



Planning Proposal to amend Wollondilly LEP 2011

For provisions relating to
Queen Victoria Memorial Hospital property

Part 1 – Objectives or Intended Outcomes

This Planning Proposal has been prepared by Wollondilly Shire Council in response to an application from RSL Lifecare P/L.

The objectives of the planning proposal are:

- to amend the LEP to make Seniors housing permissible with consent within this site
- to continue and expand the use of the site for aged care accommodation and ancillary services and facilities for ageing in place and continuity of care
- to maintain the heritage significance and natural assets of the site and its setting.

The intended outcomes are:

- to change the title of the zone that applies to that portion of the site currently used, and suitable for future use, as a health services facility, seniors housing and ancillary uses to SP2 Health Services Facility and Seniors Housing
- to introduce Zone E3 Environmental Management Zone and / or Zone E2 Environmental Conservation Zone and / or include land on the Natural Resources – Biodiversity and Natural Resources – Water maps to the LEP for those parts of the site found to have biodiversity, riparian and conservation values
- to create an area of land within the site which is within Zone RE2 Private Recreation to include an earth dam and remnant native vegetation in private recreational space
- change the Height of Buildings Maps to reflect height limitations compatible with the heritage, landscape and scenic values of the site and its setting
- Change the Lot Size Map to reflect future development intent, land use constraints and conservation requirements
- Include the Heritage Item Harmony House in Schedule 5 Environmental Heritage and identify the location of this item on the Heritage Maps.

Part 2 – Explanation of the Provisions

The Planning Proposal can be achieved through the following amendments to the Wollondilly LEP 2011:

* Change the Land Zoning Maps:

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8400_COM_LZN_008G_020_20110131

So that

- (i) the title of the zone for parts of Lots 31, 32 and 33 DP 1022462 is changed to 'SP2 Health Services Facility and Seniors Housing' as shown in Attachment 1; and
- (ii) the zoning of parts of Lots 31, 32 and 33 DP 1022462 and all of Lot 1 DP 264150 be changed from 'SP2 Health Services Facility' to 'E2 Environmental Management' as shown in Attachment 1
- (iii) the zoning of parts of Lots 32 and 33 DP 1022462 be changed from SP2 Health Services Facility to Zone RE2 Private Recreation as shown in Attachment 1.

* Change the Height of Building Maps:

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So that

(i) the area within the curtilage of the existing heritage item I265 will have a maximum building height of 15 metres with this curtilage to be refined based on further heritage impact assessment. For interim purposes this area has been identified in Attachment 2;

(ii) the area of the site proposed to be within Zone SP2 Heath Services Facility and Seniors Housing and outside the curtilage described in (i) above will have a maximum building height of 7.2 metres. For interim purposes this area has been identified in Attachment 2;

(iii) the remainder of the site not already described in (i) and (ii) above to have no building height limit.

* Change the Lot Size Maps:

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So that:

(i) Lot 1 DP 264150 has a minimum lot size of 16 hectares

(ii) the remainder of the site has a minimum lot size of 100 hectares

As shown in Attachment 3.

* Change the Heritage Map:

8400_COM_HER_008G

So that a new Heritage Item being Harmony House is identified within Lot 31 DP 1022462. For interim purposes this items has been shown in Attachment 4 but will be subject to further heritage investigation for the identification of an appropriate curtilage.

* Change Schedule 5 to the Wollondilly Local Environmental Plan, 2011 to insert a new Item A14 in Part 3 – Archaeological sites as follows:

Suburb	Item Name	Address	Property Description	Significance	Item No.
Thirlmere	Harmony House	Thirlmere Way, Thirlmere	Lot 31 DP 1022462	Local	A14

* Change the Natural Resources – Biodiversity map to include land to be identified from specialist studies as having biodiversity significance

* Change the Natural Resources – Water map NRW_008 to include land to be identified from specialist studies.

Part 3 – Justification

Section A – Need for the planning proposal

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

(i) Draft Local Environmental Study

A draft LES was undertaken in 2001-02 for the Picton Tahmoor Thirlmere (PTT) locality. The draft LES was used as a discussion document for community consultation. The draft LES noted the Queen Victoria Memorial Hospital as providing the following local services:

- social, recreational and support activities for senior citizens and carers
- nursing home and respite care beds, 12-room hostel, dental, podiatry, occupational therapy and speech pathology

The settlement patterns identified in the draft LES highlighted the importance of preserving the rural landscape to physically separate the three villages of Picton, Tahmoor and Thirlmere which each have a distinct history and character. In particular the draft LES noted that ridgetops and elevated lands be protected from development and that these rural and bushland hilltops and elevated areas have high regional significance in the landscape. The majority of the site was nominated as “rural preservation” in the draft LES Growth Scenarios Map with some slopes in the south of the site exceeding 20% and recommended to be free of development.

The draft LES included recommendations to increase housing diversity for the changing demographics of smaller and older households.

This Planning Proposal is consistent with the relevant sections of the Draft LES in that the changes have the potential to facilitate future seniors housing development and ancillary services and activities integrated with the services and facilities provided by the existing hospital and care accommodation. The introduction of Zone E3 and Zone RE2 to the site is intended to protect both the environmental assets and the rural landscape setting. Future development in accordance with the new provisions has the potential to contribute to local housing diversity.

(ii) Draft Rural Lands Study

The draft Rural Lands Study (RLS) followed from the draft LES. The main objectives of the draft RLS were:

- to identify the degree to which rural lands within the PTT study area are constrained; and
- to determine future development capacity of any relatively unconstrained lands.

The draft RLS determined that Lot 33 DP 1022462 was part of an area labelled as Option Area 2 – Queen Victoria Hospital and Innes. The following is an extract from the draft RLS regarding Option Area 2.

“6.4 Option Area 2 – Queen Victoria Hospital and Innes

6.4.1 Suitability

This area is considered to be suitable for accommodating rural residential development as it is located adjacent to the existing township of Thirlmere, has suitable soils, and with the exception of a few areas contains predominantly low undulating terrain.

The Option Area is considered to be not suitable for agricultural activities because of the proximity to the existing town.... In addition the Option Area is located adjacent to “Future Urban Investigation Precincts” which means that in the future these areas could potentially service urban size lots (700-975m2).

This area is considered to be not suitable for accommodating urban growth because of growth limits imposed by the 20% slope and unstable soil structures, which surround the Option Area. Encouraging urban growth in this area would also be unsympathetic to the landscape and visual quality of the ridge in the Picton East/West region which has been identified as landscape and scenic quality significance. Future urban potential in this precinct would also be limited by the location of Matthews and Redbank Creek, which effectively bounds the Option Area to the north and south.

Another positive aspect of this Option Area is that it is predominantly comprised of land uses other than agricultural land uses (with the exception of two grazing properties and one dairy property*). Should this Option be pursued, the impact on existing agricultural land uses would be minimal.

* This dairy property has since ceased operations

6.4.2 Opportunities and Constraints

In light of the selection criteria and precinct analyses, the main opportunities and constraints posed by this option are summarised in the table below:

Opportunities and constraints of Option Area 2

Opportunities	Constraints
Directly adjoins the existing Thirlmere township ensuring that services and facilities are in close proximity	Parts of the Option Area are surrounded by Luddenham soils, which are affected by 20% slope, which is not suitable for residential land uses
Is mostly located within 'Blacktown' soil landscape group, which is suitable for residential use	Land is not connected to reticulated sewer or town water
There are no heritage items or heritage conservation areas within this precinct*	There are pockets of vegetation communities within the selected area
Not covered by any pockets or corridors of vegetation communities	Parts of the precinct are affected by bushfire prone land
Land is not within 100m of Matthews or Redbank Creek	Land is affected by mine subsidence
There are no known or recorded sites of Aboriginal heritage significance	The area is highly likely to be affected in the long-term by the proposed extension to Tahmoor Coal Mine (Longwalls No.27-30) and within a timeframe between 2008 and 2010"

* note that the Option Area includes only Lot 33 DP 1022462 which does not contain the Queen Victoria Memorial home and ancillary structures

Option Area 2 is shown in the Figure included in Attachment 5.

This Planning Proposal is consistent with the outcomes of the draft RLS in that the site has some limited potential for residential redevelopment but not to urban densities and scales due to the need to protect the landscape and scenic quality, the ridgelines, remnant vegetation and watercourses.

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

It is considered that the Planning Proposal is the best means of achieving the stipulated objective.

As explained in the Ordinary Meeting Agenda Item PE5 (Attachment 6), the site was formerly owned by Sydney South West Area Health Service (SSWAHS) and at that time Seniors Housing and Multi-dwelling housing were permissible on the site in accordance with the provisions of State Environmental Planning Policy Infrastructure (2007). SSWAHS sold the site in accordance with a tender process which included conditions that the future private landowner:

- retain the existing services
- retain as a minimum the existing staff to patient ratios
- expansion of the capacity to 100 beds within three years
- maintain the level of involvement of volunteers and local community involvement.

To comply with these conditions the current owner seeks to enhance the scale and variety of facilities, services and living opportunities available ancillary to the memorial home by developing an integrated seniors housing development within the site and ancillary services and activities.

The Infrastructure SEPP no longer applies and State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 does not apply to the site because the land does not adjoin land zoned for urban purposes.

Amending the provisions of WLEP 2011 as described throughout this Planning Proposal is the only and best means of achieving the objectives and intended outcomes described above.

Section B – Relationship to strategic planning framework

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

Metropolitan Plan for Sydney 2036

Attachment 7 contains a checklist of the relevant objectives listed in the Metropolitan Plan for Sydney 2036 (Metro Plan) and makes comment as to the ways in which this Planning Proposal may or may not contribute to the achievement of these objectives.

In summary and to the extent that can be determined at this stage, the Planning Proposal is consistent with some parts and not consistent with other parts of the Metro Plan.

The inconsistency is related to the fact that the proposal does not reinforce the city network structure nor contain the urban footprint and the use of established infrastructure.

The Proposal is consistent with the Metro Plan in that it does represent opportunities for contributing to the dwelling targets (in terms of numbers of dwellings and housing diversity) at Metropolitan and Subregional scales provided that specialist studies can demonstrate the future development of parts of the site for Seniors Housing can meet the criteria specified in the SEPP Seniors Housing as well as achieve compatibility with the special features of the site and its surroundings including flora, fauna, habitats, bush fire hazard management, heritage, rural setting and riparian areas. There are also opportunities for improved environmental outcomes such as the creation of additional land in Zone E2 Environmental Conservation and the application of biodiversity and riparian lands mapping layers.

Draft South West Subregional Strategy

Attachment 8 contains a checklist of the relevant goals of the Draft South West Subregional Strategy and makes comment as to the ways in which this Planning Proposal may or may not contribute to the attainment of these goals.

Similar to the Metro Plan above, the Proposal is consistent with the Draft Subregional Strategy in having potential to contribute to numbers and variety of new housing subject to specialist studies determining whether future development can comply with the requirements of the SEPP Seniors Housing. The checklist contained in Attachment 8 also highlights the need for further investigation into:

- infrastructure, services and facilities,
- siting and design requirements,
- opportunities for alternatives to private car travel and movement links within and beyond the site;
- opportunities to enhance and protect natural assets
- opportunities for private recreational space.

To determine whether the proposal is potentially consistent with the Draft Subregional Strategy and the Sustainability Criteria.

Assessment Criteria

Does the proposal have strategic merit?

Wollondilly Growth Management Strategy

Attachment 9 contains a checklist of the Key Policy directions and the Assessment Criteria in the Wollondilly Growth Management Strategy as they apply to the Planning Proposal.

In summary, the Planning Proposal is consistent in part with the GMS in having potential for contributing to the targets for numbers and variety of new dwellings provided that the site is determined as potentially compliant with the relevant provisions of SEPP Seniors Housing. Further investigation is also required to determine the potential design and siting criteria for any future development to ensure that this can be compatible with the features of the site that are required to be retained and protected including the heritage values, remnant vegetation and habitats, riparian areas, steep slopes and the rural landscape setting.

Relevant Section 117(2) Directions

Attachment 10 contains a checklist of the Directions in accordance with Section 117(2) to the *Environmental Planning and Assessment Act, 1979*. The Attachment also contains a discussion of the Directions which require detailed attention being:

- Direction 3.1 Residential Zones
- Direction 4.2 Mine Subsidence and Unstable Lands
- Direction 4.4 Planning for Bushfire Protection
- Direction 6.3 Site Specific Provisions

In accordance with Direction 6.3 Site Specific Provision Council requests the Director-General make a decision that the inconsistency (being a site-specific amendment not contained elsewhere in the existing WLEP 2011) is of minor significance.

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

Wollondilly Council's Community Strategic Plan

The planning proposal is consistent with Council's Community Strategic Plan. Wollondilly Local Environmental Plan 2011 as discussed in the Council Agenda Item PE5 included in Attachment 6.

Wollondilly Local Environmental Plan, 2011 (WLEP, 2011)

WLEP 2011 was published on 23 February, 2011. This Planning Proposal aims to amend the provisions of this Plan as described in Parts 1 and 2 above. The changes proposed in this Planning Proposal are intended to be unique to this site.

Wollondilly Growth Management Strategy

The Wollondilly Growth Management Strategy was adopted by Council on 21 February, 2011. The extent to which the Planning Proposal is potentially consistent with the objectives of the GMS is detailed in Attachment 9 and discussed above under 'Assessment Criteria'. This Planning Proposal has been initiated due to the change in the site ownership and obligations of the current owners in accordance with the tender. Therefore it is considered a unique, site specific change which could not have been anticipated in the GMS.

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

The planning proposal is consistent with applicable State Environmental Planning Policies to the extent that can be determined at this time (see Attachment 11).

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

Attachment 10 contains a checklist of the Directions in accordance with Section 117(2) to the *Environmental Planning and Assessment Act, 1979*. The Attachment also contains a discussion of the Directions which require detailed attention being:

- Direction 3.1 Residential Zones
- Direction 4.2 Mine Subsidence and Unstable Lands
- Direction 4.4 Planning for Bushfire Protection
- Direction 6.3 Site Specific Provisions

In accordance with Direction 6.3 Site Specific Provision Council requests the Director-General make a decision that the inconsistency (being a site-specific amendment not contained elsewhere in the existing WLEP 2011) is of minor significance.

Section C - Environmental, social and economic impact.

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?

A specialist study of flora, fauna and habitats is expected to be prepared should the Planning Proposal proceed. This study will further inform decisions on the retention and management of habitats within the site and the potential for compatibility with future Seniors Housing. Zone E3 Environmental Management has been indicated in Attachment 1 as applying to parts of the site which feature remnant native vegetation and potentially provide a connection between Redbank Creek to the south and Matthews Creek to the north.

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

Specialist studies will be required to further investigate the potential impacts and management requirements including but not limited to:

- Flora, fauna and habitats
- Geotechnical
- Contamination
- Surface and groundwater
- Bushfire hazard management
- Aboriginal places and items of significance
- European heritage
- Rural land uses, scenic quality and setting
- Transport and movement
- The special provisions for Seniors Housing as listed in the SEPP Seniors Housing
- Capacity of infrastructure, services and facilities

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

These matters will be further investigated in accordance with some of the specialist studies listed above.

Section D - State and Commonwealth interests.

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

Public infrastructure is currently available in the form of:

- public road network;
- potable water supply
- electricity
- telephone service.

There is also potential for contributions to, extension of and links with:

- share pathway network
- reticulated sewer services
- broadband
- biodiversity corridors.

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

A gateway determination has not yet been issued. No State agency has been consulted on the Planning Proposal to date with the exception of the Department of Planning and Infrastructure with respect to the most appropriate way in which to amend the LEP for this unique situation.

Part 4 – Mapping

Maps have been prepared in accordance with the Standard technical requirements for LEP maps and are included in Attachments 1 to 5 inclusive. Adjustments are expected to be made to these maps based on the outcomes of specialist studies should the Planning Proposal proceed and subject to any further instructions from the Gateway process.

Part 5 - Community Consultation

Public Exhibition

The Planning Proposal does not fall within the definition of ‘low impact’ Planning Proposals, and therefore it is recommended the proposal be subject to exhibition for a minimum of 28 days. The community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on the Wollondilly Shire Council website and adjoining and nearby landowners shall be notified by mail.

The written notice will:

- * Give a brief description of the objectives or intended outcomes of the Planning Proposal;
- * Indicate the land affected by the Planning Proposal;
- * State where and when the Planning Proposal can be inspected;

- * Give the contact details of Council for the receipt of submissions and for any enquiries; and
- * Indicate the last date for submissions to be received.

During the exhibition period, the following material will be made available for inspection:

- * The Planning Proposal, in the form approved for community consultation by the Director General of Planning;
- * The gateway determination; and
- * Any studies relied upon by the Planning Proposal.

Initial (non-statutory) notification of the Planning Proposal application was conducted by Council prior to the Council resolution of April, 2012 and the details of submissions received are discussed in Attachment 6.

Additional criteria under ‘A guide to preparing local environmental plans’

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.

The planning proposal does not include the extinguishment of any interests in the land.

The concurrence of the landowner, where the land is not owned by the relevant planning authority

The land is owned by RSL Lifecare who submitted the draft planning proposal to Council.

Part 6 – Project Timeline

Project detail	Timeframe	Timeline
Anticipated commencement date (date of Gateway determination)	6 weeks from submission to DP&I	Mid April 2013
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	6 week period after Gateway determination	End of May 2013
Anticipated timeframe for the completion of required technical information - after Specialist Study requirements determined	4 month period	September 2013
Commencement and completion dates for public exhibition period – after amending planning proposal if required, preparation of maps and special DCP provisions	3 month period	December 2013
Dates for public hearing (if required)	Not required	N/A
Timeframe for consideration of submissions	1 month	January 2014
Timeframe for the consideration of a proposal post exhibition including amendments and maps and report	2 months	March 2014

to Council		
Date of submission to the Department to finalise the LEP (including 6 week period for finalisation)	1 months	April 2014
Anticipated date RPA will make the plan if delegated	Not applicable	N/A
Anticipated date RPA will forward to the Department for notification	Not applicable	N/A

Based on the project timeline it is anticipated that a time frame of approximately 13 months would provide sufficient time to enable the completion of the specialist studies, public exhibition/community consultation and finalisation of the draft LEP amendment.

Attachments

Attachment 1 Land Zoning maps

Attachment 2 Height of Buildings Maps

Attachment 3 Lot Size Map

Attachment 4 Heritage Map

Attachment 5 Options Areas from the Draft Rural Lands Study

Attachment 6 Ordinary Meeting Agenda Item PE5 of 16 April, 2012 and Resolution No.73/2011

Attachment 7 Metropolitan Plan for Sydney 2036 Checklist

Attachment 8 Draft South West Subregional Strategy Checklist

Attachment 9 Wollondilly Growth Management Strategy Checklist

Attachment 10 Section 117(2) Directions Checklist

Attachment 11 State Environmental Planning Policies Checklist

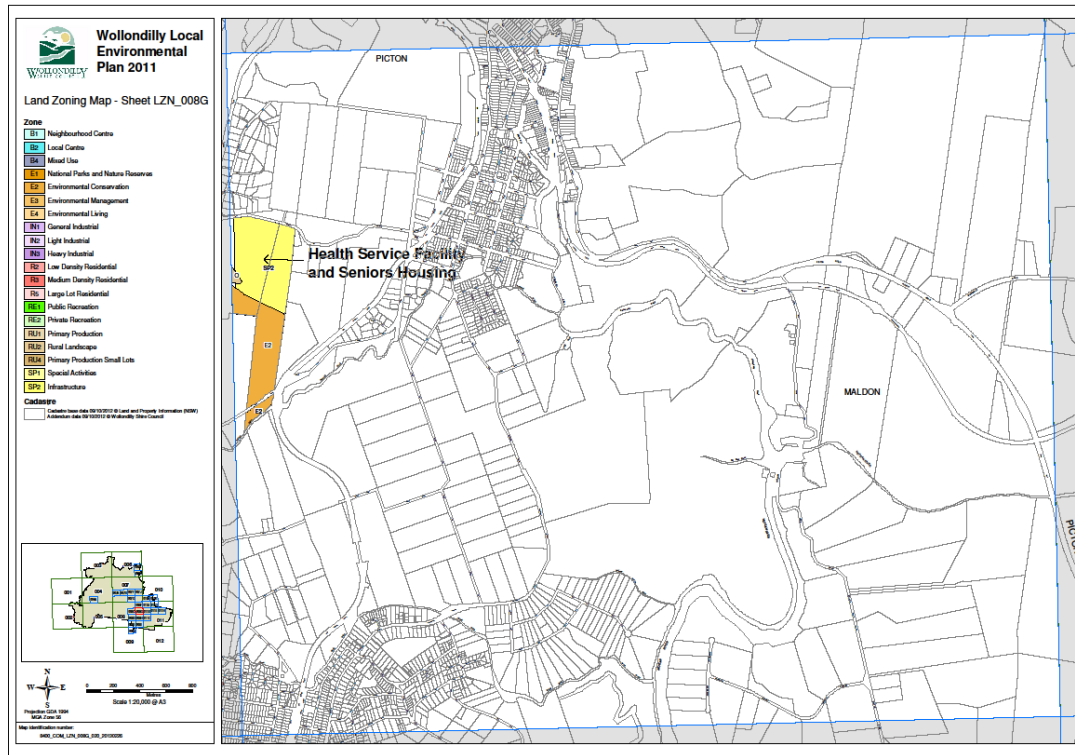
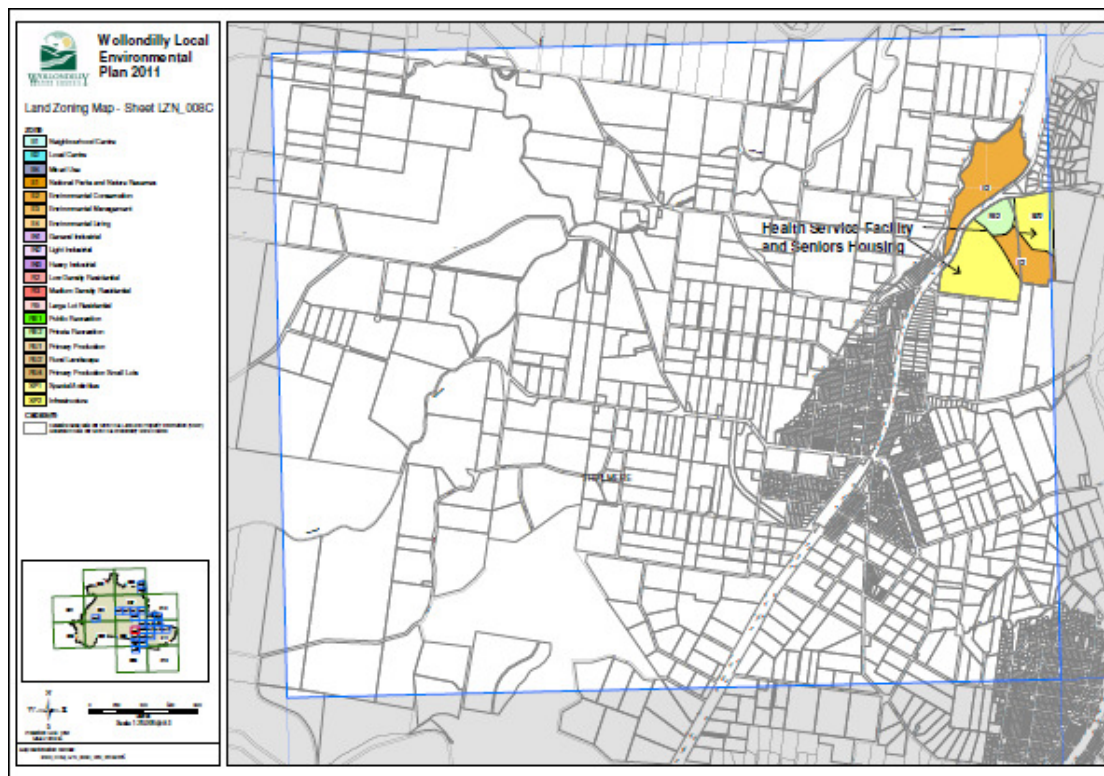
Attachment 1

Proposed Amendments to the Land Zoning Maps

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And

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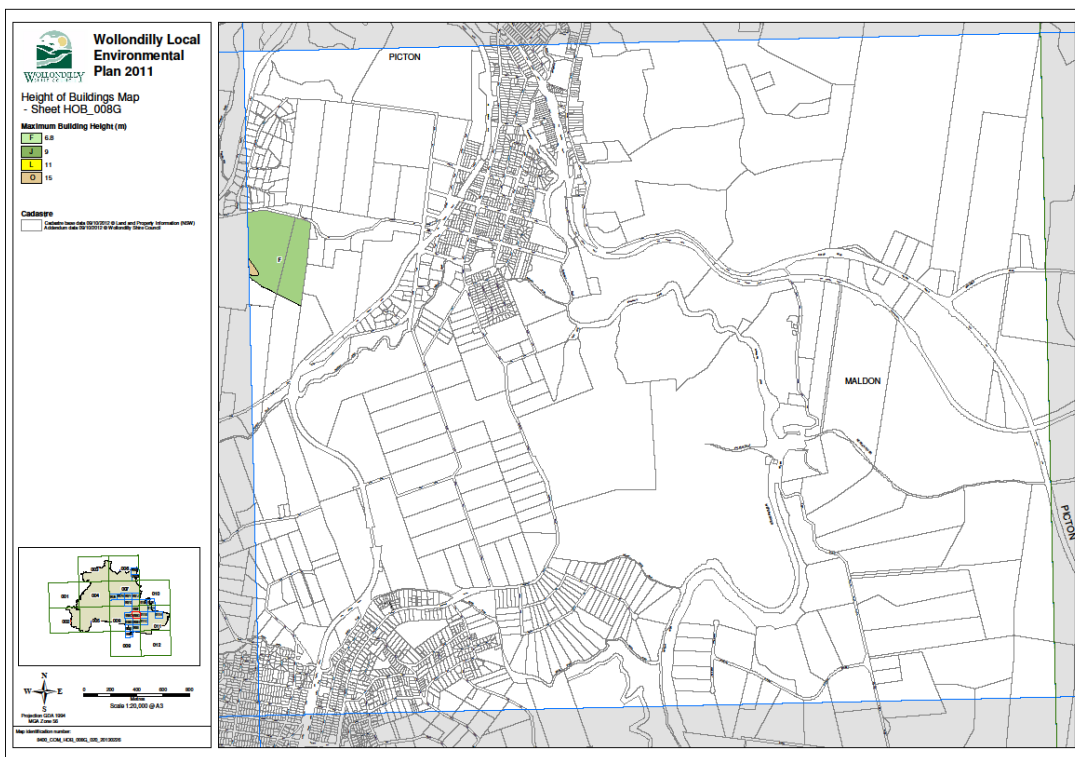
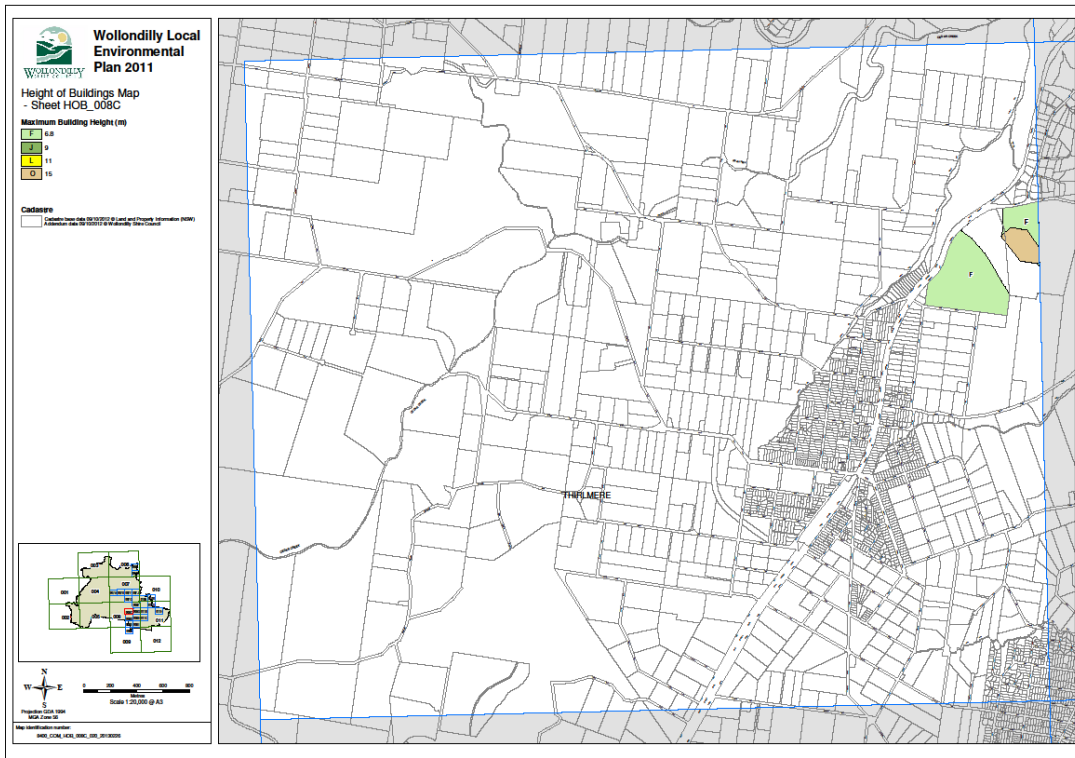
Attachment 2

Proposed Amendments to the Height of Buildings Maps

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Attachment 3

Proposed Amendments to the Lot Size Maps

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Attachment 4

Proposed Amendments to the Heritage Map

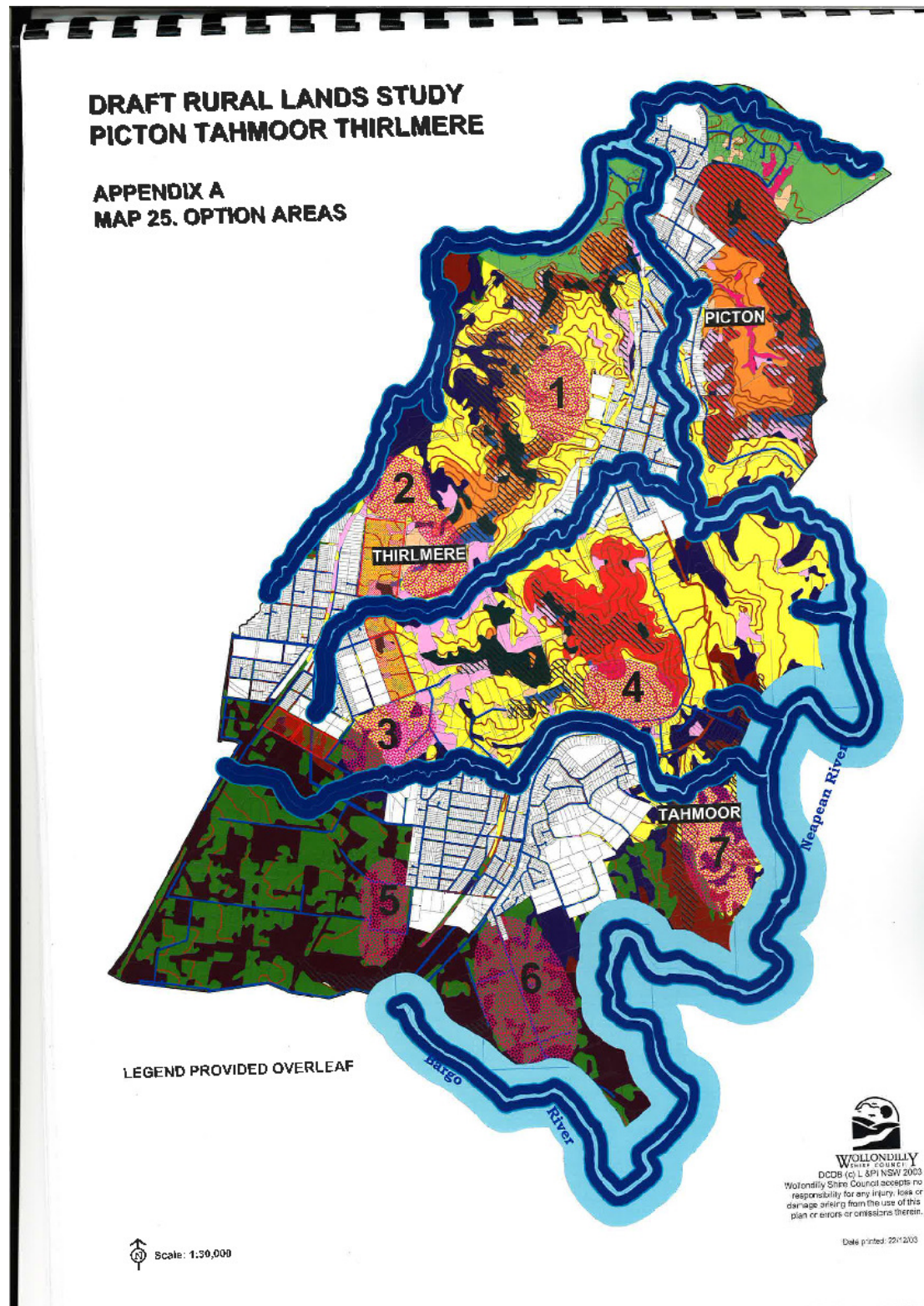
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Attachment 5

Extract from the Draft Rural Lands Study – the subject site is included in Option Area 2



Attachment 6

Copy of Ordinary Council Meeting Agenda Item PE5 of Monday 16 April, 2012 and Council Resolution No.73/2012

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held on Monday 16 April 2012

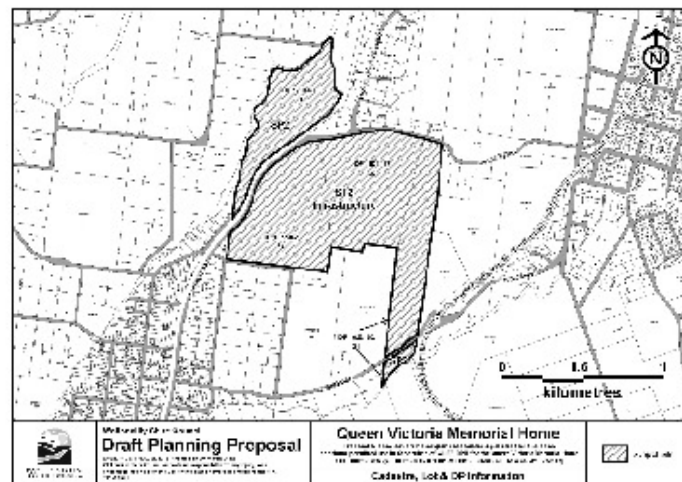
PE5

Draft Planning Proposal - Queen Victoria Memorial Hospital
5023SPER

TRIM 6399

REPORT

APPLICANT: RSL Lifecare
OWNER: RSL Lifecare



EXECUTIVE SUMMARY

This proposal is consistent with Council's ongoing support for the potential long term viability of the Queen Victoria Memorial Hospital.

Council has received an application for a Planning Proposal for the Queen Victoria Memorial Hospital site being Lot 1 DP 264150 and Lots 31, 32 and 33 DP 1022462, Thirlmere Way, Thirlmere. The intention of the application is to make Seniors Housing permitted with consent on the site.

A preliminary assessment of the proposal against the Growth Management Strategy indicates that:

- (i) the site is not identified to accommodate future urban growth; and
- (ii) constraints will need to be identified to achieve future development which is compatible with the significant heritage, landscape and natural features of the site and its setting.

Preliminary consultation with the Department of Planning and Infrastructure (DP&I) indicates that an amendment to Schedule 1 to WLEP, 2011 is not likely to be supported and alternative methods should be considered.

This report recommends:

- That Council support the preparation of a draft Planning Proposal for the Queen Victoria Memorial Hospital lands subject to constraints as to be identified through specialist studies and subject to any further recommendations from the Gateway process.
- That the draft Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination; and
- That the applicant and persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.

BACKGROUND

Site Description

The draft Planning Proposal applies to the land formerly owned by South West Sydney Area Health Service being Lot 1 DP 264150 and Lots 31 to 33 DP 1022462, Thirlmere Way, Thirlmere. The site is now owned by RSL Lifecare. The total site area is approximately 120 hectares.

Lot 1 DP 264150 is 24.4 hectares and is the northern-most lot and is separated from the remainder of the site by Thirlmere Way and the Picton Thirlmere tourist railway line. The majority of the site features native vegetation and Matthews Creek forms part of the western boundary.

Lot 31 DP 1022462 is 24.5 hectares and is located on the eastern side of the site. The lot has frontages to Thirlmere Way and Bridge Street with a small area of the lot located south of Bridge Street. The southern half of this lot features native vegetation. The northern half is cleared with watercourses and is used for horse agistment. There is a small patch of vegetation in the north east corner of the lot. The lot contains the archaeological remains of Harmony House, the original country retreat dwelling of Colonel John Hay Goodlet. Harmony House was built prior to the original private hospital on the site (which was constructed in 1877). These archaeological remains are not currently separately listed in the WLEP 2011.

Lot 32 DP 1022462 is 36.7 hectares and contains the Queen Victoria Memorial Hospital which is a heritage item of Local and State Significance. The lower areas of the site are cleared grassed paddocks. The elevated area south of the Hospital buildings has remnant native vegetation. Vehicular access to the site is via a sealed driveway from the roundabout in Thirlmere Way.

Lot 33 DP 1022462 is 35 hectares and is mostly cleared. There is a very large farm dam in the north east corner of the lot.

All four lots are zoned SP2 Health Services Facility.

Recent changes to land ownership and development potential

The current Zone SP2 permits health care facilities and hospitals with consent. The zoning does not permit Seniors Housing (including assisted care, self-care and independent living units). WLEP 2011 does not permit accommodation on the site unless that accommodation is provided for staff and / or for visitors of patients.

When the site was owned by South West Area Health Service, the Infrastructure SEPP did permit Seniors Housing and multi-dwelling housing where the development was conducted on behalf of a government authority. However, the ownership of the site was transferred from NSW Health to RSL Lifecare in May 2011 and the provisions of the Infrastructure SEPP no longer apply.

The Seniors Housing SEPP does not apply. Zone SP2 is not considered to be "urban" in character and the site does not adjoin land used or zoned for urban purposes.

Application for Draft Planning Proposal

An application for the Planning Proposal was received by Council on 4 October, 2011. The applicant requested Council consider making an amendment to the Wollondilly Local Environmental Plan, 2011 (WLEP, 2011) by adding several land uses including Seniors Housing to Schedule 1 Additional permitted uses.

Initial Assessment and Notification

Additional information was requested from the applicant by Council in November, 2011 and the applicant responded to this request on 25 January, 2012. The application has been subject to initial notification. Letters were sent to adjoining and potentially affected landowners as well as residents and their carers of the Queen Victoria Memorial Hospital and to the Queen Victoria Support Committee Trust and a potential adjoining landowner Xstrata Colliery.

CONSULTATION

Department of Planning and Infrastructure

Although there is no statutory requirement for consultation at this stage, advice was sought from the Department of Planning and Infrastructure (DP&I) as to the likelihood of support for further amendments to Schedule 1 to WLEP 2011. The response indicated further amendments to Schedule 1 are to be discouraged.

Advice from Specialist Staff of Wollondilly Shire Council

Asset Manager, Design Engineer and Development Engineer

A Traffic and Transport Study is required. The study should include consideration of the following:

- the majority of future traffic movements are to be directed via the existing driveway to the roundabout in Thirlmere Way. This may require upgrading of the roundabout capacity and its approaches.

- a secondary vehicle access to be provided for emergency situations and / or service vehicles
- a shared pathway route along Bridge Street to Remembrance Driveway and the Picton share pathway network and / or a shared pathway along Thirlmere Way to Thirlmere village (both are expected to require significant roadside earthworks and vegetation management).

A Surface and Groundwater Management Plan is required which incorporates Water Sensitive Urban Design Principles and identifies recommended riparian buffers based on the Strahler System and aquatic ecosystem health assessment. The overland flow from the site is currently directed to a piped drainage system beneath the road surface of Thirlmere Way. The capacity of the downstream system must be assessed to demonstrate integration and identify works required for upgrading if necessary.

Development Services Manager

Specialist studies are required to provide information about the potential for seniors housing on the site to give a sufficient level of assurance that specific issues shall not be fatal to the future assessment of a Development Application for Seniors Housing. Specialist studies are considered necessary for:

- flora and fauna
- stormwater and wastewater management and disposal
- slope analysis (to determine land suitable for construction, potential on-site wastewater management and independent mobility of residents within the site)
- heritage impact assessment
- visual impact assessment
- buffer distances for existing and potential land uses of neighbouring and nearby land
- capacity and availability of services and facilities required to support seniors
- infrastructure availability and timing
- financial assurances and arrangements for infrastructure provision.

Heritage Advisor

A heritage impact statement is required and shall include information on:

- structures to be retained and improved
- structures which do not contribute to heritage significance which could be removed (subject to salvage of historical context and an archival photographic record)

It is recommended that:

- the rural setting is very significant to the heritage value of the site as it reflects the use of the site for isolating Tuberculosis patients in 'clean, cold country air'
- the archaeological remains of Goodlet residence "Harmony" be preserved, improved and identified on site by incorporating them into a walking track and a fenced interpretive garden

WOLLONDILLY SHIRE COUNCIL

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- vegetated elevated areas within the site have scenic and environmental value and are to be retained and protected

Advice for future development includes:

- independent living units could be located in proximity to the existing dam and linked to continued agricultural uses within the site such as hobby scale livestock keeping, market gardening and the like on common property and / or communal lots and / or private plots
- independent living units to be single storey with pitched roofs
- low care units could be located on the flatter land on Lots 31 and 32 closer to Thirlmere Way as single storey pavilions with pitched roofs and connecting courtyards
- high care accommodation could be conducted in the original portions of the early hospital and on terraced areas surrounding the heritage buildings as residents are not mobile. New buildings to be single storey with views available from every room and linked to the original hospital building

Historical notes have been provided to the applicant for assistance in the preparation of a Heritage Impact Assessment.

Community Consultation

In accordance with Council's notification policy, initial community consultation has been undertaken. The draft Planning Proposal was displayed on Council's website in December 2011 to January 2012 and letters were sent to:

- adjoining and potentially affected landowners;
- residents of the Queen Victoria Memorial Home and their families / carers
- the Queen Victoria Support Committee Inc ;
- a future adjoining landowner (Xstrata Tahmoor Colliery).

The closing date for submissions:

- from landowners was 31 January, 2012;
- from residents and their families / carers was 14 February, 2012;
- from the Support Committee 9th March, 2012;
- from Xstrata Tahmoor Colliery was 15 February, 2012 (as Council was advised of the potential purchase of adjoining land by Xstrata on 9 February, 2012).

A summary of the submissions received are outlined in the table below.

WOLLONDILLY SHIRE COUNCIL

Report of Wollondilly Shire and its Planning and Economy to the Ordinary Meeting of Council held on Monday 16 April 2012

Summary table of submissions received from draft Planning Proposal notification letters

Submission Number	TRIM Record Reference	Issues raised in submission
1	6399#70	- Support for three tiers of aged care within the site and continuation of aged accommodation - Support for potential short and long term employment generation - Suggest retain remnant native vegetation - Concern for potential impacts of possible nearby mine vent shaft
2	6399#50	Objection (no specific issues)
3	6399#49	Request for additional information such as a concept plan
4	6399#48	Request for additional information
5	6399#89	Support the proposal

Consultation with Government Departments

If endorsed by Council as recommended by this report, the proposal shall be forwarded to the Gateway process coordinated by the DP&I. Consultation is recommended with:

- the Department of Planning & Infrastructure (DP&I),
- the Office of Environment & Heritage (OEH);
- Heritage Council of NSW
- Mine Subsidence Board (MSB)
- Department of Primary Industries (Agriculture NSW)
- NSW Office of Water
- Endeavour Energy
- Sydney Water
- Rural Fire Service NSW (RFS).

Further community engagement

If this draft planning proposal progresses, further community engagement opportunities will occur as part of the preparation and exhibition of a draft local environmental plan. An engagement strategy will be developed to include the following stakeholders:

- RSL Lifecare and their consultants;
- owners and residents of land adjoining and in close proximity to the site;
- residents of the Queen Victoria Memorial Hospital and their families and carers;
- the Queen Victoria Support Committee Inc.

Council Workshop

RSL Lifecare made a presentation to Councillors, Executive staff and members of the Queen Victoria Support Committee Inc on the evening of Monday 27 February, 2012.

RELEVANCE TO COMMUNITY STRATEGIC PLAN OUTCOMES

All draft planning proposals are assessed against the key themes and directions of Council's Community Strategic Plan. It is considered that this proposal in principle is capable of delivering outcomes consistent with the CSP, particularly the following:

Environment

- * A community that is surrounded by a built and natural environment that is valued and preserved*
- * A community that has opportunities to engage with and actively care about their natural environment*

Specialist studies are recommended to determine the constraints to be imposed on any future development of the site required in order to protect and enhance the buildings and natural features of the site of:

- ecological significance
- surface and groundwater significance
- Aboriginal significance
- European heritage significance
- Significance of and to the rural landscape character.

Economy

- * A community that has access to employment and is supported through strong and diverse economic activity*
- * A community that is supported through appropriate, sustainable land use*

There is potential for the future development of the site to create short term construction-related employment and longer term employment through support and professional services. However, at the Planning Proposal stage it is essential to determine whether the site meets the fundamental requirements for Seniors Housing.

Infrastructure

- * A community that has access to a range of viable transport options*
- * Communities that are supported by safe, maintained and effective infrastructure*

The availability and capacity of suitable infrastructure must be investigated with the Planning Proposal.

Community

- * A resilient community that has access to a range of activities, services and facilities*
- * An engaged, connected and supported community that values and celebrates diversity*

Accessibility and engagement are essential factors in determining future quality of life for potential residents of Seniors Housing and an investigation of the social impacts for seniors housing is recommended as part of the Planning Proposal.

Governance

** A community that is supported through engagement, collaboration and partnerships across government agencies and private business*

** A transparent, effective and sustainable Council*

A community engagement strategy is proposed for the Planning Proposal and details are included in the section of this report subheaded 'Engagement and Consultation'.

POLICIES & LEGISLATION

Application

The application requests amendment to Schedule 1 Additional Permitted Uses in Wollondilly Local Environmental Plan, 2011 (WLEP, 2011) to allow *Seniors housing* as 'permitted with consent' on the subject site.

Council's Options/Role

The application has been reviewed and information from the initial notification and consultation process considered. The intent of the application would be better pursued by seeking to amend WLEP 2011 by:

- changing the title of the zone from Zone SP2 Health Services Facility to Zone SP2 Health Services Facility and Seniors Housing;
- introducing either Zone E3 Environmental Management Zone and / or including land in the Natural Resources – Biodiversity and Natural Resources – Water maps for those parts of the site found to have biodiversity and conservation values;
- changing the Height of Buildings Map to reflect height limitations compatible with the heritage and landscape / scenic values of the site;
- change the Lot Size Map to reflect future development intent and land use constraints;
- including the heritage item Harmony House in Schedule 5 Environmental Heritage.

All changes are subject to information to be gained from specialist studies.

The applicant has advised Council as follows:

"The purpose of the Planning Proposal is to provide RSL Lifecare with certainty for uses on the site that would allow RSL Lifecare to provide a continuum of care and ageing-in-place for current and future residents. ...RSL Lifecare is happy to work with both the Council and Department of Planning and Infrastructure to achieve this mutually desired outcome"

Should Council resolve to support the abovementioned amendments to WLEP 2011, a Planning Proposal will be prepared in accordance with section 55 to the *Environmental Planning and Assessment Act 1979* and relevant Department of Planning & Infrastructure guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. The Planning Proposal would then be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.

In deciding whether to prepare and forward the Planning Proposal on to a Gateway Determination, Council is effectively endorsing the Planning Proposal as *Council's Planning Proposal* - no longer the applicant's Planning Proposal. Despite the Planning Proposal becoming Council's at that point, the costs of any required studies are to be borne by the applicant.

Council's options are:

1. Resolve to support the application and draft Planning Proposal as submitted by the applicant. This option means that the draft Planning Proposal from then on becomes *Council's Planning Proposal*. Council then sends it to the Minister for a Gateway Determination. Unresolved matters are assumed to be capable of resolution through future studies as determined by the Gateway process. This option is not recommended as Council has received advice from the DP&I that amendment to Schedule 1 is unlikely to be supported. This option also reduces Council's input to the Gateway process.
2. Resolve that a Planning Proposal is to be prepared by Council and forwarded to the Minister for a Gateway Determination. This is the recommended option as it allows Council to tailor the proposal in accordance with information received in consultations and to provide constructive input to the Gateway process. A site-specific Development Control Plan may be prepared for the future development of the site should specialist studies support the potential for Seniors Housing as permissible subject to consent. The Minister can be advised of the possibility for a Development Control Plan (DCP) at the Gateway process. This recommendation is also consistent with the applicant's advice quoted above.
3. Resolve not to support the application and which case the applicant could choose to revise/amend their proposal and submit a new application. (Note that there are no appeal rights through the Land and Environment Court against Council's refusal to support a Planning Proposal). This option is not recommended.

Gateway Determination

When a Planning Proposal has been endorsed by Council, it is then forwarded to the Minister for Planning & Infrastructure for a Gateway Determination. The Gateway Determination is a checkpoint for Planning Proposals before significant resources are committed to carrying out technical studies and investigations. It enables Planning Proposals that are not credible or well founded or not in the public interest (in the opinion of the departments and agencies represented in the Gateway process) to be stopped early in the process before resources are committed to detailed studies and investigations, and before government agencies are asked to commit their own resources to carrying out more detailed assessments when the outcomes are likely to be negative for the proposal.

At the Gateway Determination, the Minister will decide:

- Whether the proposal is justified on planning grounds;
- Whether the Planning Proposal should proceed (with or without variation);
- Whether the Planning Proposal should be resubmitted for any reason (including for further studies or other information, or for the revision of the Planning Proposal);
- The community consultation required;
- Any consultation required with State or Commonwealth agencies;
- Whether a public hearing by the Panel Assessment Commission or her specified person or body is required;
- The timeframes for the various stages of the procedure to make the draft amendment;
- Whether the function of making the LEP is to be exercised by the Minister for Planning & Infrastructure or delegated to Council.

It is recommended that Council make constructive and pro-active comment regarding the abovementioned points direct to the Minister when forwarding the proposal to the Gateway in order to contribute to the Gateway process.

Recommended specialist studies

The applicant has advised Council that they have not yet invested "*time, money and stakeholder liaison*" in preparing a development Concept Plan for the site at this time. Specialist studies are considered necessary to ensure that there are no matters related to the future development and use of the site for Seniors Housing which would be fatal to the assessment of a development application for that purpose. It would be inappropriate and irresponsible of Council to pursue a Planning Proposal for Seniors Housing if there are matters which can not be fundamentally overcome or managed in some way to ensure that Seniors Housing is compatible with the site, its setting, surrounding development and the locality.

The following specialist studies are recommended to investigate the feasibility of the proposed changes to WLEP 2011:

- Flora, Fauna and Habitat Assessment
- Visual landscape assessment with the objectives of:
- maintaining the heritage curtilages, context and setting,

- maintaining rural landscape character and
- maintaining the ridgelines, elevated land and native vegetation for their scenic value and their contribution to the setting of the heritage items
- Heritage Impact Statement including recommendations for:
 - integration with the Visual landscape assessment,
 - height of buildings, building footprints, envelopes
 - nomination of buildings to be retained and improved
 - nomination of buildings to be demolished (including archival photographic and historical records prior to demolition),
 - design themes for all new development and other site works such as landscaping, paths and roadways, signage and interpretive materials
- Bush Fire Hazard Management
- Agricultural viability assessment to determine the feasibility and practical requirements for continuation of small- scale, 'hobby-farm' type agricultural practices within the site in conjunction with future development and land uses
- Traffic and Transport including:
 - internal roads, parking and pathways to provide a network which is safe for pedestrians, vehicles, visitors, service vehicles, group transport, cyclists and motorised scooters,
 - directing the majority of traffic to the existing roundabout and any upgrade to the capacity of the roundabout in Thirlmere Way,
 - a secondary access / egress point for emergencies,
 - shared pathway route beyond the site and with potential for links to the broader network to either Thirlmere village or Picton
- Surface and groundwater management plan including assessment of aquatic ecosystems and revision of the riparian buffer distances (assessment consistent with the Growth Centres Development Code)
- Contamination assessment
- Slope Analysis to determine suitability of the land for building, on-site wastewater management and protection of steeper slopes and remnant vegetation from development and to determine suitable paths of movement for seniors and people with a disability
- Capacity of available services and facilities for seniors living
- Capacity of utilities
- Financial assurance strategy for the timely provision of services, facilities and utilities with future development

The Gateway process may identify additional studies and more detailed requirements for the studies listed above. It is recommended Council take a pro-active approach in the process and inform the Minister of the likely need for the abovementioned studies.

The applicant submitted Development Application 010.2012.00000065 on 13 February, 2012 for Alterations and Additions to the Existing Residential Care Facility. The estimated project cost is \$9.5 million and the Development Application is supported by specialist studies including:

- visual impact study
- civil works report
- traffic report
- accessibility report
- heritage impact assessment and statement of heritage significance
- bush fire protection assessment
- ecology report
- sewerage disposal strategy
- preliminary environmental site assessment.

The applicant can build on these existing studies in most cases to provide specialist studies to support the Planning Proposal.

Engagement and Consultation

Under the new Planning Proposal process, Council (as the relevant planning authority) is required to provide details of the recommended methods for community engagement.

This report recommends the consultation process involve:

- specialist studies to adequately inform the decision-making authorities and the community of the potential suitability (or otherwise) of the site for future development for Seniors Housing; and
- the Planning Proposal and supporting studies being placed on public exhibition along with a draft amendment to WLEP 2011 and draft amended Maps. The public exhibition period being 28 days;
- the documents being available for inspection by the public at Council's Administration Building (hard copies) and electronically via Council's website;
- Consultation with the following departments and agencies is recommended:
 - the Department of Planning & Infrastructure (DP&I),
 - the Office of Environment & Heritage (OEH);
 - Heritage Council of NSW
 - Mine Subsidence Board (MSB)
 - Department of Primary Industries (Agriculture NSW)
 - NSW Office of Water
 - Endeavour Energy
 - Sydney Water Corporation
 - Rural Fire Service NSW (RFS).

Post-Consultation

A Council resolution will be sought, based on the information in supporting studies and feed back from the consultation process, as to whether to request the Minister to publish amendments to WLEP, 2011.

If the request is made, the amendment is prepared by Parliamentary Counsel and maps are prepared by the DPI&I. The LEP takes effect when it is published on the NSW legislation website.

The ultimate development of the land would then require further approvals through detailed Development Applications.

Wollondilly Local Environmental Plan 2011

The site is currently within Zone SP2 Health Services Facility under WLEP 2011. There is no minimum lot size for the site. The Height of Building limit is a maximum of 9 metres (although some of the existing buildings exceed this height).

It is proposed to make amendments to WLEP 2011 in the following manner:

- change the title of the zone from Zone SP2 Health Services Facility to Zone SP2 Health Services Facility and Seniors Housing;
- introduce Zone E3 Environmental Management Zone and / or including land in the Natural Resources – Biodiversity and Natural Resources – Water maps for parts of the site found to have biodiversity and conservation values;
- change the Height of Buildings Map to reflect height limitations compatible with the heritage and landscape / scenic values of the site;
- change the Lot Size Map to reflect future development intent and land use constraints;
- include the heritage item Harmony House in Schedule 5 Environmental Heritage.

All changes are subject to information to be gained from specialist studies.

Development Control Plan (DCP)

Should specialist studies indicate the site is potentially suited for Seniors Housing, a site-specific Development Control Plan (DCP) be prepared for the site. The DCP can include objectives and controls for future development that will be compatible with the features of the site. A DCP can include a range of design and built form controls, including (but not limited to):

- Building envelopes
- Building setbacks and buffers
- Protection and management of vegetation, habitats, riparian areas, heritage items and their settings, landscape and scenic quality,
- Landscaping
- Integration of transport and movement paths
- Public domain treatments
- Bushfire asset protection zones
- Surface and groundwater management
- Wastewater management

The range of provisions in the DCP would be informed by specialist studies undertaken to support the Planning Proposal. A draft DCP would be reported to Council when it is prepared.

WOLLONDILLY SHIRE COUNCIL

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RELEVANT CONSIDERATIONS

Wollondilly Growth Management Strategy (GMS)

Planning Proposals are required to be assessed against the GMS to determine whether they should or should not proceed.

The GMS sets directions for accommodating growth in the Shire for the next 25 years. The GMS contains Key Policy Directions which form the overarching growth strategy for Wollondilly. The site is not specifically identified in the GMS for accommodating future urban growth nor targeted for other changes. However, the Planning Proposal does not intend to provide land for future urban growth but instead is a specialised form of growth providing for three tiers of aged care ancillary to the existing health facility and so the proposal is not inconsistent with the GMS.

The following table sets out the relevant Key Policy Directions within the GMS along with comments relating to the draft proposal:

Key Policy Direction	Comment
General Policies	
<i>P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council.</i>	The proposal, as noted throughout this table, satisfies this Key Policy Directions to the extent that can be determined at this time.
<i>P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)</i>	For those elements which can be determined at this time, the Planning Proposal has the potential to be reasonably consistent with the elements of 'rural living'.
<i>P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.</i>	Initial notification indicates one (1) objection with no specific issues raised. Further engagement is required based on information to be determined from specialist studies.
<i>P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals.</i>	The Planning Proposal has been triggered by a change in the ownership of the site (noting that Seniors Housing would have been permissible with consent if conducted by or on behalf of the previous owners South West Sydney Area Health Service). The sale to a private entity was conditional on the continued operation and expansion of the hospital facility. The future development and use of the site for a continuum of aged care residential and health services is part of the overall strategy of RSL Lifecare as an aged care provider.

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Key Policy Direction	Comment
	The financial circumstances of RSL Lifecare are relevant to the future development and use of the site. However, these financial circumstances are to be separated from a merit assessment of the potential suitability (or otherwise) of the site for aged care accommodation and related health services facilities. The merit assessment is the same regardless of whether the site is publicly or privately owned.
<i>P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).</i>	The proposal is not typical "growth" as anticipated and guided by the GMS. The capacity and suitability of the site to accommodate Seniors Housing will need to be investigated by specialist studies as identified in this report and as may be further prescribed by the Gateway process..
Housing Policies	
<i>P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast.</i>	The GMS identifies the need for a diversity of housing types including appropriate housing to accommodate an increasing number of seniors households. The proposal has the potential to meet this demand.
<i>P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types.</i>	As above. Provided specialist studies support future development of the site, a site specific DCP is expected to further refine the potential for housing diversity within the site..
<i>P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the "rural fringe").</i>	As above
<i>P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages.</i>	The site does not adjoin an existing town or village and the capacity of the site to accommodate growth will be investigated by specialist studies.

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Key Policy Direction	Comment
Macarthur South Policies	
<i>Key Policy Directions P11, P12, P13 and P14 are not applicable to this Planning Proposal. The subject land is not with the Macarthur South area</i>	Not applicable
Employment Policies	
<i>P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes</i>	Subject to studies determining that future development can be accommodated, the proposal has the potential to create short-term employment opportunities through the construction jobs. Longer term employment in services and health related professions are possible. The scale of impacts resulting can not be determined until the capacity of the site for future development has been determined.
<i>P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas.</i>	The proposal does not include Employment Lands.
Integrating Growth and Infrastructure	
<i>P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community.</i>	The capacity and practicality of infrastructure and services is to be investigated with specialist studies.
<i>P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres.</i>	As above

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Key Policy Direction	Comment
<i>P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres.</i>	The site is not within nor adjacent to existing population centres. However, it is in close proximity to the current major development locality of the Shire (being the Picton, Tahmoor, Thirlmere locality)
<i>P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns.</i>	The proposal is potentially consistent.
Rural and Resource Lands	
<i>P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes.</i>	Specialist studies are required to determine the significance and management requirements for the natural assets of the site.
<i>P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas.</i>	Key Policy Direction P22 is not applicable to the draft proposal.

Planning & Economy

FINANCIAL IMPLICATIONS

As noted previously in this report, the draft Planning Proposal is deemed to be Council's Planning Proposal once endorsed by Council and forwarded to the Minister. Despite the Planning Proposal becoming Council's at that point, the costs of any required studies are to be borne by the applicant. The cost of preparing a draft Planning Proposal, forwarding to the Gateway and community engagement are covered by the application fee which has been paid.

As the Planning Proposal proceeds, further investigations into contributions towards infrastructure provision through planning agreements or section 94 contributions will need to occur.



CONCLUSION

The draft proposal is consistent with the relevant principles of Council's Growth Management Strategy to the extent that can be determined at this stage. The potential suitability (or otherwise) of the site for Seniors Housing must be investigated with specialist studies to ensure that there are no matters likely to preclude the assessment of a development application for Seniors Housing.

It is therefore recommended that a Planning Proposal be prepared by Council in accordance with the details throughout this report and that the Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.

ATTACHMENTS

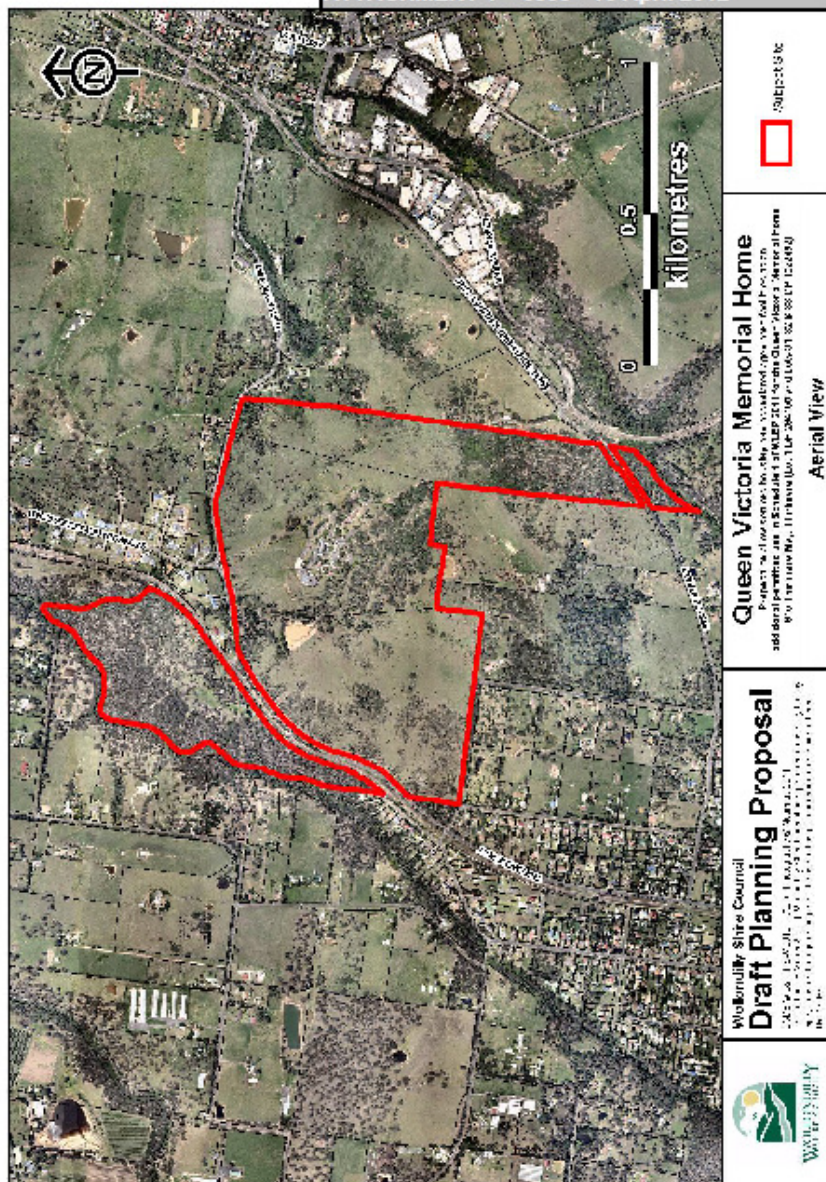
1. Aerial photo of subject site

RECOMMENDATION

1. That Council prepare a draft Planning Proposal for the Queen Victoria Memorial Hospital site being Lot 1 DP 264150 and Lots 31, 32 and 33 DP 1022462, Thirlmere Way, Thirlmere.
2. That the draft Planning Proposal seeks to amend Wollondilly Local Environmental Plan, 2011 as follows:
 - change the title of the zone from Zone SP2 Health Services Facility to Zone SP2 Health Services Facility and Seniors Housing
 - introduce Zone E3 Environmental Management Zone and / or including land in the Natural Resources – Biodiversity and Natural Resources – Water maps for parts of the site found to have biodiversity and conservation values
 - change the Height of Buildings Map to reflect height limitations compatible with the heritage and landscape / scenic values of the site
 - change the Lot Size Map to reflect future development intent and land use constraints
 - include the heritage item Harmony House in Schedule 5 Environmental Heritage.

All changes are subject to information to be gained from specialist studies.

3. That the draft Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.
4. That the applicant and persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.



WOLLONDILLY SHIRE COUNCIL

Minutes of the Ordinary Meeting of Wollondilly Shire Council held in the Council Chamber,
62-64 Menangle Street, Picton, on Monday 16 April 2012, commencing at 6.30pm

Wollondilly Shire and Its Planning and Economy

PE5 Draft Planning Proposal - Queen Victoria Memorial Hospital TRIM 6399
5023SPER

73/2012 Resolved on the motion of Crs M Banasik and Khan:

1. That Council prepare a draft Planning Proposal for the Queen Victoria Memorial Hospital site being Lot 1 DP 264150 and Lots 31, 32 and 33 DP 1022462, Thirlmere Way, Thirlmere.
2. That the draft Planning Proposal seeks to amend Wollondilly Local Environmental Plan, 2011 as follows:
 - change the title of the zone from Zone SP2 Health Services Facility to Zone SP2 Health Services Facility and Seniors Housing
 - introduce Zone E3 Environmental Management Zone and / or including land in the Natural Resources – Biodiversity and Natural Resources – Water maps for parts of the site found to have biodiversity and conservation values
 - change the Height of Buildings Map to reflect height limitations compatible with the heritage and landscape / scenic values of the site
 - change the Lot Size Map to reflect future development intent and land use constraints
 - include the heritage item Harmony House in Schedule 5 Environmental Heritage.

All changes are subject to information to be gained from specialist studies.

3. That the draft Planning Proposal be forwarded to the Minister for Planning & Infrastructure for a Gateway Determination.
4. That the applicant and persons who made submissions regarding the draft Planning Proposal be notified of Council's decision.

On being put to the meeting the motion was declared CARRIED.

Vote: Crs M Banasik, Vernon, Khan, B Banasik, Landow, Hannan and Mitchell

Planning and
Economy



Attachment 7

Checklist of Relevant Objectives in the Metropolitan Plan for Sydney 2036

Objective Reference No.	Objective	Comment relative to the Planning Proposal for Queen Victoria Memorial Hospital	Consistent?
A	<i>Strengthening the City of Cities</i>		
A2	To achieve a compact, connected, multi-centred and increasingly networked city structure	This Planning Proposal does not contribute to this objective	Not consistent
A2.1	Consider City of Cities structure	This Planning Proposal does not contribute to the city structure and network	Not consistent
A3	To contain the urban footprint and achieve a balance between Greenfields growth and renewal in existing urban areas	This Planning Proposal will potentially facilitate development on a Greenfield site. That development is expected to be ancillary to, and compatible with, the continued use of the site for a health services facility and the retention and protection of heritage items and relics. It is therefore not typical urban 'expansion'	Insufficient information to determine
A8	Plan and coordinate delivery of infrastructure to meet metropolitan housing and employment growth targets	Infrastructure will be necessary for the future intensification of development. Agencies shall be consulted to determine infrastructure availability should the Planning Proposal proceed.	To be investigated
B	<i>Growing and Renewing Centres</i>		
B1	Focus activity in accessible centres	The Planning Proposal is not consistent with this objective	Not consistent
B1.3	Aim to locate 80% of all new housing within walking catchments of existing and proposed centres of all sizes with good public transport	The Planning Proposal is not consistent with this objective	Not consistent
B2	To strengthen major and specialised centres to support sustainable growth of the city	The Planning Proposal is not consistent with this objective	Not consistent

C	<i>Transport for a Connected City</i>		
C2	To build on Sydney's strengths by further integrating transport and land use planning and decision-making to support increased public transport mode share	The provision of alternative transport is essential if this site is to meet the criteria for Seniors Housing. The existing and potential provisions will need to be investigated as this Planning Proposal progresses. A specialist Traffic and Transport Study shall be required which is specific to the site and the potential provision of seniors housing	To be investigated
D	<i>Housing Sydney's Population</i>		
D1	To ensure an adequate supply of land and sites for residential development	The Planning Proposal intends to determine whether there are areas within the site suitable for future seniors housing development	To be investigated
D1.1	Locate at least 70 percent of new housing within existing urban areas and up to 30 percent of new housing in new release areas	The Planning Proposal has the potential to create new housing on a Greenfield site. The future development would be a minor contribution to the target	Consistent
D1.2	Reflect new subregional housing targets in Subregional Strategies and Local Environmental Plans and monitor their achievement	Monitoring of targets has not yet been established at subregional and LEP level. This Planning Proposal does not prevent this monitoring from being commenced and maintained.	Insufficient information to determine
D2	To produce housing that suits our expected future needs	Demographic forecasts indicate an increase in the percentage of the population over 55 and increased demand for smaller dwellings. Making Seniors Housing permissible on parts of the site while protecting and maintaining natural and heritage assets is consistent with expected future housing needs	Consistent
D3	To improve housing affordability	The Planning Proposal has the potential to add to the supply of housing specialising in catering for the needs of seniors and people with a disability. This has the potential to add to the competition for housing in this market sector and reduce price pressure (but is not certain to reduce housing affordability).	Consistent

D4	Improve the quality of new housing development and urban renewal	It is expected that heritage assessments for the site can make recommendation for site-specific design guidelines for the remainder of the site. It is relevant to note that the design requirements of SEPP Seniors Housing and Housing for People with a Disability will override the provisions of any design guidelines in a Development Control Plan	Consistent
E1	To ensure adequate land supply for economic activity, investment and jobs in the right locations	Permitting seniors housing within parts of the site has the potential for the creation of short term construction employment and long term employment for on-site staff and ancillary support services in the local community	Consistent
E2	To focus Sydney's economic growth and renewal, employment and education in centres	This Planning Proposal will not prevent the achievement of this objective	Consistent
E4	To provide for a broad range of local employment types in dispersed locations	As mentioned above, there is potential for short term construction employment and longer term on-site employment and related services in the local area ancillary to aged housing	Consistent
F1	To contain Sydney's urban footprint	This development is not consistent with containment of urban growth	Not consistent
F2	To maintain and protect agricultural activities and resource lands	The site is not currently used for commercial agriculture. The potential for rural land use conflict will be further investigated if the Planning Proposal progresses	To be investigated
G1	To reduce Sydney's Greenhouse gas emissions	There is the potential for nett reduction in emissions per capita through the future development of the land as an integrated aged housing site with the provision of facilities and services within the site and the future requirement of the SEPP for shared transport. New development has the potential to be more energy and resource efficient and the retention and enhancement of vegetation within the site shall have a minor offsetting impact	Consistent

G3	To integrate environmental targets into land use planning	As stated above, environmental targets may be implemented for the site with the potential for rehabilitation of contaminated land, restoration and management of native vegetation and riparian areas	Consistent
G4	To improve the health of waterways, coasts and estuaries	Riparian areas are to be investigated with specialist studies should the Planning Proposal proceed	Consistent
G4.1	Achieve water quality outcomes by embedding water sensitive urban design principles and stormwater and catchment objectives and targets in local plans	WSUD principles are more appropriately implemented with any future development applications for the site should the Planning Proposal result in a change to the land uses permissible on the site	Consistent
G4.2	Guide councils in mapping significant riparian corridors	Riparian corridors are to be identified and mapped in accordance with specialist studies should the Planning Proposal proceed	Consistent
G6	To protect Sydney's unique diversity of plants and animals	Specialist studies shall investigate flora, fauna and habitats within the site with the intention for protection and enhancement. The Planning Proposal includes areas of the site to be within Zone E2 Environmental Conservation and the zone boundaries shall be further informed by the specialist studies should the Planning Proposal proceed	To be investigated
G7	To improve Sydney's air quality	The Planning Proposal has the potential to provide housing and lifestyles for seniors and people with a disability where services and facilities can be provided within the site including shared transport which has the potential to reduce pollution per household. In addition the retention and enhancement of vegetation may have a minor offsetting effect	Consistent

G8	Minimise household exposure to unacceptable noise levels	There are no known noise nuisances in the locality at present. Council is aware of the potential for a proposed mine vent shaft on the nearby area and should this be the subject of a formal application during the time that this Planning Proposal is under consideration then the potential impacts of this proposal will need to be taken into consideration	Consistent
G8.1	Avoid noise-based land use conflict through strategic planning and the development assessment process	Buffers to adjoining rural land uses are to be considered in any future development assessment process	Consistent
H1	To ensure equity, liveability and social inclusion are integrated into plan making and planning decision making	These are matters essential to the requirements of housing in accordance with SEPP Seniors Housing. Therefore should the Planning Proposal proceed it must be demonstrated that the site complies with these requirements (otherwise the inclusion of Seniors Housing as a permissible land use is unfounded)	To be investigated
H2	To ensure appropriate social infrastructure and services are located near transport, jobs and housing	Seniors housing requires a minimum level of accessibility, services and facilities. The potential for compliance with these minimum levels must be demonstrated through specialist studies to be undertaken with the Planning Proposal to ensure that the change in permissible land uses is well founded	To be investigated
H2.1	Plan and coordinate the effective and timely provision of social infrastructure and services	As stated above – the availability and timing of implementation of services and facilities as required by the SEPP Seniors Housing is to be determined from specialist studies should the Planning Proposal proceed	To be investigated

H4	To continue to identify, enliven and protect places of special cultural, social and community value	The Planning Proposal has the potential to identify and protect an as yet unlisted relic of heritage significance being Harmony House and for the enhancement and protection of the buildings, landscaping and setting which define the Queen Victoria Memorial home	Consistent
H4.4	Strengthen cultural and related activities through identification and protection of appropriate venues, places and clusters	See above	Consistent
I1	To integrate decision-making across government to achieve plan directions	Agency consultation is expected should the Planning Proposal proceed. Agencies have been identified in the Council Agenda Item included in Attachment 6	Consistent
I2	To develop strongly integrated land use and infrastructure planning processes	As stated in H2.1 all essential infrastructure and services will need to be investigated to ensure that the site is suitable to comply with the provisions of the SEPP Seniors Housing	Consistent
I3	To align subregional planning with the strategic directions of the Metropolitan Plan	This Planning Proposal contains a checklist on potential consistency with both the Metropolitan Plan (this table) and the Draft South West Subregional Plan (Attachment 9)	Consistent

Attachment 8

Checklist of Relevant Objectives in the Draft South West Subregional Strategy

Objective / Action Reference	Objective	Comment relative to the Planning Proposal for Queen Victoria Memorial Hospital	Consistent?
C1	<i>Ensure adequate supply of land and sites for residential development</i>		
C1.1	Provide 30-40 per cent of new housing in land release areas Provide detailed planning for up to 7,000-8,000 lots per year and infrastructure from 2007-2008	The site is not within a land release area. There is insufficient data available to determine the relative potential contribution of this site to the rate of new housing development in the South West Sydney Region	Insufficient information to determine
C1.2	Apply sustainability criteria for new urban development Assess proposed land releases against sustainability criteria and infrastructure funding Provide 60-70 per cent of new housing in existing urban areas Set subregional housing capacity targets	Sustainability criteria checklist is included in the table below Infrastructure funding shall be investigated in consultation with infrastructure providers This proposal does not provide new housing in an existing urban area The Planning Proposal has the potential to contribute to the supply of new housing and to the housing targets	Consistent To be investigated Not consistent Consistent
C2.1	Focus residential development around centres, town centres, villages and neighbourhood centres	The site does not adjoin an existing urban area	Not consistent
C2.2	Provide self care housing for seniors and people with a disability Ensure LEPs provide for appropriately located and an adequate amount of housing for seniors and people with a disability	The Planning proposal aims to investigate the potential for development of parts of the site for an integrated housing development with ancillary services and facilities designed and operated to cater for seniors and people with a disability	Potentially consistent subject to investigation of site suitability

C2.3	Provide a mix of housing	There is potential for the Planning Proposal to facilitate a type of development which would contribute to diversity of housing within the site (self-care, assisted care and nursing care accommodation) as well as contribute to the diversity of housing in the locality	Potentially consistent subject to investigation of site suitability
C4	Improve housing affordability	The extent to which the potential development of the site will impact on housing affordability is yet to be investigated	To be investigated
C5	Improve the quality of new development and urban renewal Guide design quality content of DCPs and LEPs Identify landmark and exemplary sites and instigate processes to promote excellence in design and planning	Further investigation into the heritage and landscape and scenic elements of the site and its setting are required for the preparation of guidelines for future compatible development within the site	To be investigated
D3	Influence travel choices to encourage more sustainable travel Improve local and regional walking and cycling infrastructure through implementation of the Planning Guidelines for Walking and Cycling	Transport levels of service are essential to support housing under the SEPP Seniors Housing and will need to be investigated should the Planning Proposal proceed. There are opportunities for linking the site with a broader local network of shared pathways	To be investigated

E1	<i>Establish targets for sustainable growth</i> Establish environmental targets Ensure planning and infrastructure decisions are made in the context of achieving multiple outcomes: environmental, social and economic	No targets have been set for sustainable growth The Planning Proposal aims to investigate the potential for protection and enhancement of the natural assets within the site being vegetation, habitats and surface and ground water. The Planning Proposal also has the potential to achieve remediation of contamination within the site. There are potential social and economic benefits which may contribute to the future sustainable development of the site subject to further investigation of essential services, provision of facilities and appropriate means for ageing in place	To be investigated
E2	<i>Protect Sydney's Natural environment</i>		
E2.1	Improve the health of waterways, coasts and estuaries Embed stormwater and catchment objectives and targets into local planning instruments Undertake stream mapping to identify regionally significant riparian corridors important for protection of aquatic and terrestrial biodiversity values and include in local planning instruments Promote water sensitive urban design and improve stormwater management by ensuring development is consistent with strategic stormwater management plans Implement environmental flows to improve waterway	Specialist studies will be conducted on the riparian areas within the site to determine the most appropriate means for protection and enhancement and to guide future WSUD throughout the site A large existing earth dam is proposed to be retained within Zone RE2 so that it may be used as a recreational water feature in the future available to all potential future residents and to ensure that the dam is retained as a potential element within the habitat diversity within the site	To be investigated

	health as outlined in the Metropolitan Water Plan Work with Catchment Management Authorities and local communities to link waterway health initiatives with urban renewal through the provision of open space, better urban design and coordinated stormwater planning		
E2.2	Protect Sydney's unique diversity of plants and animals Support Councils in the development of LEPs that achieve biodiversity	The Planning Proposal includes the application of Zone E2 to those parts of the site likely to contain habitat for threatened species and endangered ecological communities and to create riparian buffers and biodiversity layers on other parts of the site which may have limited development potential provided that development can be demonstrated to be consistent with the objectives of clauses 7.2 and 7.3 to the WLEP 2011	To be investigated
E2.3	Improve Sydney's air quality	The Planning Proposal may contribute to a slight improvement in future air quality through enhancement of vegetation and providing households with new dwellings that are more energy efficient and services and facilities with the potential to minimise personal travel	Consistent
E2.4	Protect Aboriginal cultural heritage	A study specialising in places and items of Aboriginal significance shall be conducted should the Planning Proposal proceed	To be investigated
E2.5	Minimise household exposure to unacceptable noise levels	There are no known noise nuisances in the locality. Council is aware of the potential for an application for a mine vent shaft on nearby land. Should this be the subject of an application during the time this Planning Proposal is under consideration then the potential impacts of this proposal will need to be taken into consideration	Consistent

E3	<i>Achieve sustainable use of natural resources</i>		
E3.1	Contain Sydney's urban footprint Apply sustainability criteria for new urban development outside the Growth Centres	The site is not within the existing Metropolitan urban footprint Sustainability criteria checklist – see below	Not consistent See below for sustainability criteria checklist
E4	<i>Protect valuable rural activities and rural resources</i>		
E4.1	Maintain rural activities and resource lands	The site is not currently used for commercial agriculture. A rural setting is an important element in the historical value of the Queen Victoria Memorial Hospital	To be investigated
E4.2	Protect resource lands from incompatible and inappropriate uses Focus land releases in Growth Centres Implement sustainability criteria for new land releases	The viability of adjoining and nearby lands for agricultural productivity will need to be investigated should the Planning Proposal proceed. The potential use of the site for seniors housing must not compromise the existing or potential use of adjoining and surrounding land for agriculture	To be investigated
E4.3	Provide greater certainty to encourage investment in resource lands Provide a consistent approach to the zoning system in rural lands and ensure that resource lands are maintained and protected from incompatible and inappropriate uses	See above	To be investigated
F1	<i>Increase access to quality parks and public spaces</i>		
F1.3	Improve access to waterways and links between bushland, parks and centres Continue to develop framework for integrated network of regional recreational trails as part of the open space system in partnership with local government, NPWS and the RMS	There are opportunities for habitat links, movement links and networks to be identified within and adjoining the site with specialist studies	To be investigated

F2	<i>Provide a diverse mix of parks and public spaces</i>		
F2.1	Improve the quality of local open space	The Planning Proposal does not include the direct provision of public open space. However there are areas within the site considered suitable for private recreation as shown by the proposed Zone RE2 in Attachment 1. Developer Contributions can be levied for self care units within any future Seniors housing development and this includes financial contributions towards public open space	Consistent
G1	Align subregional and local planning with strategy aims		
G1.2	Improve local planning and assessment Ensure LEPs are consistent with subregional plans	This checklist has been completed in order to assess potential alignment of the Planning Proposal with the Subregional Plan. At this time further investigation is needed to determine the extent to which the proposal may be consistent with the goals	To be investigated

Sustainability Criteria

1. Infrastructure Provision	
Mechanisms in place to ensure utilities, transport, open space and communication are provided in a timely and efficient way	To be investigated
Development is consistent with any relevant residential development strategy, subregional strategy, regional infrastructure plan and Metropolitan Strategy	See Attachments 8, 9 and 10
The provision of infrastructure (utilities, transport, open space, and communications) is costed and economically feasible based on Government methodology for determining infrastructure contribution	To be investigated
Preparedness to enter into development agreement.	To be investigated
2. Access	
Accessible transport options for efficient and sustainable travel between homes, jobs, services and recreation to be existing or provided	To be investigated

Accessibility of the area by public transport and appropriate road access in terms of: — Location/land use; to existing networks and related activity centres. — Network: the areas potential to be serviced by economically efficient public transport services. — Catchment: the area's ability to contain, or form part of the larger urban area which contains adequate transport services. - Capacity for land use/transport patterns to make a positive contribution to achievement of travel and vehicle use goals	To be investigated
No net negative impact on performance of existing subregional road, bus, rail, ferry and freight network	To be investigated
3. Housing Diversity	
Provide a range of housing choices to ensure a broad population can be housed	Provided that studies demonstrate the site is capable of meeting the requirements for SEPP Seniors Housing then the Planning Proposal has the potential to contribute to housing choice in the locality
Contributes to the geographic market spread of housing supply, including any government targets established for aged, disabled or affordable housing	See above
4 Employment Lands	N/a
5 Avoidance of Risk	
Land use conflicts, and risk to human health and life, avoided	To be investigated particularly with respect to the remediation of Lot 1 DP 264150
Available safe evacuation route (Flood and Bushfire).	To be investigated
No residential development within 1:100 floodplain	To be investigated
Avoidance of physically constrained land: high slope; highly erodible	To be investigated
Avoidance of land use conflicts with adjacent, existing or future land use and rural activities as planned under regional strategy	To be investigated
6 Natural Resources	
Natural resource limits not exceeded/ environmental footprint minimised.	Opportunities to protect and enhance the natural assets within the site particularly vegetation, habitats, surface and ground water to offset the potential impacts of future Seniors Housing and ancillary development
Demand for water does not place unacceptable pressure on infrastructure capacity to supply water and on environmental flows.	To be investigated
Demonstrates most efficient/suitable use of land. — Avoids identified significant agricultural land. — Avoids impacts on productive resource lands; extractive industries, coal, gas and other mining, and quarrying	To be investigated

Demand for energy does not place unacceptable pressure on infrastructure capacity to supply energy; Requires demonstration of efficient and sustainable supply solution	To be investigated
7 Environmental Protection	
Protect and enhance biodiversity, air quality, heritage, and waterway health	To be investigated
Consistent with Government approved Regional Conservation Plan (if available).	There are no Regional Conservation Plans that apply to the site
Maintains or improves areas of regionally significant terrestrial and aquatic biodiversity (as mapped and agreed by DEC and DPI). This includes regionally significant vegetation communities; critical habitat; threatened species; populations; ecological communities and their habitats	The site is not large enough to achieve a 'maintain or improve' outcome at a regional scale. Threatened species and habitats to be identified and management strategies recommended
Maintain or improve existing environmental condition for air quality.	To be investigated
Maintain or improve existing environmental condition for water quality and quantity. — Consistent with community water quality objectives for recreational water use and river health (DEC and CMA)	To be investigated
Consistent with catchment and stormwater management planning (CMA and local council).	To be determined with referral to Hawkesbury Nepean Catchment Management Authority
Protects areas of Aboriginal cultural heritage value (as agreed by OEH).	To be investigated
8 Quality and Equity in Services	
Quality health, education, legal, recreational, cultural and community development and other government services are accessible.	To be investigated
Available and accessible services. — Do adequate services exist? — Are they at capacity or is some available? — Has Government planned and budgeted to further service provision?	To be investigated
Developer funding for required service upgrade/access is available	To be determined after investigation

Attachment 9

Checklist of Relevant Objectives in the Wollondilly Growth Management Strategy

Key Policy Direction	Comment
General Policies	
P1 All land use proposals need to be consistent with the key Policy Directions and Assessment Criteria contained within the GMS in order to be supported by Council	The proposal, as noted throughout this table, satisfies this Key Policy Directions to the extent that can be determined at this time
P2 All land use proposals need to be compatible with the concept and vision of "Rural Living" (defined in Chapter 2 of the GMS)	For those elements which can be determined at this time, the Planning Proposal has the potential to be reasonably consistent with the elements of 'rural living'.
P3 All Council decisions on land use proposals shall consider the outcomes of community engagement.	Initial notification indicates one (1) objection with no specific issues raised. Further engagement is required based on information to be determined from specialist studies
P4 The personal financial circumstances of landowners are not relevant planning considerations for Council in making decisions on land use proposals	The Planning Proposal has been triggered by a change in the ownership of the site (noting that Seniors Housing would have been permissible with consent if conducted by or on behalf of the previous owners South West Sydney Area Health Service). The sale to a private entity was conditional on the continued operation and expansion of the hospital facility. The future development and use of the site for a continuum of aged care residential and health services is part of the overall strategy of RSL Lifecare as an aged care provider The financial circumstances of RSL Lifecare are relevant to the future development and use of the site. However, these financial circumstances are to be separated from a merit assessment of the potential suitability (or otherwise) of the site for aged care accommodation and related health services facilities. The merit assessment is the same regardless of whether the site is publicly or privately owned.
P5 Council is committed to the principle of appropriate growth for each of our towns and villages. Each of our settlements has differing characteristics and differing capacities to accommodate different levels and types of growth (due to locational attributes, infrastructure limitations, geophysical constraints, market forces etc.).	The proposal is not typical "growth" as anticipated and guided by the GMS. The capacity and suitability of the site to accommodate Seniors Housing will need to be investigated by specialist studies as identified in this report and as may be further prescribed by the Gateway process

Housing Policies	
P6 Council will plan for adequate housing to accommodate the Shire's natural growth forecast	The GMS identifies the need for a diversity of housing types including appropriate housing to accommodate an increasing number of seniors households. The proposal has the potential to meet this demand
P8 Council will support the delivery of a mix of housing types to assist housing diversity and affordability so that Wollondilly can better accommodate the housing needs of its different community members and household types	As above. Provided specialist studies support future development of the site, a site specific DCP is expected to further refine the potential for housing diversity within the site.
P9 Dwelling densities, where possible and environmentally acceptable, should be higher in proximity to centres and lower on the edges of towns (on the "rural fringe").	As above
P10 Council will focus on the majority of new housing being located within or immediately adjacent to its existing towns and villages	The site does not adjoin an existing town or village and the capacity of the site to accommodate growth will be investigated by specialist studies
Macarthur South Policies	
Key Policy Directions P11, P12, P13 and P14 are not applicable to this Planning Proposal. The subject land is not with the Macarthur South area	Not applicable
Employment Policies	
P15 Council will plan for new employment lands and other employment generating initiatives in order to deliver positive local and regional employment outcomes	Subject to studies determining that future development can be accommodated, the proposal has the potential to create shortterm employment opportunities through the construction jobs. Longer term employment in services and health related professions are possible. The scale of impacts resulting can not be determined until the capacity of the site for future development has been determined
P16 Council will plan for different types of employment lands to be in different locations in recognition of the need to create employment opportunities in different sectors of the economy in appropriate areas	The proposal does not include Employment Lands
Integrating Growth and Infrastructure	
P17 Council will not support residential and employment lands growth unless increased infrastructure and servicing demands can be clearly demonstrated as being able to be delivered in a timely manner without imposing unsustainable burdens on Council or the Shire's existing and future community	The capacity and practicality of infrastructure and services is to be investigated with specialist studies
P18 Council will encourage sustainable growth which supports our existing towns and villages, and makes the provision of services and infrastructure more efficient and viable – this means a greater emphasis on concentrating new housing in and around our existing population centres	Does not comply. This Planning Proposal is not continuous with the existing urban edge

P19 Dispersed population growth will be discouraged in favour of growth in, or adjacent to, existing population centres	The site is not within nor adjacent to existing population centres. However, it is in close proximity to the current major development locality of the Shire (being the Picton, Tahmoor, Thirlmere locality)
P20 The focus for population growth will be in two key growth centres, being the Picton/Thirlmere/Tahmoor Area (PTT) area and the Bargo Area. Appropriate smaller growth opportunities are identified for other towns	The proposal is potentially consistent
Rural and Resource Lands	
P21 Council acknowledges and seeks to protect the special economic, environmental and cultural values of the Shire's lands which comprise waterways, drinking water catchments, biodiversity, mineral resources, agricultural lands, aboriginal heritage and European rural landscapes	Specialist studies are required to determine the significance and management requirements for the natural assets of the site
P22 Council does not support incremental growth involving increased dwelling entitlements and/or rural lands fragmentation in dispersed rural areas. Council is however committed to maintaining where possible practicable, existing dwelling and subdivision entitlements in rural areas	Key Policy Direction P22 is not applicable to this proposal

GMS Assessment Criteria	
State and Regional Strategies and Policies	
Criteria	Response
NSW State Plan, Metropolitan Strategy, Sub-Regional Strategy	See above
State Planning Policies	See Attachments 7 and 8
Ministerial Directions	See Attachment 10
LEP Framework	A unique change to the instrument in terms of the title of Zone SP2 Health Services Facility and Seniors Housing
Local Strategies and Policies	
Criteria	Response
Key Policy Directions on the GMS	See above
Precinct Planning	This is a site-specific Planning Proposal
Wollondilly Community Strategic Plan	Consistent

Project Objectives and Justification	
Criteria	Response
Overall Objective	The planning proposal has a site specific objective directly related to the circumstances of the site, the existing use and the change in ownership
Strategic Context	The Planning Proposal is specific to the site and its use. In order for the Planning Proposal to be consistent with the overall strategic context for the site and its setting specialist studies are required to determine (i) if Seniors housing within the site has the potential to be compliant with the requirements of the SEPP Seniors Housing and whether future development can be compatible with the heritage, natural assets and landscape and scenic quality of the site and surroundings
Net Community Benefit?	Not applicable
Summary of Likely Impacts	To be investigated through specialist studies for: - European heritage - flora, fauna and habitats - bush fire hazard management - riparian areas - contamination - landscape and scenic analysis - services and facilities capacity - utilities capacity - traffic and transport - aboriginal places and items of significance - ground and surface hydrology - rural land use compatibility - geotechnical constraints
Infrastructure and Services	Capacity to be investigated
Supply and Demand Analysis	To be investigated
Site Suitability/Attributes	To be investigated
Preserving Rural Land and Character	
Criteria	Response
Character Setting	To be investigated
Visual Attributes	To be investigated
Rural and Resource Lands	To be investigated
Environmental Sustainability	
Criteria	Response
Protection and Conservation	To be investigated
Water Quality and Quantity	To be investigated
Flood Hazard	To be investigated
Geotechnical/Resources/Subsidence	To be investigated
Buffers and Spatial Separation	To be investigated
Bushfire Hazard	To be investigated
Heritage	To be investigated
Resource Sustainability	To be investigated
Infrastructure	

Criteria	Response
Efficient Use and Provision of Infrastructure	To be investigated
Transport Road and Access	To be investigated
Open Space	The Planning Proposal includes the provision of land in Zone RE2 Private Recreation
Residential Lands	
Criteria	Response
Location/Area/Type	Not contiguous with the urban area. Specialist studies are required to determine whether the location is suitable and what form, if any, future development should take in order to be compatible with the site and its features
Social Integration	Specialist studies are required to determine the suitability of the site for access to services and facilities required to support Seniors Housing
Urban on Town Edge	Not compliant

Attachment 10

Checklist of Directions in accordance with Section 117(2) to the *Environmental Planning and Assessment Act, 1979*

Ministerial 117(2)	Direction	Applicable	Consistent	Assessment
1. Employment and Resources				
1.1 Business and industrial Zones	N/A	N/A		
1.2 Rural Zones	N/A	N/A		
1.3 Mining, Petroleum Production and Extractive Industries	Yes	Yes		The Planning Proposal does not change the current provisions relating to the permissibility of mining or extraction of coal, minerals or extractive materials. The potential changes to permissible land uses for Seniors Housing is not incompatible with extraction of coal, minerals or other materials of State or Regional significance. There are existing provisions for designing and assessing development which is compatible with extractive activities should resources of this significance be identified in the future.
1.4 Oyster Production	N/A	N/A		Direction does not apply
1.5 Rural Lands	N/A	N/A		Direction does not apply
2. Environment and Heritage				
2.1 Environmental Protection Zones	Yes	Yes		The Proposal includes the application of Zone E2 Environmental Protection to parts of the subject site and to potentially apply riparian buffers and biodiversity layers to the site. These provisions will facilitate the protection and conservation of environmentally sensitive areas which is consistent with the objective of Direction 2.1
2.2 Coastal Protection	N/A	N/A		Direction does not apply
2.3 Heritage Conservation	Yes	Yes		The site contains listed Heritage Item I265 the Queen Victoria Hospital (including the curtilage, ancillary buildings and setting of the original hospital). The site also contains relics of the dwelling 'Harmony House' which is yet to be examined, described and listed. Further Heritage Assessments shall be conducted for European and Aboriginal items and places of significance should the Proposal proceed. Therefore the Planning Proposal is consistent with the objective of Direction 2.3 in conserving existing items and identifying new items and places of significance.

Ministerial 117(2)	Direction	Applicable	Consistent	Assessment
3. Housing, Infrastructure and Urban Development				
2.4 Recreation Vehicle Area	Yes	Yes		The Planning Proposal does not enable land to be developed as a recreational vehicle areas and therefore complies with the objective of Direction 2.4
3.1 Residential Zones	Yes	To be determined.		This direction applies because the proposal has the potential to affect the current Zone Sp2 Health Services Facility (being “any other zone”) and has the potential for making “significant residential development” permitted. The Proposal is consistent with objective (a) of Direction 3.1 in that it has the potential to provide some housing choice and meet potential future needs for housing that caters for seniors and people with a disability. Further investigations into infrastructure capacity are needed to determine if the proposal is potentially compatible with objectives (b) and (c). As this direction applies, the Planning Proposal must include provisions that are discussed in more detail below.
3.2 Caravan Parks and Manufactured Home Estates	Yes	Yes		The proposal does not change existing LEP provisions for Caravan Parks and Manufactured Home Estates.
3.3 Home Occupations	Yes	Yes		The proposal does not change existing LEP provisions for Home Occupations.
3.4 Integrating Land Use and Transport	N/A	N/A		Direction does not apply
3.5 Development Near Licensed Aerodromes	N/A	N/A		Direction does not apply
3.6 Shooting Ranges	N/A	N/A		Direction does not apply
4. Housing, Infrastructure and Urban Development				
4.1 Acid Sulphate Soils	N/A	N/A		Direction does not apply
4.2 Mine Subsidence and Unstable Land	Yes	Yes		Lot 1 DP 264150 and Lots 31 and 33 DP 1022462 are within a Mine Subsidence District: Lot 32 DP 1022462 is not within a Mine Subsidence District and this lot contains the Queen Victoria Memorial Home. The Mine Subsidence Plan for the Xstrata-owned and operated Tahmoor Colliery excluded subsidence from this lot. Although Lot 32 DP 1022462 is not within a Mine Subsidence District it contains steep land and geotechnical investigation must determine if it is considered ‘unstable’. As this Direction applies, the Planning Proposal must include provisions that are discussed in more detail below.

Ministerial Direction 117(2)	Applicable	Consistent	Assessment
4.3 Flood Prone Land	N/A	N/A	Direction does not apply to the extent that can be determined at this time. A hydrological assessment will be completed for the site should the proposal proceed and this shall determine if any of the site is 'flood prone'.
4.4 Planning for Bushfire Protection	Yes	Yes	The site includes land identified as 'bushfire prone land' on Council's maps endorsed by the Commissioner to the NSW Rural Fire Service. A Bushfire Hazard Management Assessment is expected to be conducted should the Planning Proposal proceed. This Assessment will make recommendations as to the ways in which the site can be managed and developed such that future development complies with the objectives of this Direction. The Planning Proposal is intended to include provisions and processes as discussed in more detail below.
5. Regional Planning			
5.1 Implementation of Regional Strategies	N/A	N/A	Direction does not apply
5.2 Sydney Drinking Water Catchments	N/A	N/A	Direction does not apply.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	N/A	Direction does not apply
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	N/A	Direction does not apply
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	N/A	N/A	Direction does not apply
5.6 Sydney to Canberra Corridor	N/A	N/A	Although the Sydney Canberra Corridor Strategy 1995 refers to land within Wollondilly Local Government Area the Strategy has been determined to no longer apply to Wollondilly LGA.
5.7 Central Coast	N/A	N/A	Direction does not apply
5.8 Second Sydney Airport: Badgerys Creek	N/A	N/A	Direction does not apply

Ministerial 117(2)	Direction	Applicable	Consistent	Assessment
6. Local Plan Making				
6.1 Approval and Referral Requirements	Yes	Yes		The planning proposal does not seek to include further provisions to WLEP 2011 in respect to the concurrence, consultation or referral of development applications to a Minister of public authority. The planning proposal is consistent with Direction No. 6.1.
6.2 Rezoning Land for Public Purposes	Yes	Yes		The planning proposal will not create, alter or reduce existing zones or reservations of land for public purposes. The planning proposal is consistent with Direction 6.2.
6.3 Site Specific Provisions	Yes	N/A		The planning proposal is specifically seeking to make Seniors Housing permissible with consent on this site. Therefore it is site-specific. However, at this stage it does not contain site-specific provisions for the siting, design and location of seniors housing until further specialist studies are completed. As this Direction applies, the Planning Proposal must include provisions that are discussed in more detail below.
7.1 Implementation of the Metropolitan Strategy for Sydney 2036	Yes	Yes		The planning proposal is consistent to the extent that can be determined at this time and therefore potentially consistent with Direction 7.1.

Further discussion of Section 117(2) Directions

Direction 3.1 Residential Zones

As this Direction applies, Council must ensure that the Planning Proposal includes provisions that encourage the creation of housing that will achieve the following in Column 1 below. The comments in Column 2 explain how Council intends to achieve the requirements of Column 1.

Requirement from Direction 3.1	How this is to be achieved with the Planning Proposal
Broaden the choice of building types and locations available in the housing market	The Planning Proposal aims to make Seniors Housing permissible provided the site can comply with SEPP Seniors Housing. The choice of housing within the site may be limited to self-care, assisted care and nursing care. The site may contribute a variety of housing to the local market which is dominated by single detached dwellings.
Make more efficient use of existing infrastructure and services	Capacity of existing infrastructure and services needs to be investigated should the Planning Proposal proceed.

Requirement from Direction 3.1	How this is to be achieved with the Planning Proposal
Reduce the consumption of land for housing and associated urban development on the urban fringe	The Planning Proposal applies to a Greenfield site which does not adjoin an urban area. The Planning Proposal can not achieve this requirement.
Be of good design	Design guidelines are expected to be developed from heritage assessments to be conducted should the Planning Proposal proceed. Future development would also be subject to the design provisions of the SEPP Seniors Housing
Contain a provision that residential development is not permitted until land is adequately serviced	Existing Clause 7.1 to WLEP 2011 addresses this requirement
Not contain provisions which reduce the permissible residential density	Residential density shall be determined by a combination of the provisions of SEPP Seniors Housing, biodiversity, riparian lands provisions, compatibility with heritage items and their setting and bushfire management requirements. There are no other provisions which aim to reduce residential density.

In summary, Council can ensure that the Planning Proposal contains provisions which meet the requirements set out in Direction 3.1 with the exception of aiming to reduce consumption of land on the urban fringe. Further investigations are required to determine whether the Planning Proposal can achieve objectives (b) and (c) to Direction 3.1.

Direction 4.2 Mine Subsidence and Unstable Land

As this Direction applies, Council must complete the following as listed in the table below.

Requirement from Direction 4.2	How this is to be achieved with the Planning Proposal
(a) (i) Consult with the Mine Subsidence Board to ascertain if the Mine Subsidence Board has any objection to the Draft LEP and, if so, the reason for that objection	The MSB is to be consulted prior to community consultation to ensure any comments can be incorporated in the version of the proposal to be subject to community consultation
(a) (ii) Consult with the Mine Subsidence Board to ascertain the scale, density and type of development that is appropriate for the potential level of subsidence	As above
(b) Incorporate provisions into the draft LEP that are consistent with the recommended scale, density and type of development recommended under (a) above	As above
(c) Include a copy of any information received from the Mine Subsidence Board with the statement to the Director-General to the Department of Planning prior to undertaking community consultation in satisfaction of section 57 of the Act	To be completed
A Planning Proposal must not permit development on unstable land	A geotechnical report is to be prepared should the proposal proceed. The geotechnical report is expected to identify any unstable land within the site and provisions will be made to exclude such land from future development.

As detailed in the table above, the Planning Proposal has the potential to be consistent with the requirements of Direction 4.2 noting that the objectives of the Direction will be fulfilled by ensuring that any future development shall be confined to that which is potentially compatible with mine subsidence parameters and not conducted on unstable land.

Direction 4.4 Planning for Bushfire Protection

As this Direction applies, Council must complete the following as listed in the table below.

Requirement from Direction 4.4	How this is to be achieved with the Planning Proposal
(4) In the preparation of a Planning Proposal, Council must consult with the Commissioner of the NSW Rural Fire Service following receipt of a Gateway determination under section 56 of the Act and prior to undertaking community consultation in satisfaction of section 57 of the Act, and take into account any comments so made	Consultation with the Commissioner of the NSW Rural Fire Service is intended should the Planning Proposal proceed beyond the Gateway process
(5) (a) The Planning proposal must have regard to <i>Planning for Bushfire Protection 2006</i>	A Bushfire Hazard Management Assessment to be completed should the Planning Proposal progress and this Assessment shall have regard to <i>Planning for Bushfire Protection 2006</i> and any other best practice guidelines applicable at the time
(5) (b) The Planning Proposal must introduce controls that avoid placing inappropriate developments in hazardous areas	The Bushfire Hazard Management Assessment (mentioned above) is intended to make recommendations as to the identification of land within the site potentially suitable for seniors housing (if any) and these recommendations will be incorporated into the Planning Proposal before the draft amendment is subject to community consultation
(5) (c) The Planning Proposal shall ensure that bushfire hazard reduction is not prohibited within the APZ	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (a) The Planning Proposal must, where development is proposed, comply with the Asset protection zones (APZ) incorporating at a minimum (i) an Inner Protection area bounded by a perimeter road or reserve which circumscribes the hazard side of the land intended for development and has a building line consistent with the incorporation of an APZ within the property (ii) an Outer protection Area managed for hazard reduction and located on the bushland side of the perimeter road	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (b) N/A	
(6) (c) contain provisions for two-way access roads which links to perimeter roads and / or to fire trail networks	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement

Requirement from Direction 4.4	How this is to be achieved with the Planning Proposal
(6) (d) The Planning Proposal shall contain provisions for adequate water supply for fire fighting purposes	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (e) The Planning Proposal shall minimise the perimeter of the area of land interfacing the hazard which may be developed	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement
(6) (f) The Planning Proposal shall introduce controls on the placement of combustible materials in the Inner protection area	The instructions for the Bushfire Hazard Management Assessment will include requirements that the recommendations shall be compatible with this requirement

Provided that the Planning Proposal includes the steps as outlined in Column 2 of the above table, the Planning Proposal has the potential to be consistent with Direction 4.4.

Direction 6.3 Site Specific Provisions

As this Direction applies, Council must complete the following as listed in the table below.

Requirement from Direction 6.3	How this is to be achieved with the Planning Proposal
(4) (a) The Planning proposal must allow that land use to be carried out in the zone the land is situated on	The Planning Proposal seeks only to add Seniors Housing to the land use types potentially permissible with consent on the site. The potential for Seniors Housing to comply with the requirements of the SEPP Seniors Housing must be investigated with a specialist study before a decision can be made to progress the Planning Proposal through to Community Consultation
(4) (b) The Planning Proposal must rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone	The Planning Proposal is not consistent with this requirement. Should the Planning Proposal proceed, the zone will be unique within the Wollondilly LEP 2011. However, it is expected that there will not be additional development standards applied to the site that are not already available within the current LEP
(4) (c) The Planning Proposal shall allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principle environmental planning instrument being amended	See above
(5) A Planning Proposal must not contain or refer to drawings that show details of the development proposal	The Planning Proposal will not rely on drawings or plans. The provisions to be developed will be limited to amendments to the existing maps that apply to the site.

The Planning Proposal can not be consistent with Direction 4.4 requirement (4)(b) in that the amendment will be a zone title unique to those parts of the site to be designated Zone SP2 Health Services Facility and Seniors Housing. Before the Planning Proposal was prepared in accordance with Section 55 to the Act, Council consulted with the Department of Planning and Infrastructure as to the most appropriate means to progress an amendment to WLEP

2011 in the circumstances. The advice from Department of Planning and Infrastructure staff was to seek to amend the title of the zone and to discourage the inclusion of the site in Schedule 1 Additional Permitted Uses. Therefore it appears at this stage, the most appropriate means of facilitating the Planning Proposal is to amend the title of the zone as proposed notwithstanding the non-compliance with (4)(b).

The objective of Direction 6.3 is “*to discourage unnecessarily restrictive site specific planning controls*”. In this case, site specific planning controls are considered necessary and are expected to be developed from further investigations. Any future controls are not intended to be “unnecessarily restrictive”.

As the amendment circumstances will be unique to the site, the Director-General will be requested to make a decision that the inconsistency is of minor significance.

Attachment 11

Checklist of compliance with State Environmental Planning Policies (SEPPs)

	STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)	CONSISTENCY	COMMENTS
1	Development Standards	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP
4	Development Without Consent and Miscellaneous Complying Development	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP
6	Number of Storeys in a Building	Yes	The Planning Proposal will use the Standard Instrument to control building height.
14	Coastal Wetlands	NA	Not applicable in the Shire of Wollondilly.
15	Rural Land-Sharing Communities	NA	Not applicable in the Shire of Wollondilly.
19	Bushland in Urban Areas	NA	Not applicable in the Shire of Wollondilly.
21	Caravan Parks	Yes	The Planning Proposal does not change the current provisions of the LEP in relation to Caravan Parks
22	Shops and Commercial Premises	NA	
26	Littoral Rainforests	NA	Not applicable in the Shire of Wollondilly.
29	Western Sydney Recreation Area	NA	Not applicable in the Shire of Wollondilly.
30	Intensive Agriculture	NA	
32	Urban Consolidation (Redevelopment of Urban Land)	Yes	The Planning Proposal will not contain provisions that will contradict or will hinder the application of the SEPP.
33	Hazardous and Offensive Development	NA	
36	Manufactured Home Estates	NA	Not applicable in the Shire of Wollondilly.
39	Spit Island Bird Habitat	NA	Not applicable in the Shire of Wollondilly.
41	Casino/Entertainment Complex	NA	Not applicable in the Shire of Wollondilly.
44	Koala Habitat Protection	Yes	
47	Moore Park Showground	NA	Not applicable in the Shire of Wollondilly.
50	Canal Estates	NA	To be investigated
52	Farm Dams and Other Works in Land and Water Management Plan Areas	NA	Not applicable in the Shire of Wollondilly.
53	Metropolitan Residential Development	NA	Wollondilly Shire is currently exempted from this SEPP.
55	Remediation of Land	Yes	The potential contamination of Lot 1 will be investigated with specialist studies.
59	Central Western Sydney Economic and Employment Area	NA	Not applicable in the Shire of Wollondilly.
60	Exempt and Complying Development	NA	
62	Sustainable Aquaculture	NA	Not applicable in the Shire of Wollondilly.
64	Advertising and Signage	NA	
65	Design Quality of Residential Flat Development	NA	
70	Affordable Housing (Revised Schemes)	NA	Not applicable in the Shire of Wollondilly.
71	Coastal Protection	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Affordable Rental Housing) 2009	NA	
	SEPP (Housing for Seniors or People with a Disability)	Yes	The Planning Proposal investigate whether the site is suitable to sustain a future application in accordance with SEPP (HSPD) housing.

	STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)	CONSISTENCY	COMMENTS
	SEPP (Building Sustainability Index: BASIX) 2004	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP. The SEPP does not apply to Seniors Housing.
	SEPP (Kurnell Peninsula) 1989	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Major Development) 2005	NA	
	SEPP (Sydney Region Growth Centres) 2006	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Yes	The Planning Proposal does not change the existing provisions of the LEP which is consistent with the SEPP
	SEPP (Temporary Structures) 2007	NA	
	SEPP (Infrastructure) 2007	Yes	The proposal is consistent with the Infrastructure SEPP
	SEPP (Kosciuszko National Park - Alpine Resorts) 2007	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Rural Lands) 2008	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Exempt and Complying Development Codes) 2008	Yes	The Planning Proposal will not contain provisions that will contradict or would hinder the application of the SEPP at future stages, post rezoning.
	SEPP (Western Sydney Parklands) 2009	NA	Not applicable in the Shire of Wollondilly.
	SEPP (Western Sydney Employment Area) 2009	NA	Not applicable in the Shire of Wollondilly.
	DEEMED STATE ENVIRONMENTAL PLANNING POLICIES (FORMERLY REGIONAL ENVIRONMENTAL PLANS)	CONSISTENCY	COMMENTS
9	Extractive Industry (No 2)	NA	
20	Hawkesbury–Nepean River (No 2 - 1997)	YES	This proposal is consistent with this SREP and specialist studies are expected to examine surface and ground water quality .
27	Wollondilly Regional Open Space	NA	Repealed 26/06/2009.
1	Drinking Water Catchments Regional Environmental Plan No 1	NA	Subject lands are not located within the jurisdiction of REP No. 1.