

Ms Ann Prendergast
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Dear Ms Prendergast

Planning proposal PP_2018_WINGE_003_00 to amend Wingecarribee Local Environmental Plan 2010

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* in respect of the planning proposal to remove seniors housing as an additional permitted use on the Our Lady of the Sacred Heart, Bowral site and to remove part of the site from the land reservation acquisitions map.

After careful consideration, as delegate of the Minister for Planning, I have now determined the planning proposal should not proceed. The reasons for not proceeding are that:

- Council has not adequately justified why the site is unsuitable for seniors housing given the previous assessment of a site compatibility certificate and inclusion in the LEP;
- the planning proposal is inconsistent with the South East and Tablelands Regional Plan 2036 as removing seniors housing as a permitted use on the site reduces housing choice, which continues to be needed as the population of the area is ageing; and
- subsequent inconsistencies with section 9.1 Directions 3.1 Residential Zones and 5.10 Implementation of Regional Plans have not been justified through the reduction in housing choice.

I note that the Wingecarribee Local Planning Strategy 2015-2031 was adopted by Council on 23 March 2016 and partly endorsed by the Department on 15 May 2017.

The local strategy seeks to address the shortfall in the supply of new housing through infill housing. The planning proposal would remove the potential for seniors housing and does not appear to be consistent with Council's policy of supporting infill development in suitable locations and providing for housing choice.

I have also considered that Council has a current development application for seniors housing on this site that Council will assess.

I appreciate Council's concerns in relation to access, flooding and heritage. These concerns should be thoroughly considered as part of the assessment of the current development application for seniors housing on the site. Council may seek to address these reasons for not supporting the proposal through a subsequent planning proposal should the development application not be approved.

I have asked the Department's Southern Region team to offer support and to work with Council to prepare a housing strategy for Wingecarribee Shire.

Should you have any further enquiries about this matter, I have arranged for Mr Graham Towers, Team Leader, Southern Region, to assist you. Mr Towers can be contacted on 4224 9467.

Yours sincerely

 13 July 2018
Stephen Murray
Acting Deputy Secretary
Planning Services

Encl: Gateway determination

Gateway Determination

Planning proposal (Department Ref: PP_2018_WINGE_003_00): to remove seniors housing as an additional permitted use in schedule 1 of the Wingecarribee Local Environmental Plan 2010 for the Our Lady of the Sacred Heart (OLSH) site, Bowral (Lots 4 -11 DP 1109214 and Lots 1 and 2 DP 1101892) and remove part of the site from the land reservation acquisitions map.

I, the Acting Deputy Secretary, Planning Services at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* that an amendment to the Wingecarribee Local Environmental Plan (LEP) 2010 as described above should not proceed for the following reasons:

1. the planning proposal has not adequately justified why the site is not suitable for seniors housing and was not the subject of a study or strategic consideration;
2. the planning proposal is not consistent with the South East and Tablelands Regional Plan 2036 as removing seniors housing as a permitted use on the site reduces housing supply and choice;
3. there is an active development application for seniors housing on the site. It is considered that this application should be assessed on its merits without the need for environmental planning instrument changes; and
4. inconsistencies with section 9.1 Directions 3.1 Residential Zones and 5.10 Implementation of Regional Plans have not been justified.

Dated 13th day of July 2018.



Stephen Murray
Acting Deputy Secretary
Planning Services
Department of Planning and Environment

Delegate of the Minister for Planning