

Planning Proposal



Eridge Park, Eridge Park Road, Burradoo

Amendment to zoning and classification of land

Submitted to Wingecarribee Shire Council

On Behalf of Wongabri Burradoo Pty Ltd

September 2012 ■ 12491

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Contents

Executive Summary	i
1.0 Introduction	3
1.1 Background to the Planning Proposal	3
2.0 Site Analysis	5
2.1 Eridge Park	5
2.2 Wongabri and Mittagong	9
3.0 Strategic and Statutory Context	15
3.1 Wingecarribee Local Environmental Plan 2010	15
3.2 Sydney Canberra Corridor Regional Strategy	19
3.3 Wingecarribee Demographic and Housing Study	19
3.4 State Environmental Planning Policies	20
4.0 Objectives and Intended Outcomes	22
4.1 Eridge Park	22
4.2 Wongabri	24
4.3 Mittagong	25
5.0 Explanation of Provisions	26
6.0 Justification	28
6.1 Need for the Planning Proposal	28
6.2 Environmental, Social and Economic Impact	35
6.3 State and Commonwealth Interests	37
7.0 Conclusion, Summary and Recommendations	38

Figures

1 Figure 1 – Location of the site	5
2 Figure 2 –Aerial Photograph	6
3 Figure 3 – Photographs of the Eridge Park site	7
4 Figure 4 –Residential development located on the western side of Wirreanda Road	8
5 Figure 5 –Residential development located on the eastern side of Wirreanda Road	8
6 Figure 6 – Location of Wongabri	9
7 Figure 7 – Aerial photograph of Wongabri	10
8 Figure 8 – Photographs of the Wongabri site (viewed from Moss Vale Road)	11
9 Figure 9 – Mittagong site location plan	12
10 Figure 10 – Aerial photograph of Mittagong site	13
11 Figure 11 – Photographs of the Mittagong site and surrounding uses	14

Contents

12	Figure 12 – Eridge Park - current zoning in Wingecarribee LEP 2010	16
13	Figure 13 – Wongabri - current zoning in Wingecarribee LEP 2010	17
14	Figure 14 – Mittagong - current zoning in Wingecarribee LEP 2010	18
15	Figure 15 – Land proposed to be included in the site specific LEP.	23

Tables

1	Table 1 – Summary of key existing planning controls	15
2	Table 2 – Net community benefit assessment	30
3	Table 3 – Compliance with relevant SEPPs	33
4	Table 4 – Compliance with relevant Section 117 Directions	34

Appendices

A	Wingecarribee Sport, Leisure and Living <i>Allen Jack + Cottier</i>
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Executive Summary

This Planning Proposal is submitted to Wingecarribee Shire Council to request an amendment to the Wingecarribee LEP 2010 to permit the development of a seniors housing development at Eridge Park. It has been prepared on behalf of the proponents Wongabri Burradoo Pty Ltd, and is currently owned by Wingecarribee Shire Council.

The subject land

Eridge Park is located at the corner of Eridge Park Road and Moss Vale Road within Burradoo. The site is bounded by Eridge Park Road to the south and east, Moss Vale Road to the west and large lot/low density residential development to the north. The site is irregular in shape and covers an area of approximately 12 hectares.

Current zoning under Wingecarribee LEP

Eridge Park is currently zoned RE1 - Public Recreation. The existing zoning prohibits seniors housing on the land. Furthermore, given the site is public land, the site is classified as 'community land' and therefore can only be used for public purposes.

Planning Proposal objective and intended outcome

The objective of this Planning Proposal is to permit seniors housing development on the site.

The intended outcome of the Planning Proposal is to rezone the land from RE1 - Public Recreation to R2 - Low Density Residential. In addition, it is also intended that the land to which this Planning Proposal applies is reclassified from 'community' land to 'operational' land.

Justification

The Planning Proposal has strategic planning merit and provides a net community benefit in the following respects:

Economic and social benefits

- It meets market and strategic demand for a seniors housing development in this locality;
- It generates additional consumer spending and investment in the locality;
- It creates employment with approximately 250 full-time equivalent jobs in the locality;
- It is aimed at primarily serving the needs of an increasingly older demographic in the Wingecarribee Shire and does not aim to compete directly with or undermine the supply of conventional housing or the footprint of existing villages/towns;
- It has no significant public infrastructure costs; and
- The Planning Proposal will indirectly provide new and upgraded community facilities at Wongabri and the Mittagong swimming pool and recreation centre site.

Land use suitability

- The land is capable of supporting the proposed seniors housing development in terms of its location, size and dimensions, topography, road access, availability of utility services, significant separation and buffer distances to surrounding properties, and absence of significant vegetation, environmental constraints and hazards.

No prohibitive natural resources or environmental issues

- The subject land is not used for agricultural production as it has been approved for public open space.
- The subject land (Eridge Park) is not identified as having any natural resource, environmental, biodiversity, or conservation value other than being in the Sydney drinking water catchment.
- The rezoning of the site will provide a clear urban development boundary for the Bowral township, and will ensure the distinction between the urban areas of Bowral and Moss Vale is maintained.
- The environmental planning issues associated with the detailed planning and design of the proposed seniors housing development would be addressed in a future Development Application (DA) including building design; interface with adjacent properties; vegetation and landscaping; access, traffic and parking; water management; bushfire protection; waste management; utility services; energy efficiency; compliance with BCA; and construction impacts.
- The proposed land swap agreement, (resulting from the Planning Proposal) will ensure the Wongabri site will strategically support the Cecil Hoskins Nature Reserve and will give rise to the opportunity for the revegetation of approximately 5 hectares of the Southern Highlands Shale Woodland community along the foreshores of the Wingecarribee River.

Consistent with strategic plans

- The Planning Proposal is consistent with the applicable regional strategy being the Sydney–Canberra Corridor Regional Strategy as well as relevant State Environmental Planning Policies and S.117 Ministerial Directions; and
- It is compatible with the overall planning strategies of the Wingecarribee Local Planning Strategy 2010.
- The Planning Proposal will need to be subject to statutory consultation with the community and government authorities in due course in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.

Conclusion

Given the above planning merits and net community benefit, we request that Council forward this Planning Proposal to the Minister for Planning for a „gateway determination“ in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.

1.0 Introduction

This Planning Proposal is submitted to Wingecarribee Shire Council to request an amendment to the Wingecarribee Local Environmental Plan 2010 to permit the development of a seniors housing development on land known as Eridge Park, located at Eridge Park Road, Burradoo ("the site").

JBA Urban Planning Consultants Pty Ltd (JBA) has prepared this Planning Proposal on behalf of Wongabri Burradoo Pty Ltd to initiate the preparation of site specific Local Environmental Plan (LEP) relating to the site, in accordance with Section 55 of the *Environmental Planning & Assessment Act 1979* (EP&A Act). This Planning Proposal has been prepared in accordance with section 55 of the EP&A Act and the guideline prepared by the Department of Planning dated July 2009 entitled "*A guide to preparing Planning Proposals*". In particular, this Planning Proposal provides the following details in accordance with the requirements of the EP&A Act and guideline:

- a statement of the objectives or intended outcomes of the proposed instrument;
- an explanation of the provisions that are to be included in the proposed instrument;
- the justification for the proposed objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will comply with relevant directions under Section 117 of the EP&A Act);
- concept plan of the site showing sufficient detail to indicate the effect of the proposal; and
- details of the community consultation that has been and is proposed to be undertaken by Wongabri Burradoo Pty Ltd in the preparation of the proposed instrument.

The Planning Proposal has been prepared following the Notice of Rescission issued by Council on 27 June 2012 in which Council acknowledged the merit of the proposal and passed a resolution to prepare and lodge a Planning Proposal to rezone Lot 5 in DP 1087928 (Eridge Park) from RE1 Public Recreation to R2 Low Density Residential and reclassify Eridge Park from Community land to Operational Land in accordance with Section 55 of the EP&A Act.

It is requested that the Council forward the Planning Proposal to the Minister for Planning and Infrastructure for Gateway Determination in accordance with Section 56 of the EP&A Act.

1.1 Background to the Planning Proposal

In 2006 Wongabri Burradoo Pty Ltd submitted a Planning Proposal to Council seeking an amendment to the LEP to permit the development of Wongabri for an aged care centre, leisure centre and botanic gardens. The Planning Proposal was not supported due to the scale and intensity of development on the land.

A second Planning Proposal was submitted to Council in regard to only the Wongabri site on 29 February 2012. The Planning Proposal sought an amendment to the LEP similar to the 2006 proposal with the addition of a regional art gallery and performance venue. However the proposal was not formally reported to Council and was withdrawn on 17 May 2012.

On 23 May, Wongabri Burradoo Pty Ltd submitted a third Planning Proposal. This related to the Eridge Park site, the subject of this planning proposal. It proposed a 'land swap' between Wongabri and Eridge Park, with the land at

Eridge Park to be rezoned and reclassified to enable an *"Aged Care Village development comprising a mix of Independent Living Units, low care accommodation, assisted care accommodation, high care accommodation and special needs/dementia accommodation"*. In addition, as part of the arrangement, the current recreational facilities at Eridge Park were proposed to be relocated and upgraded to the Wongabri site and additional facilities in the form of an amphitheatre, children's playground, BBQ facilities and a bicycle/running track would also be provided.

Furthermore, as part of the arrangement, Wongabri Burradoo Pty Ltd also proposed to provide a substantial upgrade to the Mittagong swimming pool and recreation centre site.

The Planning Proposal was reported to Council on 13 June 2012. The Council passed a motion which recommended that:

- *Council acknowledge the potential merit in the proposal;*
- *prior to considering lodging a Planning Proposal for a Gateway Determination, Council consult with the community;*
- *the basis of the consultation be in relation to the transfer of Community Land (Eridge Park) for the purposes of an Aged Care development; and*
- *the matter be brought forward as a priority for the new Council elected in September 2012.*

However, subsequently, on 27 June 2012, a rescission motion was passed by Council in regard to the resolution handed down on 13 June 2012. This therefore effectively cancelled out the resolution. At the same meeting, the original motion, which sought Council's endorsement of the Planning Proposal was passed and Council resolved that:

- *Council in accordance with Section 55 of the Environmental Planning and Assessment Act 1979, prepare and lodge with the NSW Department of Planning and Infrastructure a Planning Proposal to rezone Lot 5 1087928 (Eridge Park) from RE1 (Public Recreation) to R2 Low Density Residential and to reclassify Eridge Park from Community Land to Operational Land;*
- *if the Planning Proposal is given a Gateway Determination to proceed, undertake consultation with the community and relevant government agencies in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 and the directions of the Gateway Determination; and*
- *the Applicant be advised of Council's decision.*

This Planning Proposal is therefore submitted pursuant to Council's endorsement of the earlier Planning Proposal. It therefore proposes to rezone the Eridge Park site from RE1 Public Recreation to R2 - Low Density Residential and reclassify the land from Community Land to Operational Land to facilitate a seniors housing development on the site. Furthermore, as noted above, pursuant to the Planning Proposal, Wongabri Pty Ltd intends to enter into a land swap agreement and Voluntary Planning Agreement (VPA) with Council to:

- dedicate the land known as Wongabri to Council and relocate and upgrade the current recreational facilities at Eridge Park to Wongabri; and
- substantially upgrade the Council owned Mittagong Swimming pool and recreation centre site, Old Hume Highway, Mittagong.

Masterplan documentation for the proposed works on all three sites, prepared by Allen Jack +Cottier is included at **Appendix A**.

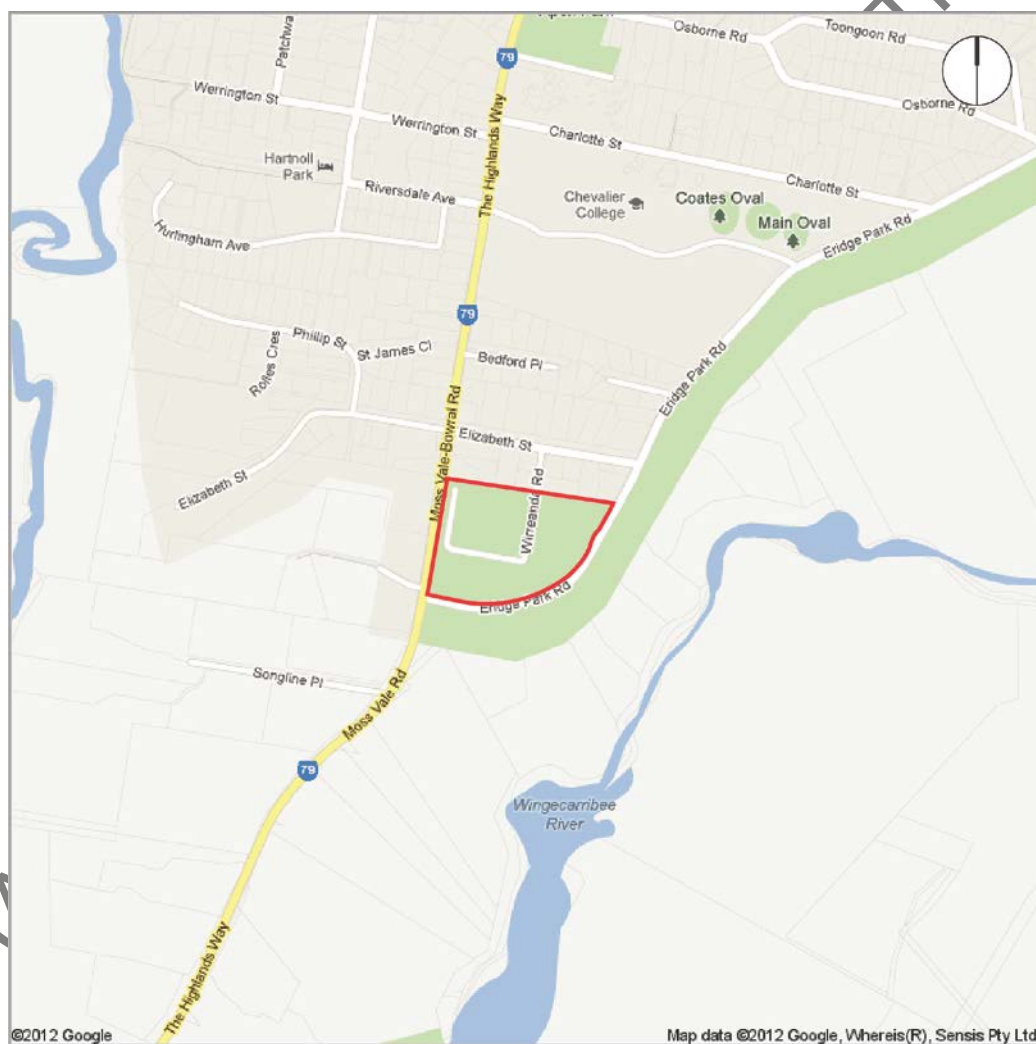
2.0 Site Analysis

2.1 Eridge Park

2.1.1 Location and Context

Eridge Park (the site) is located at the corner of Eridge Park Road and Moss Vale Road within Burradoo. Burradoo is the southernmost suburb within the Bowral township and is situated within the central part of the Wingecarribee Shire Local Government Area (LGA).

The site is bounded by Eridge Park Road to the south and east, Moss Vale Road to the west and large lot/low density residential development to the north. The site's location within its wider context is illustrated in **Figures 1 and 2**.



■ The Site

Figure 1 – Location of the site



The Site

Figure 2 –Aerial Photograph

2.1.2 Description

The site is irregular in shape and covers an area of approximately 12 hectares. It is owned by Council and is legally described at Lot 5 in DP1087928.

The site is divided by Wirreanda Road and comprises two large grassed sports fields (used as rugby pitches and a multi-use oval), a velodrome, six hard surfaced netball courts¹, the Bowral Rugby Club - a two storey brick built building, cricket nets and a public amenities block.

The site is relatively flat and is predominantly covered with grass. Other vegetation on the site comprises tree planting around the perimeter of the site and around the individual sports areas on the site. Photographs of the existing development are provided at **Figure 3**.

Vehicular access into the site is via Wirreanda Road which links to Elizabeth Street, an east-west single lane road which in turn provides access to Eridge Park Road to the east and Moss Vale Road to the west.

¹ It is noted that the most recent aerial photograph available does not show all six netball courts.



North-western sports field



South-western sports field



Velodrome located in north-eastern part of the site



Netball courts located in the south-eastern part of the site



Rugby club building



Public amenities block

Figure 3 – Photographs of the Eridge Park site

2.1.3 Surrounding Development

The site forms the southern boundary of the Bowral township and the northern boundary of the 'green belt' area between Bowral and Moss Vale. As shown in **Figure 2**, surrounding development predominantly comprises large lot residential development and open space. Photographs of the large lot residential development located adjacent to the site are included in **Figures 4 and 5**.



Figure 4 –Residential development located on the western side of Wirreanda Road



Figure 5 –Residential development located on the eastern side of Wirreanda Road

2.2 Wongabri and Mittagong

2.2.1 Wongabri

The Wongabri site is located south of Eridge Park on the eastern side of Moss Vale Road. It is bounded by Moss Vale Road to the west, open land to the north and south and the Wingecarribee River to the east, as illustrated in **Figures 6 and 7**.

The site is currently owned by Wongabri Burradoo Pty Ltd, is legally described as Lot 3 in DP609703 and Lot 2 in DP 258454 and covers an area of approximately 28 hectares. Photograph of the site are included at **Figure 8**.



Figure 6 – Location of Wongabri

Wongabri has historically been cleared of all native vegetation, has been managed for agriculture and is currently open pasture. It comprises approximately 500m of frontage to the Wingecarribee River, immediately upstream of the Cecil Hoskins Nature Reserve, which is an important regional resting and feeding area for migratory birds and provides habitat for a range of resident and migratory waterbirds.



The Wongabri Site

Figure 7 – Aerial photograph of Wongabri



Figure 8 – Photographs of the Wongabri site (viewed from Moss Vale Road)

2.2.2 Mittagong

The Mittagong site is located off Old Hume Highway, within the north-western part of the suburb. It currently comprises the Mittagong swimming pool and recreation centre and a car parking area. It is bounded by bushland and the Nattai River to the east, bushland to the north and east and the Highlands Golf Club and course and the Mittagong Sports field to the south. A location map is included at **Figure 9** and an aerial photograph is included at **Figure 10**.

The site is owned by Council and is legally described as Lot 1 in DP 981285 (swimming pool) and Lot 1 in DP724437 (recreation centre). Whilst the allotments extend to 19 hectares in total, the proposed extent of works covers an area of approximately 1.6 hectares. Photographs of the site and its surrounds are included at **Figure 11**.

The Mittagong site includes a number of native trees and some exotic ornamental shrubs and small trees, however these are not considered to be threatened species and are no part of an 'endangered ecological community'.

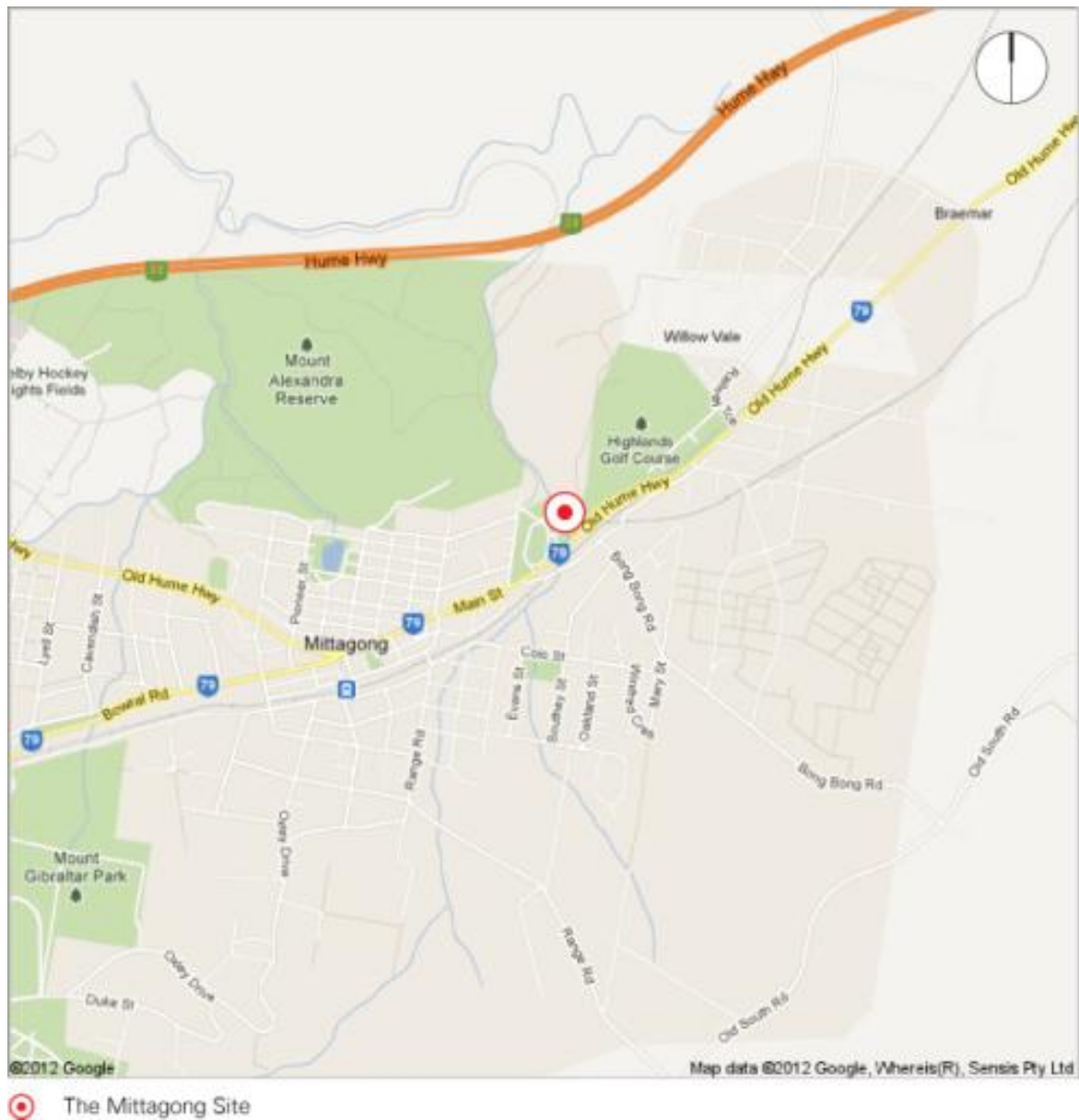
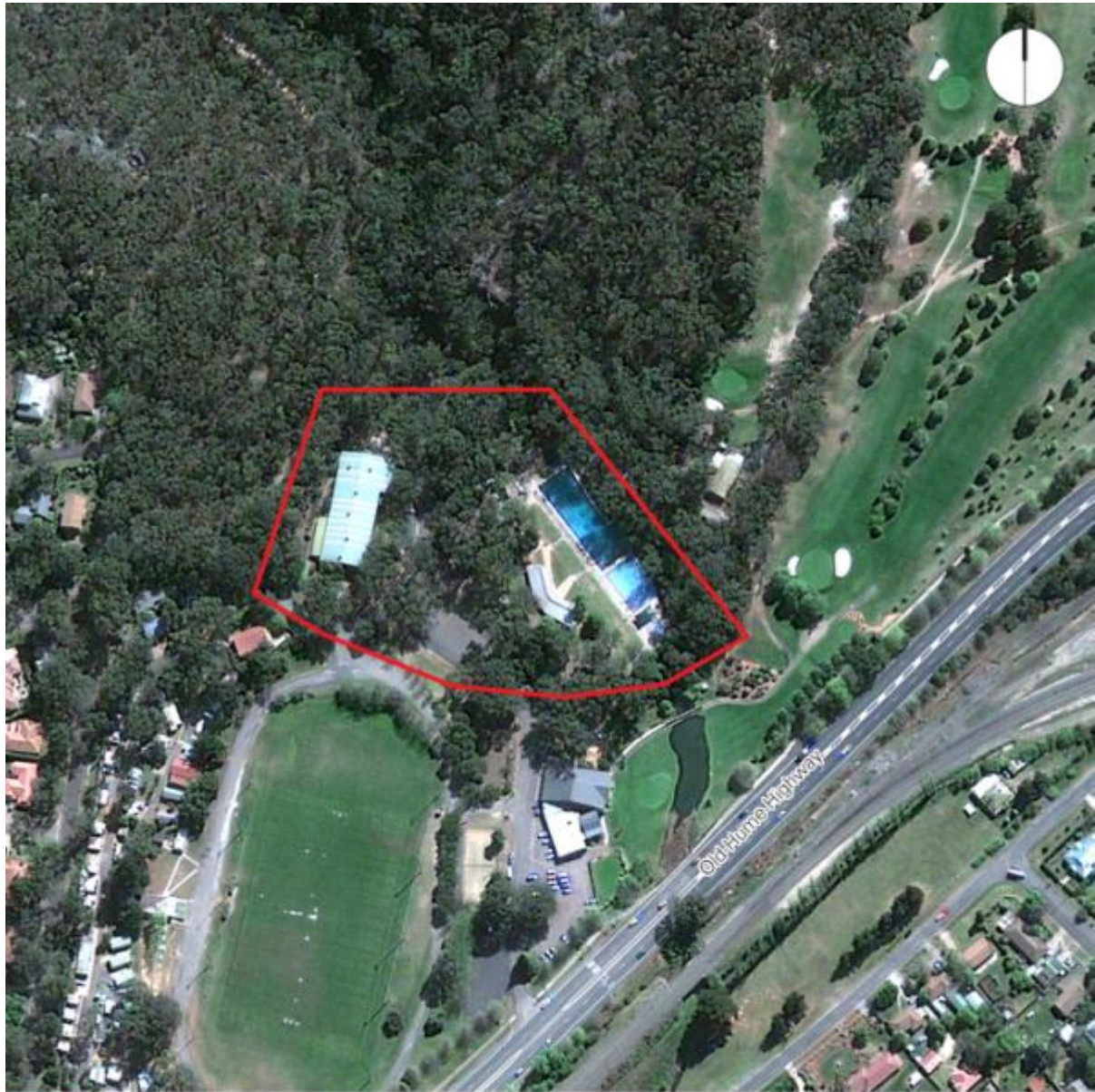


Figure 9 – Mittagong site location plan



 The Mittagong Site

Figure 10 – Aerial photograph of Mittagong site



Car park and recreation centre



Recreation centre



Swimming Pool



Swimming pool amenities block



Mittagong sports field



Highlands Gold Club

Figure 11 – Photographs of the Mittagong site and surrounding uses

3.0 Strategic and Statutory Context

3.1 Wingecarribee Local Environmental Plan 2010

Wingecarribee Local Environmental Plan 2010 (Wingecarribee LEP 2010) is the principal planning instrument currently applying to all three sites.

3.1.1 Eridge Park

The planning controls applying to the site are shown in the following table and the current zoning map is shown in **Figure 12**. The existing RE1- Public Recreation zoning prohibits seniors housing development on the land.

Furthermore, given the site is public land, it is required to be classified in accordance with the *Local Government Act 1993*. There are two classifications, 'community' and 'operational'. The site is currently classified 'community' land and therefore can only be used for public purposes. In order for the land to be used for any other use, transferred or sold (as proposed), it is required to be reclassified to an 'operational' classification.

Table 1 – Summary of key existing planning controls

Wingecarribee LEP 2010 - Key Planning Controls	Control
Zoning	RE1 - Public Recreation
Permissible uses	Camping grounds; Caravan parks; Child care centres; Community facilities; Entertainment facilities; Environmental facilities; Function centres; Kiosks; Markets; Places of public worship; Recreation areas; Recreation facilities (indoor); Respite day care centres; Restaurants or cafes; Roads; Signage; Take away food and drink premises; Water storage facilities

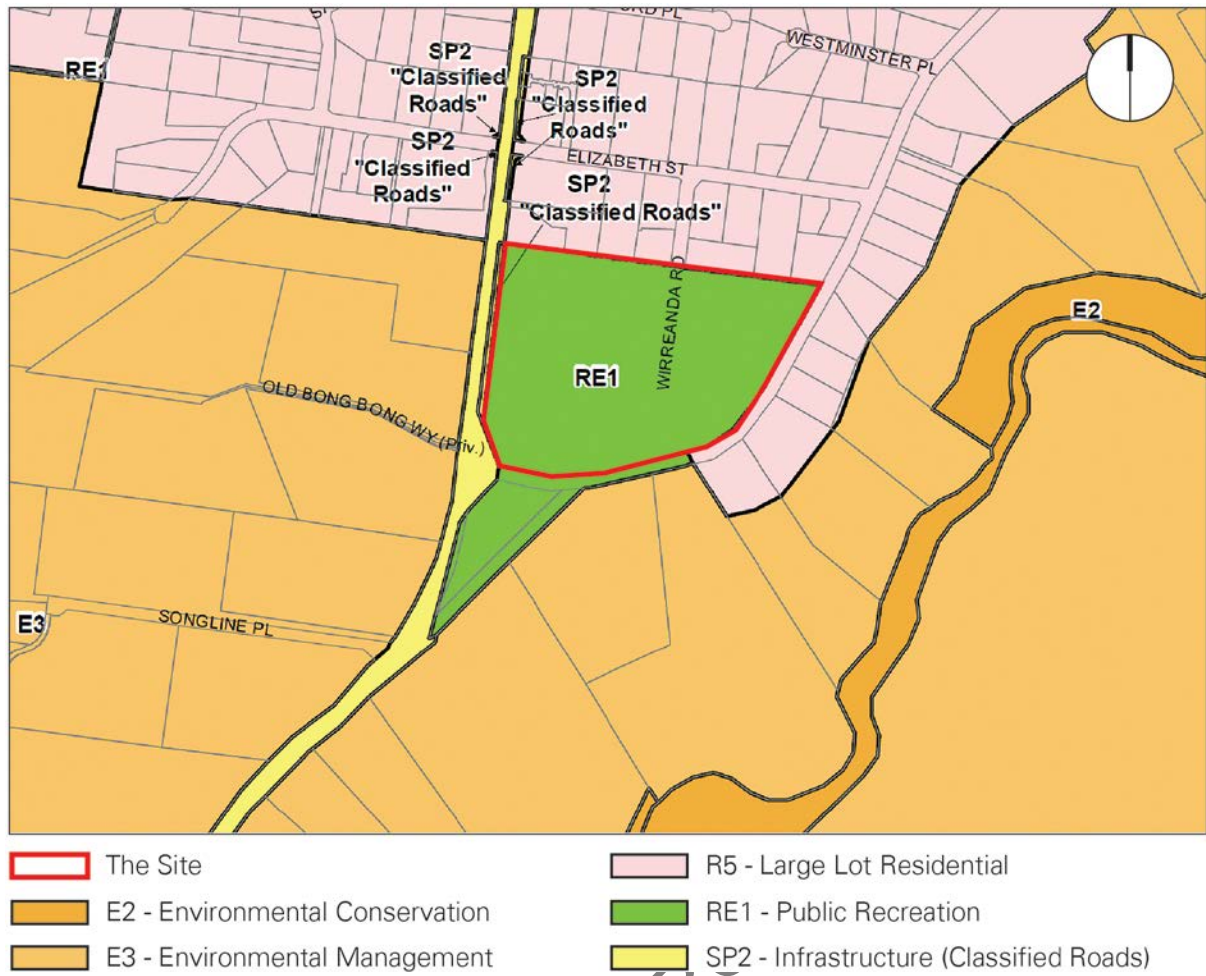


Figure 12 – Eridge Park - current zoning in Wingecarribee LEP 2010

3.1.2 Wongabri

The Wongabri site is currently zoned E3 - Environmental Management, as illustrated in **Figure 13**. Under the Wingecarribee LEP 2010, the intended recreation development would be defined as 'recreation areas'² and/or 'recreation facilities (outdoor)'³ and is permissible with development consent. Given this Planning Proposal will not affect the zoning or development controls set out within the Wingecarribee LEP 2010, the minimum lot size control of 4ha which is applicable to the Wongabri site will remain.

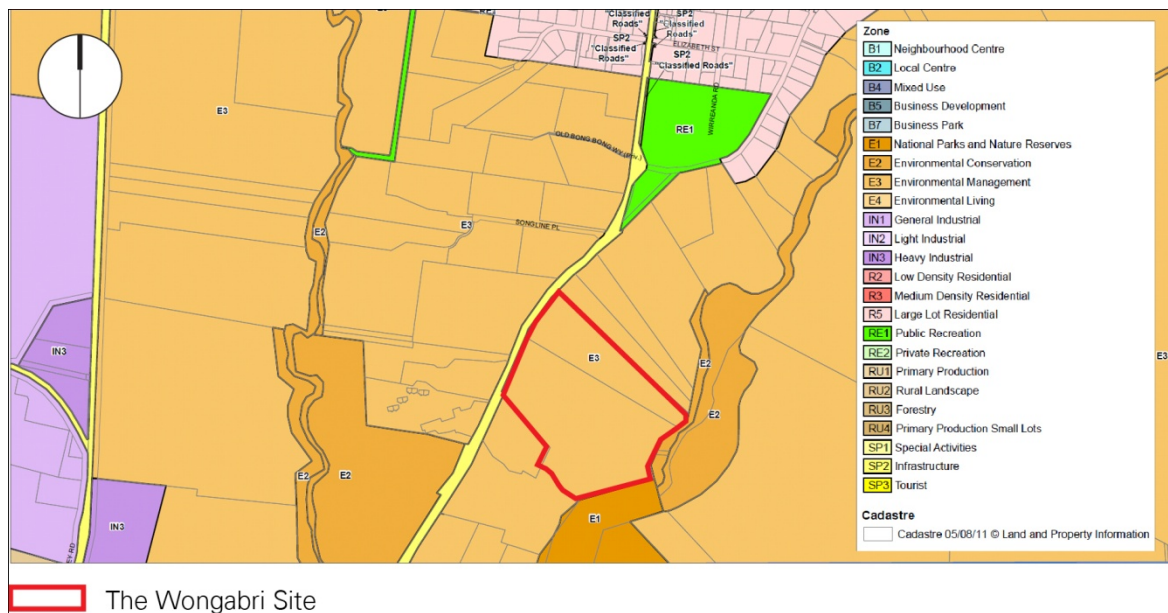


Figure 13 – Wongabri - current zoning in Wingecarribee LEP 2010

² **Recreation area** means a place used for outdoor recreation that is normally open to the public, and includes:

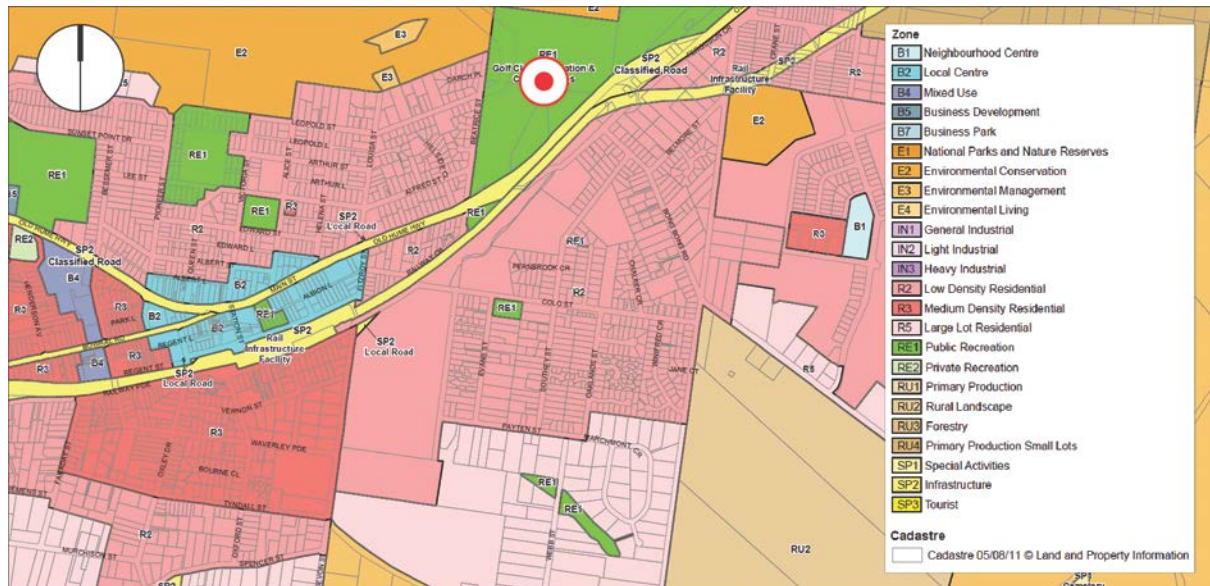
- a) a children's playground, or
- b) an area used for community sporting activities, or
- c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

³ **Recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not for the purposes of gain, including golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

3.1.3 Mittagong

The Mittagong site is currently zoned RE1 - Public Recreation, as illustrated in **Figure 14**. Under the Wingecarribee LEP 2010, the intended redevelopment of the site would be defined as 'recreation areas' and/or 'recreation facilities (indoor)'⁴ and is permissible with development consent.



● The Mittagong Site

Figure 14 – Mittagong - current zoning in Wingecarribee LEP 2010

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⁴ **Recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

3.2 Sydney Canberra Corridor Regional Strategy

The Sydney-Canberra Corridor Regional Strategy was published by the Department of Planning and Infrastructure in 2008. It applies to the LGAs of Wingecarribee, Goulburn Mulwaree, Upper Lachlan, Yass Valley, Palerang and Queanbeyan and provides strategic direction and a broad planning framework between 2006 and 2031, to ensure that future population growth within the Regional is supported by required services and infrastructure.

The Regional Strategy includes the following provisions relevant to the site and proposal:

- Bowral is identified as a Major Regional Centre and is the preferred location for infill development and redevelopment within Wingecarribee Shire LGA.
- The population of Wingecarribee Shire LGA is expected to increase by 16,400 by 2031, which equates to an overall dwelling demand of 8700 between 2006 and 2031. In 2008, the Strategy identifies that 5700 dwellings had either been built or proposed, therefore an identified shortfall of 3000 dwellings remains.
- Infill and medium density housing is required to be provided to meet the needs of an ageing population.
- The separation of the respective areas of Mittagong, Bowral and Moss Vale is encouraged by extensive bushland, floodplain and rural land in order to maintain the distinction between the towns and not allow them to be joined by development.

3.3 Wingecarribee Demographic and Housing Study

In May 2012, SGS Economics and Planning prepared a report for Wingecarribee Shire Council to help them to make informed decisions about accommodating demand for housing over the next 20 years.

Relevant to this Planning Proposal, the report references population forecasts (prepared by the DPI) which indicate that the number of residents aged 55 years and over is expected to grow by more than 70% between 2011 and 2036, and the number of residents aged over 85 is expected to more than triple from 1170 to 3880 over the same period.

By utilising the DPI population projections, SGS forecasts a shortfall in the supply of housing specifically for older residents by 2036. In particular:

- a 55 bed shortfall for low care residential aged care;
- a 672 bed shortfall for high care residential aged care; and
- an undersupply of 430 Independent Living Units (if no additional capacity is made available).

In addition, SGS notes that community resources are also likely to be stretched to meet the requirements of residents who lack support networks, or where housing design and configuration is inappropriate to age in place.

3.4 State Environmental Planning Policies

State Environmental Planning Policies (SEPPs) typically apply across NSW and relate to a range of development related matters, or provide specific additional controls or provisions applicable above, in lieu of or override LEP controls. The following State Environmental Planning Policies are relevant to the Planning Proposal.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2009

State Environmental Planning Policy (Exempt and Complying Development Codes) 2009 (Exempt and Complying Codes SEPP), enables development which complies with the relevant 'codes' to be carried out without the need for development consent, or in accordance with a complying development certificate as defined in the EP&A Act.

State Environmental Planning Policy 64 - Advertising and Signage

State Environmental Planning Policy 64 (SEPP 64) applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The SEPP includes assessment criteria, which proposed signage is required to be assessed against before development consent can be granted.

State Environmental Planning Policy (Infrastructure) 2007

The aim of State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) is to facilitate the effective delivery of infrastructure across the State. Under Clause 104, the NSW Road and Maritime Services 9RMS) Department (formerly RTA) must be referred particular traffic generating development.

Clause 104 however only relates to development applications, therefore whilst a future development application may be required to be referred to the RMS (subject to the proposed LEP amendment being gazetted) this Planning Proposal is not required to be referred to the RMS under the Infrastructure SEPP.

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 (State and Regional Development SEPP) specifies, amongst other things, that where Council is part of any agreement or arrangement relating to a development which is over \$5million, the regional panel may excise the functions of the consent authority.

Any future development over \$5million on the site (subject to the proposed LEP amendment being gazetted) will be required to be referred to the Joint Regional Planning Panel for determination, however the State and Regional Development SEPP does not apply to Planning Proposals.

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP HSPD) aims to encourage the provision of housing for seniors and disabled people, by essentially enabling proponents to set aside local planning controls what would ordinarily prevent the development.

SEPP HSPD cannot be utilised for permit seniors housing development on the site, because it is not on land primarily zoned for urban purposes or on land that

adjoins land zoned primarily for urban purposes under the provisions of the SEPP. Furthermore, SEPP HSPD does not apply to this Planning Proposal.

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4.0 Objectives and Intended Outcomes

4.1 Eridge Park

The objectives and intended outcomes of the Planning Proposal are to:

- amend the Wingecarribee LEP 2010 to permit the development of a seniors housing development with consent on the subject land;
- contribute to meeting demand for seniors housing accommodation and hospice facilities within the Wingecarribee Shire LGA;
- provide ancillary support services that do not have an unreasonable impact on the locality;
- generate consumer spending, investment and employment with approximately 250 full-time equivalent jobs in the locality; and
- have no significant public infrastructure costs or environmental impacts

At this stage, the seniors housing development is at a conceptual stage and would be planned in detail and designed in a future Development Application stage after the WLEP 2010 is amended to permit the proposed use. At this stage, the concept for the seniors housing development can be described as comprising the following:

Land use

The proposal is for proposed seniors housing development that comprises independent living units, a residential aged care facility and ancillary facilities, such as a cafe, hairdresser, community hall, gymnasium, chapel, bowling and croquet lawns and a swimming pool/spa.

Building structures

The proposed seniors housing development will need to be architecturally designed and comply with Council's requirements for seniors housing developments, the State Environmental Planning Policy (Housing for Seniors and People with a Disability) and State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development. Preliminary Concept Plans are attached at **Appendix A**.

Access and Parking

The site of the seniors housing development has two road frontages and the internal access road on the subject land. The optimum access and parking arrangements for the proposed seniors housing development would be determined by detailed traffic engineering analysis to be carried out in the design stage of development as part of a future Development Application in consultation with Council and the RTA.

Landscaping

A landscape plan for the seniors housing development would need to be prepared in the design stage of development as part of a future Development Application. At this stage, it is envisaged that dense landscaping would be planted around site boundaries to screen adjacent properties to the north, west and south.

Civil Works

The proposed development would involve civil works including utility services connections, stormwater management, earthworks and road works normally

associated with such a development that will be planned, engineered and designed in detail as part of a future Development Application.

Operational Management

The proposed seniors housing development will have a number of operational management components that will be resolved as part of the planning in a future Development Application including matters such as waste management, security, traffic management, etc.

Signage

Signage proposed as part of the development would be included in a future Development Application.

4.1.1 Objectives and Intended Outcomes

The Planning Proposal is to make a site specific LEP at Eridge Park to rezone the site from RE1 - Public Recreation to R2 - Low Density Residential and reclassify the land from Community Land to Operational Land.

The objective of this Planning Proposal is to permit seniors housing development on the site.

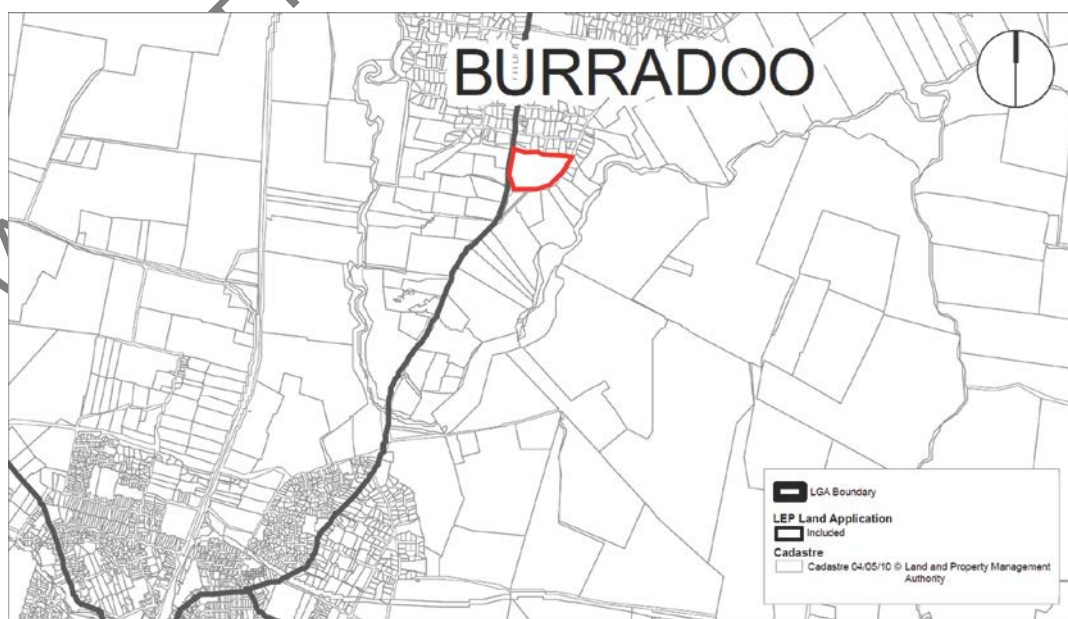
The intended outcome of the Planning Proposal rezone the land from RE1 - Public Recreation to R2- Low Density Residential. In addition, it is also intended that the land to which this Planning Proposal applies is reclassified from 'community' land to 'operational' land.

4.1.2 Explanation of Provisions

This section provides an explanation of the proposed provisions of the site specific LEP. Terms used in this description have the same meaning as in the EP&A Act, the Wingecarribee LEP 2010 and Standard Instrument.

Land to which the Plan will Apply

Figure 15 identifies the land that is proposed to be included in the site specific LEP. It is legally described as Lot 5 in DP 1087928.



The Site

Figure 15 – Land proposed to be included in the site specific LEP.

Savings Provisions

It is not considered necessary to include any savings provision.

Relationship to Existing Local Planning Instruments

It is proposed that Wingecarribee LEP 2010 will continue to apply and will be amended by the site specific LEP. It is considered appropriate that the provisions for the site be incorporated within an amending LEP to Wingecarribee LEP 2010. It is considered appropriate to amend the Wingecarribee LEP 2010 and rely on its other provisions given it is consistent with the *Standard Instrument - Principal Local Environmental Plan* template.

Rezoning and Reclassification of Land

An amendment to the Land Zoning Map - sheet LZN_007G is sought to rezone the land identified in Figure 12 from RE1 - Public Recreation to R2 - Low Density Residential. It is also requested, that the site be reclassified from Community Land to Operation Land, to enable the proposed land swap to occur as described in Section 1.0.

Given that the Wingecarribee LEP 2010 does not contain any other development standards i.e. FSR, Building Height etc for residential zones, no specific built form development standards for the site are proposed within this Planning Proposal. It is envisaged that the *Bowral Town Plan Development Control Plan* would apply to the site and future development.

Exempt and Complying Development

State Environmental Planning Policy (Exempt and Complying Development Codes) 2009, State Environmental Planning Policy (Infrastructure) 2007 and State Environmental Planning Policy No 64 (Advertising and Signage) apply and will continue to apply to the site, establishing a range of exempt and complying development.

It is proposed that no further exempt and complying development provisions be incorporated within the Planning Proposal at this stage.

4.2 Wongabri

The Planning Proposal (through a land swap agreement and VPA) will dedicate the Wongabri site to Council and relocate and upgrade the current recreational facilities at Eridge Park to Wongabri.

The Wongabri development is at a conceptual stage (refer to **Appendix A**) and would be planned in detail and designed in a future Development Application stage, subject to the gazettal of the proposed LEP amendment. However the concept for Wongabri can be described as providing the following:

- rugby fields;
- netball courts;
- picnic area/children's play area;
- bicycle track;
- velodrome;
- multi-use oval (for community events, theatre, music, fireworks, cricket, AFL etc); and
- open parkland.

4.3 Mittagong

The Planning Proposal (through a VPA) will substantially upgrade the Mittagong swimming pool and recreation centre site, Old Hume Highway, Mittagong.

As with Eridge Park and Wongabri the Mittagong proposal is at a conceptual stage (refer to **Appendix A**), and would be planned and designed in detail in a future Development Application, subject to the gazettal of the proposed LEP amendment.

DRAFT NOT FOR PUBLIC CIRCULATION

5.0 Explanation of Provisions

This section provides an explanation of the provisions proposed in an amendment to the Wingecarribee LEP 2010 to permit a seniors housing development on the subject land. There are three options for amending the Wingecarribee LEP to permit these uses with consent on the subject land.

These three options are as follows:

- **Option 1** - Amendment to the LEP Land Zoning Map to rezone and reclassify the site as described in Section 4.2.4 and as proposed, by this Planning Proposal.
- **Option 2** - Amendment to Schedule 1 - Additional Permitted Uses of Wingecarribee LEP 2010 to include 'seniors housing' development as a permissible use on the site (not proposed).
- **Option 3** - Amendment to the RE1 - Public Recreation zone land use table in the Wingecarribee LEP 2010 to allow 'seniors housing' development to be permissible within the zone (not proposed).

Option 1 – Rezoning to R2 Low Density Residential

The first option is to rezone the subject land to R2 Low Density Residential by amending the Land Zoning Map – Sheet LZN_007G in the Wingecarribee LEP 2010 LEP, and to permit the proposed development.

The land use table for the R2 Residential Zone in Wingecarribee LEP reads as follows:

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental facilities; Exhibition homes; Exhibition villages; Group homes; Health consulting rooms; Home businesses; Home industries; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Roads; Seniors housing; Serviced apartments; Signage

4 Prohibited

Any development not specified in item 2 or 3

Option 2 - Additional Permitted Use in Schedule 1

The second preferred option is to add the following provisions to Schedule 1 – Additional Permitted Uses in the Wingecarribee LEP 2010:

1 Use of certain land at Eridge Park Road, Eridge Park

- (1) *This clause applies to land at Eridge Park Road, Eridge Park, being Lot 5, DP 1087928.*
- (2) *Development for the purposes of seniors housing development is permitted with consent.*

The above amendment to the Wingecarribee LEP 2010 would permit the proposed seniors housing development and ancillary uses with development consent under clause 2.5 of the LEP, which reads as follows:

2.5 Additional permitted uses for particular land

- (1) *Development on particular land that is described or referred to in Schedule 1 may be carried out:*
 - (a) *with development consent, or*
 - (b) *if the Schedule so provides—without development consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.*
- (2) *This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.*

In Option 2, the underlying RE1 Public Recreation Zone would continue to apply to the subject land together with the Schedule 1 Additional Permitted Uses. However, as the land is currently classified for community uses, a reclassification of the site would still need to occur to classify the land as 'operational'.

Option 3 - Amend the RE1 Public Recreation Zone land use table to allow 'seniors housing' development to be permissible within the zone

Whilst this is a potential and valid option, it is not proposed on the basis that Council is unlikely to pursue this option which would effectively permit seniors housing developments to be carried out with consent across the entire LGA.

6.0 Justification

6.1 Need for the Planning Proposal

The Department of Planning document *A guide to preparing planning proposals* (DOP 2009) includes the following questions in describing the need for the Planning Proposal.

Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is a result of a number of investigations carried out by the proponent and their consultants including the following which demonstrate the suitability of the subject land for the proposed development of a seniors housing development:

- Council's Housing and Demographic Study which demonstrates that Wingecarribee is facing an increasingly older population which should ideally be accommodated within the LGA;
- market demand and interest from operators of seniors housing developments;
- land capability analysis carried out by JBA showing that the land is capable of supporting the seniors housing development in terms of its location on the subject land, size and dimensions, topography, road access, significant buffer distances to surrounding properties, and absence of any significant vegetation, environmental constraints or hazards as described in Section 2 of this report; and
- preliminary desktop utility service infrastructure investigations carried out by the proponent confirming the feasibility of servicing the site.

Is the Planning Proposal the best means of achieving the objective?

The objective of the Planning Proposal is to reclassify the site and permit seniors housing development on the site. There are three options available to achieve the proposal as follows:

Option 1

Option 1 is the preferred means of achieving the objectives and intended outcomes as it rezones the land to a new zone that permits the proposed development of a seniors housing development.

Option 2

If Option 1 is not able to proceed, then the second option available to achieve the objectives and intended outcomes is to introduce seniors housing development as an additional permitted use within the current RE1 Public Recreation Zone. This Option is not ideal as it retains the existing RE1 Zone on the subject land, but would still necessitate the reclassification of the site.

However, we understand that the Department of Planning and Infrastructure may now be averse to amending Schedule 1 - Additional Permitted Use in LEPs to allow specific uses, and if so then Option 2 may not be able to proceed.

Option 3

As outlined earlier in this report, it is understood that Council would not be supportive of an amendment to the RE1 - Public Recreation zone land use table.

Other Zone Options

Under the Wingecarribee LEP 2010, seniors housing developments are permissible only in the R2 and B4 zones. A B4 Mixed Uses zone is not appropriate for the site or the Burradoo village generally as the objectives of this zone seek to essentially provide business centres or precincts with a wide range of permissible urban commercial uses that are not preferred for the subject land in comparison to Option 1 above which envisages a predominately residential character.

Is there a net community benefit?

The proposed site specific LEP will result in net community benefit by permitting a seniors housing development to occur on the site. In particular the net community benefit of the Planning Proposal can be summarised as follows:

- it will facilitate the provision of:
 - a new seniors housing development to meet the forecasted need for additional seniors housing accommodation and hospice facilities within the LGA and enable local residents to remain within their familiar surroundings and close to family;
 - a future development which intends to provide a high quality living environment;
 - a mix independent living units and a residential aged care facility which will enable residents to remain within in the same environment as their care needs increase; and
 - a range of facilities for the benefit of future residents, (i.e. cafe, hairdresser, community hall, chapel, gymnasium, bowling and croquet lawns, gardens and swimming pool).
- it generates additional consumer spending, investment and employment with approximately 250 full-time equivalent jobs in the locality;
- it has no significant public infrastructure costs or environmental costs;
- it does not undermine the viability of the existing urban footprint of the Burradoo village; and
- it will preserve the distinction between the urban areas of Bowral and Moss Vale and the green space.

Furthermore, Table 2 below provides a preliminary assessment of Net Community Benefit using the criteria in the Draft Centres Policy (as required by the Department of Planning and Infrastructure's *A guide to preparing Planning Proposals Draft Centres Policy*).

Table 2 – Net community benefit assessment

Criteria	Response
Will the rezoning be compatible with agreed State and regional strategic direction for development in the area?	As set out in Section 4.3.2, the rezoning will contribute to achieving important objectives and actions in the Sydney-Canberra Corridor Regional Strategy.
Is the subject site located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	The Eridge Park site is located within the Bowral Major Regional Centre which is targeted in the Sydney-Canberra Corridor Regional Strategy for growth in housing and employment.
Is the rezoning likely to create a precedent or create or change the expectations of the landowner or other landowners?	The rezoning and reclassification of the Eridge Park site will not create a precedent or expectations for other landowners. The Planning Proposal is underpinned by a unique agreement with Council for the provision of new and upgraded public recreation facilities within the Wingecarribee Shire LGA.
Have the cumulative effects of other rezoning proposals in the locality been considered. What was the outcome of these considerations.	The cumulative impacts of other rezoning proposals have not specifically been considered as part of this Planning Proposal, however the Wingecarribee Demographic and Housing Study does include an analysis of the supply and demand of Seniors Housing development within the Wingecarribee Shire LGA and has determined that there is a shortfall in the supply of this form of development to meet the future population needs. It is therefore considered that the rezoning of the site is not likely to give rise to adverse impacts on existing seniors housing developments.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	The Planning Proposal intends to rezone the land R2 - Low Density Residential, therefore it will permit some form of the residential uses on the site, which has the opportunity to increase the housing supply to the local population.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site?	Given that the site is located within the boundary of the Bowral township and adjacent to an existing residential zone, it is anticipated that a full range of utility services is available to the site. Furthermore, the site is bounded by Eridge Park Road and Moss Vale Road and has existing access from Elizabeth Street, therefore existing road infrastructure services the site.
Will the proposal impact on land that the Government has identified a need to protect or have other environmental impacts?	The site does is not an area identified with high biological diversity and it not constrained by environmental factors such as flooding or other environmental impacts.
Will the LEP be compatible/ complementary with surrounding land uses?	The Planning Proposal is considered to be compatible/complementary with surrounding land uses, in particular the R5 - Large Lot Residential zoned land to the north. Importantly the rezoning will define the boundary to the Bowral township and ensure the green space between Bowral and Moss Vale is maintained.
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The public interest reasons are set out above and the implications of not proceeding will mean that the public interest reasons will not be realised.

In addition, the Planning Proposal will also indirectly provide the following community facilities:

- a 28 hectare public recreation development at Wongabri (in exchange for the 12 hectare Eridge Park site); and
- a substantial upgrade to the Council owned Mittagong swimming pool and recreation centre site, Old Hume Highway, Mittagong.

In particular, it is envisaged that the Wongabri site will provide the following community facilities (refer to **Appendix A**):

- rugby fields;
- netball courts;
- picnic area/ children's play area;
- bicycle track;

- velodrome;
- multi-use oval (for community events, theatre, music, fireworks, cricket, AFL etc); and
- open parkland.

The Wongabri proposal will also give rise to a number of ecological benefits as follows:

- revegetating approximately 5 hectares of Southern Highlands Shale Woodland along the foreshores of the Wingecarribee River;
- strategically supporting the nearby Cecil Hoskins Nature Reserve; and
- enabling free movement of wildlife along a larger area of the Wingecarribee River, than currently exists.

Further, the Mittagong site upgrade will provide the following community benefits:

- upgraded and expanded public swimming pool and indoor sporting facilities;
- repair of existing water leakage (approximately 280,000L of chlorinated water per week) from the swimming pool into the Nattai River resulting in an indirect increase in the regional water quality and environment.

6.1.1 Relationship to Strategic Planning Framework

Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional strategy?

The subject land lies within the area covered by the Sydney–Canberra Corridor Regional Strategy. The Planning Proposal is consistent with the objectives and actions contained within the Sydney–Canberra Corridor Regional Strategy (refer to Section 3.2), in the following respects:

- The Planning Proposal will facilitate a seniors housing development including hospice facilities within the Burradoo township.
- The Planning Proposal will facilitate the provision of seniors housing including hospice facilities on the site, to in part meet the identified shortfall in dwelling provision.
- The rezoning of the site will provide a clear urban development boundary for the Bowral township, and will ensure the distinction between the urban areas of Bowral and Moss Vale is maintained.

Furthermore, the Planning Proposal is consistent with each of the sections of the Strategy as described under the corresponding headings below.

Rural Lands and Primary Industry

The Regional Strategy points out the mix of values that comprise rural lands (economic, scenic, cultural and environmental). The subject land has limited agricultural value as it is currently zoned and utilised for public recreational purposes. The subject land has not been identified as having any significant scenic, cultural and environmental values as rural land which would preclude its use for the proposed seniors housing development.

Economic Development and Employment Growth

The Regional Strategy has a forecast employment growth of 27,800 jobs in the region and 9,000 jobs in Wingecarribee LGA to the year 2031. It also has a target of reducing the number of people who commute out of the region for work from 26% to 20% of the workforce by 2031. This Planning Proposal site will assist in providing approximately 250 full-time equivalent jobs that contribute to these targets.

The Sydney-Canberra corridor has an unemployment rate for those aged between 15-24 years that is more than double the total unemployment rate for the region. The proposed development will provide relief in this regard. The region is also experiencing a decline in the population of smaller *towns and villages*. *Employment opportunities for younger age groups are needed in order to arrest this decline*. The proposed development would specifically provide employment opportunities for the youth of the area.

Despite the surplus of employment land within the Wingecarribee LGA, this potential additional employment land would provide a specialist service that would lie in a most suitable location.

Regional Transport

The actions in the Strategy are directed towards ensuring local environmental plans recognise and protect the transport network, and limit inappropriate adjoining development. It also has an action for government agencies to improve the capacity of transport systems.

This Planning Proposal is consistent with the provisions in the Regional Strategy for transport in that it recognises, supports and contributes to improving the capacity of the established transport corridors and will utilise existing access points.

Housing and Settlement

The Regional Strategy is for future growth in housing development to be primarily around existing urban zones and centres and in particular Bowral, Mittagong and Moss Vale in the Wingecarribee LGA.

This Planning Proposal would not significantly impact on the supply of residential land and housing supply as it proposes a form of accommodation that is atypical of traditional residential dwellings. The Proposal is not inconsistent with the Regional Strategy for housing.

Natural Environment

The subject land is not identified in the Regional Strategy as having any significant environmental, ecological, biodiversity or conservation value other than being included in the Sydney drinking water catchment. It has been largely cleared. The management of water associated with the seniors housing development would need to be addressed in the planning and design stage in a future Development Application in accordance with the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2007.

Water and Energy Resources

The proponent has commenced carrying out desktop investigations of utility services including water and energy needed to service the proposed seniors housing development. The provision of these services is currently feasible. We anticipate that relevant utility service providers will need to be consulted further during the planning process.

Water and energy associated with the proposed seniors housing development would need to be addressed in more detail in the planning and design stage in a future Development Application in accordance with relevant planning instruments and requirements of service providers.

Cultural Heritage

The subject land has not been identified as having any significant cultural heritage value.

Wingecarribee Demographic and Housing Study

The Wingecarribee Demographics and Housing Study was prepared to help Council make informed decisions about accommodating demand for housing over the next 20 years. As set out in Section 3.3 the Study forecasts a considerable shortfall in the supply of seniors housing. The Planning Proposal will enable seniors housing to be permissible on the site, which will in turn enable future development applications to be considered for seniors housing development which has the potential to provide a significant proportion of the forecast shortfall.

Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

The State Environmental Planning Policies directly applicable to the Planning Proposal are addressed in **Table 3**, which demonstrates that the Planning Proposal is in compliance with the relevant SEPPs.

Table 3 – Compliance with relevant SEPPs

SEPP	Requirement	Planning Proposal	Comply
SEPP (Sydney Drinking Water Catchment) 2007	The SEPP requires the consent authority for any future Development Application for the proposed seniors housing development to be satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality, and to seek the concurrence of the chief executive of the Sydney Catchment Authority if there is potential impact on water quality.	This is to be satisfied at a future DA stage.	✓
SEPP (Exempt and Complying Development Codes) 2009	The Exempt and Complying Development Codes SEPP enables development which complies with the relevant 'Codes' to be carried out without the need for development consent, or may be carried out in accordance with a complying development certificate as defined in the EP&A Act.	The SEPP will continue to apply to the site.	✓
SEPP 64 - Advertising and Signage	SEPP 64 applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve. The SEPP includes assessment criteria, which proposed signage is required to be assessed against before development consent can be granted.	The SEPP will continue to apply to the site. This Planning Proposal does not seek to alter its application.	✓
SEPP 55 – Remediation of Land	The SEPP requires the planning authority to consider whether land is contaminated, and if so whether it is, or can be made, suitable for the proposed use.	The site is a long established sports field. There are no known past agricultural or industrial activities on the site that are potentially contaminating	✓

Is the Planning Proposal consistent with applicable S.117 Ministerial Directions?

Section 117 of the EP&A Act enables the Minister for Planning and infrastructure to issue directions regarding the content of LEPs to the extent that, the LEP must achieve or give effect to the provisions set out within the directions. There is a range of Section 117 Directions, which require certain matters to be addressed if they are affected by a proposed LEP. The S117 Directions that are relevant to the Planning Proposal are addressed in **Table 4** below:

Table 4 – Compliance with relevant Section 117 Directions

S117 Direction No. and Title	Objective of S117 Direction	Planning Proposal	Comply
3.1 Residential Zones	The objectives of this direction are: – to encourage a variety and choice of housing types to provide for existing and future housing needs, – to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and – to minimise the impact of residential development on the environment and resource lands.	The Planning Proposal is consistent with the objectives of the direction in that it will enable the provision of a range of accommodation choices, such as dwelling houses, seniors housing etc to be permissible on the site. The Planning Proposal relates to a site which has access to infrastructure and services, is adjacent to existing residential zoned land and is within the boundary of an existing township. The Planning Proposal will not impact upon impact on environment or resource lands, as the site has little in the way of ecological value and will facilitate the provision of a 28 hectare new recreational facility at Wongabri.	✓
3.4 Integrating Land use and Transport	The objective of this direction is to ensure that (amongst other things) land use locations achieve the following planning objectives: – improving access to housing, jobs and services by walking, cycling and public transport, and – increasing the choice of available transport and reducing dependence on cars, and – reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and – supporting the efficient and viable operation of public transport services, and – providing for the efficient movement of freight.	The Planning Proposal will permit seniors housing development on a site which is within an existing township which provides the opportunity for future development on the site to improve access to seniors housing, hospice facilities and ancillary facilities such as a cafe, hairdresser etc. In addition, a future increased senior population within the southern Burradoo area, may give rise to increased demand for new or more frequent public transport facilities to be provided.	✓
5.1 Implementation of Regional Strategies	The objective of this direction is to give legal effect to the vision, land use strategy, policies outcomes and actions contained in regional strategies.	As previously discussed, the Planning Proposal is generally consistent with the Sydney-Canberra Corridor Regional Strategy.	✓

6.2 Environmental, Social and Economic Impact

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

The site is predominantly cleared and contains little vegetation. The subject land does not contain any threatened species, populations or ecological communities or their habitats. Accordingly, there will be no impacts to any known critical habitat, threatened species, populations or ecological communities or their habitats resulting from the proposal.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Other environmental considerations associated with the Planning Proposal will be addressed in the following specialist reports, which will be submitted prior to public exhibition of the Planning Proposal:

- Traffic generation and management assessment;
- Water quality, drainage and stormwater assessment;
- Preliminary contamination assessment;
- Economic and Social Sustainability Assessment; and
- Utilities and servicing assessment.

The environmental issues associated with the detailed design and construction of the seniors housing development envisaged by this Planning Proposal, will be addressed in detail in future Development Applications.

Access, traffic and parking

The Planning Proposal, when exhibited, will be accompanied by a traffic assessment prepared in consultation with Council and the Roads and Maritime Services. The Assessment will demonstrate that the subject land and existing road access are capable of supporting the development of a seniors housing development on traffic grounds and subject to the appropriate further traffic analysis in the planning and design of development in a future Development Application stage.

Built form

Building forms would be included as part of a future Development Application for the proposed seniors housing development.

Interface with surrounding properties

The relationship between the proposed seniors housing development and surrounding rural and residential properties in terms of noise, light, privacy, fencing and landscape screening etc. would be included as part of a future Development Application.

Vegetation and landscaping

The subject site has been cleared of native trees in the past and is primarily covered in grasses and pastures. Existing trees on the site comprise pine trees planted along the site's boundaries, and scattered across the subject land as described earlier in this report.

Landscaping would be included as part of a future Development Application for the proposed seniors housing development.

Water management

A water cycle management plan for the proposed seniors housing development and associated uses will need to be included as part of a future Development Application for the detailed planning and design of development.

Bushfire protection

The subject land is not identified as being bush fire prone.

Waste management

A waste management plan for the proposed seniors housing development and associated uses would need to be included as part of a future Development Application for the detailed planning and design of development.

Utility services

Utility services are available in the locality and it is understood that connections to utilities to service the proposed seniors housing are feasible.

Construction impacts

A construction management plan for the proposed seniors housing development and associated uses that identifies and manages the potential environmental impacts of construction activities would need to be prepared prior to works commencing and is expected would be a requirement of a condition of consent to any future Development Application.

How has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal will provide significant economic benefits to Burradoo and the Wingecarribee LGA generally by:

- providing employment for local residents, particularly the youth of the area, with approximately 250 full-time equivalent jobs;
- generating additional consumer spending and investment in the locality; and
- providing additional services in the locality.

This Planning Proposal for a seniors housing development including hospice facilities is a direct response to the strategic population forecasts identified by Council. It is not aimed at competing with traditional housing supply in existing towns and villages in the LGA or having an adverse impact on the existing urban footprint of Burradoo.

In addition, as part of the land swap agreement terms, a Voluntary Planning Agreement will be negotiated with Council to:

- dedicate the land known as Wongabri to Council and relocate and upgrade the current recreational facilities at Eridge Park to Wongabri;
- provide a substantial upgrade to the Council owned Mittagong Swimming pool and recreation centre site, Old Hume Highway, Mittagong.

It is proposed that the Voluntary Planning Agreement will also be in lieu of Section 94 Developer Contributions for the seniors housing development.

6.3 State and Commonwealth Interests

Is there adequate public infrastructure for the Planning Proposal?

There are no significant Commonwealth or State interests in the Planning Proposal, other than in general providing an appropriate planning and development outcome of the site, which is generally consistent with the State's regional and subregional strategies and the strategic planning framework as described above.

It is understood that the site has access to existing infrastructure. As noted in Section 4.4.2 specialist reports will be submitted which will assess the existing provision and the extent of proposed (if necessary) infrastructure to accommodate development on the site.

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

No consultation with State or Commonwealth authorities has been carried out to date on the Planning Proposal. Wongabri Burradoo Pty Ltd has however met with Wingecarribee Council on various occasions, most recently on 15 August 2012 whereby the type of form of the documentation required for the Planning Proposal was discussed.

No formal community consultation has been undertaken to date in regard to this Planning Proposal. However informal consultation has been undertaken with the various sporting stakeholders at Eridge Park. It is expected however that this Planning Proposal will be subject to the statutory community consultation processes in due course in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*. We expect that the preparation of a draft LEP amendment to enable a seniors housing development will be subject to normal statutory consultation with the community.

7.0 Conclusion, Summary and Recommendations

This Planning Proposal is submitted to request an LEP be prepared to enable the rezoning and reclassification of the site within the Wingecarribee LEP 2010 to facilitate the future development of the site for a seniors housing development.

The site, the subject of this Planning Proposal is currently used as a public recreation facility and is Council owned. Having regard to the characteristics of the site, its location and the proposed landswap agreement between Council and Wongabri Burradoo Pty Ltd, the proposed LEP amendment is considered appropriate. Furthermore, it is demonstrated that the rezoning and reclassification of the land to permit seniors housing development to be permissible on the site will generate a number of social and economic benefits, without resulting in any adverse environmental impacts.

The proposal fulfils the objectives of the Wingecarribee LEP 2010 and is consistent with the Sydney-Canberra Corridor Regional Strategy, applicable SEPPs, Wingecarribee Demographic and Housing Study and the Section 117 Directions. In the absence of any adverse impacts and the social and economic benefits of the proposed seniors housing development, we have no hesitation in recommending that Council implement this proposal.

The Planning Proposal has strategic planning merit and provides a net community benefit in the following respects:

Economic and social benefits

- It meets market and strategic demand for a seniors housing development including hospice facilities in this locality;
- It generates additional consumer spending and investment in the locality;
- It creates employment with approximately 250 full-time equivalent jobs in the locality;
- It is aimed at primarily serving the needs of an increasingly older demographic in the Wingecarribee Shire and does not aim to compete directly with or undermine the supply of conventional housing or the footprint of existing villages/towns;
- It has no significant public infrastructure costs; and
- The Planning Proposal will indirectly provide new and upgraded community facilities at Wongabri and the Mittagong swimming pool and recreation centre site.

Land use suitability

- The land is capable of supporting the proposed seniors housing development in terms of its location, size and dimensions, topography, road access, availability of utility services, significant separation and buffer distances to surrounding properties, and absence of significant vegetation, environmental constraints and hazards.

No prohibitive natural resources or environmental issues

- The subject land is not used for agricultural production as it has been approved for public open space.
- The subject land is not identified as having any natural resource, environmental, biodiversity, or conservation value other than being in the Sydney drinking water catchment.

- The rezoning of the site will provide a clear urban development boundary for the Bowral township, and will ensure the distinction between the urban areas of Bowral and Moss Vale is maintained.
- The environmental planning issues associated with the detailed planning and design of the proposed seniors housing development would be addressed in a future Development Application (DA) including building design; interface with adjacent properties; vegetation and landscaping; access, traffic and parking; water management; bushfire protection; waste management; utility services; energy efficiency; compliance with BCA; and construction impacts.
- The proposed land swap agreement, (resulting from the Planning Proposal) will ensure the Wongabri site will strategically support the Cecil Hoskins Nature Reserve and will give rise to the opportunity for the revegetation of approximately 5 hectares of the Southern Highlands Shale Woodland community along the foreshores of the Wingecarribee River.

Consistent with strategic plans

- The Planning Proposal is consistent with the applicable regional strategy being the Sydney–Canberra Corridor Regional Strategy as well as relevant State Environmental Planning Policies and S.117 Ministerial Directions; and
- It is compatible with the overall planning strategies of the Wingecarribee Local Planning Strategy 2010.
- The Planning Proposal will need to be subject to statutory consultation with the community and government authorities in due course in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*.

Conclusion

Given the above planning merits and net community benefit, we request that Council forward this Planning Proposal to the Minister for Planning for a „gateway determination“ in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.