

Community Hospice, 11 Edward St, Bowral

Proposal Title : **Community Hospice, 11 Edward St, Bowral**

Proposal Summary : **The proposal is to amend the Wingecarribee LEP 2010 to permit the development of a community hospice on 11 Edward Street, Bowral.**

PP Number : **PP_2013_WINGE_003_00** Dop File No : **13/02119-1**

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions : **2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
5.1 Implementation of Regional Strategies
5.2 Sydney Drinking Water Catchments
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions**

Additional Information : **It is recommended that the delegate of the Minister for Planning and Infrastructure determine under section 56(2) of the EP&A Act, that an amendment to the Wingecarribee LEP 2010 to rezone Lot 2, DP 587573, 11 Edward Street, Bowral to SP2 Infrastructure - Hospital should proceed subject to the following conditions:**

- 1. Prior to public exhibition, Council should undertake an assessment of the impact of the proposal on the Bowral Heritage Conservation Area and the adjoining heritage items. This assessment should be included in the public consultation material and be used to consider whether the proposal is consistent with s117 Direction 2.3. If Council considers that the proposal is inconsistent with S.117 Direction 2.3 it would need to satisfy the Director General that the proposal is acceptable.**
- 2. Prior to public exhibition Council should be requested to provide the Director-General with a project timeline. It should ensure the project timeline and appropriate maps are included in the planning proposal that is publicly exhibited.**
- 3. Community consultation should be undertaken for a minimum of 28 days under section 56(2) of the EP&A Act. Consultation with specific agencies is not required.**
- 4. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.**
- 5. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway Determination.**
- 6. Council be offered the Minister's plan making delegation under sections 59(2),(3)&(4) of the EP&A Act.**
- 7. SECTION 117 DIRECTIONS - It is recommended that:**
 - (a) The Director General can be satisfied that the Planning Proposal is consistent with all relevant s117 Directions except for Direction 2.3 Heritage Conservation, and**
 - (b) Council will need to satisfy the Director-General that the proposal is consistent with s117 Direction 2.3 Heritage Conservation or justify any inconsistency prior to finalising the**

draft plan under section 59 of the EP&A Act, and

(d)no further consultation or referral is required in relation to s117 Directions (other than Direction 2.3 Heritage Conservation).

8. The planning proposal is considered to be consistent with all relevant SEPPs.

Supporting Reasons :

The proposal to permit a hospice on the subject land has merit and should proceed to public exhibition. However, Council has not yet demonstrated that s117 Direction 2.3 Heritage Conservation has been adequately considered and a heritage study is required. This issue does not prevent Council from utilising its delegation.

Panel Recommendation

Recommendation Date : 31-Jan-2013

Gateway Recommendation : Passed with Conditions

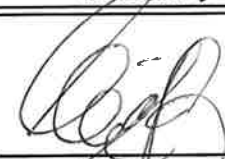
Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Prior to undertaking public exhibition, Council is to amend the planning proposal to demonstrate consistency or justify any inconsistency with relevant S117 Directions. In particular, Council is to address the impacts of the proposal on the Bowral Heritage Conservation Area and adjoining heritage items St Jude's Anglican Church and Eldon Cottage, to determine its consistency with Direction 2.3 Heritage Conservation.
2. Prior to undertaking public exhibition, Council is to amend the planning proposal to include a project timeline, consistent with Section 2.6 Part 6 of the A Guide to Preparing Planning Proposals. The project timeline is to provide a mechanism to monitor the progress of the planning proposal.
3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).
4. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.
5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGaffin

Date:

15.2.13