



RG/NC
15666
3 April 2017

Cathy McMahon
Manager Strategic Planning
Georges River Council
PO Box 205
HURSTVILLE NSW 2220

Attention: Rita Vella

Dear Rita,

**PLANNING PROPOSAL – 73 VISTA STREET SANS SOUCI
RESPONSE TO PRELIMINARY ASSESSMENT**

We write to you on behalf of Nanevski Developments Pty Ltd (Nanevski) regarding our Planning Proposal for 73 Vista Street, Sans Souci and in response to your correspondence dated 17 March 2017.

Thank you for your prompt preliminary assessment and reply. We understand Georges River Council's (Council) position in principle and advise that Nanevski does not wish to withdraw the Planning Proposal. Nanevski remains committed to working with Council to pursue a Seniors Housing development on the site that is of sufficient scale to be both commercially viable and functionally operable. Nanevski is seeking Council's support for the merits of the Planning Proposal and your recommendation for the Planning Proposal to proceed to Gateway.

The indicative scheme has been designed specifically taking into account the sites context and topography. The Planning Proposal seeks to facilitate this development through an amendment to the applicable development standards contained within the Kogarah Local Environmental Plan 2012 (LEP).

We therefore request that Council formally consider the Planning Proposal, make a determination and clarify the reasons as to why any aspect of the proposal is unacceptable. The matters raised in Council's letter are addressed in further detail below.

Rezoning

We agree with Council's in-principle position that there is no issue with the rezoning of the historically filled land from W2 Recreational Waterway to R2 Low Density Residential. The Planning Proposal provides for the site to be consistently zoned and for future development to occur in accordance with the provisions of the New City Plan.

Nanevski intends to pursue the rezoning of all of the W2 Recreational Waterway zoned land to R2 Low Density Residential inclusive of the wet-dock area. The wet dock is not required for the intended seniors living land use and rezoning this land to R2 will rationalise all land within the site boundary as a single land use zone. Retention of the existing W2 zone on privately held land does not serve the objectives of the W2 zone. Notwithstanding this, the wet dock area is more appropriately designated to be filled and included in a rationalised outdoor recreation area for the enjoyment of the occupants of the future seniors living development.

We note that separate development consent is required prior to any land reclamation taking place and this would form part of the future Development Application for seniors development on the site.

Height and Floor Space Ratio

We note Council recognises the opportunity for increased height to the rear of the site and acknowledge Council is concerned with the maximum building height and floor space ratio proposed in the Planning Proposal.

We do not agree however that the scale of the seniors living development permitted by the proposed height and FSR controls is incompatible with the surrounding development and the objectives of the R2 Low Density Residential zone. The provision of a maximum built height measured as a reduced level (RL) ensures a maximum building height fronting Vista Street that is generally consistent with the expected building heights permitted for two storey dwellings. The view analysis included in the Planning Proposal demonstrates that the building envelope has minimal impact on views to the water when compared with a dwelling house compliant with the existing planning controls.

A visual assessment of the building envelope when viewed from the Georges River is being prepared and will be submitted under separate cover.

Schedule 1 Amendment

We understand that Council received advice from the Department of Planning and Environment indicating that the Schedule 1 amendment may not be the most appropriate mechanism for amending the LEP. We are open to Council's suggestions as to the preferred mechanism to achieve the required height and floor space ratio for the subject site to progress a viable Senior Housing development.

In preparing this Planning Proposal, four options were considered to facilitate the development of a Seniors Housing development on the site. These options made the assumption that the New City Plan amendments would be implemented. The use of Schedule 1 was favoured following an analysis of all four options (see **Table 1**).

Table 1 – Options Analysis

Options	Analysis
Option 1: Do Nothing	<p>The first option was to do nothing. This would mean that the site would remain inconsistently zoned with the western part of the land zoned as W2 Recreational Waterway.</p> <p>This historical zoning anomaly currently prevents a residential land use being developed on the western half of the land. This is despite neighbouring sites enjoying a residential zoning that extends to the Georges River.</p> <p>The site area permitting residential development and the permissible scale were not deemed sufficient to develop a viable Seniors Housing scheme.</p>
Option 2: Rezone the land	<p>The second option considered was to rezone the W2 Recreational Waterway part of the site to R2 Low Density Residential. This would allow for the site to be consistently zoned and a Seniors Housing development permissible throughout the site.</p> <p>Given the permissible height and FSR on the site a Seniors Housing development was not considered to be commercially viable or functionally operable.</p>
Option 3: Rezone the land and Increase the building height and floor space ratio	<p>The third option considered was to rezone the W2 Recreational Waterway to R2 Low Density Residential and amend the height of building map and floor space ratio map to facilitate the development of a Seniors Housing development of a suitable scale.</p> <p>The rezoned site would provide for a suitably sized area to facilitate a Seniors Housing development. The topography of the site allows for an opportunity to increase the scale of the building on site without significantly impacting on the surrounding streetscape.</p> <p>The height and FSR standards required to develop a viable Seniors Housing scheme would have to be 'rounded up' to the closest figures available within the Standard Instrument LEP. This was considered to provide a greater level of uncertainty than was otherwise required by the indicative scheme. It also allowed for other land uses to potentially utilise the increased height and FSR.</p>
Option 4: Rezone the land and amend Schedule 1 to permit a Seniors Housing development with a greater height and	<p>The fourth option considered was to rezone the W2 Recreational Waterway to R2 Low Density Residential and amend Schedule 1 to allow for an additional permitted use on site. This additional permitted use would allow for a Seniors Housing development to a</p>

floor space ratio	<p>set RL height and FSR.</p> <p>The rezoned site would provide for a suitably sized area to facilitate a Seniors Housing development. The topography of the site provides an opportunity to increase the scale of the building on site without significantly impacting on the surrounding streetscape. The Seniors Housing land use is also considered to have direct synergies with the adjoining public open space and registered club.</p> <p>This is considered to be the most suitable option in providing certainty to Council of the intended use and scale of the development.</p>
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75 Vista Street, Sans Souci

We note that 75 Vista Street, legally known as Lot 1 DP181450, was identified in error as owned by Nanevski and forming part of this land parcel. We acknowledge this land should not form part of the Planning Proposal. We confirm that no amendment is sought to any development control applying to 75 Vista Street nor does the Planning Proposal rely on this inclusion of this land.

We appreciate Council's quick assessment and timely response to our Planning Proposal submission. Nanevski is seeking Council's recommendation for the Planning Proposal to proceed to Gateway and is ready to provide any additional information required by Council or Gateway. We formally request that Council continue their assessment of the Planning Proposal at 73 Vista Street, Sans Souci.

Should there be any further information that Council specifically requires, we ask that this be requested.

If you have any questions regarding the above information do not hesitate to contact me on 9956 6962 or by email at ncroft@jbaurban.com.au or rgraham@jbaurban.com.au

Regards,



Rohan Graham
Urban Planner



Nathan Croft
Associate