Jeff Robinson

2 of 2

PUBLIC EXHIBITION

Draft Snowy River LEP 2013, amendment 2

Snowy Monaro Regional Council is exhibiting a minor amendment to Snowy River Local Environmental Plan 2013 (SR LEP 2013). The proposed changes will rezone and reclassify part of Lot 20 DP219584 as show below located in Jindabyne. The area outlined in red below is to be reclassified from community to operational land and rezoned from Public Recreation to General Residential in line with adjoining development. The majority of the lot is to be retained as community land and be a green buffer along Kosciuszko Road.



Where to view: The Planning Proposal and associated documents for the amendment will be on public exhibition from the **Wednesday 28th September 2016** to **Tuesday 25th October 2016**, and can be viewed at:

- Snowy Monaro Regional Council Offices
 - 81 Commissioner Street, Cooma
 - 2 Myack Street, Berridale
 - Shop 2 Razorback Office, Gippsland Street, Jindabyne
 - 71 Caveat Street, Bombalabetween the hours of 8.30am and 4.30pm Monday to Friday.
- Councils website – www.snowymonaro.nsw.gov.au

A public hearing will be held on Wednesday 26th October 2016 to further consider public comments. Details of the hearing will be advertised separately.

How to make a comment: If you wish to comment, please forward a written submission to the General Manager, Snowy Monaro Regional Council, PO Box 714, Cooma NSW 2628 or via email: records@snowymonaro.nsw.gov.au.

Submissions should be marked: "Submission to SR LEP 2013 – amendment 2". The closing date for submissions is the **25th October 2016**. If you make a submission and have made political donations or gifts, a statement must be completed. A form is available from Council's website.

Any submissions received are considered public, however a person may request to have their personal details suppressed.



PLANNING PROPOSAL

Local Government Area:

Snowy Monaro Regional Council

Proposal:

Re-Classify and Rezone Part of Lot 20 DP 219584 from community land to operational land and from RE1 Public Recreation to R1 General Residential to permit access to developments in Mclure Circuit Jindabyne.

Applicant:

Snowy Monaro Regional Council

Subject Land:

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

Amendment number and date:

Amendment No. 2, July 2016.

PLANNING PROPOSAL PROCESS

Part 1 - Intended Outcome

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

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



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

Part 2 - Explanation of Provisions

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

45 What dealings can a council have in community land?

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

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

The inclusion of eastern portion of Lot 20 DP 219584 in Part 1, Schedule 4 of the Snowy River Local Environmental Plan 2013 will make the land Operational land. In addition the land zoning map- sheet LZN_003AA will be amended to reflect a zoning change from RE 1 Public Recreation to R1 General residential in line with the two adjoining lots.

Part 3 – Justification

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

Section A – Need for the planning proposal

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

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

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

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

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

The planning proposal is the only means of achieving the intended outcome to reclassify and rezone this part lot.

Section B – Relationship to strategic planning framework

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

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

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

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

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

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

The planning proposal is to reclassify and rezone the eastern portion of an allotment of land currently not used for any public purpose and it is not driven by strategic objectives. The reclassification and rezoning will enable a development consent granted on the adjoining lot and continued formalised access to both adjoining lots.

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

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

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

There are no interests to be extinguished.

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

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

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

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

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

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

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

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

4.4 Planning for Bushfire Protection	<i>Not applicable. The site is not mapped as being within Bushfire Prone Land</i>
5. Regional Planning	
5.1 Implementation of Regional Strategies (NB: This Direction has been revised to include previous Directions 5.6 and 5.7).	<i>Not applicable. There is currently no Regional Strategy that applies to the Snowy River Shire.</i>
5.2 Sydney Drinking Water Catchments	<i>Not applicable.</i>
5.3 Significance on the NSW Far North Coast	<i>Not applicable.</i>
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	<i>Not applicable.</i>
5.8 Second Sydney Airport: Badgerys Creek	<i>Not applicable.</i>
5.9 North West Rail Link Corridor Strategy	<i>Not applicable.</i>
6. Local Plan Making	
6.1 Approval and Referral Requirements	<i>Consistent.</i>
6.2 Reserving Land for Public Purposes	<p><i>Generally consistent.</i></p> <p><i>The planning proposal also does not seek to acquire additional public land.</i></p> <p><i>The planning proposal seeks to re-classify part of an allotment of public land as operational to facilitate continued vehicle access over the land.</i></p> <p><i>The land will also be rezoned from RE1 Public recreation to R1 General Residential to facilitate the approved Shop top housing development approved on the adjoining site subject to resolution of the access issues.</i></p> <p><i>The rezoning is considered minor and given that the site is not valuable in terms of contributing to the open space and recreational network the conversion of this part lot is not significant and any inconsistency is of a minor nature.</i></p> <p><i>Council is the relevant public authority.</i></p> <p><i>Director General's concurrence</i></p>

	<i>could be sought through this Planning Proposal, if required.</i>
6.3 Site Specific Provisions	<i>Consistent. The proposal does not contain any restrictive site specific planning controls.</i>

Section C – Environmental, social and economic impact

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

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

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

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

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

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

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

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

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

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

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

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

Section D - State and Commonwealth interests

Question 10. Is there adequate public infrastructure for the planning proposal

The planning proposal does not generate additional demand upon infrastructure.

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

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

Part 4 – Mapping

There is a draft Map attached showing the map changes required to Land Zoning Map LZN_003AA.

Part 5 – Community Consultation

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

Part 6 – Project Timeline

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

16.1 OUTCOMES OF PUBLIC HEARING AND PUBLIC EXHIBITION REGARDING SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013, AMENDMENT NO.2 - REZONING AND RECLASSIFICATION OF PUBLIC LANDS WITHIN LOT 20 DP 219584

ATTACHMENT 2 EXHIBITION DOCUMENTATION OF PLANNING PROPOSAL FOR AMENDMENT NO.2, SRLEP 2013



16.1 OUTCOMES OF PUBLIC HEARING AND PUBLIC EXHIBITION REGARDING SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013, AMENDMENT NO.2 - REZONING AND RECLASSIFICATION OF PUBLIC LANDS WITHIN LOT 20 DP 219584

ATTACHMENT 2 EXHIBITION DOCUMENTATION OF PLANNING PROPOSAL FOR AMENDMENT NO.2, SRLEP 2013





RECEIVED
22 AUG 2016
BY:

Contact: Nathan Foster
Phone: (02) 4224 9459
Email: nathan.foster@planning.nsw.gov.au

Joseph Vescio
Interim General Manager
Snowy Monaro Regional Council
PO Box 714
Cooma NSW 2630

Our ref: PP_2016_SMONA_001_00
Our File Number: (16/10076)

Dear Mr Vescio

Planning Proposal to amend Snowy River Local Environmental Plan 2013

I am writing in response to Council's letter dated 18 July 2016 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to reclassify and rezone land, being part Lot 20 DP 219584, Kosciuszko Rd Jindabyne.

As delegate of the Minister for Planning, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

In relation to S117 Direction 6.2 Reserving Land for Public Purposes, I have agreed to the reduction of land for public purposes on the basis of the minor scale and site specific characteristics of the subject land. No further approval is required in relation to this Direction.

Plan making powers were delegated to councils by the Minister in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. As per the Department's policy following the merging of a number of Councils across NSW, planning proposals involving the reclassification of community land are not able to be delegated to Councils for finalisation.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months from the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made 6 weeks prior to the projected publication date.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Planning and Environment - Southern Region
PO Box 5475 Wollongong NSW 2520 | T 02 4224 9450 | F 02 4224 9470 | www.planning.nsw.gov.au

Should you have any queries in regard to this matter, I have arranged for Mr Nathan Foster of the Department's regional office to assist you. Mr Foster can be contacted on (02) 4224 9459.

Yours sincerely

Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment

Encl:
Gateway Determination



Gateway Determination

Planning proposal (Department Ref: PP_2016_SMONA_001_00): to reclassify and rezone land being part Lot 20 DP 219584, Kosciuszko Rd Jindabyne

I, the Acting Director Regions, Southern at the Department of Planning and Environment as delegate of the Minister for Planning, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Snowy River Local Environmental Plan (LEP) 2013 to reclassify and rezone land being part Lot 20 DP 219584, Kosciuszko Rd Jindabyne should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the *Environmental Planning and Assessment Act 1979* as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A Guide to Preparing LEPs* (Department of Planning and Environment 2013).
2. Consultation is required with Transport for NSW – Roads And Maritime under section 56(2)(d) of the Act. Roads And Maritime Services is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The LEP maps shall be prepared in accordance with the Standard Technical Requirements for Spatial Datasets and Maps (Department of Planning and Environment, 2015).
5. The timeframe for completing the LEP is to be **9 months** from the date of the Gateway determination.

Dated 12th day of August 2016



Linda Davis
Acting Director Regions, Southern
Planning Services
Department of Planning and Environment
Delegate of the Minister for Planning



LEP practice note

STANDARD INSTRUMENT FOR LEPS

Note	PN 09-003
Date	12 June 2009
Related	Supersedes (re)classification advice in Best Practice Guideline (1997)

Classification and reclassification of public land through a local environmental plan

The purpose of this practice note is to update (and supersede) previous guidance on the process to classify or reclassify public land through a local environmental plan including a principal plan in accordance with the Standard Instrument.

Introduction

'Public land' is any land (including a public reserve) vested in, or under the control of, council. Exceptions include roads, land to which the *Crown Lands Act 1989* applies, a common, or land to which the *Trustees of Schools of Arts Enabling Act 1902* applies.

'Community' land is generally open to the public, for example, parks, reserves or sports grounds. 'Operational' land may be used for other purposes, for example, as works depots or garages, or held by council as a temporary asset.

'Classification' of public land refers to the process when this land is first acquired and first classified as either 'operational' land or 'community' land.

'Reclassification' of public land refers to the process of changing the classification of 'operational' land to 'community' land or from 'community' land to 'operational' land.

How is public land classified or reclassified?

Depending on circumstances, this is undertaken by either:

- resolution of council under section 31, 32 or 33 of the *Local Government Act 1993* (LG Act) [through section 27(2)], or
- a local environmental plan (LEP) under the *Environmental Planning and Assessment Act 1979* (EP&A Act) [through section 27(1) of the LG Act].

In both cases, it is not possible for councils to delegate their decision to classify or reclassify public land [section 377(1) of the LG Act]. Councils are encouraged to classify or reclassify land through the LG Act wherever circumstances conform to sections 31, 32 or 33 of the LG Act.

The remaining parts of this practice note identify the key areas councils must consider when proposing to classify or reclassify public land by means of a local environmental plan (LEP) under the second option.

This practice note supersedes the sections relating to classification and reclassification in *LEPs and council land*, Best Practice Guideline (Department of Urban Affairs and Planning 1997).

Procedure under the EP&A Act

Where classification or reclassification is proposed through an LEP, council is advised to include the proposal as early as possible in the draft LEP or planning proposal. If the public land to be classified or reclassified is not owned by council, landowner's consent is required prior to either section 54 or section 56 of the EP&A Act (when the Part 3 amendment to the EP&A Act applies).¹

The proposal would then form part of the material presented through either section 54 or section 56 of the EP&A Act (when the Part 3 amendment to the EP&A Act applies).

¹ In relation to the Part 3 amendment, council should also check the changes to the EP&A Act and Regulation once these commence.

To assist councils, the steps in preparing material either as a draft LEP or planning proposal are summarised in Attachment 1. Column 1 of Attachment 1 sets out the requirements in accordance with the EP&A Act **prior to** the Part 3 amendment commencing. Column 2 of the attachment sets out the requirements **after** the Part 3 amendment commences. In relation to the Part 3 amendment, council should also check the savings and transitional arrangements under the EP&A Act, once these commence.

Where land is proposed to be reserved for a public purpose such as provision of public services and facilities, section 117 Direction 6.2—Reserving Land for Public Purposes applies. The Direction also sets out requirements when a reservation of public land for such purposes is no longer required.

A summary of relevant matters that need to be available at the time the planning proposal is first forwarded are listed in Attachment 2 under 'Exhibition'. Other matters for exhibition and later stages are listed separately in that attachment.

Provisions in the Standard Instrument

The following Standard Instrument provisions are relevant to the classification and reclassification of public land.

Clause 5.2—Classification and reclassification of public land

The purpose of this clause is to enable councils to classify or reclassify public land identified in Schedule 4 of the Standard Instrument. Only public land to be classified or reclassified by publication on the NSW legislation website of that principal LEP is to be identified in the schedule. Schedule 4 must not contain a reference to any land already classified or reclassified.

Part 1 Schedule 4—change to 'operational' land, no interest changes

Land is identified in Part 1 of Schedule 4 where the trusts, estates, interests, dedications, conditions, restrictions or covenants over the land are to remain after reclassification to 'operational land', i.e. where **no** interests will change.

Part 2 Schedule 4—change to 'operational' land and an interest will change

Land is identified in Part 2 of Schedule 4 where the land is to be classified or reclassified as 'operational land' and some of the trusts, estates, interests, dedications, conditions, restrictions, or covenants over the land remain. The interests to remain are identified in column 3 of this part of the schedule.

Part 3 Schedule 4—change to 'community' land

Land proposed to be classified or reclassified as 'community land' through the LEP is identified in Part 3 of the schedule.

Where there is no land to be classified or reclassified through the LEP, the clause remains with the schedule empty.

General requirements for exhibition

Public exhibition of the LEP occurs after certification of the LEP (in accordance with section 66 of the EP&A Act). Public exhibition of a planning proposal may occur in accordance with section 57(2) (when the Part 3 amendment to the EP&A Act commences). To assist the public in understanding an exhibited draft LEP or planning proposal to classify or reclassify land, requirements are summarised in Attachment 2.

A copy of council's response to these requirements together with a copy of this practice note is to be part of material displayed during public exhibition of an LEP or planning proposal to reclassify or classify public land.

Public hearing

A public hearing must be held when 'community land' is proposed to be reclassified as 'operational land'.

To ensure council and the community have sufficient time to consider relevant matters associated with the proposed change, the public hearing is held **after** the close of the exhibition period under section 68 of the EP&A Act (section 29 of the LG Act) for an LEP and in accordance with section 57(6) (when the Part 3 amendment to the EP&A Act commences).

Public hearing provisions are set out in the EP&A Regulation (clause 14) and public notice of a hearing must be sent or published **at least 21 days** before the start of the public hearing.

The independence of the person chairing the public hearing and requirements relating to the preparation and inspection of reports from the hearing are specified in section 47G of the LG Act.

Further information

A copy of this practice note, Standard Instrument, and other specific practice notes and planning circulars on using the Standard Instrument, can be accessed on the Department's website <http://www.planning.nsw.gov.au/lep/index.asp>

Authorised by:

Sam Haddad, Director-General

List of attachments:

1. Main steps (in sequence) for classifying and reclassifying public land under the *Environmental Planning and Assessment Act 1979*
2. General requirements for classification or reclassification of land through local environmental plans and planning proposals

16.1 OUTCOMES OF PUBLIC HEARING AND PUBLIC EXHIBITION REGARDING SNOWY RIVER LOCAL ENVIRONMENTAL PLAN 2013, AMENDMENT NO.2 - REZONING AND RECLASSIFICATION OF PUBLIC LANDS WITHIN LOT 20 DP 219584

ATTACHMENT 2 EXHIBITION DOCUMENTATION OF PLANNING PROPOSAL FOR AMENDMENT NO.2, SRLEP 2013 Page 52

Attachment

Department of Planning | practice note PN 09-003

Attachment 1. Main steps (in sequence) for classifying and reclassifying public land under the *Environmental Planning and Assessment Act 1979*

Requirements prior to commencement of the 2008 Part 3 amendment to the EP&A Act	Requirements after commencement of the 2008 Part 3 amendment to the EP&A Act when it applies to a proposal
<p>Council notifies the Department of a decision to prepare a draft LEP including a proposal to classify or reclassify public land (section 54 of the EP&A Act).</p> <p>This notification is accompanied by an appropriate level of information including for the following:</p> <ul style="list-style-type: none"> - a justification for the proposal - reasons why council acquired an interest - details that would also accompany a plan at exhibition stage (see Attachment 2) - any proposal to extinguish or retain other interests in the land through the reclassification - a justification /explanation as to why such interests are being extinguished - any rezoning associated with the classification/ reclassification - any preliminary comments by a relevant government agency, including agency's consent where land is vested or held by an agency other than council - consideration of any relevant directions e.g. section 117 Direction 6.2—Reserving Land for Public Purposes, where appropriate. 	<p>A planning proposal is forwarded by council to the Minister (new section 56 of the EP&A Act), including a proposal to classify or reclassify public land.</p> <p>This proposal contains an appropriate level of information including for the following:</p> <ul style="list-style-type: none"> - a justification for the planning proposal - reasons why council acquired an interest - details that would also accompany a plan at exhibition stage (see Attachment 2) - any proposal to extinguish or retain other interests in the land through the reclassification - a justification /explanation as to why such interests are being extinguished - any rezoning associated with the classification/ reclassification - any preliminary comments by a relevant government agency, including an agency in which the land is vested or held - consideration of any relevant directions, e.g. section 117 Direction 6.2—Reserving Land for Public Purposes, where appropriate.
<p>Consultation with relevant public agencies and other stakeholders (section 62 of the EP&A Act).</p>	<p>See below.</p>
<p>After consultation, council submits a draft LEP to the Department and, subject to the issue of a section 65 certificate, the draft LEP is exhibited for a minimum of 28 days and the public invited to provide written submissions to the exhibited LEP within the exhibition period.</p>	<p>Following review, at the gateway, if the planning proposal is to proceed, requirements for the various stages of the proposal, including consultation requirements, will be provided to council (new section 56(1), 56(2) of the EP&A Act).</p>
<p>Where a draft LEP includes reclassification of 'community' land to 'operational' land, council holds a public hearing into the proposal in accordance with section 68 of the EP&A Act (section 29 of the Local Government Act). *</p>	<p>Where a planning proposal includes reclassification of 'community' land to 'operational' land, council holds a public hearing into the proposal in accordance with new section 57(6) of the EP&A Act. *</p>
<p>Such a hearing follows the requirements of clause 14 of the EP&A Regulation including that a notice of the details for the hearing must be published in a local newspaper and sent to any person requesting a hearing a minimum of 21 days prior to the hearing.</p>	<p>Such a hearing follows the requirements of clause 14 of the EP&A Regulation including that a notice of the details for the hearing must be published in a local newspaper and sent to any person requesting a hearing a minimum of 21 days prior to the hearing.</p>
<p>Where it is considered appropriate, the draft LEP is submitted to the Director-General together with details of all submissions and the report of the public hearing, together with a statement of other matters set out in section 68 of the EP&A Act.</p>	<p>Consultation for a planning proposal under new section 57 of the EP&A Act is completed when council has considered any submissions made concerning the proposed instrument and the report of any public hearing.</p> <p>Where the planning proposal is to proceed, the Director-General makes arrangements for the drafting of the LEP to give effect to the final proposal (new section 59 of the EP&A Act).</p>
<p>The Director-General furnishes a report to the Minister if the Director-General is satisfied that the draft LEP has been prepared in accordance with any applicable standard instrument under section 33A (section 69 of the EP&A Act).</p>	
<p>The Minister determines whether to make the LEP under section 70 of the EP&A Act. **</p>	<p>The Minister (or Minister's delegate) determines whether to make the LEP under new section 59 of the EP&A Act. **</p>

Notes:

* Where a proposal includes a classification of 'operational' land to 'community' land, a public hearing is not generally required.

** Where a reclassification proposes to extinguish other interests in the land, the approval of the Governor is required in accordance with section 30 of the LG Act.

Attachment 2. General requirements for classification or reclassification of land through local environmental plans and planning proposals

Exhibition

When exhibiting a planning proposal or draft LEP to classify or reclassify public land, council must provide a written statement including the following:

- the reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal, e.g. the findings of a centres' strategy, council's intention to dispose of the land, provision of open space in a town centre
- the current and proposed classification of the land
- the reasons for the reclassification including how this relates to council's strategic framework, council's proposed future use of the land, proposed zones, site specific requirements, e.g. heritage controls, anticipated physical or operational changes resulting from the reclassification
- council's ownership of the land, if this applies
- the nature of council's interest in the land, e.g. council has a 50 year lease over the site
- how and when the interest was first acquired, e.g. the land was purchased in 20XX through section 94
- the reasons council acquired an interest in the land, e.g. for the extension of an existing park; council was given responsibility for the land by a State agency
- any agreements over the land together with their duration, terms, controls, agreement to dispose of the land, e.g. whether any aspect of the draft LEP or planning proposal formed part of the agreement to dispose of the land and any terms of any such agreement
- an indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise e.g. council could indicate the magnitude of value added to the land based on comparable sites such as the land is currently valued at \$1500 per square metre, nearby land zoned for business development is valued at between \$2000 and \$5000 per square metre
- the asset management objectives being pursued, the manner in which they will be achieved and the type of benefits the council wants, i.e. without necessarily providing details of any possible financial arrangements, how the council may or will benefit financially
- whether there has been an agreement for the sale or lease of the land; the basic details of any such agreement and, if relevant, when council intends to realise its asset, either

immediately after rezoning/reclassification or at a later time

- Relevant matters required in plan making under the EP&A Act
- A copy of this practice note must be included in the exhibition material to assist the community in identifying information requirements. Council staff may wish to identify the column in Attachment 1 that applies.

Post-exhibition

Once a decision has been made regarding whether the draft LEP or planning proposal proceeds, everyone who made a written submission must be notified in writing of the decision.

Written notification must occur within 14 days of the decision and needs to clearly identify the reasons for council's decision. An explanation must be included of how issues raised in submissions were addressed including the reasons for council's decision.

The final report after exhibition to either the Director-General or the Minister should include:

- a brief summary of council's interest in the land
- issues raised in any relevant submissions
- the dates of the exhibition and the hearing
- an explanation of how issues raised were addressed or resolved.

Additional matters to be addressed when the Governor's approval is required

The Governor's approval is required for the extinguishment of public reserve status and other interests in land which a council proposes to reclassify from 'community' to 'operational' status under the LG Act.

Council must provide sufficient information in accordance with this practice note to inform the Minister of any public reserve and/or other third party property interests (e.g. trust, covenant, easement) that are proposed to be extinguished upon the making of such a draft LEP or planning proposal.

Important note

This note does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this note.

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LEP Practice Note PN 09-003

Written Statement

Part Lot 20 DP 219584, Kosciuszko Road, Jindabyne

As part of the planning proposal, Council must provide a statement to address specific requirements for the reclassification of public land. These requirements are contained within the NSW Government Department of Planning's *LEP Practice Note PN09-003 Classification and reclassification of public land through a local environmental plan*.

The planning proposal relates to a proposed change in classification and zoning for part of Lot 20 DP 219584 shown in red below. It is proposed to change the classification from community to operational land and the zoning from RE1 Public Recreation to R1 General Residential.



The changes resulting from the reclassification are addressed in the table below.

LEP Practice Note: PN 09-003 Classification and reclassification of public land through a local environmental plan	
Requirement	Response
Reason why the planning proposal is being prepared	The proposed changes will rezone and reclassify part of Lot 20 DP219584 as shown above located in Jindabyne. The area outlined in red above is to be reclassified from community to operational land and rezoned from Public Recreation to General Residential in line with adjoining development. The majority of the lot is to be retained as community

16.1 OUTCOMES OF PUBLIC HEARING AND PUBLIC EXHIBITION REGARDING SNOWY RIVER
 LOCAL ENVIRONMENTAL PLAN 2013, AMENDMENT NO.2 - REZONING AND
 RECLASSIFICATION OF PUBLIC LANDS WITHIN LOT 20 DP 219584

	land and be a green buffer along Kosciuszko Road. The change will allow the resolution of long term access arrangements and allow the Council the option of long term leasing and or/selling the subject part lot.
Current and proposed classification	The land is currently classified as community land and it is proposed that the land be reclassified to operational land.
Reason for the classification	The purpose of the reclassification is to formalise legal and practical access to the two adjoining lots to the north and facilitate the use and development of those lots.
Council's ownership of the land	The subject land is owned by Council.
Nature of Council's interest in the land	The subject land is owned by Council.
How and when the interest was first acquired	The land was acquired by Council when Snowy Hydro carried out a subdivision to create the new township of Jindabyne in 1963 just before the old town was flooded to form the lake.
The reasons Council acquired an interest in the land	As above the land was transferred to Council in creating the new Township.
Any agreements over the land	There are no formal agreements over the land.
An indication of any financial loss or gain from the reclassification	The current market value of the part lot subject to reclassification is unknown at this stage. It is approximated that the area subject to the reclassification is 620 square meters in area. The unimproved capital value (2014) for the lot is approximately \$13 square meter. The financial gain will not be established until the market value of the area is established. Reclassification will allow Council to long term lease and or/sell the land and all financial gains will be reserved for management and embellishment of community land in Jindabyne.
The asset management objectives being pursued	This area currently provides no recreational, environmental or open space benefit to the community. As the subject part lot provides little to no vegetation it does not function as a buffer from the road. The vast bulk of the lot which is vegetated will be retained as community land. The reclassification will allow Council to formalise safe legal and practical access to the adjoining lots and reduce management costs of this area. Any funds raised will be reserved for expenditure on management and embellish of more utilised appropriate community lands within Jindabyne.
Whether there has been an	There has been no legal agreement entered into for

agreement for the sale or lease of the land	the sale or lease of the land.
Relevant matters required in plan making under the Environmental Planning and Assessment Act 1979	The reclassification is proposed to be carried out in accordance with: Section 55 relevant authority to prepare a planning proposal. Section 56 Gateway Determination. Section 57 Community Consultation.
A copy of the practice note	The NSW Government Department of Planning LEP practice note PN09-003 Classification and reclassification of public land through a local environmental plan forms part of the public exhibition. Council is seeking to reclassify part of Lot 20 DP 219584 via the process in Column 2 of Attachment 1 of PN09-003, entitled "Requirements after commencement to the 2008 EP&A Act when it applies to a proposal".

TRANSITION PLAN

Snowy Monaro Regional Council - NSW

2016 - 2017

Action and Task Progress Report

Snowy Monaro Regional Council (SMRC)

Print Date: 12-Dec-2016



ACTION PLANS



At least 90% of action target achieved



Between 70% and 90% of action target achieved



Less than 70% of action target achieved



No target set

* Dates have been revised from the Original dates

1. Service continuity with smart service improvements

1.1. Services, Systems and Assets

1.1.1. Maintaining service continuity

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.1 Maintain the integrity of record keeping.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Ongoing	12-May-2016	22-Dec-2017	-	40.00%	
<p>ACTION PROGRESS COMMENTS: Records Working Group has met on several occasions.</p> <p>Achieved to date</p> <ul style="list-style-type: none"> • Updated Naming convention procedure • Coordination of incoming surface mail • Coordination of incoming email • Set up of processes for inter office mail • Spiceworks utilised in Cooma and Snowy for Records Helpdesk <p>Ongoing</p> <ul style="list-style-type: none"> • Network drive clean-up project within Service Support • Training of Records staff on individual branch procedures • Destruction of scheduled records <p>Last Updated: 01-Dec-2016</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.41 Give consideration to potential rating structures post 4 year rate freeze	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	30-Jun-2017	10.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Initial analysis undertaken based on 2016 Rates for former Council areas. Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.42 Ensure that rates notices are issued by 1 August 2016.	Jo-Anne Mackay - Director Corporate Services	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Making of the Rates occurred before 1 August as required. Rate Notices issued in late August/ early September Last Updated: 03-Dec-2016							

1.1.3.Reviewing assets

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
6.1.2.1 Develop, adopt and implement a new, consolidated sewerage business plan.	SULLIVAN Peter - Deputy Director Service Delivery	Not Started	12-May-2016	20-May-2017	0.00%	50.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
6.1.2.2 Develop, adopt and implement a new, consolidated water business plan.	SULLIVAN Peter - Deputy Director Service Delivery	Not Started	12-May-2016	31-May-2017	0.00%	50.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.1 Complete analysis and modelling to support preparation of the new resourcing strategy (Asset Management Strategy)	Ashraf Ahamat - Asset Manager	In Progress	12-May-2016	31-May-2017	5.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Asset audit complete. Asset Manager seconded to Special Projects Office to undertake this action. Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.2 Review continuous improvement programs in the asset management strategies of the former councils and decide whether to proceed with planned actions.	Ashraf Ahamat - Asset Manager	Not Started	12-May-2016	17-Feb-2017	0.00%	50.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.5 Develop, adopt and implement a harmonised Asset Management Plan.	Ashraf Ahamat - Asset Manager	Not Started	12-May-2016	29-Sep-2017	0.00%	50.00%	 RED
Last Updated:							

1.1.4. Establishing consistent systems, services, plans and policies

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
6.2.1.2 Bring together the Local Environmental Plans administratively into a single document.	Mark Adams - Planning Manager	Not Started	12-May-2016	30-Jun-2017	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
6.2.1.3 Deliver the program to fully consolidate Local Environmental Plans.	Mark Adams - Planning Manager	Not Started	12-May-2016	30-Jun-2017	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.3 Review and update arrangements throughout Phase 1.	Ashleigh Pimm - Records & Information Co-ordinator	Not Started	12-May-2016	29-Sep-2017	0.00%	40.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.3 Potential policy areas to focus on include: • tendering and procurement of goods and services; • Investment Policy; • Borrowing Policy; • asset accounting policies including capitalisations thresholds, depreciation methods and disposal policies; • payment	CHADWICK Jacqueline - Finance Manager	In Progress	12-May-2016	17-Sep-2017	50.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Tendering & Procurement Policy adopted Investment Policy under consultation Other Policies to be reviewed by Finance Working Group in near future Last Updated: 25-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.3 Develop a prioritised program in the Implementation Plan to harmonise policies and procedures.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	30-Sep-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Working Groups have developed plans. Policies that could be deleted have been identified and reported to ET. Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.4 Develop a program in the Implementation Plan to harmonise record systems.	Annie Upton - Records Management Officer	Not Started	12-May-2016	30-Sep-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.4 Put in place any interim arrangements needed to consistently manage priority policies and procedures. Review and update arrangements throughout Phase 1.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	In Progress	12-May-2016	30-Jun-2017	80.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: Document re Document Control Procedure being developed. Governance & HR groups have identified policies that are required to be kept or those that need to be deleted. Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.5 Develop, test and deliver a harmonised system for managing records.	Annie Upton - Records Management Officer	Not Started	12-May-2016	22-Dec-2017	0.00%	40.00%	 RED
ACTION PROGRESS COMMENTS: Awaiting finalisation of chosen Corporate system to start development Last Updated: 17-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.7 Deliver the prioritised program in the Implementation Plan to harmonise policies and procedures.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	22-Dec-2017	100.00%	40.00%	 GREEN
Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.3.2 Put in place any interim arrangements needed to consistently manage customer requests and complaints across the new council. Review and update arrangements throughout Phase 1	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	30-Jun-2017	75.00%	50.00%	 GREEN
ACTION PROGRESS COMMENTS: Customer Service Charter adopted. Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.3.3 Develop a program in the Implementation Plan to harmonise customer request and complaint systems.	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	31-Mar-2017	5.00%	50.00%	 RED
ACTION PROGRESS COMMENTS: Harmonisation of systems to occur within new Corporate Business System Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.3.4 Develop, test and deliver a harmonised system for managing customer requests and complaints.	Jo-Anne Mackay - Director Corporate Services	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Former Council's continuing with existing systems until Corporate Business System implemented Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.3.5 Monitor, review and adapt the plan as needed. (Customer Service)	Stephen Molloy - Director of Service Support	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: The Customer Service working group continues to monitor, review and adapt to changes as they arise. Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.1 Develop and implement consolidated WHS requirements as part of the human resources related sub-Transition plan.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Not Started	12-May-2016	30-Jun-2017	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.3 Ensure new workers compensation arrangements are in place.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	30-Jun-2017	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.3 Develop a staged and prioritised program in the Implementation Plan to consolidate financial policies, procedures and forms.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	30-Sep-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.3 Document service levels and plan a process for service level review, as part of the Implementation Plan.	Monika Leliard - Special Projects Office	Completed	12-May-2016	30-Sep-2016	100.00%	100.00%	 GREEN
ACTION PROGRESS COMMENTS: Service reviews have been documented and analysed. To complete identification of services that require detailed analysis with CAMMS during November -Report to GM and Administrator prepared with next steps. Needs to be approved and included in implementation report to Administrator approved 30/11/16 Last Updated: 02-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.4 Deliver the program to consolidate financial policies, procedures and forms.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	30-Aug-2017	0.00%	40.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.4 Prepare a report on the outcomes of the service review and associated recommendations.	Monika Leliard - Special Projects Office	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Initial report on improvement actions prepared and presented to executive team 13/10/2016. Meeting with CAMMS on 11/11/16 to determine next steps Required to be reviewed by CAMMS to be presented to GM and Administrator end of Nov 2016 Report approved 30/11/16 Last Updated: 02-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.5 Develop and implement a consolidated human resources related sub-Transition plan inclusive of workforce planning related requirements	Iliada Bolton - Director Special Projects Office	Not Started	12-May-2016	30-Jun-2017	0.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Currently looking at secondment or contracting options for HR support to Special Projects Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.6 Maintain the integrity of records of employment conditions.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Not Started	12-May-2016	22-Dec-2017	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.7 Include actions in the Implementation Plan to: <ul style="list-style-type: none"> decide how payroll will be run plan for a consolidated payroll system develop and test the new system implement the new system. 	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	In Progress	12-May-2016	30-Sep-2016	25.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Pay dates harmonised. Planning being done for a consolidated payroll system Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.7 Develop a program in the Implementation Plan to harmonise financial management and reporting systems.	Jo-Anne Mackay - Director Corporate Services	Not Started	12-May-2016	30-Sep-2016	0.00%	100.00%	 RED
ACTION PROGRESS COMMENTS: Corporate Business System Implementation estimated to commence in early 2017 Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.8 Deliver the program to establish the new payroll system.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Not Started	12-May-2016	30-Sep-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.8 Develop, test and deliver harmonised financial management and reporting systems.	Jo-Anne Mackay - Director Corporate Services	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
Last Updated:							

1.1.6.Planning for ICT

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.3 Monitor, review and adapt the plan as needed. (ICT)	Matthew O'Sullivan - Information Technology Manager	Ongoing	12-May-2016	22-Dec-2017	-	40.00%	
Last Updated: 01-Dec-2016							

1.1.7.Transitional Planning

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.1 Redefining new service levels, delivery methods and supporting structures	Iliada Bolton - Director Special Projects Office	In Progress	12-May-2016	22-Dec-2017	80.00%	40.00%	 GREEN
<p>ACTION PROGRESS COMMENTS: RevuMap tool being used to capture service review data. Working groups and service delivery staff attended workshops with CAMMS consultants during August and September. Final service review report presented to Council 30 November 2016. Service review recommendations informing phase 2 of the organisational structure. Last Updated: 23-Nov-2016</p>							

10.A newly elected council which is working for the whole community

10.1.Council Election

10.1.1.First election of a new council

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.4 Undertake necessary statutory requirements in respect of engaging Electoral Commission and undertake required tasks as necessary	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	In Progress	12-May-2016	12-Aug-2016	5.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Work to commence early in the new year to ascertain what needs to happen. The former Councils have all signed agreements with the AEC to run the elections and we need to determine if a new agreement has to be signed in the name of the new Council. Will contact OLG January/February to see what we need to do. Last Updated: 11-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.18 Develop and implement a comprehensive induction program for new Councillors including required training.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	In Progress	12-May-2016	12-Aug-2016	5.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Discussion has occurred in Governance Working Group - will develop March/April 2017 Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.19 Include planning for the local government elections in the Implementation Plan.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	In Progress	12-May-2016	30-Sep-2016	5.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Discussed at Governance Working Group. All former Council signed contract with AEC to carry out election. Contact to be made with OLG in Jan/Feb to ascertain actions that need to be taken. Last Updated: 01-Dec-2016							

2. Robust governance that delivers confidence to communities

2.1. Integrated Planning and Reporting

2.1.1. Preparing a new community strategic plan

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.2 Prepare the first iteration of a communication and engagement plan for the community.	Iliada Bolton - Director Special Projects Office	Completed	12-May-2016	23-Dec-2016	100.00%	100.00%	 GREEN
ACTION PROGRESS COMMENTS: Draft communication plan submitted 30/06/2016 Consultation with staff and LRC completed in September 2016 Final communication plan adopted by Council in October 2016 Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.3 Prepare a draft community strategic plan for consideration of the new council	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	In Progress	12-May-2016	23-Dec-2016	10.00%	30.00%	 RED
ACTION PROGRESS COMMENTS: IP&R Working Group has developed time table. ET to Identify Working Groups to deliver various Plans Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.3 Monitor, review and adapt the plan as needed. (Community and engagement plan - community)	Iliada Bolton - Director Special Projects Office	In Progress	12-May-2016	22-Dec-2017	25.00%	50.00%	 RED
ACTION PROGRESS COMMENTS: Communication Plan will be monitored, reviewed and adapted through the Global Collaboration management tool Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.4 Prepare and adopt a statement of vision and priorities, with community input	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Not Started	12-May-2016	29-Sep-2017	0.00%	30.00%	 RED
Last Updated:							

2.1.2.Preparing operational plans

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.2 Prepare and commence exhibition of draft operational plan, budget, fees and charges for 2016-17.	Jo-Anne Mackay - Director Corporate Services	Completed	12-May-2016	31-Aug-2016	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.3 Adopt an operational plan, budget and fees and charges for 2016-17.	Jo-Anne Mackay - Director Corporate Services	Completed	12-May-2016	30-Sep-2016	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.4 Prepare the draft operational plan 2017-18, including integrated budget, with community input .	Stephen Molloy - Director of Service Support	Not Started	12-May-2016	31-Mar-2017	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.5 Adopt the operational plan 2017-18, including integrated budget.	Stephen Molloy - Director of Service Support	Not Started	12-May-2016	30-Jun-2017	0.00%	0.00%	 GREEN
Last Updated:							

2.1.5.Preparing a new Resourcing Strategy

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.2 Complete analysis and modelling to support preparation of the new resourcing strategy. (Workforce Plans)	Iliada Bolton - Director Special Projects Office	In Progress	12-May-2016	29-Sep-2017	70.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: CAMMS Workforce Planning Centre and Scenario Modeller being used to undertake analysis, modelling, salary harmonisation and workforce planning. Last Updated: 23-Nov-2016							

2.2.Governance and Administration

2.2.1.Establish Interim Council

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.21 Establish the LRC and IAG to provide local representation and input	Iliada Bolton - Director Special Projects Office	Completed	12-May-2016	22-Dec-2017	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: 3 LRCs established (Cooma, Bombala, Snowy). LRC meetings held monthly. Joint LRC meeting held quarterly. Last meeting held 28 September 2016. Last Updated: 27-Oct-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.2 Prepare a code of conduct for the new council which is compliant with the Model Code of Conduct. This may be based on the code of conduct of one of the former councils.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.2 Lodge disclosure of interest form	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.2 Undertake a thorough review of the Implementation Plan to focus on the second year of the council	Monika Leliard - Special Projects Office	In Progress	12-May-2016	30-Sep-2017	20.00%	0.00%	 GREEN
Last Updated: 21-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.3 Put the new code of conduct to council for adoption.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.3 Review and update arrangements as needed throughout Phase 1.	Iliada Bolton - Director Special Projects Office	Not Started	12-May-2016	31-Aug-2017	0.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Global Collaboration Tool is being used to review and update arrangements on deliverables of actions required in the Phase 1 Road Map Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.17 Determine whether any key advisors or interim arrangements are needed in specialist areas to support the new council.	Joe Vescio - General Manager	Completed	12-May-2016	30-Sep-2016	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.3 Appoint key advisors to the new council, potentially including: • accountants; • auditors; • bankers; • insurance brokers; • legal; • taxation.	Iliada Bolton - Director Special Projects Office	Completed	12-May-2016	12-Aug-2016	100.00%	25.00%	 GREEN
Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.4 Prepare a first iteration of the Implementation Plan	Iliada Bolton - Director Special Projects Office	Completed	12-May-2016	30-Sep-2016	100.00%	0.00%	 GREEN
Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.5 Continue to deliver the Implementation Plan and monitor and report progress.	Iliada Bolton - Director Special Projects Office	In Progress	12-May-2016	22-Dec-2017	50.00%	75.00%	 RED
ACTION PROGRESS COMMENTS: Plan will be monitored, reviewed and adapted through the Global Collaboration management tool. Progress will be reported monthly. Last Updated: 23-Nov-2016							

2.2.4.Undertaking Due Diligence

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
6.2.1.1 Develop a staged program in the Implementation Plan to consolidate local regulations.	Peter Smith - Director of Service Planning	In Progress	12-May-2016	30-Sep-2016	25.00%	75.00%	 RED
ACTION PROGRESS COMMENTS: Workgroups are progressively working to align differing local regulations Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.23 Appoint an internal audit committee for the new council.	Joe Vescio - General Manager	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.25 Prepare statutory documentation for consideration and adoption by Audit Committee.	Joe Vescio - General Manager	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.2 Develop a program in the Implementation Plan to consolidate insurances.	Mathew Cross - Risk Officer	Not Started	12-May-2016	30-Sep-2016	0.00%	100.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.3 Deliver the program to consolidate insurances.	Mathew Cross - Risk Officer	Not Started	12-May-2016	23-Dec-2016	0.00%	100.00%	 RED

Last Updated:

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.4 Develop, adopt and implement a new, consolidated Enterprise Risk Management Policy.	Mathew Cross - Risk Officer	In Progress	12-May-2016	12-Aug-2016	85.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: The Enterprise Risk Management Policy has been completed and is currently being reviewed by Executive. Last Updated: 22-Sep-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.6 Deliver the program to consolidate local regulations.	INGRAM Grantley - Deputy Director Service Planning	Not Started	12-May-2016	31-Aug-2017	0.00%	25.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.1 Develop, adopt and implement a new, consolidated Enterprise Risk Management Plan.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Adopted by ET on 30/11/2016 Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.11 Assess the defined benefit superannuation plans that all former councils contributed to on behalf of employees, including the: <ul style="list-style-type: none"> • share of any deficit in the scheme • contributions • number of staff in the scheme. 	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.12 Seek advice from superannuation funds about transfer of staff to the new council.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
Last Updated:							

2.2.7.Maintaining registers

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.3 Table the consolidated pecuniary interest register at the first possible council meeting, complete with disclosure of interest forms.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.27 Continue to maintain the pecuniary interest register.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Completed	12-May-2016	22-Dec-2017	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Reports to August & October Council Meetings. Copies of returns available in Berridale, Cooma and Bombala Offices							
Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.28 Continue to maintain registers of political donation disclosures.	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Not Started	12-May-2016	22-Dec-2017	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.13 Develop a program in the Implementation Plan to consolidate land registers.	Suneil Adhikari - Director Service Delivery	Completed	12-May-2016	30-Sep-2016	100.00%	0.00%	 GREEN
Last Updated: 27-Oct-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.14 Deliver the program to consolidate land registers.	Suneil Adhikari - Director Service Delivery	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
Last Updated: 27-Oct-2016							

2.2.8.Considering local regulation

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
6.2.1.7 Prepare a report to the Administrator on whether and how planning instruments, proposals and plans which were being progressed or were before the former councils should progress during Phase 1. Completed	Peter Smith - Director of Service Planning	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Completed Last Updated: 15-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.2 Develop a staged program in the Implementation Plan to fully consolidate Local Environmental Plans.	Mark Adams - Planning Manager	Not Started	12-May-2016	30-Sep-2017	0.00%	0.00%	 GREEN
Last Updated:							

2.3.Finances

2.3.1.Maintaining sound financial management

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.14 Complete analysis and modelling to support preparation of the new resourcing strategy. (Long term financial plan)	Stephen Molloy - Director of Service Support	Not Started	12-May-2016	29-Sep-2017	0.00%	50.00%	 RED
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.16 Open new bank accounts and make other changes to banking arrangements, including investments, loans and payroll issues.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	30-Jun-2017	0.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: This will not be progressed until we have implemented a single financial system software. Last Updated: 25-Nov-2016							

2.3.3.Undertaking financial due diligence

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.16 Document the balance and transactions of all trust funds.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	30-Nov-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.21 For all former councils, prepare a register of all bonds, deposits and retentions.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	31-Oct-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.22 Undertake an assurance process to check the register against supporting documentation.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	31-Oct-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.23 Review the funding held in reserve to offset these liabilities, as this may need to be adjusted as part of the consolidation of all reserve funds.	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	31-Oct-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.17 Deliver the prioritised program in the finance related sub-Transition Plan.	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	17-Jun-2017	25.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Finance Working group meeting monthly and as required Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.29 For each of the former councils, review readiness for the audit of Special Schedule 7 to be undertaken as part of the financial statements 2015-16.	Jo-Anne Mackay - Director Corporate Services	Completed	12-May-2016	28-Oct-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: 2016 Audit undertaken Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.32 For each former council, document the reserve: <ul style="list-style-type: none"> • type and purpose • balance and any recent transfers • how the funds were raised. 	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	12-Aug-2016	95.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Balance of Reserves as at 12 May 2016 finalised Balance as at 30 June 2016 to be finalised and collated Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.33 Assess whether reserves are adequate to cover the liabilities they are held to offset (e.g. bonds and deposits, employee leave entitlements) or any other intended purpose for the funds.	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	12-Aug-2016	60.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Recommendations for Internal Reserves to be reported to Administrator Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.34 Also assess whether there is a shortfall in s94 reserves to fund plans.	Jo-Anne Mackay - Director Corporate Services	Completed	12-May-2016	12-Aug-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: s.94 Reserves based on Developer Contributions collected. Contributions still to be collected reported in Financial Statements. Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.35 Determine any action that needs to be undertaken to protect the integrity of the reserves, including appropriate record keeping.	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	12-Aug-2016	90.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Consolidated listing of all Reserves maintained. Reserve balance and movement reported in Financial Statements. Recommendation of Internal Reserves of SMRC to be reported to Administrator. Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.38 Review the employee leave entitlements liability of the former councils and assess the size of the liability and any corresponding reserve fund.	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	30-Nov-2016	90.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Analysis undertaken on 2015 Balances. Information based on 2016 Financial Statements in process of being collated Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.39 Ensure audited financial reports for the former councils are prepared for the period from 1 July 2015 until the date of establishment of the new council	Jo-Anne Mackay - Director Corporate Services	In Progress	12-May-2016	23-Dec-2016	95.00%	100.00%	 GREEN
ACTION PROGRESS COMMENTS: Financial Statements for all three former Councils are prepared. Awaiting Audit Report for Bombala & Snowy. Last Updated: 03-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.40 Ensure the audited financial report for the new councils is prepared for the period from the date of establishment of the new council to 30 June 2017.	Lee Eiszele - Finance Manager	Not Started	12-May-2016	27-Oct-2017	0.00%	0.00%	 GREEN
Last Updated:							

3. Easy to do business with, in person and on-line

3.1. Governance and Administration

3.1.1. Managing contracts, tenders and procurement

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.11 Contracts with some advisors to the former councils may need to be terminated	CHADWICK Jacqueline - Finance Manager	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
Last Updated:							

3.2. Communication and engagement

3.2.1. Creating a single point of entry to the websites

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.1 Deliver a new website.	Aaron Jeszczenko - System Administrator	Completed	12-May-2016	31-Mar-2017	100.00%	0.00%	 GREEN
Last Updated:							

4. Engaged staff who understand their roles and how they contribute to the new council

4.1. Human Resources

4.1.2. Communicating with staff

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.5 Prepare a staff communication and engagement plan.	Iliada Bolton - Director Special Projects Office	Completed	12-May-2016	30-Sep-2016	100.00%	0.00%	 GREEN
ACTION PROGRESS COMMENTS: Draft communication plan submitted 30/06/2016 Consultation with staff and LRC completed in September 2016 Final communication plan adopted by Council in October 2016 Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.7 Monitor, review and adapt the plan as needed. (Community and engagement plan - staff)	Iliada Bolton - Director Special Projects Office	Completed	12-May-2016	22-Dec-2017	100.00%	40.00%	 GREEN
ACTION PROGRESS COMMENTS: Communication and Engagement Plan was submitted to all council staff and LRCs for comment during August and September 2016 Feedback used to update plan. Final copy adopted by Administrator on 17 October 2016. Resolution 54/16 Last Updated: 23-Nov-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.1 Communicate effectively with Staff, communities and partners	Joe Vescio - General Manager	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	 GREEN
Last Updated:							

4.1.9. Implementing successful change management

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.3.1.9 For each of the former councils, document the way in which: <ul style="list-style-type: none"> • staff have typically been consulted broadly and on human resources, workplace and industrial matters • representation on the Consultative Committee has worked. 	HEFFERNAN Kelly - Human Resources and Payroll Officer	Not Started	12-May-2016	12-Aug-2016	0.00%	0.00%	
Last Updated:							

5. Involved communities who have their say

5.1. Communication and Engagement

5.1.2. Maintaining community engagement

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.1.29 Hold at least monthly meetings of each LRC and the IAG	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	In Progress	12-May-2016	31-Aug-2017	40.00%	40.00%	 GREEN
ACTION PROGRESS COMMENTS: LRC Bombala, Cooma & Snowy have all met at least monthly since July 2016. Last Updated: 01-Dec-2016							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.3.1 Organise for telephone numbers to appear in and digital versions of the White Pages, noting the due dates for print version listings.	Stephen Molloy - Director of Service Support	Not Started	12-May-2016	12-Aug-2017	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.4 Continue to deliver community engagement activities	GUTHRIE Robin - Manager Corporate/Governance (Public Officer)	Not Started	12-May-2016	31-Aug-2017	0.00%	20.00%	 RED
Last Updated:							

6. Communities can readily identify with their new council

6.1. Visual Identity

6.1.1. Developing the new visual identity

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.1 Adopt a logo and other elements of the visual identity for the new council.	Stephen Molloy - Director of Service Support	Completed	12-May-2016	23-Dec-2016	100.00%	100.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.2 Prepare a style guide for the new Council	Stephen Molloy - Director of Service Support	In Progress	12-May-2016	23-Dec-2016	90.00%	100.00%	 GREEN
<p>ACTION PROGRESS COMMENTS: One final working group meeting before sending the guide to the Exec Team for adoption. The plan has been developed, put out for staff comment and reviewed post the comments received Last Updated: 01-Dec-2016</p>							

9.Expected benefits which are clear, measurable and on target

9.1.Local Benefits

9.1.1.Identify potential local benefits

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.5 Monitor, review and adapt the Plan as needed. (Implementation Plan)	Iliada Bolton - Director Special Projects Office	Completed	12-May-2016	22-Dec-2017	100.00%	40.00%	 GREEN
<p>ACTION PROGRESS COMMENTS: Global Collaboration tool is being used to monitor, review and adapt the implementation plan.</p> <p>Report to Council 30 November 2016 to recommend the finalisation of the transition plan and create a strategic implementation plan to address all outstanding items as well as identified projects for the council transformation.</p> <p>Last Updated: 23-Nov-2016</p>							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.1.2.6 Incorporate the statement of local benefits into the Implementation Plan	Iliada Bolton - Director Special Projects Office	Not Started	12-May-2016	30-Sep-2016	0.00%	0.00%	 GREEN
Last Updated:							

ACTION	RESPONSIBLE PERSON	STATUS	START DATE	END DATE	COMPLETE %	TARGET	ON TARGET %
7.4.1.7 Include the statement of local benefits, prepared with community input, in the Implementation Plan.	Iliada Bolton - Director Special Projects Office	Not Started	12-May-2016	23-Dec-2016	0.00%	50.00%	 RED
Last Updated:							

