

**Item:** ENV037-24 Planning Proposal for Gateway Determination - 84D Roberts Avenue Mortdale

**Author:** Strategic Planner/Information Management

**Directorate:** Environment and Planning

**Matter Type:** Committee Reports

ENV037-24

**RECOMMENDATION:**

- (a) Support the proposed amendment to Schedule 1 of the *Georges River Local Environmental Plan 2021*;
- (b) Endorse the forwarding of the Planning Proposal to the NSW Department of Planning, Housing and Infrastructure (DPHI) to request a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979* for an amendment to the *Georges River Local Environmental Plan 2021* by introducing medical centre as an additional permitted use on the land at 84D Roberts Avenue, Mortdale (Lot 21, DP 542051).

**EXECUTIVE SUMMARY****PROPOSAL**

1. The Planning Proposal (PP) PP2024/0003 (**Attachment 1**) seeks to amend Clause 5 (2) under Schedule 1 of the *Georges River Local Environmental Plan 2021* (GRLEP) to introduce “medical centre” as an additional permitted use on the land at 84D Roberts Avenue, Mortdale (the Site).
2. The objective of the PP is to enable a medical centre to operate at the Mortdale Plaza as a complementary use to the existing retail and service offerings.
3. The Economic Statement of Medical Centre Needs Analysis (**Attachment 2**) prepared by MacroPlan assesses the need for a medical centre at Mortdale Plaza and concludes a clear need for additional medical services within the catchment area of Mortdale Plaza. The establishment of a medical centre would help alleviate the current undersupply of General Practitioners, create new jobs, and support the local economy.
4. The Traffic and Parking Assessment Report (**Attachment 3**) prepared by Varga Traffic Planning concludes that the PP will not adversely impact road network capacity or off-street parking/access requirements.

**SITE AND LOCALITY**

5. The Site is a single allotment legally identified as Lot 21 DP 542051 and known as 84D Roberts Avenue, Mortdale. The Site is also known as the Mortdale Plaza within the community.
6. The Site is in an irregular battle-axe configuration as shown in **Figure 1** with a total area of about 11,170 sqm. The Site is accessed by pedestrians and vehicles from Roberts Avenue.

**ZONING AND PERMISSIBILITY**

7. The Site is zoned E4 General Industrial under the current GRLEP, which prohibits the use of health services facilities, including medical centres, in the Land Use Table.

8. The land at 84D Roberts Avenue, Mortdale (Lot 21, DP 542051) is listed as Item 5 in Schedule 1 of GRLEP with retail premises and centre-based childcare facilities as additional permitted uses with development consent.
9. Mortdale Plaza, despite being situated in an E4 General Industrial Zone, has consistently operated as a retail premises since its construction in 2014. The PP does not aim to alter this current use of the building.
10. The proposed medical centre will be located on existing retail floor space within the Mortdale Plaza, complementing the existing retail and service offerings.

## CONCLUSION

11. The proposal is considered to be consistent with the objectives and actions of a number of State, regional and local strategic plans, and in this regard has strategic merit.
12. The applicant has stated that the proposed medical centre land use is to be contained within the existing building structure on the site. As such, there are no identified environmental constraints that render the Site unsuitable for the proposed land uses.
13. The Georges River Local Planning Panel (LPP) considered this matter at its meeting on 1 August 2024, recommending that Council:
  - a) *Support the proposed amendment to Schedule 1 of the GRLEP;*
  - b) *Endorse the forwarding of the PP to the NSW Department of Planning, Housing and Infrastructure (DPHI) to request a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979 for an amendment to the GRLEP by introducing “medical centre” as an additional permitted use on the land at 84D Roberts Avenue, Mortdale (Lot 21, DP 542051).*
14. The proposal does not seek development uplift and is only concerned with land use permissibility. As such, Council's Voluntary Planning Agreement (“VPA”) Policy (adopted 1 August 2016) does not apply to the PP.

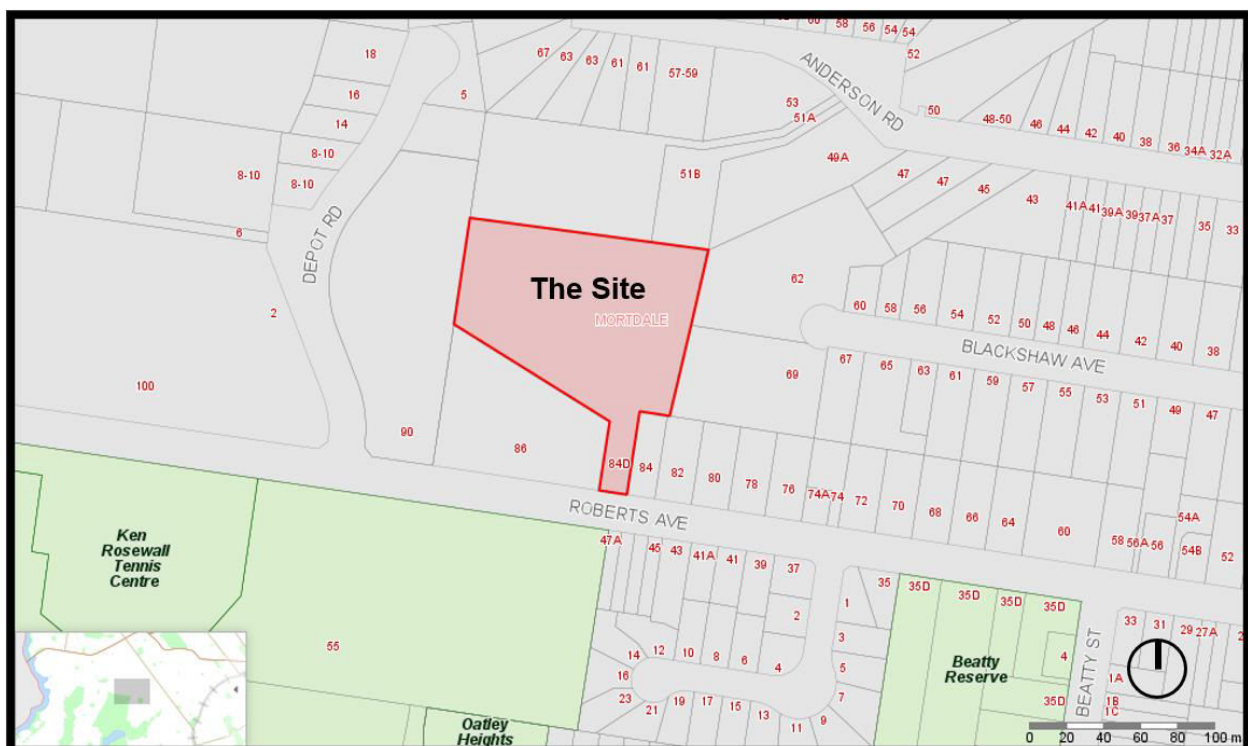


Figure 1: The Site (Source: IntraMaps)

## PROPOSAL

15. The PP seeks to amend the GRLEP to permit a medical centre use at Mortdale Plaza, an existing retail shopping centre. Specifically, the PP seeks to amend Clause 5 (2) under Schedule 1 of the GRLEP to introduce "medical centre" as an additional permitted use for the Site.
16. The proposed amendment to Clause 5 (2) is provided below, with the additional text highlighted in bold:
 

*Cl. 5 Use of certain land at 84D Roberts Avenue, Mortdale*

*(1) This clause applies to land at 84D Roberts Avenue, Mortdale, being Lot 21, DP 542051.*

*(2) Development for the following purposes is permitted with development consent—*

*(a) retail premises,*

*(b) centre-based child care facilities,*

***(c) medical centre.***
17. The Mortdale Plaza building, despite being situated in an E4 General Industrial Zone, has consistently operated as a retail premises since its construction in 2014. The PP does not aim to alter this current use of the building.
18. The primary objective of the PP is to enable a medical centre to operate on existing retail floor space at Mortdale Plaza, complementing the existing retail and service offerings.
19. The proposed amendment focuses solely on land use and involves no changes to the built form provisions that could impact the surrounding area.
20. The intended outcomes of the PP are to:
  - Amend Schedule 1, Item 5 of the GRLEP to introduce "medical centre" as a permissible use for the Site.
  - Create a neighbourhood centre that fulfils the day-to-day needs of residents and workers in the local area.
  - Reduce the need for car trips by co-locating a medical centre with existing retail and other services, enhancing convenience for the community.
  - Resolve the shortage of medical centres in the local area, ensuring better access to healthcare services for the community.
  - Provide employment opportunities for healthcare workers within the local area, promoting local job growth and retention.
21. This PP seeks to enhance the utility of Mortdale Plaza, making it a more comprehensive service hub for the community while addressing a significant healthcare need in the area.
22. The PP is supported by:
  - An Economic Statement of Medical Centre Needs Analysis prepared by MacroPlan;
  - A Traffic and Parking Assessment Report prepared by Varga Traffic Planning.
23. The Economic Statement of Medical Centre Needs Analysis assesses the need for a medical centre at Mortdale Plaza and concludes a clear need for additional medical services within the catchment area of Mortdale Plaza. The establishment of a medical centre would help alleviate the current undersupply of General Practitioners, create new jobs, and support the local economy.
24. The Traffic and Parking Assessment Report concludes that the PP will not adversely impact road network capacity or off-street parking/access requirements.

25. Council officers support the conclusions of the Economic Statement of Medical Centre Needs Analysis and the Traffic and Parking Assessment Report, concurring the need for a medical centre and that the PP will not adversely impact road network capacity or off-street parking/access requirements.

## THE SITE AND LOCALITY

26. The Site (**Figure 2**) at 84D Roberts Avenue, Mortdale, is legally described as Lot 21, DP 542051.



*Figure 2: Site photo taken from Roberts Avenue looking towards the Site*

27. The Site features an irregular battle-axe configuration with access from Roberts Avenue and spans approximately 11,170 square meters. The boundaries are detailed as follows:
- Roberts Avenue frontage of approximately 15.25m;
  - Shared side boundary with No. 84 of approximately 45.71m;
  - Shared boundary with the rear of No. 84 of approximately 16.47m;
  - The eastern side boundary of approximately 92.8m;
  - Rear boundary of approximately 131.06m;
  - The western side boundary of approximately 58.61m;
  - Shared boundary with the rear of No. 86 of approximately 99.83m;
  - Shared side boundary with No. 86 of approximately 37.93m.
28. The Site is positioned on the northern side of Roberts Avenue (**Figure 3**), which connects to Boundary Road (east) and Forest Road (west) and offers street parking on both sides.





Figure 3: Locality of the Site (Source: IntraMaps)

29. The Site is situated at the edge of an industrial park, interfacing with light industrial, residential, and recreational areas. To the north, east, and west, the surrounding land is characterised by the general industrial uses of the Peakhurst Industrial Precinct. Residential lands and open spaces are located further to the east, south, and west of the Site. The immediate southern neighbour is the St George Masonic Club. The western portion of the Site is landscaped, transitioning into a public bushland reserve.
30. **Figure 4** shows the western portion of the Site which is undeveloped and encompasses a watercourse.

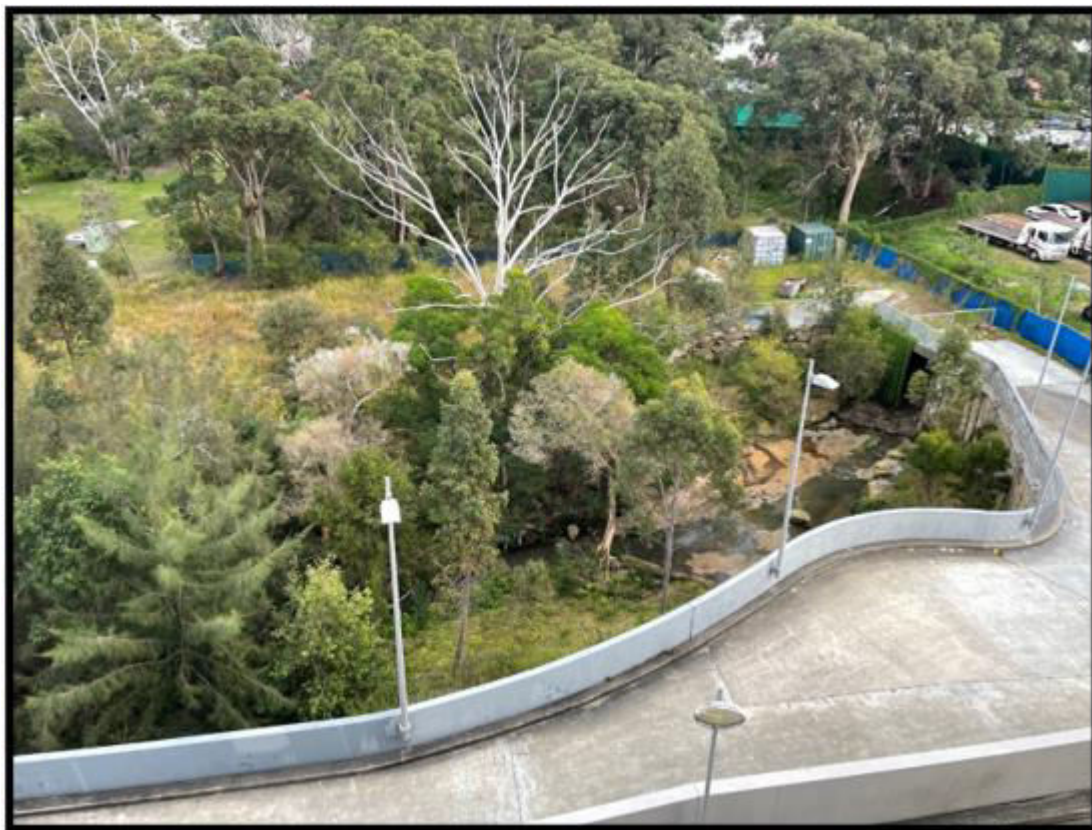


Figure 4: Photo of the western section of the Site - 84D Roberts Avenue, Mortdale

31. For a visual reference, see **Figure 5**, which provides an aerial view of the Site and its surroundings.



Figure 5: Aerial view of 84D Roberts Avenue, Mortdale (outlined in blue) and surrounds (Source: Nearmap.com)

32. The Site hosts Mortdale Plaza, a shopping centre (**Figure 5**) situated along the eastern boundary, which includes various tenancies and land uses listed in **Table 1**:

Table 1: Current tenancies

Level	Shop Name	Shop Type
Ground Floor	Woolworths	Supermarket
Ground Floor	Diana Sadig	Pharmacy
Ground Floor	BSW Liquor	Liquor Shop
Ground Floor	Fuel Espresso & Juice	Café
Ground Floor	Wala Wala Sushi	Food and drink premise
First Floor	Crunch	Fitness Club / Gymnasium
Second Floor	Young Academics Early Learning Centre (Not open yet)	Centre-based childcare facility
Second Floor	Vacant space of a total area of 838 sqm	-

33. Photos of the Mortdale Plaza building and its tenancies on each floor are in **Figures 6 to 10** below.





Figure 6: Site photo taken at the front of the Site looking towards Mortdale Plaza



Figure 7: Photo taken within the building from the ground floor - 84D Roberts Avenue, Mortdale



Figure 8: Photo taken within the building from the first floor - 84D Roberts Avenue, Mortdale

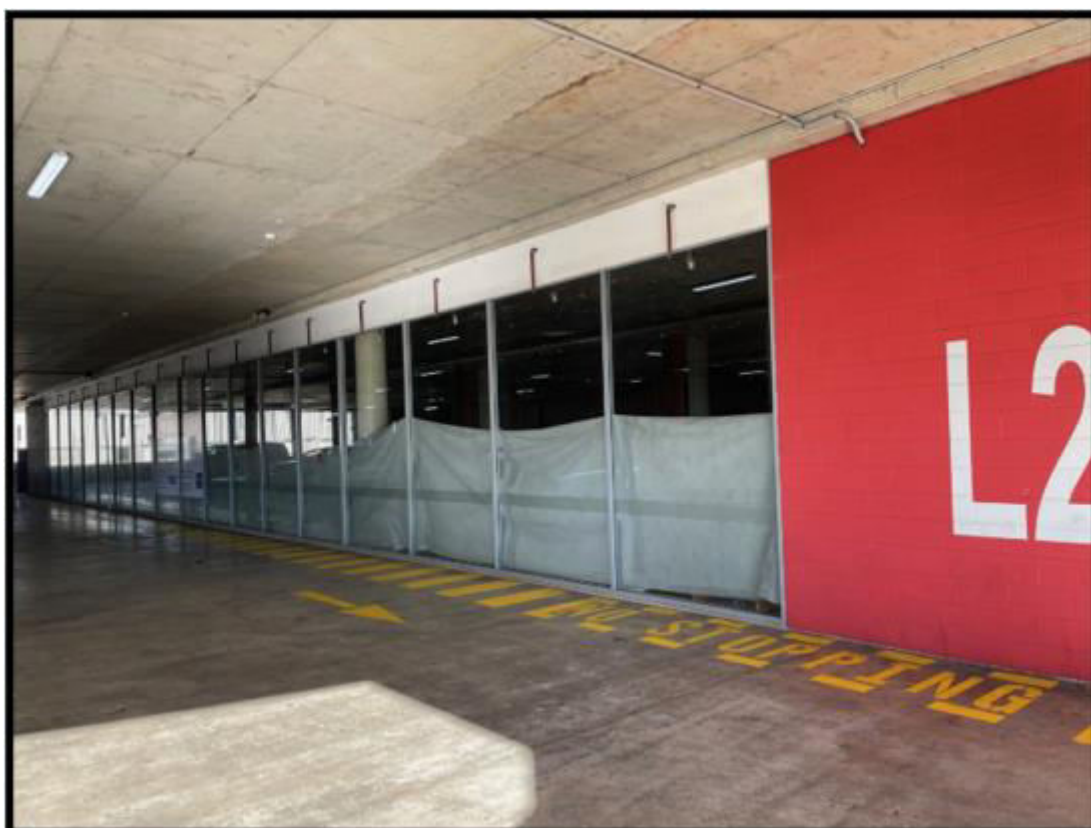


Figure 9: Photo of the vacant space from the second floor - 84D Roberts Avenue, Mortdale



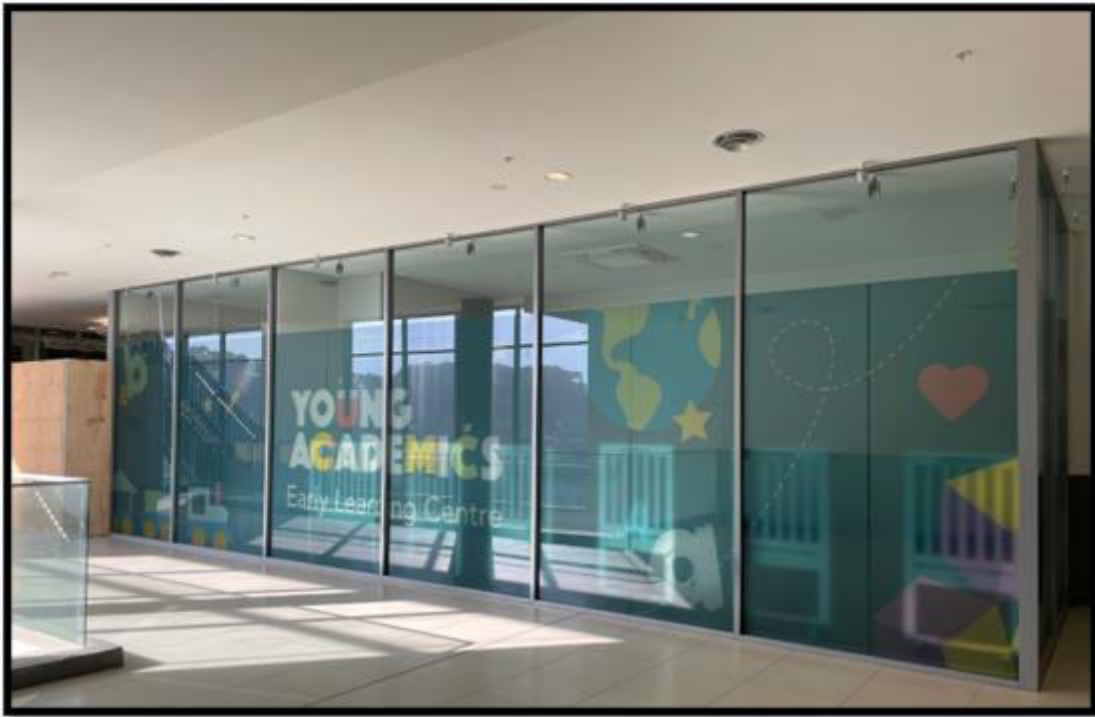


Figure 10: Photo of a childcare centre on the second floor - 84D Roberts Avenue, Mortdale

34. The Mortdale Plaza building, despite being situated in an E4 General Industrial Zone, has consistently operated as a retail premises since its construction in 2014. The background to the zoning of the Site is discussed below.
35. The Mortdale Plaza provides for a total of 422 car spaces within the existing building.

## EXISTING PLANNING CONTROLS UNDER THE GRLEP

### Zone

36. The Site is zoned E4 General Industrial under the current GRLEP (**Figure 11**).

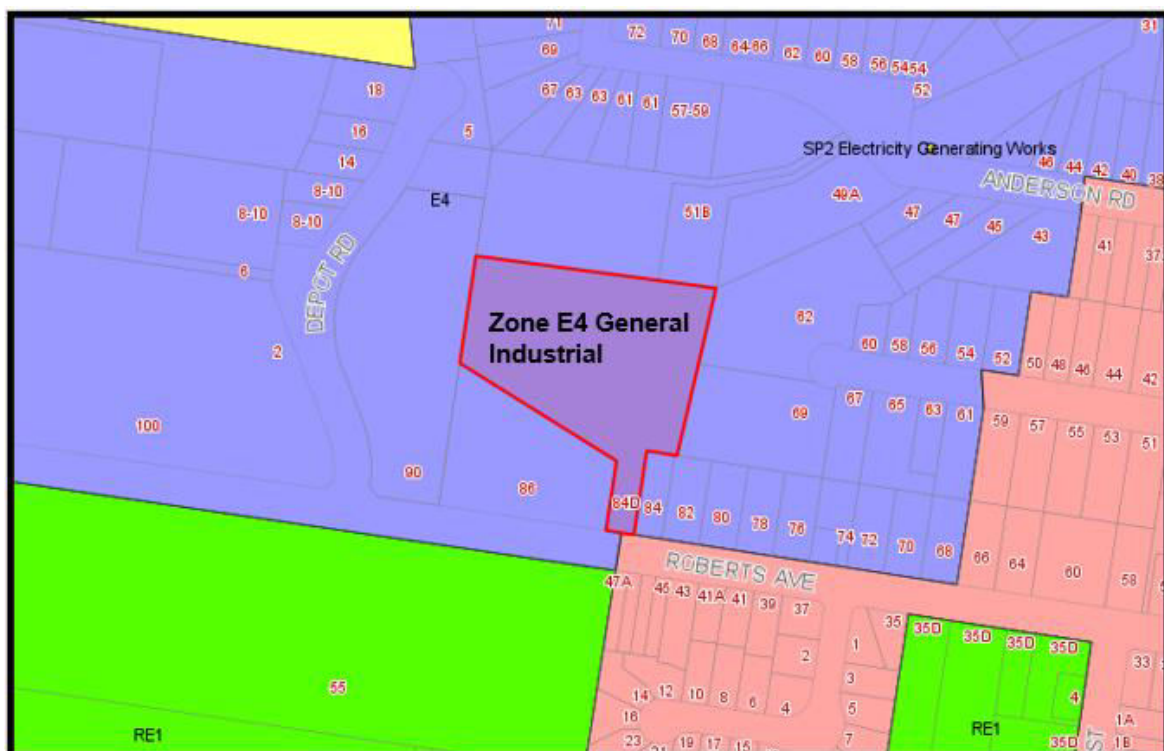


Figure 11: GRLEP Land Use Zoning Map - 84D Roberts Avenue, Mortdale (Source: IntraMaps)

37. The objectives of the E4 General Industrial Zone are:

- *To provide a range of industrial, warehouse, logistics and related land uses.*
- *To ensure the efficient and viable use of land for industrial uses.*
- *To minimise any adverse effect of industry on other land uses.*
- *To encourage employment opportunities.*
- *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.*
- *To encourage a range of uses that support the repair, reuse, recycling, remanufacturing and reprocessing of waste.*

38. The following uses are permitted with consent in the E4 General Industrial zone:

*Agricultural produce industries; Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 4.*

39. The following uses are prohibited in the E4 General Industrial zone:

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Business premises; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Community facilities; Correctional centres; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Highway service centres; Home businesses; Home occupations; Home occupations (sex services); Jetties; Marinas; Mooring pens; Moorings; Office premises; Open cut mining; Port facilities; Pubs; Recreation facilities (major); Registered clubs; Residential accommodation; Respite day care centres; Roadside stalls; Rural industries; Shops; Small bars; Specialised retail premises; Tourist and visitor accommodation; Water recreation structures.*

40. From the land use table, “medical centre” is prohibited in the E4 General Industrial Zone as it falls within the term ‘health services facility’, which refers to ‘*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.’*

### **Additional Permitted Uses**

41. ‘Shops’ and ‘Early education and care facilities’ are also prohibited in the E4 General Industrial Zone. However, Clause 5 under Schedule 1 of the GRLEP allows the following as additional permitted uses with development consent on the land at 84D Roberts Avenue, Mortdale:

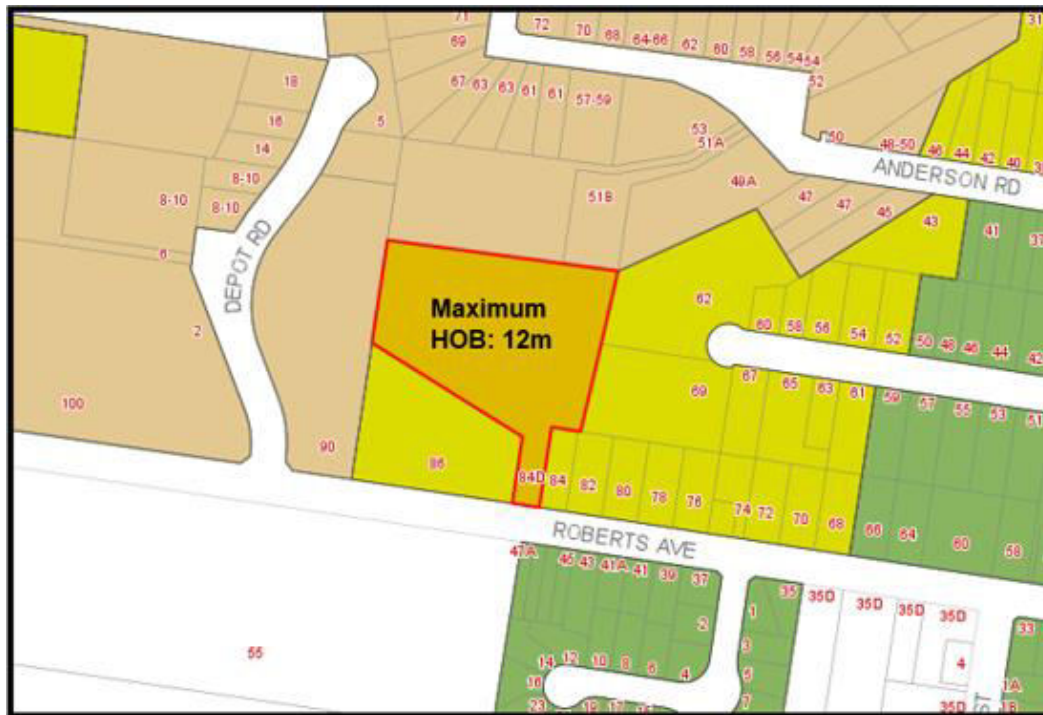
- a) *retail premises; and*
- b) *centre-based child care facilities.*

42. Despite the Site being situated in an E4 General Industrial Zone, the Site has consistently operated as a retail premises, Mortdale Plaza, since its construction in 2014.

43. As discussed in detail later, the amendment to the *Hurstville Local Environmental Plan 2012* (HLEP 2012) was gazetted on 27 September 2019 to permit 'retail premises' and 'centre-based child care facilities' as additional uses at 84D Roberts Avenue, Mortdale with development consent. These additional permitted uses were retained after the GRLEP consolidated the HLEP 2012 and *Kogarah Local Environmental Plan 2012* (KLEP 2012) on 8 October 2021.

### Height of Buildings

44. The Height of Buildings (HOB) Map indicates that the maximum building height permitted on the Site is 12m, as shown in **Figure 12** below.





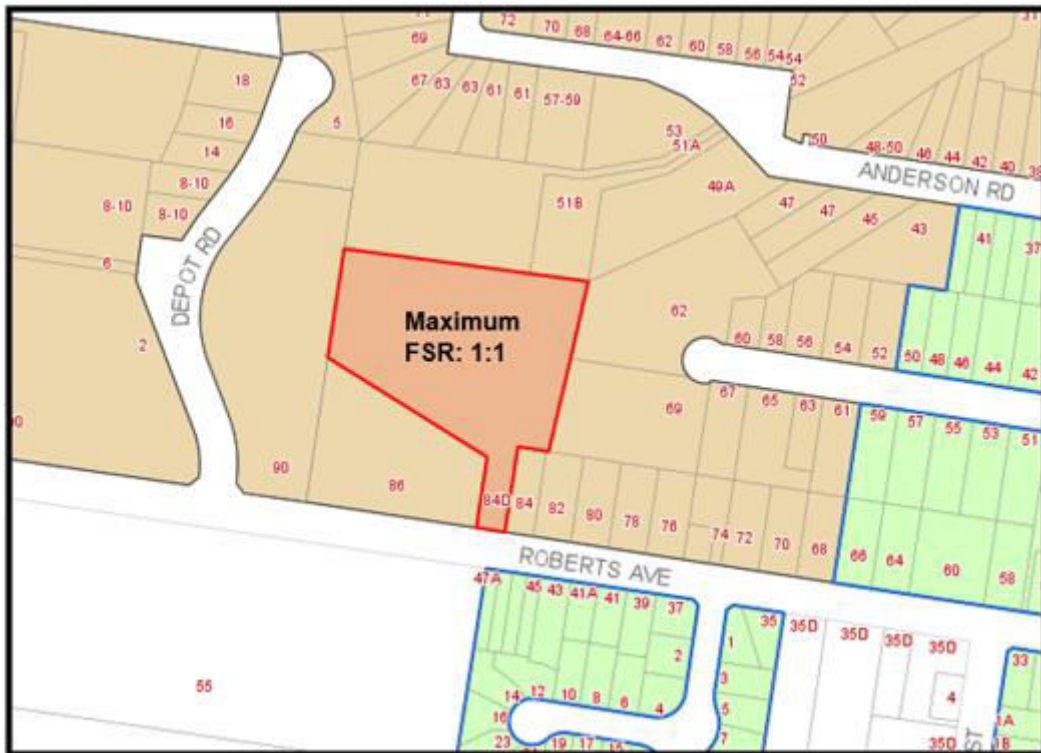


Figure 13: GRLEP FSR Map - 84D Roberts Avenue, Mortdale (Source: IntraMaps)

47. The PP does not seek to change the maximum FSR that applies to the Site.

### Heritage

48. No heritage items are located within the Site boundaries or the vicinity of the Site, as shown in the map extract below (**Figure 14**). Therefore, no further analysis of heritage is necessary, noting that the proposal concerns land use only, with the built form remaining unchanged.

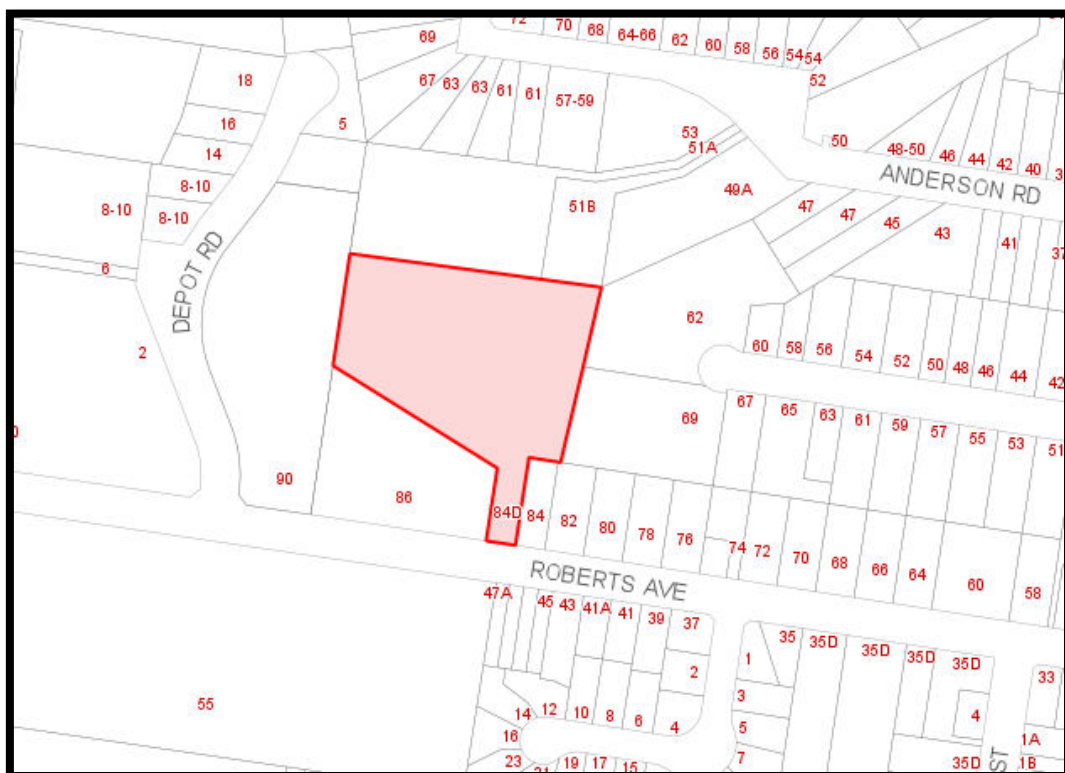


Figure 14: GRLEP Heritage Map - 84D Roberts Avenue, Mortdale (Source: IntraMaps)

## EXISTING CONTROLS UNDER THE GRDCP 2021

### Car Parking Provisions

49. The car parking provisions applicable to the PP are specified in the *Georges River Development Control Plan (GRDCP) 2021*.
50. **Table 2** provides the car parking rates relevant to the PP outlined in Clause 3.13 Parking Access and Transport under Part 3 General Planning Considerations of the GRDCP 2021.

*Table 2: Car parking rates relevant to the PP extracted from the GRDCP 2021*

Specific Commercial / Retail – Non-residential accommodation development outside the Hurstville and Kogarah Strategic Centres	Parking Rate (Minimum)
Retail Premises - supermarket	1 space per 20 sqm (GLFA), or Identify car parking demand through a Transport and Parking Assessment Study based on a survey of similar developments
Retail Premises (Shops)	≥800m walking distance of Railway station - 1 space per 40 sqm (GFA)
Restaurant or Cafés	≥800m walking distance of Railway station - 1 space per 30 sqm (GFA)
Gymnasium	4.5 (min) to 7.5 (preferred) spaces per 100 sqm (GFA)
Centre-based Child Care Facility	1 space per 2 staff plus: - Centres with 20 to 39 Children – 1 space per 4 children - Centres with 40 to 69 Children – 1 space per 5 children - Centres with 70-100 children – 1 space per 6 children.
Medical Centre	≥800m walking distance of Railway station - 1 space per 30 sqm (GFA)

51. Based on the car parking rates, the total development within the existing Mortdale Plaza (excluding the vacant space) requires the provision of 325 parking spaces, as set out below:

*Table 3: Car parking rates for the existing Mortdale Plaza*

Land Use Types	Area (sqm)	Required car spaces
Supermarket / Pharmacy	4,248	212.4
Café	23	0.8
Fitness Club / Gymnasium	1,817	81.8
Retail	238	5.9
Child Care Centre (94 children and 16 staff)	1,280	23.7
<b>TOTAL (Rounded up)</b>		<b>325</b>

52. Application of the medical centre parking requirements to the vacant space within Mortdale Plaza of a total area of 838 sqm yields a parking requirement of 28 car parking spaces.
53. As a result, the total development within the existing Mortdale Plaza would require the provision of 353 parking spaces.
54. The Mortdale Plaza provides for a total of 422 car parking spaces within the existing building, exceeding the 353 parking space requirement. Accordingly, there will be adequate parking spaces provided on-site for a future medical centre use.

55. Furthermore, if the GRLEP is amended to permit a medical centre, a development application is required for a medical centre which must address the car parking requirement.

## BACKGROUND TO ZONING OF THE SITE

56. On 16 December 2009, Development consent 08/DA-411 was granted for the construction of a three-storey building at 84D Roberts Avenue, Mortdale, comprising a supermarket, bulky goods retail, gymnasium, and office with basement parking. The Site was within Zone No 4 (Light Industrial Zone) under the *Hurstville Local Environmental Plan 1994* (HLEP 1994).
57. 'Hospitals' were listed as prohibited in Zone No 4 (Light Industrial Zone) under the HLEP 1994.
58. On 7 December 2012, the HLEP 2012 came into effect, transitioning Zone No 4 (Light Industrial Zone) to Zone IN2 Light Industrial.
59. 'Hospitals' was replaced by 'Health services facilities,' which were prohibited in Zone IN2 Light Industrial under the HLEP 2012.
60. In April 2017, a Planning Proposal PP2017/0001 was submitted to amend the HLEP 2012 to permit retail premises, bulky goods premises, and centre-based child care facilities on the land at 84D Roberts Avenue, Mortdale (Lot 21, DP 542051).
61. On 27 September 2019, the HLEP 2012 (Amendment No 17) was gazetted, permitting the following additional uses at 84D Roberts Avenue, Mortdale, with development consent:
- (a) *retail premises,*
  - (b) *centre-based child care facilities.*
62. On 8 October 2021, the GRLEP came into effect, consolidating the HLEP 2012 and KLEP 2012. The GRLEP retained the IN2 Light Industrial zoning and the additional permitted uses listed in Schedule 1 – Additional Permitted Uses for the Site.
63. On 26 April 2023, the Employment Zones Reform commenced within the GRLEP 2021, replacing the IN2 Light Industrial zone with the E4 General Industrial zone, which lists 'Health services facilities' as a prohibited use. The Reform conducted by the DPHI aimed to modernise and streamline land-use planning to better support economic development, job creation, and efficient land use by introducing new employment zones and simplifying planning processes.
64. On 23 April 2024, Planning Proposal PP2024/0003 was submitted by the applicant to amend Clause 5 (2) under Schedule 1 of the GRLEP to introduce "medical centre" as an additional permitted use on the Site. This amendment does not propose any changes to built form provisions and addresses land use only.

## ASSESSMENT OF THE PLANNING PROPOSAL

65. The following Tables are extracts of Section A – E of the PP, which provide a detailed assessment and justification of the strategic and site-specific merit of the PP. The Tables contain the 12 questions from the DPHI's Local Environmental Plan Making Guideline, dated August 2023, which outlines the matters for consideration when describing, evaluating and justifying a proposal.

### Strategic Merit

Table 4: Section A – Need for the Planning Proposal

<b>1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?</b>
The PP for 84D Roberts Road, Mortdale is not the result of an endorsed Local Strategic Planning



Statement (LSPS), strategic study, or report. Instead, it has been initiated by the proponent. However, the PP aligns with the *Georges River Employment Lands Study 2017* and includes a medical centre, which is consistent with local strategies and planning directions.

The PP is consistent with the *Georges River Industrial Zoned Land Review*, which recommends that existing industrial zoned land should not be rezoned if there is a demonstrable need or shortage and alternative industrial opportunities do not exist.

The PP does not seek to rezone the industrial land but instead includes a medical centre within the existing shopping centre building. The proposed medical centre will be located on existing retail floor space. As a result, the PP will not impact the existing industrial land supply in the Georges River local government area (LGA).

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

It is considered that the PP represents the best means of achieving the intended outcomes established in Question 3 below. This approach facilitates the inclusion of a medical centre in an existing neighbourhood shopping centre, which meets community needs, reduces car dependency, and promotes the use of active transport.

Other pathways, such as *State Environmental Planning Policy (Transport and Infrastructure) 2021* and formal submission to a principal LEP or Council Planning Proposal, to achieve the objectives are not available.

Hence, the PP is deemed the most suitable and only means to achieve the objectives and intended outcomes.

*Table 5: Section B – Relationship to the Strategic Planning Framework*

**3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?**

The PP will give effect to the objectives and actions of the applicable regional or district plans and strategies. Specifically, it aligns with several key strategies including:

***A Metropolis of Three Cities – Greater Sydney Region Plan (Greater Sydney Commission March 2018)***

- *Objective 23 Industrial and urban services land is planned, retained and managed.* The PP proposes a medical centre on existing retail floor space and does not seek to rezone industrial land. Accordingly, the PP does not reduce industrial zoned employment land in the LGA, consistent with this objective.

***South District Plan (Greater Sydney Commission March 2018)***

- *Planning Priority S10 Retaining and managing industrial and urban services land.* As discussed above, the PP proposes a medical centre on existing retail floor space and does not seek to rezone industrial land. The PP is consistent with this priority by retaining the existing areas of industrial zoned employment land which is required for economic and employment purposes. A medical centre is an employment-generating land use that supports the city and its population. Evolving business practices and changes in needs for urban services land from the surrounding community and businesses will be accommodated by the proposed medical centre within the existing shopping centre building.

**4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?**

***Georges River Local Strategic Planning Statement (GRLSPS) 2040***

The PP is consistent with the GRLSPS 2040 that has been endorsed by the Planning Secretary. The LSPS is a 20-year land use vision for the local government area (LGA), implemented in February 2020, which seeks to recognise local character and leverage the social, environmental, and economic values and strengths of the area. Specifically, the PP gives effect to:

- *Local Planning Priorities P12 Land is appropriately zoned for ongoing employment growth.* The PP gives effect by retaining the existing areas of industrial zoned employment land which is required for economic and employment purposes. It will ensure the industrial zoned land is not used for residential development and/or mixed-use zones. Additionally, medical centre is introduced as an additional permitted use to an existing shopping centre.

#### ***Georges River Employment Lands Study 2017***

The PP is consistent with the *Georges River Employment Lands Study 2017*. The Study identified the subject site within the Peakhurst Industrial Area and recommended retaining its existing industrial-zoned land area. The proposal aligns with this recommendation by consolidating non-industrial employment within the existing Mortdale Plaza, thus ensuring the quantum of industrial-zoned land is retained.

#### ***Georges River Industrial Zoned Land Review***

The PP is consistent with the *Georges River Industrial Zoned Land Review*. The Review, adopted by Georges River Council on 17 December 2018, recommends that existing industrial zoned land should not be rezoned if there is a need or shortage and if there are no alternative industrial opportunities. There is currently no clear case to support any further rezonings of industrial precincts within our LGA.

The PP does not seek to rezone the industrial land but instead includes a medical centre within the existing shopping centre building on retail floor space. As a result, the PP will not impact the existing industrial land supply.

#### **5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

The PP is consistent with all relevant studies and strategies prepared by the NSW Government as discussed below.

#### ***Future Transport Strategy 2056***

The PP is consistent with the *Future Transport Strategy 2056*. The Strategy aims to improve the transport system across NSW by prioritising people and places, ensuring maximum benefits for customers, the community, and the economy. The PP aligns with the key strategic directions of the *Future Transport Strategy 2056*, including enhancing 30-minute metropolitan cities, supporting car-free and sustainable transport options, providing transport choices for all, supporting growth around public transport, and fostering thriving 15-minute neighbourhoods.

#### ***State Infrastructure Strategy 2022 – 2042***

The PP is consistent with the *Staying Ahead: State Infrastructure Strategy 2022 – 2042*. The Strategy provides a 20-year plan for strategic investment to enhance growth and productivity in NSW, thereby improving living standards for the community. The PP supports these goals by maximising the efficient use of existing infrastructure, enhancing access to medical services within an established centre, and contributing to the overall quality of life by co-locating medical facilities with other retail and service options in Mortdale Plaza.

#### ***Net Zero Plan***

The PP is consistent with the Net Zero Plan. The Plan outlines the NSW Government's approach to economic growth, job creation, and emissions reduction over the next decade. The PP supports these goals by enabling the establishment of a medical centre within an existing retail shopping centre, Mortdale Plaza. This location allows for the use of green energy and energy-efficient devices, and reduces the need for multiple car trips, thereby contributing to the overall net zero goals of the State.

#### **6. Is the planning proposal consistent with applicable SEPPs?**

The PP is consistent with all relevant State Environmental Planning Policies as summarised in the following table:

SEPP	Consistency
<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	Not applicable. The PP relates to land use only that will occur within the footprint of the existing Mortdale Plaza Shopping Centre building.
<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>	The PP is not inconsistent with the SEPP given it is only concerned with land use permissibility.
<i>State Environmental Planning Policy (Housing) 2021</i>	The PP is not inconsistent with the SEPP as it does not have any impact on housing
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Not applicable. Chapter 2 relates to the Western Sydney Employment area and does not apply. Chapter 3 relates to advertising and signage and is not a consideration for a Planning Proposal.
<i>State Environmental Planning Policy (Planning Systems) 2021</i>	The PP is not inconsistent with the SEPP as it does not affect State infrastructure.
<i>State Environmental Planning Policy (Precincts—Central River City) 2021</i>	The PP is not inconsistent with the SEPP as it is not the subject of a Precinct identified by the SEPP.
<i>State Environmental Planning Policy (Precincts—Regional) 2021</i>	The PP is not inconsistent with the SEPP as it is not the subject of a Precinct identified by the SEPP.
<i>State Environmental Planning Policy (Precincts—Western Parkland City) 2021</i>	The PP is not inconsistent with the SEPP as it is not the subject of a Precinct identified by the SEPP.
<i>State Environmental Planning Policy (Primary Production) 2021</i>	The PP is not inconsistent with the SEPP as the PP does not impact on primary production.
<i>SEPP (Resilience and Hazards) 2021</i>	Consistent, with this addressed during the earlier PP over the subject site. It is noted that the Site is flood prone however the PP is within the footprint of the existing building and will not require any external works.
<i>State Environmental Planning Policy (Resources and Energy) 2021</i>	The PP is not inconsistent with the SEPP given it is only concerned with land use permissibility.
<i>State Environmental Planning Policy (Sustainable Buildings) 2022</i>	The PP is not inconsistent with the SEPP given it is only concerned with land use permissibility.
<i>SEPP (Transport and Infrastructure) 2021</i>	Consistent. The PP is for a medical centre with a future development application being able to address any key requirements of the Transport and Infrastructure SEPP 2021. However, the existing shopping centre has provided all parking for the Site, with no external areas required and existing access appropriate.

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7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?		
The following table summarises the PP's consistency with applicable Ministerial Directions:		
9.1 Direction No. and Title	Comment	Consistency
<b>Focus Area 1: Planning Systems</b>		
1.1 Implementation of Regional Plans	<p>This PP is consistent with the objectives and strategies of the <i>Greater Sydney Region Plan</i> as outlined in <b>Table 5</b> above.</p> <p>The PP is consistent with the priorities of the <i>South District Plan</i> to provide services and social infrastructure to meet people's changing needs, create and renew great places and local centres, and retain and manage industrial and urban services land as discussed in <b>Table 5</b> above.</p>	Yes



1.2 Development of the Aboriginal Land Council	The PP relates to the use of an existing building with no ground penetration works required.	N/A
1.3 Approval and Referral Requirements	The PP does not introduce any provisions that require any additional concurrence, consultation, or referral.	N/A
1.4 Site Specific Provisions	The Site has additional permitted uses via Schedule 1, Item 5 of the GRLEP 2021. This PP seeks to include a medical centre as an additional permitted use on the Site. There is no change to any other provision in the LEP, with all relevant standards including height and zoning remaining in their current form.	Yes
1.4A Exclusion of Development Standards from Variation	The PP does not seek to exclude any development standard. Therefore, this is not relevant.	N/A
<b>Focus Area 1: Planning Systems – Place Based</b>		
1.5 Parramatta Road Corridor Urban Transformation Strategy	This Direction does not apply to the LGA	N/A
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	This Direction does not apply to the LGA	N/A
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	This Direction does not apply to the LGA	N/A
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	This Direction does not apply to the LGA	N/A
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	This Direction does not apply to the LGA	N/A
1.10 Implementation of the Western Sydney Aerotropolis Plan	This Direction does not apply to the LGA	N/A
1.11 Implementation of Bayside West Precincts 2036 Plan	This Direction does not apply to the LGA	N/A
1.12	This Direction does not apply to the LGA	N/A

Implementation of Planning Principles for the Cooks Cove Precinct		
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	This Direction does not apply to the LGA	N/A
1.14 Implementation of Greater Macarthur 2040	This Direction does not apply to the LGA	N/A
1.15 Implementation of the Pyrmont Peninsula Place Strategy	This Direction does not apply to the LGA	N/A
1.16 North West Rail Link Corridor Strategy	This Direction does not apply to the LGA	N/A
1.17 Implementation of the Bays West Place Strategy	This Direction does not apply to the LGA	N/A
1.18 Implementation of the Macquarie Park Innovation Precinct	This Direction does not apply to the LGA	N/A
1.19 Implementation of the Westmead Place Strategy	This Direction does not apply to the LGA	N/A
1.20 Implementation of the Camellia-Rosehill Place Strategy	This Direction does not apply to the LGA	N/A
1.21 Implementation of South West Growth Area Structure Plan	This Direction does not apply to the LGA	N/A
1.22 Implementation of the Cherrybrook Station Place Strategy	This Direction does not apply to the LGA	N/A
<b>Focus area 3: Biodiversity and Conservation</b>		
3.1 Conservation Zones	The Site is not located in a conservation zone. The PP does not affect any land within a conservation zone.	Consistent
3.2 Heritage Conservation	The Site is not an identified heritage item or within a conservation area. The Site is not located within the immediate vicinity of any heritage items.	Consistent
3.3 Sydney Drinking Water Catchments	This Direction does not apply to the LGA	N/A
3.4 Application of	This Direction does not apply to the LGA	N/A

C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs		
3.5 Recreation Vehicle Areas	The PP does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i> )	Consistent
3.6 Strategic Conservation Planning	The Site is not identified as avoided land or a strategic conservation area	N/A
3.7 Public Bushland	There are no areas of public bushland on the Site.	Consistent
3.8 Willandra Lakes Region	This Direction does not apply to the LGA	N/A
3.9 Sydney Harbour Foreshores and Waterways	The Site is well away from any foreshore and waterway area. A future development application can provide the necessary measures to manage water quality.	Consistent
3.10 Water Catchment Protection	Not relevant to the subject PP as the PP relates to the use of an existing building	N/A
<b>Focus area 4: Resilience and Hazards</b>		
4.1 Flooding	The Site is identified as flood prone land, being subject to the 1% AEP and PMF. The PP is within an existing shopping centre building, with this PP only seeking to add a medical centre as an additional permitted use. There is no additional floor area as a result of this PP.	Consistent
4.2 Coastal Management	The Site is not within the coastal zone. The PP does not affect any land within the coastal zone.	N/A
4.3 Planning for Bushfire Protection	The Site is not identified as Bushfire Prone Land nor is it located in close proximity to land mapped as bushfire prone land.	N/A
4.4 Remediation of Contaminated Land	Council was previously provided with a Site Audit Statement for the western part of the Site which does not include any part of the existing shopping centre building. The Site Audit Statement dated 9 May 2018 certified that subject to an Environmental Management Plan dated 3 May 2018, the Site is suitable for commercial / industrial use. This PP is for the purpose of permitting land use only within the existing shopping centre building and no additional floor area is proposed as a result of this PP.	Consistent
4.5 Acid Sulfate Soils	The Site is potentially impacted by acid sulfate soil classes 2 and 5. However, the proposed additional use will be located within the existing Mortdale Plaza ensuring that there is no ground disturbance or construction of new buildings or parking areas.	Consistent
4.6 Mine Subsidence and Unstable Land	The Site is not on land identified as unstable or potentially subject to mine subsidence	N/A
<b>Focus area 5: Transport and Infrastructure</b>		

5.1 Integrating Land Use and Transport	The PP is consistent with the Direction. The subject site is well serviced by transport infrastructure. It is within walking distance to homes and jobs, in addition to having good vehicle access and also access by buses.	Consistent
5.2 Reserving Land for Public Purposes	The PP does not seek to change the current zoning provisions and therefore does not impact on land reserved for public purposes	N/A
5.3 Development Near Regulated Airports and Defence Airfields	The land is not within the vicinity of an aerodrome.	N/A
5.4 Shooting Ranges	The land is not within the vicinity of a shooting range.	N/A
<b>Focus area 6: Housing</b>		
6.1 Residential Zones	The PP does not affect land within an existing or proposed residential zone (including the alteration of any existing residential zone boundary), or any other zone in which significant residential development is permitted or proposed to be permitted	N/A
6.2 Caravan Parks and Manufactured Home Estates	The PP does not propose to permit development for the purposes of a caravan park or manufactured home estate	Consistent
<b>Focus area 7: Industry and Employment</b>		
7.1 Employment Zones	<p>The PP does not seek to amend the existing zoning of the Site. Rather it seeks to include a medical centre within the existing Schedule 1, Item 5 which already facilitates retail premises and centre-based child care facilities on the Site, in addition to other uses permitted by the zoning.</p> <p>An Economic Statement of Medical Centre Needs Analysis prepared by MacroPlan was submitted with this PP and confirmed that a medical centre was desirable in the locality to address a shortfall in provision.</p>	Consistent
7.2 Reduction in non-hosted short-term rental accommodation period	The PP does not cover the Byron Shire Council area or reduce the number of days that non-hosted short-term rental accommodation may be carried out within the LGA.	N/A
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	This Direction does not apply to the LGA	N/A
<b>Focus area 8: Resources and Energy</b>		
8.1 Mining, Petroleum Production and Extractive Industries	The PP does not have the effect of: (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such	N/A



	development.	
<b>Focus area 9: Primary Production</b>		
9.1 Rural Zones	The PP does not affect any land within an existing or proposed rural zone	N/A
9.2 Rural Lands	This Direction does not apply to the LGA	N/A
9.3 Oyster Aquaculture	The PP does not propose a change in land use which could impact on a Priority Oyster Aquaculture Area	N/A
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	This Direction does not apply to the LGA	N/A

## Site-Specific Merit

*Table 6: Section C – Environmental, Social and Economic Impact*

<p><b>8. 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?</b></p> <p>The PP for 84D Roberts Road, Mortdale, has assessed the likelihood of adverse effects on critical habitats, threatened species, populations, or ecological communities. The PP relates to an additional use only, specifically the inclusion of a medical centre within the existing Mortdale Plaza development. This development has already been constructed and operating for several years. As a result, the PP will not lead to any uplift in development potential over the Site and is determined to have no negative impact on critical habitats, threatened species, populations, or communities.</p>
<p><b>9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?</b></p> <p>The PP for 84D Roberts Road, Mortdale, has identified several likely environmental effects:</p> <p><b>Traffic and Parking</b></p> <p>The PP includes a detailed assessment by Varga Traffic Planning Pty Ltd, which concludes that the introduction of a medical centre will lead to a slight increase in traffic generation (approximately 41 vehicle movements per hour). However, this increase will not necessitate road improvements or intersection upgrades as the current road network can handle the additional traffic without changing the Levels of Service at nearby intersections.</p> <p>Parking provisions are deemed adequate, as the existing approval includes sufficient parking spaces to accommodate the medical centre. Specifically, the current capacity of 422 parking spaces exceeds the requirement of 353 spaces under the GRDCP 2021, thus ensuring that the proposed use will not impact parking availability or access.</p> <p><b>Flooding</b></p> <p>The Site is identified as flood-prone land. However, since the medical centre will be housed within an existing shopping centre without additional floor area, there will be no increased flood risk or need for additional flood management measures.</p> <p><b>Acid Sulfate Soils</b></p> <p>The Site is potentially impacted by acid sulfate soil classes 2 and 5. The PP, which involves utilising existing structures without ground disturbance or new construction, ensures no negative impact from acid sulfate soils.</p> <p><b>Other Hazards and Infrastructure</b></p> <p>The PP is not located on a Site subject to coastal management, mine subsidence, or bushfire protection.</p> <p>The Site is well-serviced by existing transport infrastructure, with good vehicle and bus access, supporting the integration of land use and transport without additional infrastructure requirements.</p>

In summary, the environmental effects of the PP are minimal, and the existing infrastructure and environmental conditions adequately support the proposed changes. These measures ensure the medical centre's operation within the existing development will not adversely affect the natural environment.

**10. Has the Planning Proposal adequately addressed any social and economic effects?**

The PP addresses a critical undersupply of medical centres and general practitioners within the local area. By creating jobs and enhancing local services, it contributes positively to the local economy and community well-being. The PP ensures the retention of industrially zoned employment land and supports the concept of a 15-minute city, where essential services are easily accessible within a short distance from residences.

In conclusion, the PP has considered and adequately addressed the social and economic impacts, providing substantial benefits to the local community while maintaining environmental integrity.

*Table 7: Section D – Infrastructure (Local, State and Commonwealth)*

**11. Is there adequate public infrastructure for the Planning Proposal?**

There is adequate public infrastructure for the PP at 84D Roberts Road, Mortdale. The Site is currently occupied by the Mortdale Plaza Shopping Centre, and the proposed additional use of the medical centre will be contained within this existing building. Since there is no additional development uplift on the Site, no additional demand on public infrastructure is anticipated.

**Traffic and Parking**

Analysis indicates that the projected additional traffic flows will not affect the current levels of service at surrounding intersections. No road improvements or intersection upgrades are necessary. The parking facilities exceed the requirements, with 422 parking spaces available, while only 353 are required under the current GRDCP 2021.

**Access and Services**

The Site is well-serviced by existing transport infrastructure, including good vehicle access and public transportation options. The proposed medical centre will be accessible by walking and cycling, reducing the need for additional trips and further infrastructure.

In conclusion, the PP is adequately supported by the existing public infrastructure and does not necessitate any additional demands or upgrades.

*Table 8: Section E – State and Commonwealth Interests*

**12. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?**

Consultation with State and Commonwealth public authorities will be conducted in accordance with the Gateway Determination

**SUMMARY OF ASSESSMENT/CONCLUSION**

66. The PP seeks to amend the GRLEP to permit a medical centre use at Mortdale Plaza, an existing retail shopping centre. Specifically, the PP seeks to amend Clause 5 (2) under Schedule 1 of the GRLEP to introduce "medical centre" as an additional permitted use for the Site.
67. The proposed amendment focuses solely on land use and involves no changes to the built form provisions that could impact the surrounding area.
68. The PP meets both the strategic and site-specific merit tests that are outlined in the DPHI's *Local Environmental Plan Making Guideline* dated August 2023.
69. In terms of strategic merit, the proposal:

- Gives effect to the objectives of the *Metropolis of Three Cities – Greater Sydney Region Plan's Objective 23 Industrial and urban services land is planned, retained and managed*;
  - Gives effect to the Planning Priority *S10 Retaining and managing industrial and urban services land*;
  - Is consistent with the GRLSPS 2040, specifically the following Local Planning Priorities *P12 Land is appropriately zoned for ongoing employment growth*;
  - Is consistent with the *Georges River Employment Lands Study 2017* and *Georges River Industrial Zoned Land Review* by retaining industrial zoned land;
  - Is consistent with all relevant studies and strategies prepared by the NSW Government; and
  - Is consistent with applicable Ministerial Directions and SEPPs.
70. In terms of site-specific merit, the proposal:
- Focuses solely on land use, ensuring no changes to the built form provisions that could impact the surrounding area;
  - Aligns with previous amendments that have gradually expanded the permissible uses of the Site to better serve community needs;
  - Does not adversely affect critical habitats or threatened species, populations or ecological communities or their habitats;
  - Does not impact road network capacity or off-street parking/access requirements;
  - Does not create additional requirements for public infrastructure; and
  - Will not contaminate the land which is suitable for commercial / industrial use.
71. At its meeting on 1 August 2024, the LPP supported the PP and endorsed forwarding it to the DPHI for a Gateway Determination.
72. In summary, by incorporating a medical centre within an existing shopping centre, the PP addresses local needs, supports community health infrastructure, and aligns with broader strategic planning goals aimed at fostering well-connected, sustainable, and vibrant communities. The proposed amendment is a logical and beneficial addition to the existing uses permitted at Mortdale Plaza, enhancing the community's access to medical services without altering the Site's built environment. Accordingly, it is recommended that the GRLPP recommend that Council support the amendment and endorse the forwarding of the PP to the DPHI for a Gateway Determination.

## MAPS

73. No maps are required with this PP seeking to update Schedule 1, Item 5 of the GRLEP 2021 only.

## VOLUNTARY PLANNING AGREEMENT

74. Council's Voluntary Planning Agreement (VPA) Policy was adopted on 1 August 2016 and sets out Council's objectives in relation to the use of planning agreements.
75. Clause 2.4 of the Voluntary Planning Agreements Policy 2016 states that "Council may consider entering into a planning agreement when a developer:
- a) *proposes to, or has made a request for an Instrument change to facilitate the carrying out of development; or*
  - b) *proposes to, or has made a development application...."*
76. Although the PP seeks a change to the Instrument, the proposed changes do not have any significant impacts or demands on public amenities or services, or traffic and transport facilities. Therefore, a VPA offer is not considered at this stage.
77. The proposed medical centre and fit-out would be levied a Section 7.12 local infrastructure contribution under the *Georges River Council Local Infrastructure Contributions Plan 2021*,

subject to any future development application or complying development certificate conditions.

## FINANCIAL IMPLICATIONS

78. No budget impact for this report.

## RISK IMPLICATIONS

79. Operational risk/s identified and management process applied.

## COMMUNITY ENGAGEMENT

80. Should the PP be supported, it will be forwarded to the delegate of the Minister for Planning and Public Spaces, requesting a Gateway Determination.
81. If a Gateway Determination (Approval) is issued, and subject to its conditions, it is anticipated that the PP will be exhibited for a period of 20 days in accordance with the provisions of the *Environmental Planning & Assessment (EP&A) Act 1979* and its Regulation, 2021 and any requirements of the Gateway Determination.
82. Exhibition material, including explanatory information, land to which the PP applies, a description of the objectives and intended outcomes, a copy of the PP and relevant supporting documents will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.
83. Notification of the public exhibition will be through:
- Newspaper advertisement in The Leader;
  - Exhibition notice on Council's website;
  - Notices in Council offices and libraries;
  - Letters to State and Commonwealth Government agencies identified in the Gateway Determination (if required); and
  - Letters to adjoining landowners (in accordance with Council's Notification Procedures).
84. The project timeframe will depend on the Gateway Determination date and the required public exhibition period based on the different planning proposal categories. The indicative timeline in **Table 9** is based on a standard planning proposal with a public exhibition period of 20 working days.
85. It is noted that the project timeline will be assessed by the DPHI and may be amended by the Gateway Determination.

## PROJECT TIMELINE

86. The expected timeframes for each stage are summarised in the following table.

*Table 9: Indicative Timeline*

Stage	Timeframe/date
Consideration by the Georges River LPP	1 August 2024
Council decision	August 2024
Gateway Determination	November 2024 (Subject to the DPHI)
Pre-exhibition	November 2024 (Subject to the DPHI)
Commencement and completion of the public exhibition period	December 2024 (Subject to the DPHI)
Consideration of submissions	January 2025 (Subject to the DPHI)
Post-exhibition review and additional	January to February 2025 (Subject to the



studies	DPHI)
Council resolution to endorse	February 2025 (Subject to the DPHI)
Submission to the Department for finalisation (where applicable)	March 2025 (Subject to the DPHI)
Gazettal of LEP amendment	April 2025 (Subject to the DPHI)

87. It is noted that the project timeline will be subject to the DPHI and may be amended.




### NEXT STEPS

88. The PP will be presented at a future Environment and Planning Committee meeting for consideration, including the LPP recommendations. The minutes of the Environment and Planning Committee meeting will subsequently be considered at a future Council meeting. If the Planning Proposal is endorsed by Council, it will be forwarded to the DPHI for a Gateway Determination under Section 3.34 of the EP&A Act.

### FILE REFERENCE

D24/129342

### ATTACHMENTS

- Attachment 1  Planning Proposal for 84D Roberts Avenue Mortdale - *published in separate document*
- Attachment 2  Economic Statement of Medical Centre Needs Analysis – 84D Roberts Avenue Mortdale - *published in separate document*
- Attachment 3  Traffic and Parking Assessment Report – 84D Roberts Avenue Mortdale - *published in separate document*