

3 EXPLANATION OF THE PROVISIONS

To facilitate the proposed amendment to SSLEP 2006 it will be necessary to amend the written instrument to include the following :

- a) Clause 14 (1) **'Exemptions to Zoning Table – specified development on specified land'** – Insert in table: Column 1 – "121 Georges River Road, Jannali (Lot 2 DP205183) " Column 2 – "Shop Top Housing and ~~Business premises~~ **Health Services Facility**"
- b) Clause 35 (7) **'Building Density'** – Insert after paragraph (a): "(aa) on the land known as 121 Georges River Road – 0.75:1.
- b)c) Clause 36 (5) **'Landscaped Area'** – insert after paragraph (i): "(j) development on the land known as 121 Georges River Road – 35%

Concept plans appended as part of this proposal. These illustrate how the proposed uses will be configured on the site, the form of the buildings and a discussion on the potential impacts of same.

The use 'Health Services Facility' is intended to have the same definition as used in Standard Instrument - Principal Local Environmental Plan being:

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

- (a) a medical centre,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) patient transport facilities, including helipads and ambulance facilities,
- (e) hospital.

An alternate use that would be acceptable would include 'medical facility' as defined by the Sutherland Shire Local Environmental Plan 2006 being:

medical facility means a building or place used for the medical or surgical treatment of persons, whether public or private, including any of the following:

- (a) any associated shop or dispensary,
- (b) a hospital (other than a psychiatric hospital),
- (c) a sanatorium,
- (d) a health centre,
- (e) a home for infirm persons, incurable persons or convalescent persons, but does not include any part of a correctional centre used for the medical or surgical treatment of persons.

These land use definitions will provide certainty as to the future use to be provided on the ground floor, and limits the expansion of the retail core of the Jannali local centre.

4 JUSTIFICATION

The justification addresses the questions that the Department of Planning applies to the Planning Proposal Gateway Determinations for the amendments to a Local Environment Plan. Each of the questions is addressed individually below:

4.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The planning proposal is not the subject of any specific strategic study or report but is response to the existing land use zoning, the prominent location of the site at a busy intersection and the demand for medical ~~and business~~ and health related uses in the locality.

The Southern Sydney Sub-regional strategy identifies Janalli as a 'Small Village'

Numerous publications including the Sutherland Shire aging strategy 'Ageing well in the Shire' that recognise the substantial growth in persons aged 55 and over. The provision of health facilities in close proximity to where people live is important to ensure high levels of accessibility and increase the independence of those that are not able to travel out of the local area.

4.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES INTENDED OUTCOMES OR IS THERE A BETTER WAY?

The planning history of the subject site identifies that the previous land use did not conform with the uses under the Local Housing Zone ~~use of the land~~. The site is located in a prominent position on a busy intersection, and the low density residential uses permitted by the zoning do not provide for the best and most effective use of the land in the context of meeting local demand and addressing site impacts.

Due to the current limitations implied by the Local Housing Zone, the current land owners are not able to achieve a desirable outcome. The only means through which this matter can be resolved is to amend the Local Environment Plan to permit the proposed uses on the site, thus achieving the objectives.

An alternate proposal that may include a dual occupancy in provided in the figure below. Although this proposal may meet the required development standards, it may result in a development that is not desirable, both for the occupants and the neighbours. The combination of the narrow site, and angled northern boundary and street setback would most probably result in more bulk and scale on the adjoining boundary, less opportunity for deep soil landscaping and increased privacy impacts. By providing a building that abuts the street boundary at the intersection, the landscaped area is able to be provided

in the area of the site where it can provide the most benefit. Adjacent the adjoining residential properties.

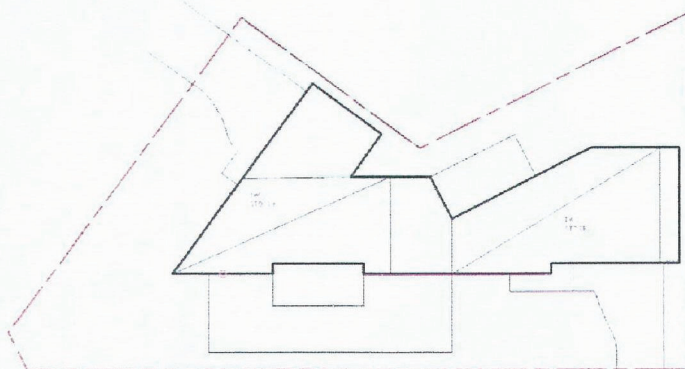


FIGURE 6: POTENTIAL FOOTPRINT OF A DUAL OCCUPANCY WITH COMPLIANT SIDE SETBACKS

The non-residential use on the ground floor is also a preferable use as it provides a buffer against the noise from the traffic at the relatively busy round-a-bout. As a result of the shape of the site – it is highly likely that the uses on this part of the site in the case of a dual occupancy would be part of a private courtyard. This is undesirable as it is on the south side of the building and is abutting the street (which does not provide for a desirable urban design outcome.

4.3 IS THERE A NET COMMUNITY BENEFIT

The public benefit as a result of a potential amendment to includes:

1. The extended definition of uses for the site permits a necessary medical and health services ~~commercial~~ use on a well located and easily accessible site in close proximity to the Jannali local centre
2. As stated in Council's strategy documents there is a current and future need for more health care facilities for the aging population within the shire. This proposal is consistent with this aim.
3. The uses are within 400 metres, (5 minute walk) of the railway station
4. A medical use has negligible impact on existing properties
5. The site will co-locate a variety of mixed uses. This provides flexibility for workers and users of the services on site and is an efficient and orderly use of the land.
6. The residential 'shop top housing' provide for a greater mix of housing choice in an area.
- 6-7. The built form proposed provide definition to the urban structure.

4.4 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Sutherland Shire Council strategies include "Our Shire, Our Future" and "Aging Well in Sutherland Shire". Both identify the statistics in regards to the aging population relevant to the LGA. Of 213,917 population 24% are aged greater than 55 years and 30,609 residents are greater than 66 years of age, (2006 census). It was identified that the population trend was that it is not growing but aging within the Sutherland Shire.

These Council documents identify the need and desire of the community to stay in their homes independently for as long as is possible. Therefore there is a need to ensure that relevant services including health, business and appropriate housing options are well located to existing centres and that sites co-locate necessary services to provide flexibility and high accessibility to these services. Further it is desirable that housing choice is provided so that people can transition from the often large detached single dwelling houses to smaller dwellings – such as those in shop top housing. These reports reiterate that access to good health services is fundamental to the well being of the community. These services need to be widely available.

Direction 5 within "Our Shire, Our Future" states that urban infrastructure should be provided to meet the needs of the community in which it is placed. This planning proposal is consistent with this directive. The facility is located adjacent the local centre of Janalli, there is good access to public transport that feeds the immediate local area and is surrounded by the residential area that the facility will serve.

Council strategies also discuss, consistent with the DoP Metropolitan Strategy 2036, the need for more accessible housing choice that is located in existing centres. The proposal includes a second level comprised of residential uses. These uses are well located to existing services and reinforce an existing centre.

4.5 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

The site is located at a busy intersection on the corner of Box Road, Wattle Street and Georges River Road. The site was formally occupied by a service station. The site is highly visible and accessible.

The proposed amendment will provide for much needed improved medical facilities within the local area on a location in close proximity to public transport – hence providing a significant social benefit. Providing medical facilities in local areas improves access to these facilities for those most in need – those aging or those with disabilities, reducing the need for costly transport options to centres such as Miranda and Sutherland.

The provision of business / medical health services facility uses provides for a positive economic benefit, both in the provision of jobs during construction but also in the long term providing additional opportunities for employment for local residents.

The current concept plans illustrate that a building form that provides for a floor space consistent with the proposed amendments to SSLEP 2006 would be able to be provided on the site with minimal environmental impact. Significant vegetation and setbacks in excess of 6m can be provided to the boundaries of adjacent residential properties reducing privacy concerns. Further the site is located to the south and west of the adjoining residential properties and overshadowing will not be of concern.

The proposed minimum landscape area of 35% is consistent with other development types permissible in the zone – including villa developments (30%) and townhouse developments (40%). The concept plan illustrates that the total planting area (including above the basement carpark, can be exceed 50% of the site area. The concept plan demonstrates that substantial planting can be provided around the perimeter of the site ensuring that the building can be set within a landscape setting – consistent with the zone objectives, and the landscaping can be sufficient to allow for planting to provide privacy. The landscape over the basement is generally in close proximity to the building and would not normally accommodate substantial planting – even if there was no basement below as any tree would be too close to the building.

Locating the building to the street frontage is appropriate in this circumstance for the following reasons:

- Increased setbacks to the rear and side are possible providing increased opportunities for landscaping and increased privacy (even compared with a single dwelling on the site)
- Given the busy nature of the intersection of Wattle Street, Box Road and Georges River Road and the petrol station use opposite the building form seek to further define the urban structure, providing a distinctive built form . The building provides for
- The street frontage has been highly articulated with recesses provided for landscaping.
- The

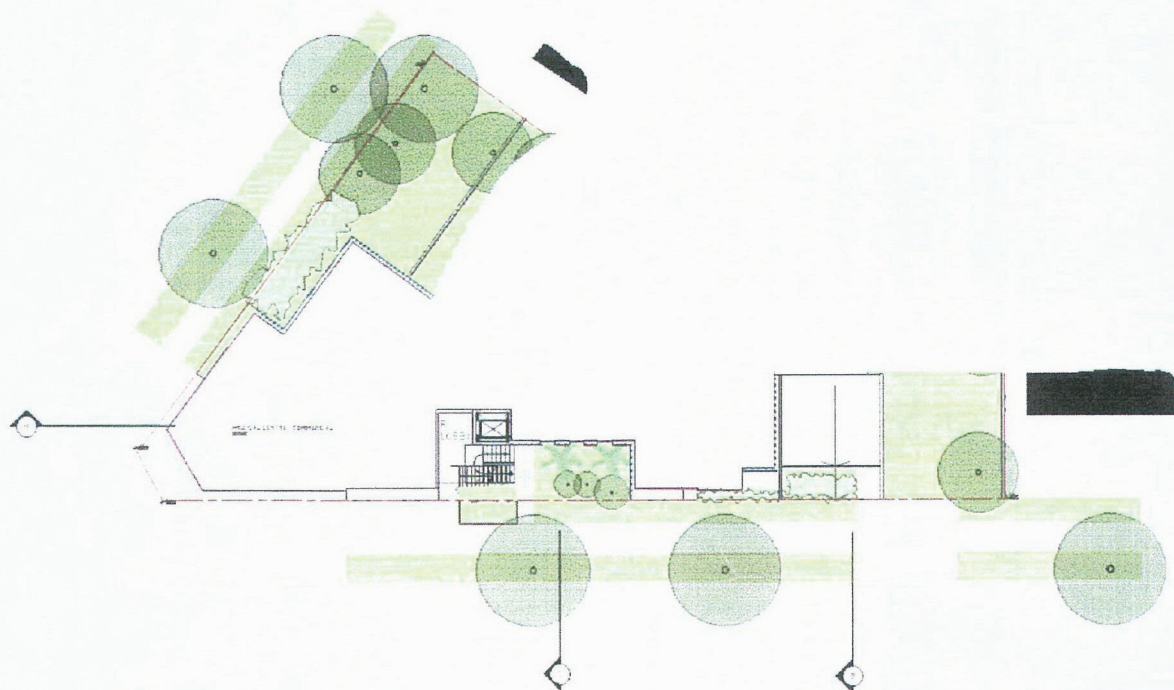


FIGURE 7. STREET FRONTAGE

Medical facilities generally have minimal environmental impacts on adjoining properties and car parking can be provided for on site.

The planning proposal makes best use of a centralised and highly visible and accessible site, while minimising negative impact on the immediate context.

4.6 EXPLANATION OF THE INTENDED ACTIVITIES FOR THE SITE IF IT WAS TO BE REZONED

The intended activities for the site would include on the ground floor, medical, business and commercial uses and on the first floor, residential uses. There will be provision for basement and on-grade car parking for the uses on the site. The on-grade car parking will be located behind the built form fronting the street.

Generally, there are four apartments proposed for the first floor.

5 CONSULTATION

It is expected that Council will be advised through the Gateway determination of the appropriate community consultation process for the proposal from the Department of Planning. This will involve public exhibition of the plan for either 14 days (for low impact proposals) or 28 days (for other proposals). During the exhibition process any person can make a submission concerning the proposed plan.

efficient use of the site through co-location of services and mixed uses, provision of mixed uses that are accessible to the public by public transport or by walking, providing for uses that have minimal impact on the immediate context and providing for an efficient and orderly use of the land.



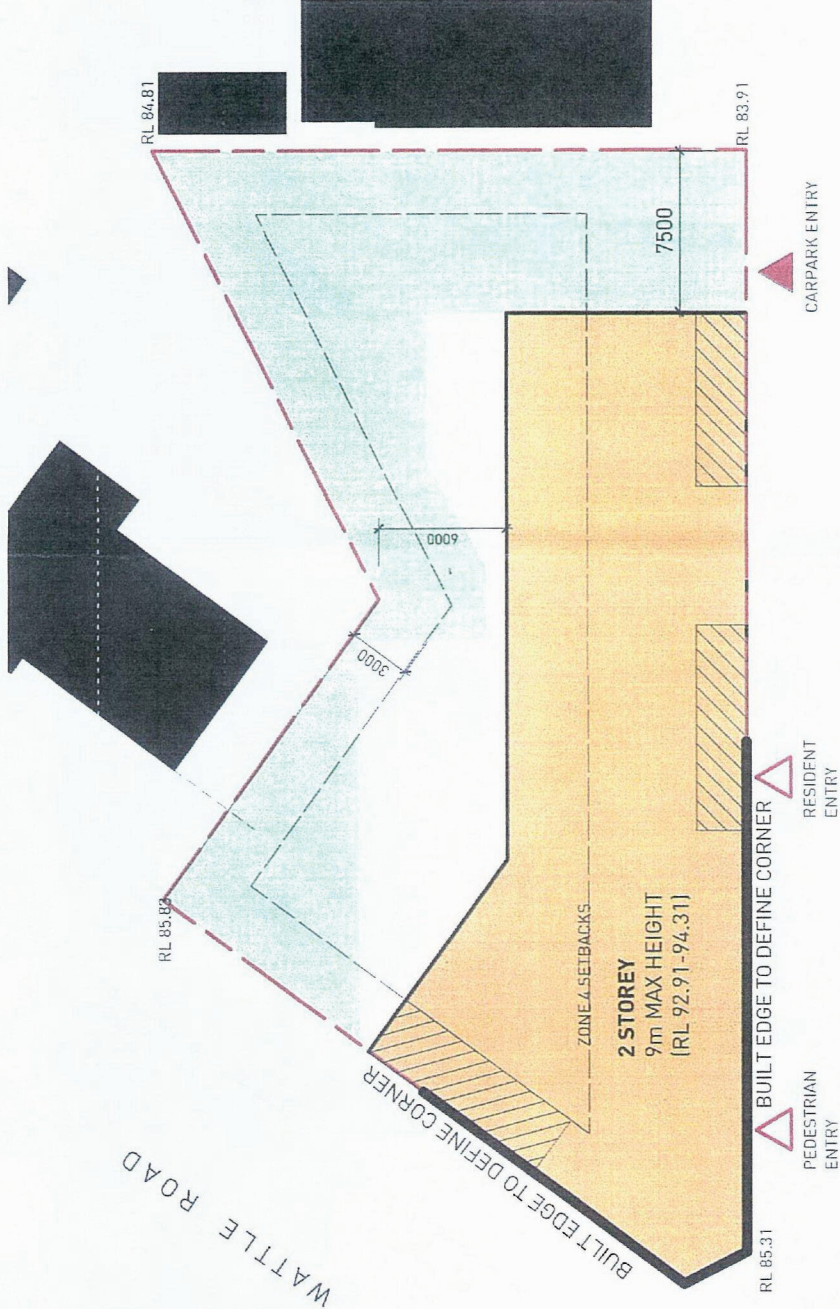
CONTEXT: FIGURE GROUND PLAN

The predominant building form in the immediate vicinity is characterised by single and double storey private dwellings. These are generally setback from the street and surrounded by landscape. There is a petrol station diagonally across from the site.

There are some higher density two storey townhouses located across Wattle Road.

Within 200 metres of the site is Jannali local shopping precinct which has small and medium footprint buildings with a mix of single and double storey uses.





GEORGES RIVERS ROAD

MASTERPLAN: BUILDING ENVELOPE

JANNALI DEVELOPMENT

TCO BUILDERS

UD06

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The existing site zoning is Zone 4. The proposed mixed use development is located on a prominent corner a busy intersection. The proposed building form has been located to define the corner, provide a buffer from the traffic to the adjoining properties and contain setbacks that respond to the immediate context.

An increased front setback for part of the Wattle Road frontage provides for a landscaped area similar to the adjoining residential properties.

The main active edge is to the primary road - Georges River Road
The setbacks from the boundaries to the residential properties provide for landscaping

The FSR for Zone 4 is generally 0.45:1. Other higher density development in the areas has a maximum FSR of 0.75:1 which is appropriate for the prominent corner location and additional uses on the site.

The building height is maximum 2 storeys and overall height to roof of 9.0m.

Setbacks from the side setbacks have been provided to improve the amenity of the adjoining properties.



DEEP SOIL ZONE. Create deep soil landscape zone at the perimeter to permit substantial boundary planting



LANDSCAPE POCKETS. Create recesses in built form for pockets of landscape to break up the building mass.

