

PLANNING PROPOSAL

FORMER JEMALONG RETIREMENT

VILLAGE

40 – 70 CHURCH STREET, FORBES

**Prepared By:
Forbes Shire Council**

**23 August 2010
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Introduction

The Jemalong Retirement Village (JRV) was constructed in Church Street, Forbes in 1974-5 in order to meet the needs of the Shires aged population. JRV was founded by the Forbes Jemalong Aged Peoples Association to establish an aged care service by the community, for the community. As at June 2010 it provided 30 high care beds and 61 low care places. It also offered respite upon request and was one of Forbes' largest employers.

In order to maintain accreditation for care standards it became evident that rather than redeveloping the existing facility it would be more cost effective to construct a new facility on a green-field site. The decision was made to relocate. A green-field site was selected on the north western fringe of Forbes. Development Application (DA) 2007/133 was lodged for the construction of a new facility at 240 Edward Street, Forbes. Development consent was issued on 31 May, 2007 and construction commenced in June of 2007. The new facility was recently completed and the public open day held 19 June, 2010. The initial facility maintains a 91 place residential aged care facility set upon approximately 46 hectares (117 acres) incorporating a 30 bed secure dementia unit, generous recreational area, separate hair dressing facilities and coffee shop. Future plans are to expand by offering self contained units and expanded resident facilities into the future.

This original JRV site located in Church Street, Forbes is zoned 5(a) –“Special Uses – Nursing Home” under the current provisions of Forbes Local Environmental Plan 1986. Permissible land uses within this current 5(a) zone are limited to “drainage; roads; the particular purpose indicated on the map (which in this case is Nursing Home), and any purpose ordinarily incidental or subsidiary to that purpose. Therefore under the current LEP 1986 the use of the site is limited to a nursing home. In considering the potential for continued use of aged care, additional bed licenses are not available in Forbes and therefore realisation of the Church Street site requires a change of zoning and change of use.

JRV are currently in negotiations for use of the existing facilities on the former JRV site and are anxious to expedite this process to reduce the financial burden of the former site remaining vacant for an extended period of time as well as the potential for the site to be targeted by vandals due to being unoccupied hence the potential for the site to quickly and easily to fall into disrepair.

Whilst Council is working through a comprehensive LEP review process the time frame for this process will hold up negotiations and use of the land, hence this Planning Proposal has been prepared and submitted for gateway determination. The former JRV site the subject of this planning proposal is identified by cadastre, satellite image and existing zoning below. The immediate realisation of the potential of the site is important to the negotiations and not possible without the rezoning of the land. Portions of the planning proposal could be pursued under the SEPP (Infrastructure) 2007 however not the entire proposal in particular any residential component envisaged for the site.

Background

Council has adopted the Forbes Growth Management Strategy, prepared by Edge Land Planning, February, 2009 being the underpinning development strategy for the comprehensive review of the Forbes Local Environmental Plan. The Forbes Growth Management Strategy was endorsed by the Director-General of the Department of Planning on 19 April, 2009.

Council has been progressively working through this process with the most recent report was considered at Councils meeting of 17 June 2010 where Council subsequently resolved as follows:

“That Council

- i. submit the draft Forbes Local Environmental Plan to the Department of Planning requesting the Department issue a Section 65 Certificate to enable the public exhibition of the Draft LEP;*
- ii. Pursue the environmental investigation of River Road, Bathurst Street and Lachlan Vintage Village areas with a view to the submission of a Planning Proposal through the Gateway process;*
- iii. Provide a report to Council at the conclusion of the public exhibition of the Draft LEP;*
- iv. Contact the Regional Director to define Gateway reporting requirements as a matter of urgency;*
- v. Investigate the quickest path to facilitate future reuse of the old Jemalong Retirement Village site as an educational facility.*

Council has obtained legal advice which indicates that given the restrictive nature of the existing zoning the vast majority of alternate land uses are likely to be prohibited on the site. Further given the original prohibition any new amending LEP must be signed by the Minister and Gazetted prior to Council being in a position to approve development on the site for alternative purposes.

Council envisages that part of the site could be used in conjunction with a Medical Centre which is nearing completion and hospital located upon adjoining land. This centre is located in the hospital precinct and will not only co-locate the two local surgeries but encourage more doctors and specialists to our town. Within this hospital precinct Council has also developed footpaths, roads, car parking and a new helipad at no cost to the State Government.

Council is looking to deliver accommodation and nurse training in partnership with NSW Health, University of Sydney, CSU and TAFE. In addition to TAFE Council is also negotiating terms with Charles Sturt University and the University of Sydney with the objective of enhancing the learning opportunities in Forbes and to neighbouring communities. Discussions are also underway with Yoorana Gunya,

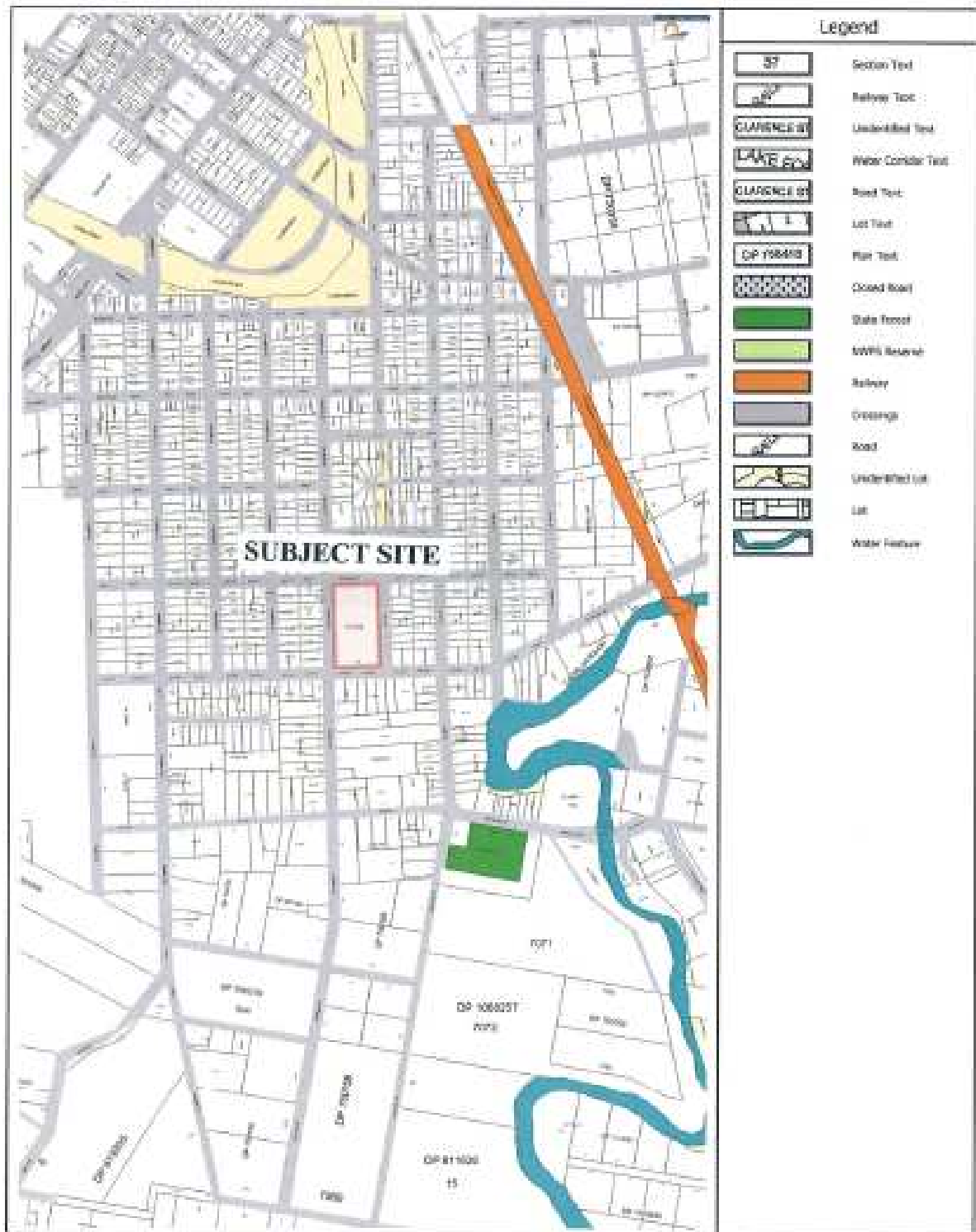
who deliver a range of medical, legal and family support services to our indigenous community, regarding the relocation of their services to the site. These activities form part of Councils resilience Strategy to bring all areas of the medical precinct together and 'close the gap' by way of good planning and strong partnerships. This planning forms part of Council's proactive policy position which has been in place since 2006 and is part of the reason we have kept our health professional staff at a robust level.

The educational and medical proposals relate to the adaptive reuse of the existing buildings, the remainder of the site is proposed to be subdivided off for residential development purposes. Further should either the medical or educational opportunity not be realised further residential development of the site will be pursued. The educational and medical components of the proposal could be pursued under the Infrastructure SEPP 2007 however not any residential component which is likely to be easier to achieve immediately. The JRV have a significant maintenance responsibility upon the vacant site to ensure it does not fall into disrepair and the capability to sustain this commitment without economic return is of increasing concern.

SATELLITE IMAGE OF SITE



CADASTRAL PLAN



Wittman Consulting
Environmental & Planning
10000 10th Avenue
Suite 100
Boulder, CO 80501
Phone: 303.440.1234
Fax: 303.440.1235
www.wittmanconsulting.com

Important Notice:
This map is a preliminary map and is not intended to be used for any other purpose. It is not a legal document and should not be used to make any decisions. It is for informational purposes only.

Legend:
This map uses symbols to identify the different types of features shown on the map. The symbols are defined in the legend below.

Scale:
The scale of this map is 1 inch = 1 mile.

North Arrow:
The north arrow points towards the top of the map.

Map Scale: 1:12,500 at A4

EXISTING ZONING PLAN

Part 1 – Objectives or Intended Outcomes

The **objective** of the proposed LEP amendment is to rezone the former JRV site from 5(a) – Special Uses Retirement Village to Residential 2(a) under the provisions of Forbes Local Environmental Plan 1986.

The **intended outcome** is to permit a wider variety to land uses compatible with the surrounding area to allow for the redevelopment of the site.

The preferred outcome would be for the use of the land for three (3) proposed uses described as follows:

1. Northern Third of Site Comprising Nursing Home and former Administration Centre to be used as an “Educational Establishment” including ancillary uses such as lecture hall, student accommodation to deliver nurse training;
2. Centre Portion comprising former residential care facility to be used for “Professional and Commercial Chambers” for the co-location of medical services, practitioner facilities including Yoorana Gunya Aboriginal Support Service; and
3. Residential Development for the southern, predominantly vacant portion of the site to for the creation of residential allotments to accommodate single detached housing. At this stage 8 allotments of not less than 1000 square metres are envisaged.

Each proposed use of the former JRV facility can be accommodated by the proposed Residential 2(a) zone. Further should the medical or educational component of the proposal not proceed residential development could and would remain a permissible development opportunity by creating individual residential units within the existing buildings or demolishing the site for new residential development.

Part 2 – Explanation of Provisions

Amendment of the zoning map to Forbes Local Environmental Plan 1986 in accordance with the proposed zoning map attached below. The land is to be rezoned to 2(a) – Residential. The zoning table prescribed for the 2(a) residential zone is as follows:

Zone No. 2 (a) (Residential Zone)

1 Objectives of zone

The Objectives of this zone are -

- (a) to set aside land to be used for the purposes of housing and associated facilities;
- (b) to allow all forms of housing to take place anywhere within the zone;

and

- (c) to allow development for purposes other than housing within the zone only if it does not detrimentally effect the character or amenity of the locality.

2 Without Development Consent

Landscaping; gardening.

3 Only with development consent

Any purpose other than a purpose included in item 2 or 4 of the matter relating to this zone.

4 Prohibited

Abattoirs; animal boarding establishments; builders' yards; bulk stores; bus depots; car repair stations; caravan parks; commercial premises used in conjunction with industry and situated on the land on which the industry is conducted; feedlots; gas holders; generating works; grain transport depots; hotels; industries (other than home industries); institutions; junk yards; light industries; liquid fuel depots; motor showrooms; poultry farms or pig keeping establishments; public buildings; racecourses; road transport terminals; roadside stalls; rural industries; sawmills; shops (other than those listed in Schedule 2); stock and sale yards; taverns; transport terminals; travelling stock reserves; warehouses.

Development envisaged for the former JRV site comprises:

1. “Educational Establishment” including ancillary uses such as lecture hall, student accommodation to deliver nurse training;
2. “Professional and Commercial Chambers” for the co-location of medical services, practitioner facilities including Yoorana Gunya Aboriginal Support Service; and
3. “Residential Development” being the creation of 8 vacant subdivided allotments of not less than 1000m² available for residential development to accommodate single detached housing.

Development envisaged for the former JRV site comprising education of medical students, collocation of medical services & facilities, Yoorana Gunya Aboriginal Services and ancillary short term accommodation would be defined as (under the adopted Environmental Planning and Assessment Model Provisions 1980 as part “educational establishment” and part “professional and commercial chambers” including ancillary uses such as lecture hall and visiting accommodation. Educational establishments, professional and commercial chambers, subdivision and residential dwellings are permissible within the current zoning table for the proposed 2(a) – Residential zone of Forbes Local Environmental Plan 1986.

PROPOSED ZONING PLAN

ELGIN STREET			
BERKLEY STREET			
DP 1044086 2(a) 28	28 2(a) DP 1044086	28 2(a) DP 1044086	
BATHURST STREET			
Scale 1:2,000		Locality: Forbes	
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 SHIRE OF FORBES LOCAL ENVIRONMENTAL PLAN 1986 (AMENDMENT No.)			
DRAWN BY: _____ DATE: _____		N	
PLANNER: PRB _____ DATE: _____			
CERTIFICATE PLAN NUMBER: _____			
CERTIFICATE ISSUED UNDER S65 E.P. & A ACT, 1979 _____ DATE: _____			
FILE No. COUNCIL _____ DEPT. _____		STATEMENT OF RELATIONSHIP WITH OTHER PLANS AMENDS FORBES LOCAL ENVIRONMENTAL PLAN 1986 PUBLISHED IN GOVERNMENT GAZETTE OF CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 & REGULATIONS	
P25.0010 - A\N 3531.31 _____ S94/00280		GENERAL MANAGER _____ DATE _____	

Part 3 – Justification

Section A – Need for the Planning Proposal

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

NO.

The endorsed Forbes Growth Management Strategy, February, 2009 addresses the new Jemalong Retirement Village Sites recommending that the site be zoned for residential purposes. The Growth Management Strategy however does not deal specifically with the potential for reuse of the former site. In accordance with Department Circular 06/008, which recommends the zoning of special use facilities such as a nursing home be zoned according with the prevailing surrounding area, the former JRV site is proposed to be zoned R1 – Residential within Draft Forbes LEP2010 currently being prepared.

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

YES.

The Planning Proposal will facilitate the rezoning of the land the fastest way possible minimising the time the existing facilities are vacant and the associated financial burden. Moreover without this Planning Proposal the opportunities for future reuse may be lost. The planning proposal will enable the rezoning of the land to proceed as a separate matter without being delayed by the preparation of the revised Forbes Comprehensive Local Environmental Plan. Time equals cost to the JRV and maintaining both the former site and new facility is not sustainable and the longer the existing facility remains vacant the greater the burden.

3. Is there a net community benefit?

YES.

There is no question that the proposed development will provide a net community benefit. The JRV have since its establishment and will long into the future provide benefits to the Forbes community. A summary of the net community benefit evaluation criteria is provided below:

Evaluation Criteria	JRV Planning Proposal
Will the LEP be compatible with agreed State and Regional strategic direction for development within the area?	There is no relevant State or Regional Strategy applicable
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other land holders?	No. The JRV facility and its proposed use is site specific and will not create a precedent. The landowner already has the expectation for alternative uses of the site this expectation will not be altered by the planning proposal. The expectations of

	surrounding landowners could be altered however development envisaged would be compatible with the surrounding residential neighbourhood.
Have the cumulative effects of other spot rezoning proposals in the locality been considered?	Yes. There are no other spot rezoning proposals in the locality.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Yes. Permanent employment will be generated by the reuse of the site. Existing employment generated from the site has been relocated to the new JRV facility. Lands identified for residential components of the development comprise the vacant portion of the land.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	No. The proposed 8 residential allotments will have a negligible impact upon housing supply and affordability.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site?	Yes, all utilities are present and available to service the site.
Is there good pedestrian and cycling access?	Yes. Similar pedestrian and bicycle access to the majority of Forbes.
Is public transport currently available or is there infrastructure capacity to support future public transport?	Yes. There is limited public transport availability in Forbes. The site is serviced by the regular bus service.
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers?	Yes. Proposal will result in a reduction of car travelling dependency by providing facilities locally that currently are only available by leaving the Shire.
Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal.	No. Positive effect upon patronage and use of existing government and private infrastructure on the site.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	No. The land has not been identified for protection. There is no major environmental constraint to the development of the land.
Will the LEP be compatible/complimentary with surrounding land uses? What is the impact upon amenity in the location and wider community?	Yes. The proposed use of the land will be compatible with the prevailing surrounding amenity of residential development and in close proximity to the Forbes Hospital.
Will the public domain improve?	Yes. The public domain will improve by ensuring the site does not fall into disrepair, and promote its continued use for purposes compatible with surrounding development.
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Yes. The commercial use of this site will be maintained and support the existing surrounding facilities i.e. hospital providing a range of services not presently available in Forbes.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future.	Unlikely, medical centre, education centre perhaps but not a commercial/retail centre.
What are the public interest reasons for preparing the draft plan? What are the implication of not proceeding at that time?	The major public interest reasons for preparing the draft plan would be for the continued support for the JRV and vital service this community based organisation delivers. The proceeds will be put back into

	independent living opportunities to be pursued in conjunction with the new JRV facility. Should the proposal not proceed at this time the site will remain vacant for an extended period of time. The longer the site remains vacant the more disrepair will be experienced and additional costs and reduced potential for the reuse of the existing facilities.
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The strategic use of the former facility will provide compatible social and economic benefits directly in support of the new facility. Other future flow on effects provided by this adaptive reuse include:

- Extension of health and preventative care services across the community;
- Enhanced medical and educational facilities to support Forbes and neighbouring communities;
- Closing the gap to enhance opportunities and access to services
- Appropriate reuse of otherwise sterile site;
- Reuse will benefit the expansion of independent living at the new site;
- Enhancing the skills and access to learning; tertiary education not otherwise available in lower socioeconomic groups;
- Minimising costs associated with maintaining a vacant premises.

JRV will in turn support the local community in the provision of its facility and services resulting in a Win-Win for the local community. The enduring service of this community infrastructure will continue in the form of an education and medical hub where this Planning Proposal is supported.

The only costs associated with the proposed development the subject of this planning proposal would be through the delay in utilising the assets the recently vacant facility provides.

Section B – Relationship to Strategic Planning Framework

- 4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or subregional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?**

No applicable regional or subregional strategies apply to the area the subject of this planning proposal or the Forbes Shire Local Government Area.

- 5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?**

Forbes Shire is moving to the new reporting system outlined in the amendments to the Local Government Act however at the time of submitting this planning proposal the applicable Community Strategic Plan is encompassed within the Forbes Shire Strategic Plan, updated 11 November, 2009.

The Strategic Plan for the Forbes Shire identifies a series of goals and relevant strategies and action plans for achieving these goals.

What Does Council want for our community?

- A pleasant and safe environment in which the community can live;
- A sound level of services and infrastructure to meet the communities needs;
- An active and growing rural and commercial sector
- Good access to educational opportunities
- Appropriate employment for the community, including the youth component
- Financial stability of its Council

Core Values of Forbes Shire Council

To provide direction and leadership in the community

To maximise the value received to the community of Forbes

To meet the needs of the community

To ensure the welfare of the community is considered at all times in government decision making

To provide solutions to the problems of the community

To achieve these concepts Council has identified seven (7) strategic goals of Council's Strategic Plan as follows:

Sustained economic development in Forbes Shire

Well planned, developed and maintained transport facilities that meet the needs of the community

Sound environmental management practices and improved community amenity

Forbes is a desirable place to live

Services and infrastructure provided in the most efficient and economical manner

A Council responsive to community needs in the provision of services

An organisation characterised by high quality performing staff, good morale and job satisfaction

The planning proposal is considered to be consistent with a large number of these values and strategies of Councils Strategic Plan. Fostering and encouraging retention of medical practitioners encouraging the co location and "closing the gap" in service delivery will produce local benefits to the community.

6. **Is the planning proposal consistent with applicable state environmental planning policies?**

There are no State Environmental Planning Policies (SEPP's) or draft SEPP's that would restrict the Planning Proposal considered as follows:

- A. **State Environmental Planning Policy (Exempt and Complying Development Codes) 2008** would permit the range of developments identified as exempt and complying development upon the land. Exempt and complying development would become applicable upon the subject land in the same manner as currently applied to all residential zoned land.
- B. **State Environmental Planning Policy (Rural Lands) 2008** aims to facilitate the orderly and economic use and development of rural lands for rural and related purposes. The SEPP establishes a number of principles required to be considered for the development of rural land. The subject site does not comprise rural land.
- C. **State Environmental Planning Policy (Infrastructure) 2007** permits a range of infrastructure related developments upon the land and will apply to the area the subject of this Planning Proposal in the same manner as it currently applies.
- D. **State Environmental Planning Policy (Temporary Structures) 2007** will permit the erection of temporary structures in the same manner as it currently applies to the land.
- E. **State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007** establishes a consistent approach to the development of mineral, petroleum and extractive material resources and will apply to the land in the same manner as it currently applies.
- F. **State Environmental Planning Policy SEPP (Major Development) 2005** identifies developments that are major projects determined by the Minister for Planning. It also provides planning provisions for State significant sites and identifies the functions that may be carried out by joint regional planning panels (JRPPs) and classes of regional development to be determined by JRPPs. The application of this SEPP will remain unaltered should the land be rezoned as proposed.
- G. **State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004** provides a consistent approach to the application of energy efficiency by the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans. BASIX will apply to any new dwelling the result of the proposed rezoning in the same manner as it currently applies to the land.

- H. **State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004** seeks to encourage the development of high quality accommodation for our ageing population and for people who have disabilities. In order to maintain the appropriate accreditation the site requires substantial upgrading however this use would remain permissible should the zoning of the land be altered as proposed.
- I. **State Environmental Planning Policy No.64 - Advertising and Signage** aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area including outdoor advertising in transport corridors in suitable locations and is of high quality design and finish. The application of SEPP No.64 will not be altered as a result of this planning proposal.
- J. **State Environmental Planning Policy No.55 - Remediation of Land** provides state-wide planning controls for the remediation of contaminated land, including if the land is unsuitable, remediation must take place before the land is developed. The application of SEPP No.55 will remain unaltered as a result of this planning proposal. The potential reuse of the existing facilities will not require any remediation of the land due to potential contamination. Any development of surplus lands does not identify any potential contamination concerns.
- K. **State Environmental Planning Policy No.52 - Farm Dams and Other Works in Land and Water Management Plan Areas** applies to the Jemalong, Wyldes Plains Irrigation District within the Forbes Shire however does not apply to the land the subject of this planning proposal.
- L. **State Environmental Planning Policy No.44 - Koala Habitat Protection** encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range. The policy applies to the Forbes local government areas however the site does not contain any extensive vegetation areas nor supporting habitat corridors likely to accommodate koala habitat.
- M. **State Environmental Planning Policy No.36 - Manufactured Home Estates** seeks to establish well-designed and properly serviced manufactured home estates (MHEs) in suitable locations. The policy allows MHEs to be located on certain land where caravan parks are permitted subject to criteria that a proposal must satisfy. The policy also permits, with consent, the subdivision of estates either by community title or by leases of up to 20 years. Manufactured home estates will remain as not being permissible as caravan parks are prohibited development in the 2(a) residential zone.
- N. **State Environmental Planning Policy No.1 - Development Standards** allows councils to approve a development proposal that

does not comply with a set standard where this can be shown to be unreasonable or unnecessary in the circumstances of the case. The application of SEPP No.1 will remain unaltered as a result of development envisaged by the rezoning proposed in this planning proposal. The use of SEPP 1 is not available to the proposed development by virtue of the prohibition in the land use table applicable to the existing 5(a) Special Use zone.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

S.117 Ministerial Directions have been considered in the preparation of this Planning Proposal. Relevant consideration in relation to the Planning Proposal is provided below:

S117 Ministerial Direction	Application/Requirement	Consideration of Planning Proposal
1. Employment and Resources		
1.1 Business and Industrial Zones	Applies to a Planning Proposal that affects land within an existing or proposed business or industrial zone.	This Direction is not applicable to the Planning Proposal.
1.2 Rural Zones	This Direction does not apply within the Forbes Shire Local Government Area.	
1.3 Mining, Petroleum and Extractive Industries	Applies to a Planning Proposal that would have the effect of prohibiting mining or restricting access to resources.	This Direction is not applicable to the Planning Proposal
1.4 Oyster Aquaculture	Applies to a Planning Proposal that affects oyster aquaculture.	This Direction is not applicable to the Planning Proposal
1.5 Rural Lands	Applies to a Planning Proposal that affects land within an existing or proposed rural or environment protection zone.	This Direction is not applicable to the Planning Proposal
2. Environment and Heritage		
2.1 Environment Protection Zones	Applies to a Planning Proposal that affects land within an Environment Protection Zone.	This Direction is not applicable to the Planning Proposal
2.2 Coastal Protection	Applies to a Planning Proposal that affects land within a coastal zone.	This Direction is not applicable to the Planning Proposal
2.3 Heritage Conservation	A Planning Proposal must facilitate the conservation of items of Aboriginal or European heritage.	There are no items of Aboriginal or European cultural heritage upon the site applicable to the Planning Proposal
2.4 Recreation Vehicle Areas	A Planning Proposal must not provide for a recreation vehicle area.	This Direction is not applicable to the Planning Proposal
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Applies to a Planning Proposal that will affect land within an existing or proposed residential zone. A Planning Proposal must include provisions for increased housing choice that will broaden choice in the housing market	The Planning proposal seeks to make efficient use of the existing infrastructure opportunities afforded by the site whilst encourage uses compatible with the surrounding residential area. Short term

	and make more efficient use of existing infrastructure.	accommodation is envisaged albeit not of a permanent nature. The prevailing 2(a) Residential zoning of the surrounding area is considered to be the most appropriate to permit the range of uses envisaged for the reuse of the former JRV site. The Planning Proposal is considered to be consistent with the objectives of this direction.
3.2 Caravan Parks and Manufactured Home Estates	A Planning Proposal must retain provisions that permit caravan parks and take into account provisions for Manufactured Home Estates.	This Direction is not applicable to the Planning Proposal
3.3 Home Occupations	A Planning Proposal must home occupations to be carried out in dwelling houses without consent.	This Direction is not applicable to the Planning Proposal
3.4 Integrating and Use and Transport	Applies to a Planning Proposal that will create, alter or remove a zone or provision relating to urban land. A Planning Proposal must locate zones that are consistent with: (a) Improving Transport Choice – Guidelines for planning and Development, DUAP 2001; (b) The Right Place for Business and Services – Planning Policy, DUAP 2001.	The Planning Proposal will encourage the urban use of a former Special Use site which is well located in relation to access to local transport services and other urban development. The Planning Proposal is considered to be consistent with the aims of this Direction.
3.5 Development Near Licensed Aerodromes	Applies to a Planning Proposal that affects land in the vicinity of a licensed aerodrome.	This Direction is not applicable to the Planning Proposal
4. Hazard and Risk		
4.1 Acid Sulfate Soils	Applies to a Planning Proposal that affects Acid Sulfate Soils.	This Direction is not applicable to the Planning Proposal
4.2 Mine Subsidence and Unstable Land	Applies to a Planning Proposal upon land likely to be unstable.	The subject land is not considered likely to be unstable. This Direction is not applicable to the Planning Proposal
4.3 Flood Prone Land	Applies to a Planning Proposal that affect flood prone land.	The subject land is not identified as being below the flood planning level
4.4 Planning For Bush Fire Protection	Applies to a Planning Proposal that will affect or is in proximity to land mapped as bush fire prone land.	The land is not identified or in close proximity to land identified as being bush fire prone land. This Direction is not applicable to the Planning Proposal
5. Regional Planning		
5.1 Implementation of Regional Strategies	No regional strategies apply within the Forbes Shire.	This Direction is not applicable to the Planning Proposal
5.2 Sydney Drinking Water Catchments	Applies to a Planning Proposal within the Sydney drinking	This Direction is not applicable to the Planning Proposal

	water catchment.	
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Applies to a Planning Proposal upon farmland on the NSW Far North Coast.	This Direction is not applicable to the Planning Proposal
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Applies to a Planning Proposal upon land along the Pacific Highway, North Coast.	This Direction is not applicable to the Planning Proposal
5.5 Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked	
5.6 Sydney to Canberra Corridor	Revoked	
5.7 Central Coast	Revoked	
5.8 Second Sydney Airport: Badgerys Creek	A planning proposal must not hinder development potential for a Second Sydney Airport at Badgerys Creek	This Direction is not applicable to the Planning Proposal
6. Local Plan Making		
6.1 Approval and Referral Requirements	A Planning Proposal must minimise concurrence, consultation or referral requirements of Development Applications to a Minister.	No concurrence, consultation or referral requirements are proposed as a result of this Planning Proposal.
6.2 Reserving Land for Public Purposes	A Planning Proposal must not create, alter or reduce land reserved for public purposes without approval of the relevant public authority.	This Direction is not applicable to the Planning Proposal
6.3 Site Specific Provisions	A Planning Proposal must allow a land use to be carried out in an the zone the land is situated on or rezone the site to an existing zone that allow the land use to be carried out	The Planning Proposal does not propose to introduce any site specific provisions. The Planning Proposal is considered to be consistent with the aims of this Direction.
7. Metropolitan Planning		
7.1 Implementation of the Metropolitan Strategy	This Direction does not apply within the Forbes Shire Local Government Area.	

Section C – Environmental, Social and Economic Impact

- 8. 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?**

Given the sites location within the established Forbes urban area and long history as the Jemalong Retirement Village the proposal will not affect critical habitat or threatened species, populations or ecological communities, or their habitats.

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

No, the planning proposal will not result in any other environmental effects. The site is not considered to be affected by flooding, bushfire, subsidence or

any other major environmental constraint. Appropriate site management measures should be implemented during any construction works in order to manage any minor local potential environmental concerns.

10. How has the planning proposal addressed any social and economic effects?

The JRV are a community based organisation providing essential services for housing and care for the aging community. As the population ages the role of the JRV is set to only become more important. Obvious positive social and economic benefits exist in the provision of aged care but also in supporting and contributing to the local social and economic network, cultural benefits, education and access to services. With the relocation of JRV to a new site to minimise the delay in reusing the site will encourage its upkeep in the intervening period ensuring the site does not fall any further into a state of disrepair, hence requiring more money to repair and hence increasing the opportunity for the adaptive reuse of the existing facilities. The proposal also seeks to support the developing medical precinct in this location adjacent to the Forbes Hospital. The potential to bring educational facilities locally would be significant in reducing the need to travel out of the Shire for further education which is a major issue in the western area. In securing a future use for this key site, minimising the need for demolition of valuable infrastructure would also have positive social and environmental effects. In doing so, redevelopment and reuse of the site will also support JRV itself to assist in the expansion of independent living to be constructed at the new site. Reuse of the former JRV facilities, redevelopment of surplus land support for JRV itself will result in direct and indirect flow on effects to the local social network and economy. No foreseeable negative social or economic effects will be required to be managed throughout the process.

Section D – State and Commonwealth Interests

11. Is there adequate public infrastructure for the planning proposal?

The population of Forbes has been declining slowly per census. Any impact upon State and Commonwealth infrastructure including health, education, emergency services, public transport etc will be positive in their contribution to supporting existing services and ensure their retention in Forbes. Local infrastructure such as water, power and sewer are all present and available to the site.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Given the localised nature of the proposed development and support from the public health sector the proposed development the subject of this Planning Proposal is not likely to raise concerns with any State or Commonwealth authorities. Any consultation with Government Authorities will be undertaken in accordance with the gateway determination.

Part 4 – Community Consultation

The proposed development the subject of this Planning Proposal is considered to be 'low impact' in accordance with Section 4.5 of the Guide to Preparing Local Environmental Plans, Department of Planning, July, 2009 Council intends to publically exhibit the draft LEP for 14 days. Council is bound to consider submissions lodged during the consultation process and will endeavour to resolve any matters raised.