

Wynne Planning



147 GARNET RD KAREELA

Planning Proposal

Proposed Rezoning of Part of Site from SP2 Infrastructure to R3 Medium Density Residential

Submitted to Sutherland Shire Council on Behalf of the Sylvanvale Foundation

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Executive Summary

Overview

This planning proposal submission is made to Sutherland Shire Council requesting a zoning change for the northern 9,538m² portion of a Sylvanvale Foundation owned site at No 147 Garnet Road, Kareela. The proposal involves:

- rezoning the land from SP2 Infrastructure to R3 Medium Density Residential under Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015);
- introducing the R3 zone SSLEP 2015 maximum floor space ratio 0.7:1;
- introducing a maximum building height of 12m; and
- introducing the a minimum landscaped area of 40%.

Sylvanvale Context

Sylvanvale have been operating in the Sutherland Shire for a number of decades, supporting the local community, particularly those with disabilities. Their head office is located at 147 Garnet Road, Kareela however they are currently investigating the opportunity to relocate these operations to a business centre with improved access to public transport and more accessible topography. It is envisaged that the future relocated Head Office will promote the highest design standards for accessibility and inclusion and will provide facilities well beyond that currently offered at the Garnet Road premises. Moving the head office to a new location will free up some of the site for sale. The existing child care centre will be retained on a separate lot, subject of a subdivision development application lodged with Sutherland Council in May 2020 at the same time as this Planning Proposal.

Given the high demand within the Sutherland Shire for Specialist Disability Accommodation, Sylvanvale are intending to use the funds generated from the sale of the northern part of the Garnet Road site to enable construction of future housing for people with a disability and to secure the new head office space. It is therefore paramount that the property is sold for its highest and best use, taking into consideration its unique characteristics and various environmental constraints.

Site Context

The subject site is located in the suburb of Kareela within the Sutherland Shire Local Government Area (LGA) located approximately 30km to the south of the Sydney CBD. Surrounding suburbs include Kirrawee, Jannali and Miranda.

No 147 Garnet Road currently contains the Sylvanvale Head Office, an indoor hydrotherapy swimming pool, and a Sylvanvale owned child care centre for 80 children. Vehicular and pedestrian access is currently available to the site via driveways leading from the unformed eastern end of Garnet Road and via a right of carriageway over No 2 Mikarie Place. The land subject of the current rezoning proposal is the northern part of No 147 Garnet Road Kareela comprising 9,538m². A two-lot subdivision development application lodged at the same time as the Planning

Proposal (and which has been subsequently approved) should ensure that the new lots will be formally created prior to the finalisation of the rezoning process.

Current Zoning, Constraints and Opportunities

The current SP2 – Infrastructure zone is limited in its potential permissible landuses to *“Aquaculture; Food and drink premises; Roads; the purpose shown on the Land Zoning Map [Educational Establishment in this case], including any development that is ordinarily incidental or ancillary to development for that purpose.”* Accordingly, given the limited number of landuses available to a potential future buyer of the land, together with the site’s topography and quiet residential context away from local centres, it’s considered that the existing zone is not fit for the likely future purpose of the land. The current circumstances therefore offer the ideal time to consider a more suitable zone.

Section 2 of this report outlines a range of site opportunities and constraints. Importantly, the site is relatively unique in that it has several adjoining land uses that generally separate, or buffer it, from the surrounding local low density residential zone. They are Sir Joseph Banks reserve in the west, the transmission easement in the north, the reserve in the south and the Bates Drive school in the east. This “island-like” position within its local context is one of the aspects that make it suitable for a slightly higher density residential zone than R2. Over the last 12+ months various specialist consultants have also undertaken studies and prepared various plans. This work underpins the rezoning request and the concept scheme and includes survey, bushfire, flooding, flora and fauna, traffic, stormwater, arborist, architectural, landscape and planning analysis.

It is acknowledged that the R3 zoning permits a greater FSR, however it also allows for a higher maximum height limit, which will allow for dwellings to be better integrated with the topography of the site.

Concept Scheme

Couvaras Architects were engaged to develop a scheme that maximised the site’s development potential, whilst working with the environmental constraints and opportunities and fully complying with the current Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) and Sutherland Shire Development Control Plan 2015 (SSDCP 2015) controls.

The proposed concept plans outline a potential proposal for medium density townhouse style dwellings of 1-2 storeys with basement parking. A total of 43 dwellings are achieved with a mix of dwelling sizes. The design locates the building form centrally on the northern proposed R3 rezone site and this allows for more trees to be retained around the periphery. Significantly, the development form manages to achieve a deep soil landscaped area of over 40%, which is more akin to the lower density and environmental zone requirements, even though the proposed FSR is medium density. One of the main reasons this high landscaped figure can be achieved on this site, even with its topographical constraints, is that the R3 zone allows a greater height (12m is proposed), and the slightly higher density justifies basement parking. This creates an efficiency of building form and allows the future dwellings to complement their natural surroundings better than an R2 zone scheme may. In addition, it is noted that the basement scheme for the R3 zone will provide large areas of above podium landscaping including a large centrally located communal area. This would not be feasible for an R2 scheme and would likely be replaced with above ground driveways and hardstand areas. The result is that the

future development will be kept as leafy as possible, which will assist in it blending well with its local residential context.

Objectives and Intended Outcome

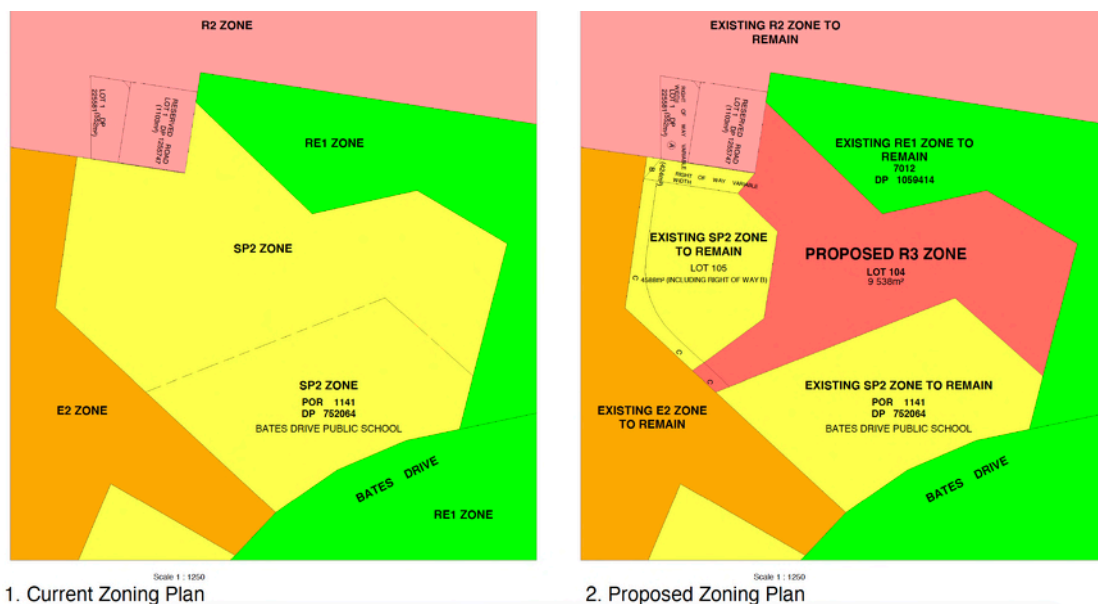
The key objective of this planning proposal is to amend the Sutherland Shire Local Environmental Plan 2015 to enable medium density multi dwelling housing on a 9,538m² portion of No 147 Garnet Road Kareela.

Section 3 of this report outlines a concept plan scheme that shows a potential development outcome that conforms with current R3 – Medium Density Residential controls and also the current Sutherland Shire Development Control Plan for dwellings in the R3 zone.

In seeking a rezoning this Planning Proposal seeks to amend the:

- Land Use Zone Map (the existing and proposed land use zones for the subject site are shown below),
- Height of Buildings Map,
- Floor Space Ratio Map,
- Landscaped Area Map.

Section 5 outlines the way in which each of the maps need to be amended.



The other three maps will need to be amended to reflect the following for the northern part of subject site (as per the proposed subdivision plan):

- Overall maximum height of 12m
- Maximum height of FSR of 0.7:1;
- Minimum landscaped area of 40%.

The background studies and the development of a concept architectural scheme, as presented in this planning proposal, provide the basis for Council to develop future site-specific planning controls in the form of a DCP. These controls will help guide

the detailed design of a multi dwelling DA scheme and will provide relative certainty about the form, location and building scale for a future developer, Council and the local community.

Strategic Justification and Environmental Planning Discussion

The report satisfactorily addresses the key questions outlined in the Guide to Preparing Planning Proposals. It demonstrates consistency with the Metropolitan, District and Local Strategies, the relevant State Environmental Planning Policies and Section 9.1 Directions.

Over the last 12+ months various specialist consultants have undertaken studies as part of a background investigation of the site's opportunities, constraints and potential. This work has resulted in development parameters for the possible development concept and underpins the planning proposal for an R3 zone. The specialist input includes survey, bushfire, flooding, flora and fauna, traffic, stormwater, arborist, architectural, landscape, community consultation and planning analysis. The Planning Proposal demonstrates that the site can be developed with respect to all environmental constraints including bushfire, ecology and flooding. It has also addressed potential social and economic effects and demonstrated that there are adequate public infrastructure to support the likely future development.

Community Consultation

Ethos Urban were engaged to carry out pre lodgement community and stakeholder consultation in May 2020. A summary report Outlining the process and summarising the key outcomes, is included under separate cover. As mentioned in the report the findings of the consultation have been used to inform the final planning proposal and accompanying subdivision application.

Conclusion

The site adjoins a local residential area and is considered suitable for housing, as discussed throughout this report. The land can be developed in a way that will maintain the leafy local context whilst providing all facilities and services on site including parking for all residents and visitors in accordance with the current Council planning controls. The net result of the proposed development is a significant reduction in traffic movements compared to the current Sylvanvale Head Office land use. The provision of approximately 43 new dwellings will assist in meeting the Shire's housing targets on land that has become available for a new use as a result of changing business and operational needs of the Sylvanvale Foundation.

Whilst most R3 zones in the Sutherland Shire are located very close to local centres, the overall size of the site and its unique characteristics offer an opportunity for the new development to have a point of difference to the typical Shire medium density areas. In this respect it is noted that it will be situated in a quiet, leafy residential area, which is likely to be highly desirable as a place to live in the future. Although the concept plan indicates that it is possible to achieve the 0.7:1 FSR, the extent of landscaping on site (over 40%) and the treelined buffer almost all of the way around the property will ensure that it feels much more like a low density development than medium density in many respects. Accordingly, it will be a good fit within the nearby R2 – Low Density neighbourhood and adjoining SP2 – Infrastructure zone.

1

Introduction

1.1 Introduction

This planning proposal submission is made to Sutherland Shire Council requesting a zoning change for the northern 9,538m² portion of a Sylvanvale Foundation owned site at No 147 Garnet Road, Kareela. The proposal involves:

- rezoning the land from SP2 Infrastructure to R3 Medium Density Residential under Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015);
- introducing the R3 zone SSLEP 2015 maximum floor space ratio of 0.7:1;
- introduction a maximum building height of 12m which is greater than the typical 9m applied to R3 zones under SSLEP 2015; and
- introducing a minimum landscaped area of 40% which is greater than the typical 30% applied to R3 zones under SSLEP 2015.

Over the last 12+ months various specialist consultants have undertaken studies as part of a background investigation of the site's opportunities, constraints and potential. This work underpins the planning proposal and includes survey, bushfire, flooding, flora and fauna, traffic, stormwater, arborist, architectural, landscape, community consultation and planning analysis.

Wynne Planning Consultants have prepared this report on behalf of the Sylvanvale Foundation.

1.2 Background to the Sylvanvale Rezoning Proposal

Sylvanvale have been operating in the Sutherland Shire for a number of decades, supporting the local community, particularly those with disabilities. Their head office is located at Mikarie Place however they are currently investigating the opportunity to relocate these operations to a business centre with improved access to public transport and more accessible topography. It is envisaged that the future relocated Head Office will promote the highest design standards for accessibility and inclusion and will provide facilities well beyond that currently offered at the Garnet Road premises.

Moving the head office to a new location will free up some of the site for sale. The existing child care centre will be retained on a separate lot, subject of a subdivision development application lodged with Sutherland Shire Council in May 2020 at the same time as this Planning Proposal. This development application (DA20/0381) has since been approved on 24 November 2020.

Given the high demand within the Sutherland Shire for Specialist Disability Accommodation, Sylvanvale are intending to use the funds generated from the sale of the northern part of the Garnet Road site to enable construction of future housing for people with a disability and to secure the new head office space. It is therefore paramount that the property is sold for its highest and best use, taking into consideration its unique characteristics and various environmental constraints.

1.3 Report Aims

The aims of this report are to:

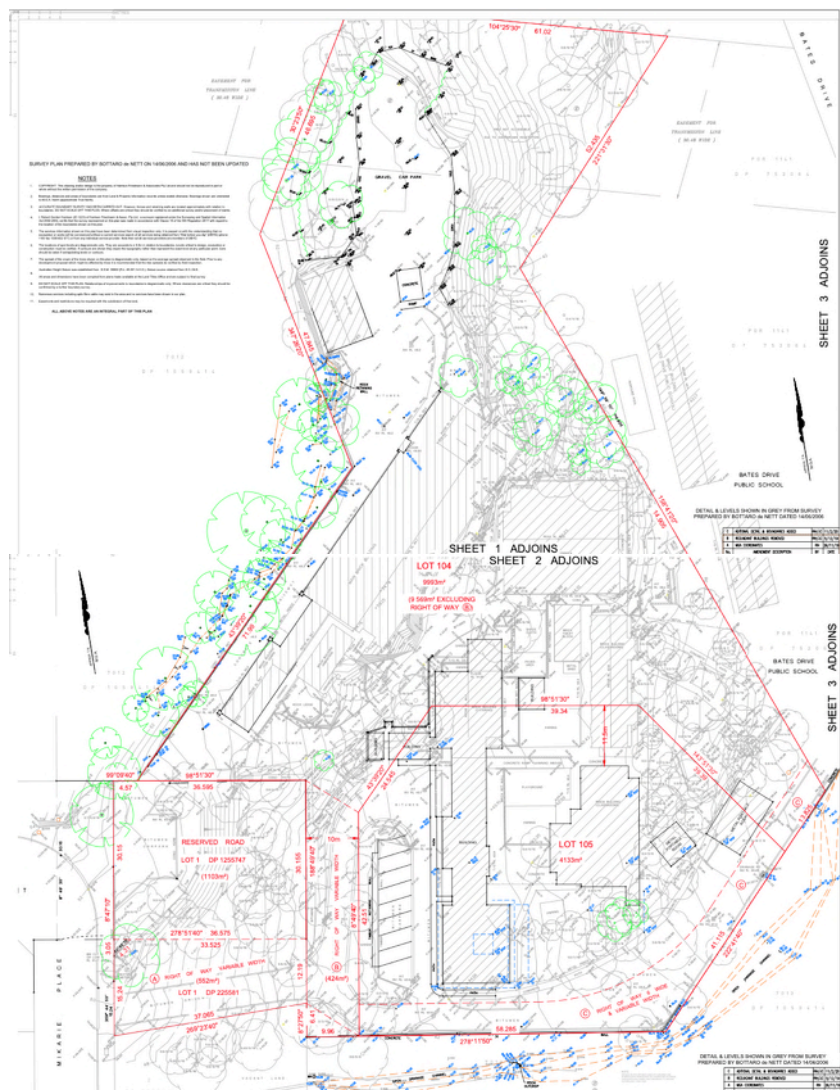
- provide context for the request by describing key elements of the site, the surrounding local environment and the existing planning controls;
- describe the proposed zone and likely future development including a description of the scale and nature of possible future multi dwellings;
- provide strategic justification for the rezoning request including outlining the need for the planning proposal, the compatibility with relevant strategic planning documents and plans, the potential impacts and possible solutions;
- outline the required mapping changes;
- outline the results of the community consultation undertaken to date and the future consultation that will be required; and
- outline a potential timeline for the rezoning process.

2

Site Description and Context

2.1 Existing Lot Description

No 147 Garnet Road, Kareela is legally identified as Lot 1142 in DP 752064 and comprises 14,126m². The site is irregular in shape and is currently accessed via the frontage to an unformed part of Garnet Road and a Right of Carriageway (ROC) over No 2 Mikarie Place. Refer to the survey plan extract in Figure 1 below and the survey plan submitted under separate cover.

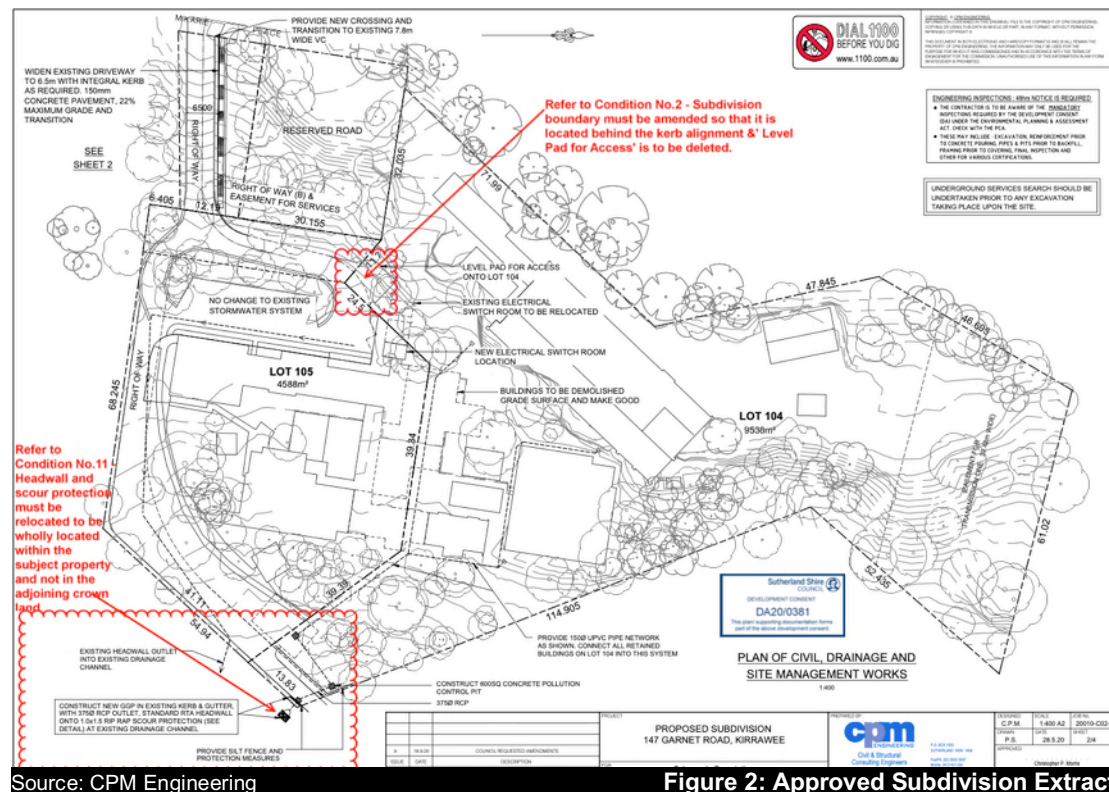


Source: Harrison Friedmann & Associates **Figure 1: Site Survey Plan Extract**

2.2 Previously Approved Subdivision

The subject of the current rezoning proposal is the northern part of No 147 Garnet Road Kareela comprising 9,538m² as shown on the Figure below. A two-lot subdivision development application was lodged in May 2020. This development application (DA20/0381) has since been approved on 24 November 2020. It is anticipated that the new lots will be created prior to the finalisation of the rezoning process.

The approved DA20/0381 consent and stamped plans are provided under separate cover. An excerpt of the stamped plans is provided below:



Source: CPM Engineering

Figure 2: Approved Subdivision Extract

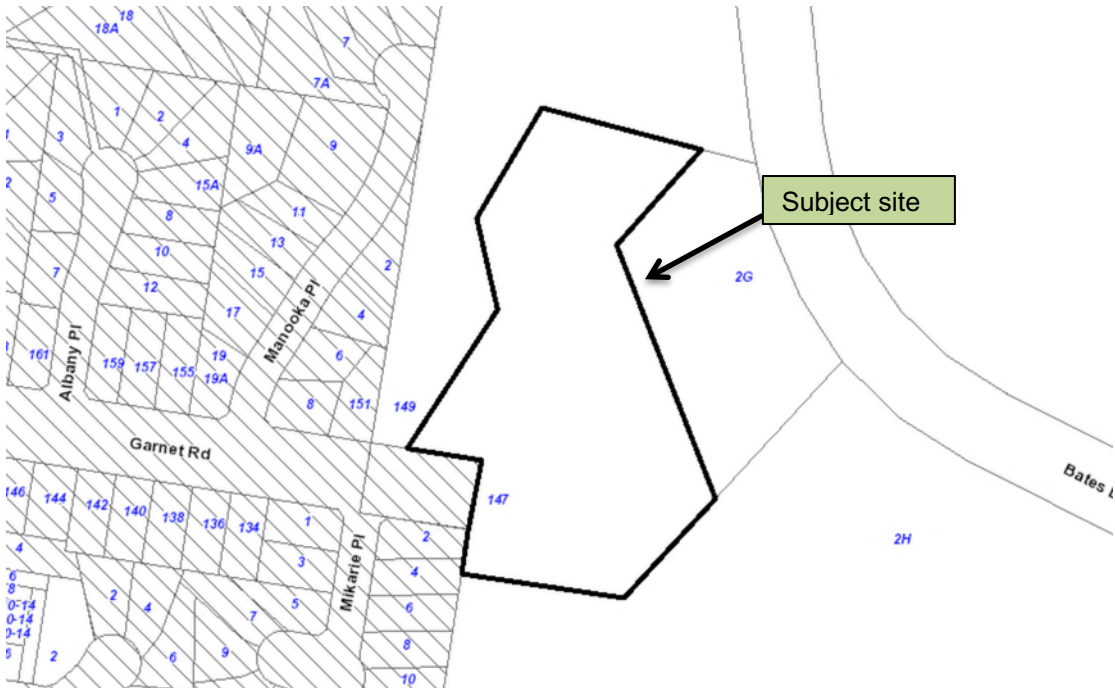
2.3 Local Context

The subject site is located in the suburb of Kareela within the Sutherland Shire Local Government Area (LGA) located approximately 30km to the south of the Sydney CBD. Surrounding suburbs include Kirrawee, Jannali and Miranda. Refer to Figure 3 to Figure 5 following.



Source: Google Maps

Figure 3: Regional Site Context



Source: Shire Maps

Figure 4: Local Site Context



Key characteristics of the surrounding area include:

- The immediate surrounding area includes low density residential dwellings to the south and west of the site, including single dwellings and dual occupancies. Industrial development is located further to the south west of the site. Adjoining the site to the north, south and east is bushland, and adjoining the site to the east is Bates Drive School. Some of the built forms surrounding have been recently renovated and some recently built whilst others are still essentially in original condition. Accordingly, architectural styles vary from modern to traditional.
- Joseph Banks Native Plants Reserve is located adjacent the site to the west.
- Bates Drive School adjoins the site to the east, Gynea North Public School is located approximately 500m to the south east of the site, Gynea Technology High School is located approximately 650m to the south of the site, Sutherland North Public School is located approximately 1.6km to the south west of the site, Jannali East Public School is located approximately 1km to the north west of the site, and Kareela Public School is located approximately 1km to the north of the site.
- Kareela Golf Course (club house) is located approximately 300m to the north of the site, Kareela Oval is located approximately 250m to the south of the site, Sylvania Heights Football Club and Sutherland District Hockey Club are located approximately 700m to the east of the site, Gynea Miranda Bowling & Sports Club is located approximately 1km to the south of the site, Seymour Shaw Park is located approximately 1.6km to the south east of the site, Corea Oval is located approximately 1.25km to the east of the site, and Bellingara Netball Courts are located approximately 1.4km to the east of the site.
- Kareela Village is located approximately 650m to the north west of the site, South Village Kirrawee is located approximately 1.6km to the south west of the site, Gynea local centre is located approximately 1km to the south of the site, and Miranda local centre is located approximately 1.8km to the south east of the site.
- Bus stops are located within walking distance of the site along Garnet Road, Marshall Road and Gundain Road.

2.4 Existing Site Conditions

Consultants have been engaged to assess the preliminary characteristics and opportunities and constraints of the subject site.

The analysis below includes some of the findings of the planning and environmental analysis of the existing site conditions.

2.4.1 Existing Development on Site

No 147 Garnet Road currently contains the Sylvanvale Head Office (estimated at 1,160m² of GFA), an indoor hydrotherapy swimming pool (estimated at 452m² of GFA), and a Sylvanvale owned child care centre for 80 children. Refer photos in Appendix A and below.



Photo 1: Access to the site via No 2 Mikarie Place



Photo 2: Existing Sylvanvale Childcare Centre



Photo 3: Sylvanvale Head Office



Photo 4: Sylvanvale Head Office and driveway access to the indoor pool



Photo 5: Aspect School buildings



Photo 6: Part of the existing Sylvanvale Head Office facilities



Photo 7: standing in the northern portion of the site within the easement for transmission and looking north.



Photo 8: Image 2: standing in the northern portion of the site within the easement for transmission and looking south to the existing administration building, with Sir Joseph Banks Native Plants Reserve located to the west (right).



Photo 9: standing in the western portion of the site looking west to Sir Joseph Banks Native Plants Reserve.



Photo 9: standing in the western portion of the site looking west to Sir Joseph Banks Native Plants Reserve.

Aspect School was previously located on site however vacated the site in 2020. The childcare centre will be retained in the southern part of the site on a separate lot as outlined in section 2.2 of this report.

2.4.2 Access, Traffic, Parking and Public Transport

Vehicular and pedestrian access is currently available to the site via driveways leading from the unformed eastern end of Garnet Road and via a right of carriageway over No 2 Mikarie Place.

The existing 5.5m wide driveway within No 2 Mikarie Place extends along the southern boundary of the site and providing access to the childcare centre, Aspect School and a secondary informal access to the adjoining Bates Drive School. The primary vehicular and pedestrian access to the Sylvanvale head office is currently via the unformed portion of Garnet Road.

Both Garnet Road and Mikarie Place have a local road classification with approximately 9m wide road carriageways and kerbside parking on both sides of the streets.

With respect to existing traffic management the specialist report prepared by McLaren Engineering notes the following:

- *Priority-controlled intersection of Garnet Road/Manooka Place*
- *Priority-controlled intersection of Garnet Road/Albany Place;*
- *Give-way line-controlled intersection of Garnet Road/Marshall Road;*

- *Give-way line-controlled intersection of Garnet Road/Alpita Street.”*

The McLaren Engineering report further notes the following with respect to public transport:

“The subject site is within 300m walking distance of existing bus stop (ID: 2232101) located to the west of the site on Marshall Road. The bus stop services existing bus Routes 967 (Como West to Miranda via Oyster Bay) and 968 (Bonnet Bay to Miranda via Kareela) provided by Transdev NSW.”

There are currently 72 car parking spaces on site servicing all of the land uses outlined above. The specialist traffic and parking study notes that this results in a significant shortfall of 42 spaces resulting in overflow cars being parked in the surrounding local streets.

2.4.3 Topography

The property is positioned on the side of a hill overlooking the suburb of Kareela. It contains varied topography, including previous excavation where existing buildings are sited, some relatively flat land, steep pockets and a number of natural rock forms. Overall the fall is approximately 13m from the west to the eastern boundary.

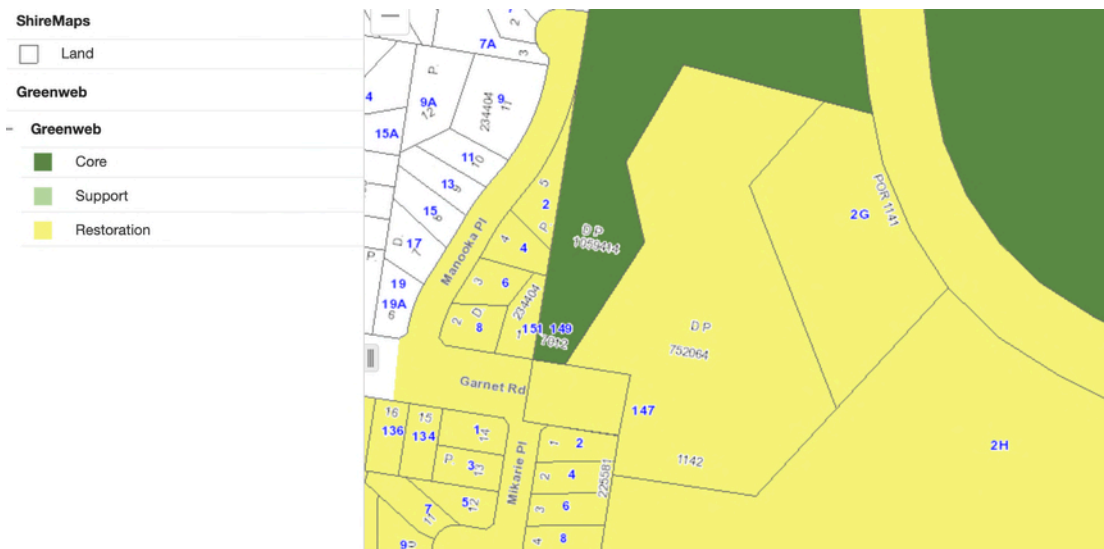
The topography provides the opportunity to step buildings to maximise views, and outlook and provide solar access, and privacy between dwellings on the site and the surrounding residential area.

2.4.4 Existing Vegetation and Setting

The subject site is located in a desirable and leafy locality. It is separated from residential development to the west by Sir Joseph Banks Native Plants Reserve, which also adjoins the site to the north. This buffer presents high quality native vegetation including mature trees to both the subject site and low density residential development to the west. This reserve is anticipated to remain into the future given the quality of vegetation and its recreational zoning.

Existing vegetation on site includes mature trees, as well as shrubs and grassed areas. An arboricultural report has been prepared by Jacksons Nature Works to examine the health and condition of over 160 trees on and around the site. The report found a range of trees on site including some exempt species such as *Cinnamomum camphora* and *Ficus benjamina* and a range of native trees and shrubs including *Corymbia gummifera*, *Callistemon viminalis*, *Angophora costata*, *Glochidion ferdinandi*, *Brachychiton acerifolius*, *Eucalyptus pilularis*, *Banksia serrata* and *Eucalyptus sp.*

The site is shown as a Greenweb restoration area on Shire maps which highlights the importance of trees and other vegetation on site, refer figure following.

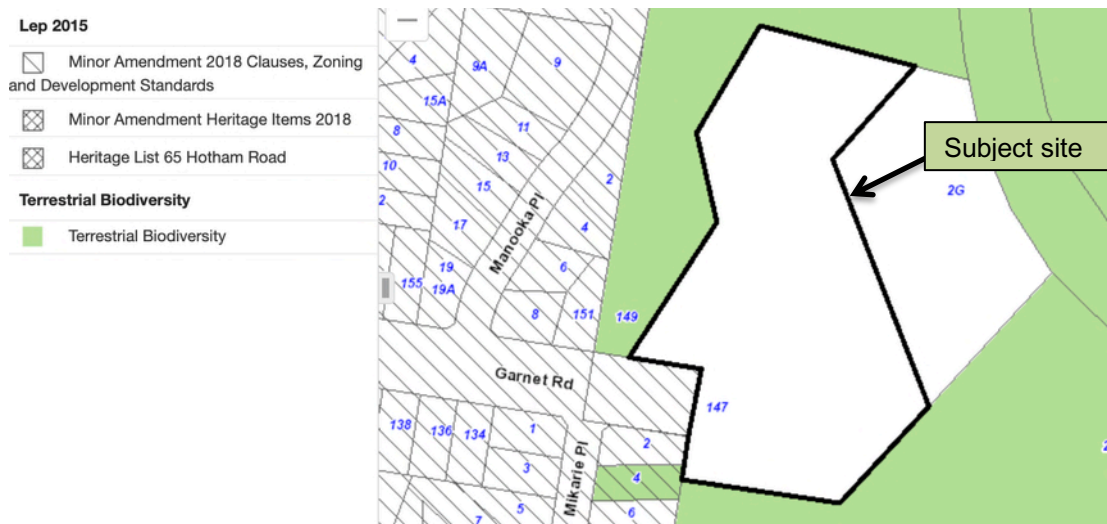


Source: Shire Maps

Figure 6: Greenweb

2.4.5 Flora and Fauna

The site is not mapped as Terrestrial Biodiversity as shown on the following figure.



Source: Shire Maps

Figure 7: Terrestrial Biodiversity

The subject site is identified as containing vegetation communities (Coastal Enriched Sandstone Dry Forest). An excerpt of Council’s mapping showing the extent of the vegetation communities is provided following:

2.4.6 Flooding

The land drains toward Oyster Bay and eventually into the Georges River. No 147 Garnet Road Kareela is partially identified as being subject to Initial Assessment for flooding along the south eastern boundary, subject to the Best Known Probable Maximum Flood, Best Known Flood Planning Level, and Best Known 1% AEP Flood.

A specialist report prepared by FloodMit notes: *“The site has been identified by council as being potentially affected by stormwater flooding. This information is sourced from the “Initial Subjective Assessment of Major Flooding” (Bewsher 2004) that was prepared for Sutherland Shire Council. The subject site is shown to be partially inundated in both a 100 year ARI storm event and a more extreme Probable Maximum Flood (PMF) event along its southern boundary, as shown on Figures 1 and 3.*

The initial assessment of major flooding is a broad scale assessment of flooding throughout the entire Sutherland Shire. It is based on relatively simple assessment criteria and limited topographic data available at the time. Its purpose is to alert Council of potential flood risk areas where more detailed investigations may be warranted. Inundation extents are very approximate and no information on flood levels or flood risk classification is available.”

The hydrologic assessment of the catchment area undertaken by FloodMit assessed potential runoff for the 20 year, 100 year and Probable Maximum Flood (PMF) events. The report found that the potential flood impacts were confined to the southern part of the site and the majority of the property is projected by the Besser block wall located along the southern boundary. The extract from Shire Maps below shows the “Initial Assessment” area for flooding (refer Figure below).



Source: Shire Maps

Figure 9:Flood Risk

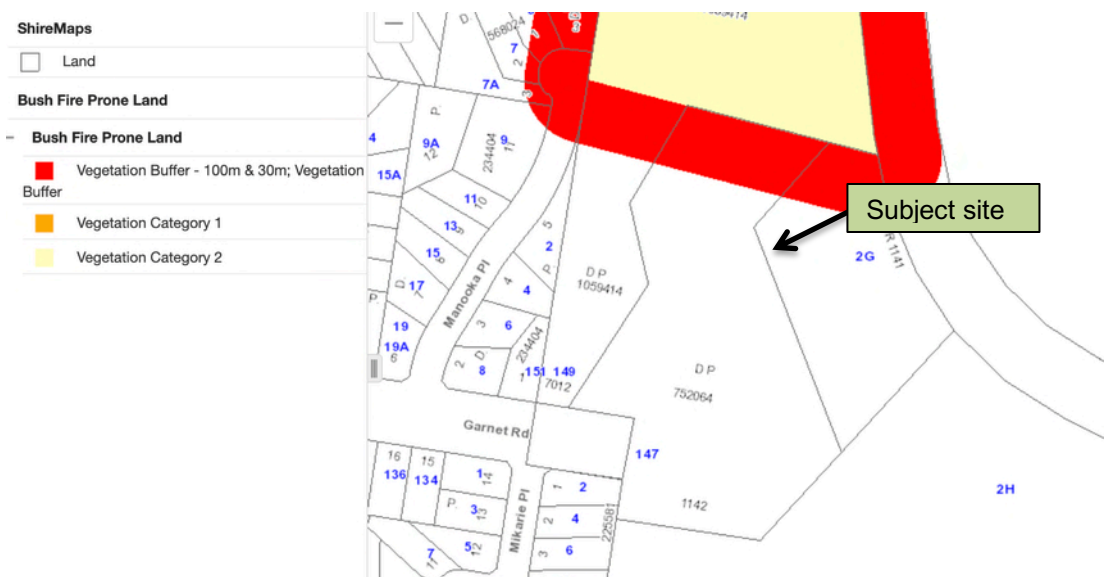


Source: Floodmit

Figure 10 :Estimated 100 year flood extent

2.4.7 Bushfire

Part of the subject property along the northern boundary within the electricity easement is identified as bush fire prone land. The 30 metre buffer zone (Category 2 Vegetation) is highlighted on Sutherland Shire Council’s Bushfire Prone Land Map, as shown on the following figure. Asset protection zones (APZ) were subsequently developed for the site by Building Code & Bushfire Hazard Solutions and are discussed in section 7 of this report.



Source: Shire Maps

Figure 11: Bushfire Risk

The specialist report prepared by Building Code & Bushfire Hazard Solutions also notes:

“The subject site presents unique characteristics with the mapped bushfire hazard to the north being a form of botanic garden (Joseph Banks Native Plants Reserve), having various themed gardens, a comprehensive network of formed walking paths, picnic tables, BBQ areas and formal sitting areas, amenities building and onsite car parking. While the mapped hazard is delineated by an existing electrical transmission line easement a conservative assessment has been applied and the entirety of Joseph Banks Native Plants Reserve assessed as a bushfire hazard. The reserve was noted to have the following attributes influencing bushfire behaviour:

- *comprehensive management practices (vegetation management, mulching etc);*
- *continuous breaks in fuels (as a result of the comprehensive walking path network, electrical transmission lines, rock outcrops and small escarpment);*
- *elevated sprinklers throughout the reserve; and*
- *comprehensive vehicle and pedestrian access facilitating early suppression by attending fire services.*

In addition to the northern hazard the vegetation associated with Kareela Oval to the south of the subject site has also been assessed as a hazard. This vegetation is not identified as being Category 1 or 2 Vegetation on Council’s Bushfire Prone Lands Map, however in consideration of the ‘E2: Environmental Conservation’ zoning we are of the opinion it is prudent to consider it a bushfire hazard. The vegetation to the south was found to be heavily weed infested, has a high concentration of coral trees, pittosporums and other known hard to burn species, has a distinct absence of mature canopy trees (visible from aerial imagery), is associated with an existing watercourse and has no direct link to other bushfire hazards in the broader landscape”.

2.4.8 Services, easements and other restrictions on title

The site is affected by an easement for electricity transmission along the northern boundary, 30.48m in width. There are no other known services constraints, easements or restrictions on title however it is intended that the services and driveway/access easements will be established through the southern lot to service the approved northern lot as part of the works approved under the two lot subdivision DA (DA20/0381).

2.4.9 Surrounding Noise Sources

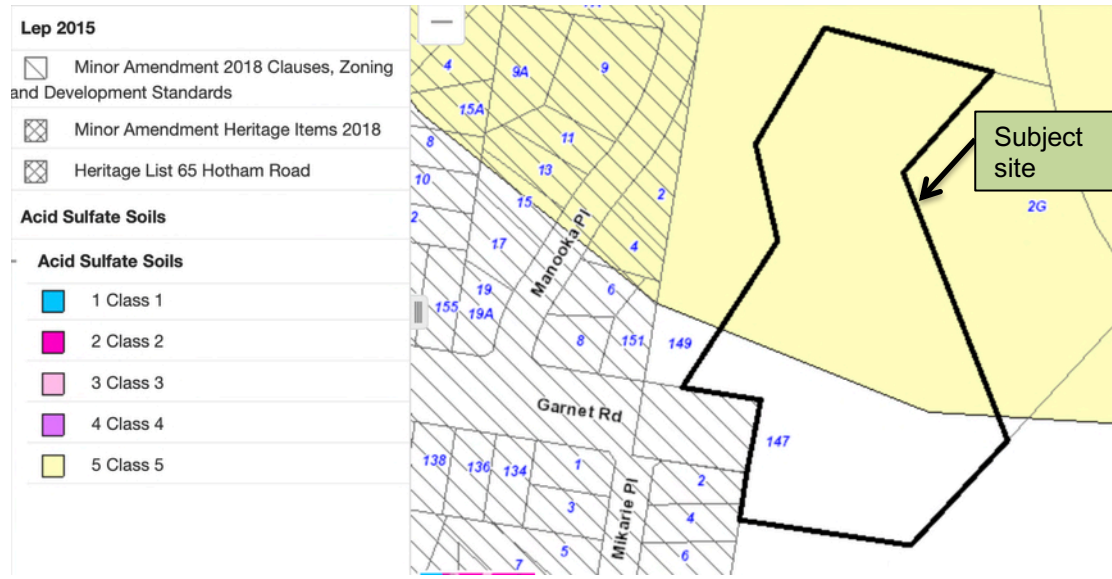
The site is immediately adjoined by bushland, Bates Drive School and low density residential development. Accordingly, existing noise sources are likely to result from the nearby school and local intermittent traffic.

2.4.10 Heritage

There are no buildings or items of heritage significance identified under Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) on the or in close proximity to the site. The site is not located within a heritage conservation area.

2.4.11 Acid Sulfate Soils

The subject site is identified as being subject to Class 1 and Class 5 acid sulfate soils as shown on the Figure following.



Source: Shire Maps

Figure 12: Acid Sulfate Soils

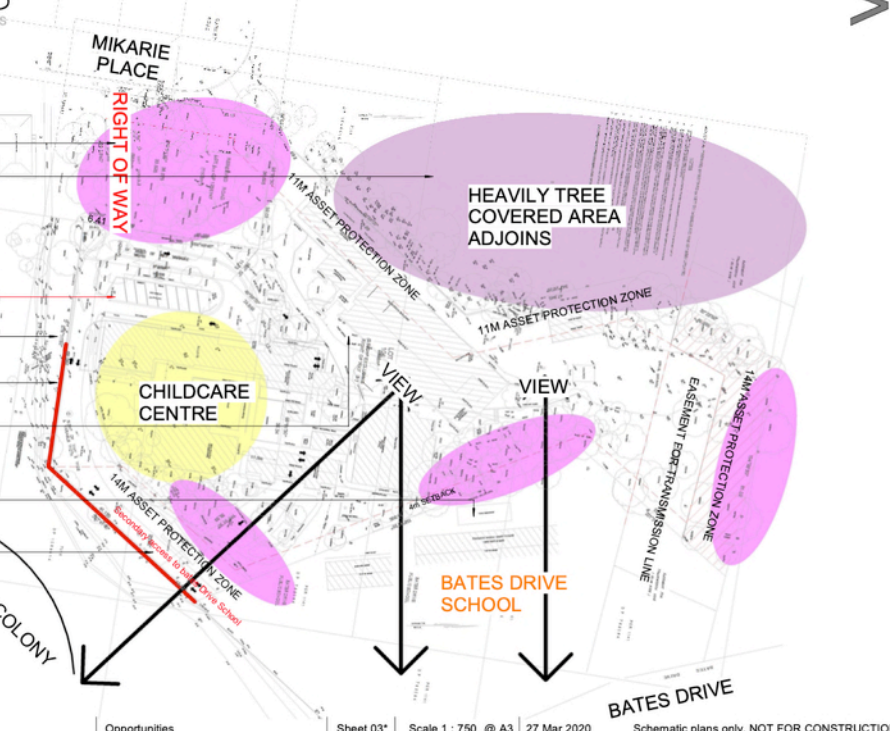
2.5 Summary of Opportunities and Constraints

As discussed in section 2.4 above there are a number of factors providing both opportunities and constraints for a future rezoning. These include the unique bushland setting, easement for transmission, bushfire, flooding, landform, flora and fauna. An opportunities and constraints diagrams have been prepared showing the location of these areas. Refer diagrams following.



OPPORTUNITIES

- Existing driveway access from Mikarie Place
 - Interface to Joseph Banks Reserve adjoining
 - Island Site - surrounded by trees & not visible from surrounding streets or dwellings
 - Existing roadway provides safe & secure access for Childcare Centre & is suitable for Garbage Collection vehicles
 - Existing Childcare centre can remain
 - Existing boundary wall acts as flood protection
 - Topography will potentially allow for elevated views
 - School playground areas along boundary are largely covered and boundary trees provide additional privacy screening
 - Existing secondary/informal access to School can be retained and/or formalised
 - Flying foxes do not appear to inhabit any areas within the site
- Trees and other environmental constraints are shown on the preliminary site plan
- | | | |
|---|--|----------|
| B | Issued to Planner | 28/04/20 |
| C | Issue for Community Consultation | 04/05/20 |
| D | Updated issue for Community Consultation | 11/05/20 |
| F | Updated Tree Plan | 28/05/20 |
| K | Issued to Council Version R4 | 04/21 |
| M | Issued to council R4 | 21/02/21 |
- 20020 | 147 Garnet Rd, Kareela

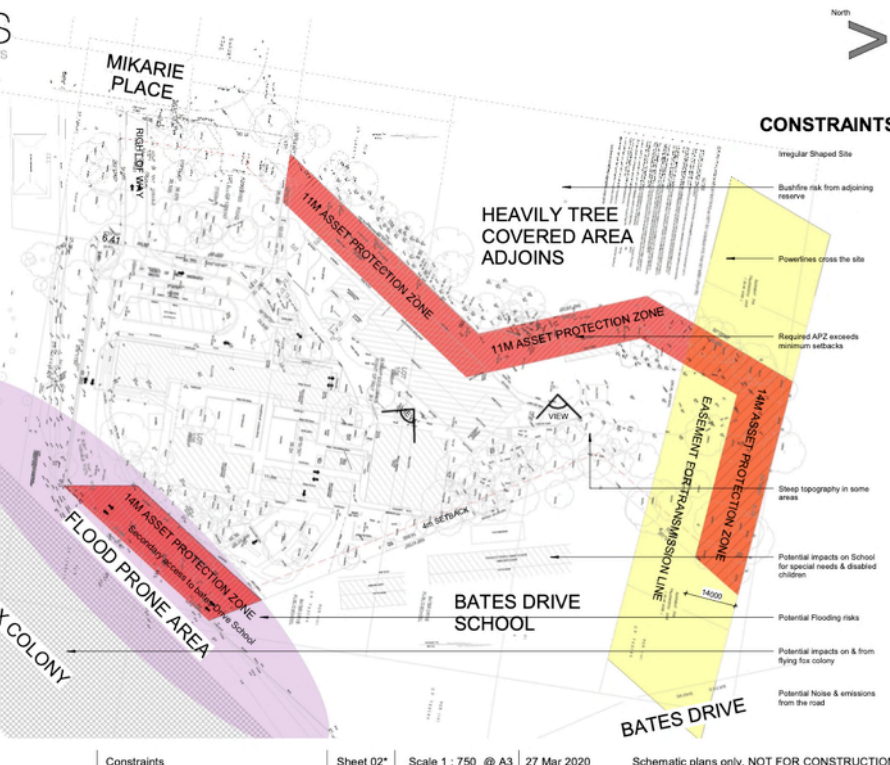


Source: Couvaras Architects Figure 13: Opportunities



CONSTRAINTS

- Irregular Shaped Site
 - Qualifies risk from adjoining reserve
 - Powerlines cross the site
 - Required APZ exceeds minimum setbacks
 - Steep topography in some areas
 - Potential impacts on School for special needs & disabled children
 - Potential Flooding risks
 - Potential impacts on & from flying fox colony
 - Potential Noise & emissions from the road
- | | | |
|---|--|----------|
| B | Issued to Planner | 28/04/20 |
| C | Issue for Community Consultation | 04/05/20 |
| D | Updated issue for Community Consultation | 11/05/20 |
| F | Updated Tree Plan | 28/05/20 |
| K | Issued to Council Version R4 | 04/21 |
| M | Issued to council R4 | 21/02/21 |
- 20020 | 147 Garnet Rd, Kareela



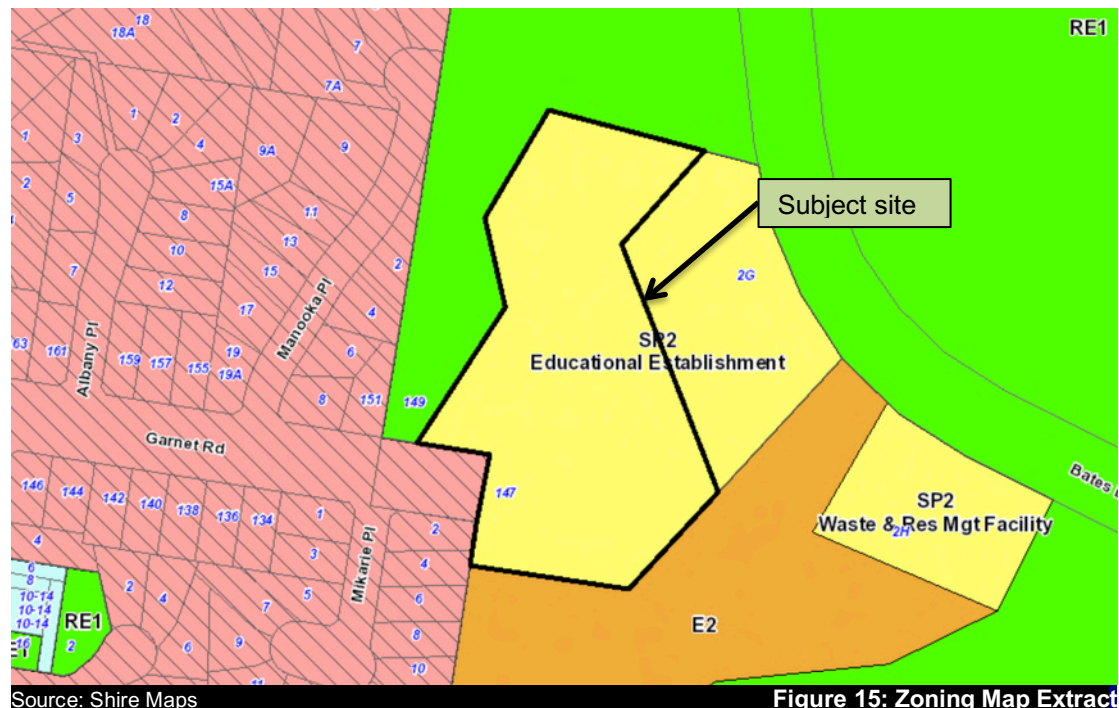
Source: Shire Maps Figure 14: Constraints

2.6 Pre-Planning Proposal History

An informal discussion was held with Council staff in early 2020 to advise of Sylvanvale’s Intention to submit a rezoning proposal and to seek councils’ initial feedback.

2.7 Planning Controls

The key relevant existing planning controls are Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) and Sutherland Shire Development Control Plan 2015 (SSDCP 2015). The subject site is zoned SP2 – Infrastructure and R2 – Low Density Residential under SSLEP 2015. Refer zoning map extract below.



It is also noted that under the SSLEP 2015 the subject site:

- Is partially identified as being subject to Class 5 acid sulfate soils (northern portion of the site);
- Is identified as having a maximum building height of 12m;
- Is not identified on the Landscape Area Map;
- Is not identified on the Density Map;
- Is not identified on the Minimum Lot Size Map;
- Is not identified on the Activity Hazard Risk Map;
- Is not identified on the Additional Permitted Uses Map;
- Is not identified on the Foreshore Building Line Map;
- Is not identified as being affected by groundwater vulnerability;
- Is not identified as containing or being within immediate proximity of a heritage item;
- Is not identified on the Land Reservation Acquisition Map;
- Is not identified on the Natural Landform Map;
- Is not identified on the Riparian Lands and Watercourses Map; and
- Is not identified on the Terrestrial Biodiversity Map.

Under the Sutherland Shire Development Control Plan 2015, the site:

- Is identified as containing vegetation communities (Coastal Enriched Sandstone Dry Forest);
- Is identified as being located within a Greenweb Restoration area;
- Is identified as having medium archaeological sensitivity;
- Is partially identified as bush fire prone land along the northern boundary (Vegetation Buffer);
- Is partially identified as being subject to Initial Assessment for flooding along the south eastern boundary, subject to the Best Known Probable Maximum Flood, Best Known Flood Planning Level, and Best Known 1% AEP Flood;
- Is not identified on the Protected Species and Communities of High Conservation Significance Map;
- Is not identified on the Wetlands and Waterways Map; and
- Is not identified on the Road and Rail Noise Buffer Map.

3

Concept Masterplan

3.1 Overview

Sylvanvale have determined that, in the near future, the northern portion of 147 Garnet Road containing the existing head office is no longer required for operations, which will move elsewhere. The Mikarie Child Care Centre will be retained on the southern part of the site while the Aspect School will move off site and the indoor pool will close. A separate two lot subdivision development application has been approved under DA20/0381 to enable the site to be divided up and the northern lot sold separately. It is anticipated that this subdivision proposal will be approved prior to the finalisation of the rezoning process. For the purposes of this planning proposal the land to be rezoned therefore comprises only 9,538m².

The current SP2 – Infrastructure zone is limited in its potential permissible landuses to *“Aquaculture; Food and drink premises; Roads; the purpose shown on the Land Zoning Map [Educational Establishment in this case], including any development that is ordinarily incidental or ancillary to development for that purpose.”* Accordingly, given the limited number of landuses available to a potential future buyer of the land, together with the site’s topography and quiet residential context away from local centres, it’s considered that the existing zone is not fit for the likely future purpose of the land. The current circumstances therefore offer the ideal time to consider a more suitable zone.

Section 2 of this report outlines a range of site opportunities and constraints. Importantly, the site is relatively unique in that it has several adjoining land uses that generally separate, or buffer it, from the surrounding local low density residential zone. They are Sir Joseph Banks reserve in the west, the transmission easement in the north, the reserve in the south and the Bates Drive school in the east. This “island-like” position within its local context is one of the aspects that make it suitable for a slightly higher density residential zone than R2.

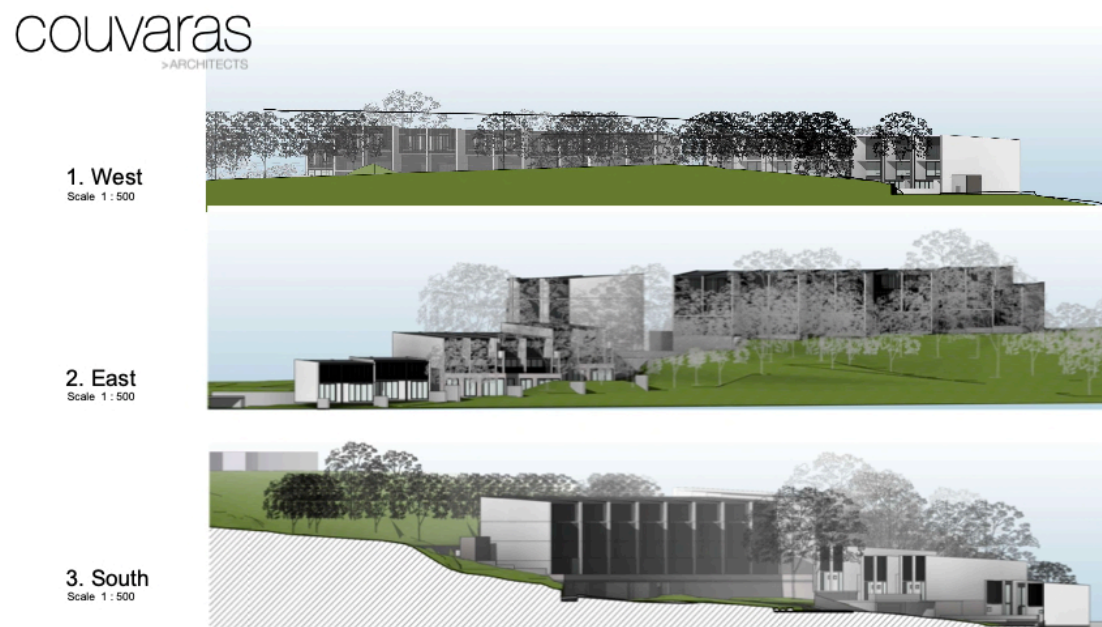
It is acknowledged that the R3 zoning permits a greater FSR, however it also allows for a higher maximum height limit, which will allow for dwellings to be better integrated with the topography of the site. It is noted that a typical R3 zoned site has a maximum building height of 9m, however a 12m height limit is proposed in this instance in order to maximise integration with site topography and limit the building footprint to in turn limit impacts to trees. While a typical R3 zoned site is required to contain 30% landscaped area, the proposed 12m height limit allows for at least 40% landscaping to be achieved on site.

Couvaras Architects were engaged to develop a scheme that maximised the site’s development potential, whilst working with the environmental constraints and opportunities and appropriately responding to the current Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) and Sutherland Shire Development Control Plan 2015 (SSDCP 2015) controls.

The proposed concept plans outline a potential proposal for medium density townhouse style dwellings of 1-2 storeys with basement parking. A total of 43 dwellings are achieved with a mix of dwelling sizes. The design locates the building form centrally on the northern proposed R3 rezone site and this allows for more trees to be retained around the periphery. Notably, the number of trees to be retained has been significantly increased from that originally proposed under the rezoning following discussion with Council. Significantly, the development form manages to exceed the environmental management and environmental living zone landscaping requirement (which is usually 40% landscaping), even though the proposed FSR is medium density. One of the main reasons this high landscaped figure can be achieved on this site, even with its topographical constraints, is that the R3 zoning is conducive to a greater height limit (with 12m proposed), and the slightly higher density justifies basement parking. The 12m height limit is also the same that is currently applied to the site under its existing SP2 zoning. This creates an efficiency of building form and allows the future dwellings to complement their natural surroundings better than an R2 zone scheme may. In addition, it is noted that the basement scheme for the R3 zone will provide large areas of above podium landscaping including a large centrally located communal area. This would not be feasible for an R2 scheme and would likely be replaced with above ground driveways and hardstand areas. The result is that the future development will be kept as leafy as possible, which will assist in it blending well with its local residential context.

It is likely that Council will create site specific DCP controls and the work done as part of this concept scheme should assist in helping frame up future bulk, scale and massing controls for the land.

Plans prepared by Couvaras Architects are provided under separate cover. The following images are from the architectural set:



Source: Couvaras Architects **Figure 16: Elevations**



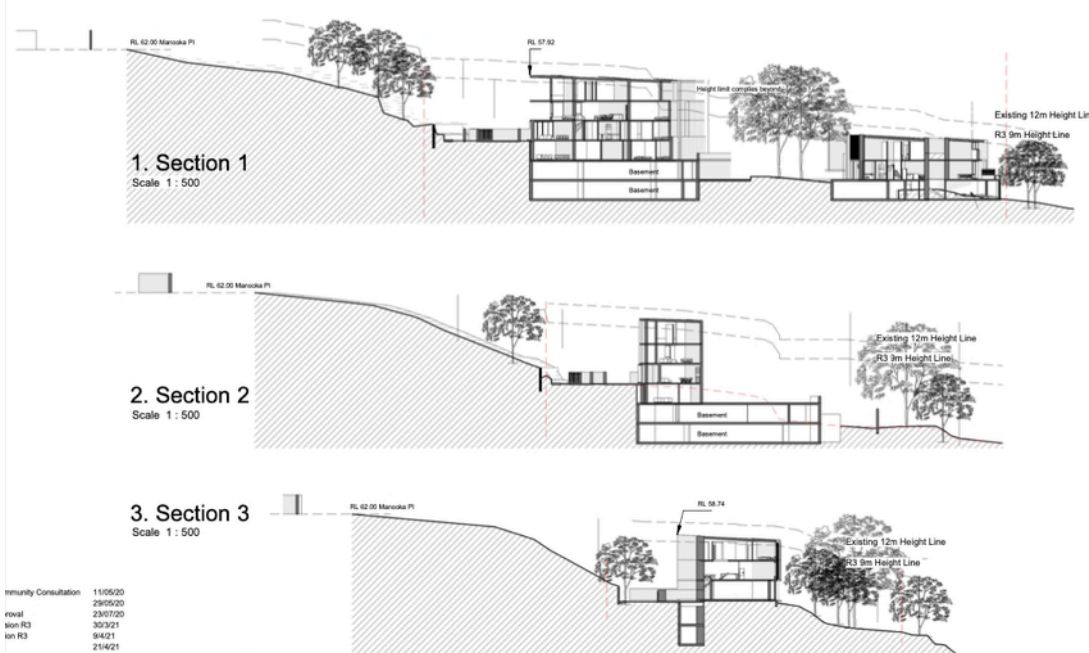
Drone view looking west towards Manooka PI



1. 3D View from rear yards of Manooka PI

Source: Couvaras Architects

Figure 17: View from Rear Yards of Manooka Place



Source: Couvaras Architects

Figure 18: Sections



Source: Couvaras Architects

Figure 19: Section

The above extracts demonstrate that the proposal will generally be seen as single storey when viewed from the west. The above includes some indicative landscaping, with the existing vegetation on the Sir Joseph Banks Native Plants Reserve highly likely significantly screening the visible built forms (greater than that indicatively shown on plans).

It is noted that the originally submitted Planning Proposal has been amended to create the current version. The originally submitted proposal has been amended to increase the building height to 12m following feedback provided to facilitate greater tree retention and landscaping, and to reduce the building footprint. It is also noted that an R4 scheme has been investigated, which provided residential flat buildings on site. While this resulted in a further reduced footprint for the residential dwellings and achieved a similar FSR to the R3 scheme, it had a greater height, visual impact, number of dwellings and in turn parking which requires greater excavation to accommodate the required parking. For these reasons, the R3 scheme presented is the preferred scheme.

Following the submission of the Planning Proposal, referral decision was received from the Department of Agriculture, Water and the Environment. Following this, an amended Grey-headed Flying-fox Fauna Management Plan was prepared and has been provided under separate cover.

3.2 Development Statistics

The key development statistics for the concept scheme are shown below:

Table 1: Concept Plan Development Statistics

Site Area	=	9538m ²
Zone	=	Proposed R3
Max FSR	=	0.7:1 (6676.6m ²)
Min landscaping	=	3815.2m ² (40%)
Proposed FSR	=	0.66:1 (6259m ²)
Proposed Landscaping	=	4800m ² (50%)
2 Bedrooms - 24 off		
3 Bedrooms - 19 off		
Total - 43		
Residential Parking required	=	74
Visitor Parking required	=	11
Total Parking required	=	85

3.3 Sutherland Shire LEP and DCP Compliance – R3

The subject site presents a number of unique characteristics as discussed throughout this report. This includes the steeply sloping site topography, site shape, leafy nature and surrounding context which provides generous separation from surrounding landuses. Many of the DCP controls are not considered relevant to creating future development on site which responds suitably to the site’s context, opportunities and constraints. The design provided suits the specific site and its unique nature. It is anticipated that Council could prepare a site specific DCP which modifies relevant controls to ensure that future development on site appropriately responds to the unique characteristics of the site.

The below table provides an assessment of the development against key current R3 criteria:

Table 2: Potential Compliance with SSLEP 2015 and SSDCP 2015 Key Controls

LEP/DCP Requirement	Proposal	Compliance
Permissibility SSLEP Land Use Table <i>“multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.”</i>	More than 3 dwellings will be facilitated on site. While some dwellings are capable of being located one above the other (such as in Block A), each are provided with ground level access. The lower and upper Block A dwellings are provided with ground level access as shown on Sheet 10 of the architectural plans. Lower dwellings are accessed via the ground level courtyard leading to the	✓

	dwelling, while upper dwellings are accessed via the ground level stair.	
Height SSLEP CI 4.3 Maximum of 12m	12m. The typical R3 control of 9m should be modified to 12m to accommodate the unique site and ensure a site specific response.	✓
Floor space ratio SSLEP CI 4.4 Maximum of 0.7:1	0.7:1	✓
Landscaped area SSLEP CI 6.14 Minimum of 40%	50%. The typical R3 control of 30% should be modified to 40% to accommodate the unique site and ensure a site specific response. It is noted that the current plans show 50% as being achieved, however the achieved landscaping is likely to be less in reality when all required paths, retaining walls, etc are excluded.	✓
Streetscape and Building Form SSDCP CI 1.2 Preferred 20m frontage Maximum 3 storeys above existing ground level Basements to be setback 7.5m from front boundary	>20m combined to 145R Garnet Road Generally complies. This control should be modified to accommodate the unique site and ensure a site specific response. This control should be modified to accommodate the unique site and ensure a site specific response.	✓ ✓
Building Setbacks SSDCP CI 2.2 Front: 7.5m (and 1.5m articulation zone for 30% of facade) or established street setback Side Ground = 1.5m First floor = 3m Second floor = 1m from level below Rear: 4.0m	Considered appropriately located This control should be modified to accommodate the unique site and ensure a site specific responds, noting that generally highly generous setbacks are presented (well over 3m). Compliance demonstrated given APZ requirements	✓ ✓ ✓
Landscaping SSDCP CI 4.2 Min 50% of area of front setback to be deep soil	Capable of compliance	✓

<p>Building Layout, Solar Access and Private Open Space SSDCP CI 5.2</p> <p>75% of units to receive min. 3 hours of direct sunlight to living rooms and private open space between 9am and 3pm in midwinter</p> <p>Min. 36m² private open space (POS) at or near ground level</p> <p>Min. POS dimension of 5m</p> <p>At least 9m² POS paved.</p> <p>10m² of POS to receive 3 hours of solar access between 9am-3pm at winter solstice</p> <p>10m² of neighbouring dwellings' POS to receive 3 hours of solar access between 9am-3pm at winter solstice</p> <p>Neighbouring dwellings' windows to living areas to receive 3 hours of solar access between 9am-3pm at winter solstice</p>	<p>Anticipated compliance. Dwellings staggered and arranged to maximise solar access.</p> <p>Capable of compliance</p> <p>Capable of compliance</p> <p>Capable of compliance</p> <p>Anticipated compliance. Dwellings staggered and arranged to maximise solar access. Note no neighbouring dwellings in close proximity to proposed new dwellings.</p> <p>Anticipated compliance. Dwellings staggered and arranged to maximise solar access. Note no neighbouring dwellings in close proximity to proposed new dwellings.</p> <p>Anticipated compliance. Dwellings staggered and arranged to maximise solar access.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p>Parking SSDCP CI 7.2</p> <p>2min spaces per 3+ bedroom dwelling 1.5min spaces per 2 bedroom dwelling</p> <p>One visitor space for every four dwellings</p>	<p>Designed to comply</p> <p>Designed to comply</p>	<p>✓</p> <p>✓</p>
<p>Adaptable Housing SSDCP CI 9.2</p> <p>For developments with 6+ dwellings = 20% adaptable</p> <p>For developments with 6+ dwellings = 10% liveable</p>	<p>To be designed in detail to ensure compliance. 9 required</p> <p>To be designed in detail to ensure compliance. 4 required</p>	<p>✓</p> <p>✓</p>

4

Objectives and Intended Outcome

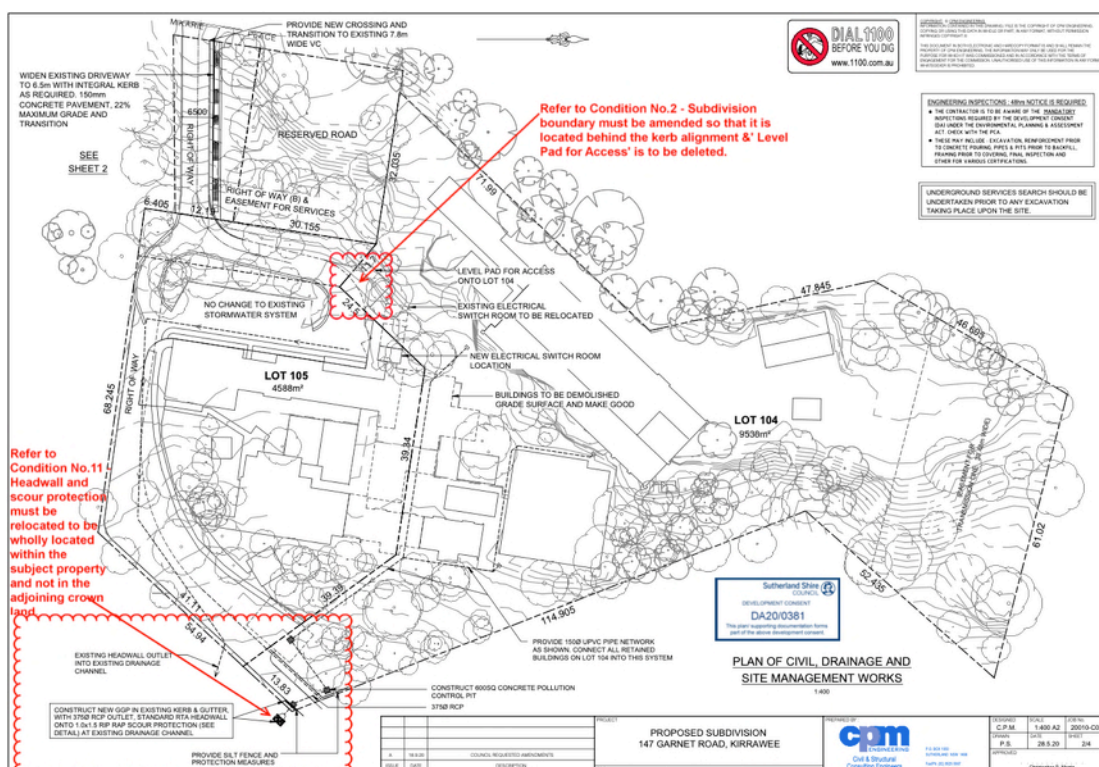
The key objective of this planning proposal is to amend the Sutherland Shire Local Environmental Plan 2015 to enable medium density multi dwelling housing on a 9,538m² portion of No 147 Garnet Road Kareela.

Section 3 of this report outlines a concept plan scheme that shows a potential development outcome that generally conforms with current R3 – Medium Density Residential controls and also the current Sutherland Shire Development Control Plan for dwellings in the R3 zone.

5

Explanation of Provisions

The rezoning will only affect the northern 9,538m² portion of No 147 Garnet Road, Kareela which will be subdivided from the subdivision under approved DA20/0381. The area to which the zoning will apply is known as proposed lot 104 under the approved DA20/0381. Refer approved plan extract below.



Source: CPM Engineering Figure 20: Approved Subdivision Extract

The proposed outcome will be achieved by:

- Amending the Sutherland Shire Local Environmental Plan 2015 Zoning Map on No 147 Garnet Road, Kareela in accordance with the proposed Zoning Map shown in Section 6 at Figure 21 of this Planning Proposal. This will result in the northern 9,538m² portion of the site being rezoned from SP2 Infrastructure to R3 - Medium Density Residential;
- Amending the Sutherland Shire Local Environmental Plan 2015 Floor Space Ratio Map on No 147 Garnet Road, Kareela to show a Floor Space Ratio of 0.7:1 for the northern 9,538m² portion of No 147 Garnet Road Kareela;
- Maintaining the Sutherland Shire Local Environmental Plan 2015 Height Map on No 147 Garnet Road, Kareela which currently shows a maximum height of 12m for the northern 9,538m² portion of No 147 Garnet Road Kareela; and

- Amending the Sutherland Shire Local Environmental Plan 2015 Landscaped Area Map on No 147 Garnet Road, Kareela to show a Minimum Landscaped Area of 40% for the northern 9,538m² portion of No 147 Garnet Road Kareela.

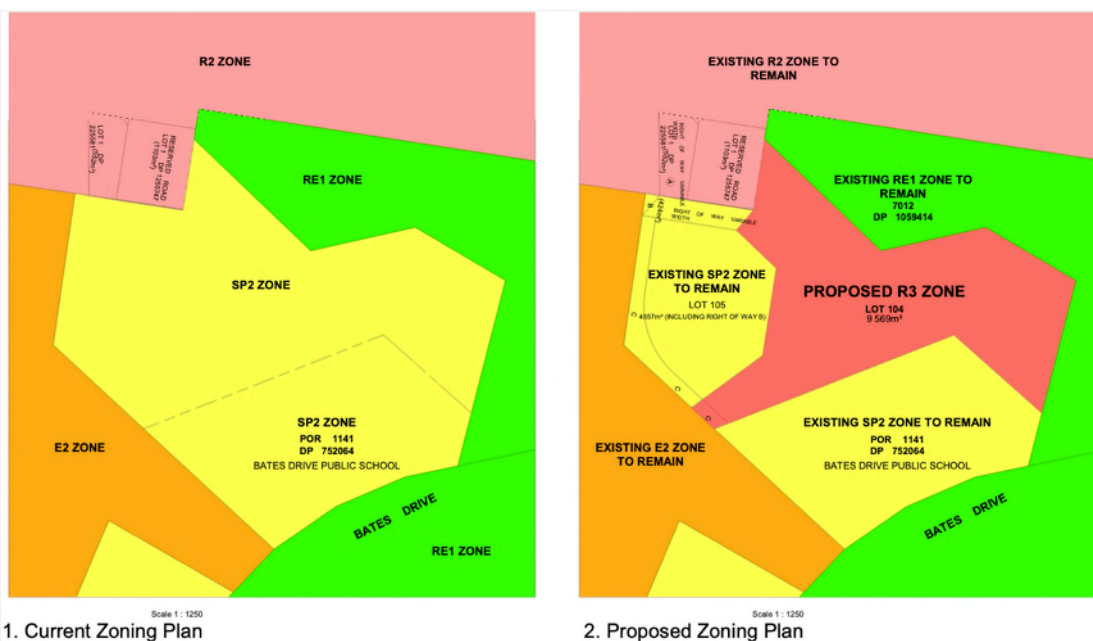
The background studies and the development of a concept architectural scheme, as presented in this planning proposal, provide the basis for Council to develop future site-specific planning controls in the form of a DCP. These controls will help guide the detailed design of a multi dwelling DA scheme and will provide relative certainty about the form, location and building scale for a future developer, Council and the local community.

6 Mapping

In seeking a rezoning this Planning Proposal seeks to amend the:

- Land Use Zone Map (the existing and proposed land use zones for the subject site are shown below),
- Floor Space Ratio Map,
- Landscaped Area Map.

Section 5 outlines the way in which each of the maps need to be amended.



1. Current Zoning Plan 2. Proposed Zoning Plan
 Source: Couvaras Architects Figure 21: Existing and Proposed Zoning

The other two maps will need to be amended to reflect the following for the northern part of subject site (as per the proposed subdivision plan):

- Maximum height of 12m;
- FSR of 0.7:1;
- Minimum landscaped area of 40%.

7

Strategic Justification

7.1 The Need for a Planning Proposal

7.1.1 Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The request to change the zoning of the northern part of No 147 Garnet Road Kareela from SP2 Infrastructure to R3 Medium Density Residential will be consistent with the Sutherland Shire Housing Strategy as outlined in the table below.

The site adjoins a local residential area and is considered suitable for housing, as discussed throughout this report. The land can be developed in a way that will maintain the leafy local context whilst providing all facilities and services on site including parking for all residents and visitors in accordance with the current Council planning controls. The provision of approximately 43 new dwellings will assist in meeting the Shire’s housing targets on land that has become available for a new use as a result of changing business and operational needs of the Sylvanvale Foundation.

Table 3: Sutherland Shire Housing Strategy

Objectives	Comments	Consistent
Objectives and Actions that Underlie the Housing Strategy		
Objective 1: To meet the current and future needs of an ageing population		
<p>Strategy Comment: <i>“Many older people only need occasional support services as they age and prefer to live independently in their existing communities. Many wish to downsize to smaller, more accessible and easier to maintain dwellings, particularly if they are close to public transport, shops and services. This choice is sensible because it allows older people to remain independent longer. Smaller dwellings in existing centres can provide housing for older people and encourage the continued interaction and participation of older people in the broader community. When older people downsize from large family homes, those houses also become available for younger families. This movement of households helps to keep our local communities vital.”</i></p>	<p>The concept plans submitted with this proposal indicate that the site can be developed according to current SSDCP 2015 controls. These controls include provision for 1 in 5 dwellings to be designed as adaptable and 1 in 10 dwellings to be liveable. A detailed design would be provided for the site at the DA stage and this would also ensure that the site has an appropriate pedestrian environment, with suitable grades for elderly people to walk and move about comfortably. This will assist in making the site a suitable location for older people to downsize to from detached</p>	<p>✓</p>

	dwelling whilst remaining in their local community.	
Objective 2: To deliver council's ageing strategy		
<p>Relevant Actions:</p> <ul style="list-style-type: none"> Increase from 20% to 30% the percentage of all new residential flats and townhouse buildings that are adaptable. 	Refer comment above. 30% of the future dwellings will be either adaptable or liveable, which will provide for an aging population.	✓
Objective 3: To meet the current and future needs of smaller sized households		
<p>Strategy Comment: "As occupancy rates decline, we need more housing supply to maintain our population. Since 2006 single person households saw the greatest increase to 21.6% in 2011, followed by two person households which in 2011 accounted for 34.6% of all households in Sutherland Shire, up from 32% in 2006. One and two person households make up an increasing percentage of the Shire's households."</p>	The rezoning of the subject site will typically provide housing for smaller households, thereby helping to meet this objective.	✓
Objective 4: To meet the community need for increased housing choice		
<p>Strategy comment: "A significant portion of households will choose to live in small dwellings. To facilitate this choice the Strategy will increase the potential for dual occupancies, villas, townhouses and flats."</p>	Refer comment above.	✓
Objective 5: To encourage redevelopment to promote the revitalisation of centres		
	NA	NA
Objective 6: To facilitate the use of public transport and the efficient utilisation of existing and future infrastructure		
	Whilst the site is not within easy walking distance of a local centre it is within a short bus trip from several centres including Gymea, Kirrawee, Sutherland and Jannali.	✓
Objective 7: To retain the established development pattern of mostly low density housing in a landscaped setting with some higher density precincts close to centres		
<p>Strategy comment: "Sutherland residents value the scenic quality of Sutherland Shire, its distinctive tree canopy, proximity to waterways and bushland, and its traditional settlement pattern with a large proportion of single dwellings on landscaped lots. It is intended that Sutherland Shire should retain this established character of generally low density housing with substantial landscaping, with some higher density precincts in and adjacent to town centres."</p>	Whilst the proposed R3 zone on the subject site is not adjacent to a centre, (as is typical for most R3 zones in the Shire), it is uniquely positioned on the side of a hill with several buffer land uses, several of which incorporate large tracts of trees and native vegetation. The concept plan shows that the site is able to achieve well over the standard R2 zone 35% landscaped area requirement (thereby far exceeding the normal R3 target of 30%). So, in this respect, even though the density is proposed to be 0.7:1, it will still meet the Housing Strategy objective of creating a landscaped setting.	✓

Objective 8: To consider environmental constraints in nominating locations for additional housing		
<p>Strategy comment: <i>“Environmental constraints such as risk from bushfire and flooding have been taken into account in selecting areas for increased housing density. More households should not be exposed to risk or be located in areas where it is difficult to evacuate in times of emergency.”</i></p>	<p>The report, and the accompanying reports and plans under separate cover, demonstrate that all environmental constraints can be adequately dealt with.</p>	<p>✓</p>
Objective 9: To meet the requirements of the Draft South Subregional Strategy - Planning to 2031 (NSW Department of Planning and Infrastructure)		
<p>Strategy comment: <i>“The NSW Department of Planning and Infrastructure’s Draft Subregional South Strategy acts as a broad framework for the long term development of the area, guiding government investment in infrastructure and linking local and state planning issues. Implementing the Draft Subregional South Strategy is a statutory responsibility for Sutherland Shire Council. A key action in the Strategy is for Sutherland Shire Council to make provision for approximately 10,100 additional dwellings to 2031, with 80% of these located close to centres. Meeting the target set by the Draft Subregional Strategy will not significantly increase the resident population of the Shire. Dwelling growth will largely cater for existing residents relocating to smaller dwellings as a result of the ageing of the community and the increasing demand from one and two person households.”</i></p>	<p>Table 5 below outlines a response to “Our Greater Sydney 2056 – South District Plan – Connecting Communities” and demonstrates that the planning proposal will be in accordance with the key objectives.</p>	<p>✓</p>

7.1.2 Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, an amendment to SSLEP 2015 to R3 – Medium Density Residential is considered to be the best means of achieving the objectives and intended outcomes for the site and surrounds to allow medium density housing on the subject site.

The proposal will provide for a future housing development within a unique setting that has been situated so as to ensure an appropriate interface with surrounding land.

7.2 Relationship to Strategic Planning Framework

7.2.1 Q3. 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)?

Yes. A Guide to Preparing Planning Proposals outlines several questions that provide guidance on the way in which planning proposals should be assessed with respect to their strategic and site specific merits. Tables 4, 5 and 6 below outline the responses to these questions and also their consistency with the Greater Sydney Region Plan – a Metropolis of Three Cities and Our Greater Sydney 2056 – South District Plan – Connecting Communities.

Table 4: Strategic and Site-Specific Merit Assessment

Does the proposal have strategic merit?		
Objectives	Comment	Consistent
Give effect to the relevant regional plan outside of the Greater Sydney Region Plan, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.	Yes - refer to Tables 5 and 6.	✓
Give effect to a relevant local strategic planning statement or strategy that has been endorsed by the Department or required as part of a regional or district plan or local strategic planning statement.	Yes - refer to Table 7.	✓
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing strategic plans.	<p>The strategic plans recognise the importance of providing sufficient housing within the Shire, particularly for smaller households. Smaller dwellings will assist in accommodating the ageing population and the younger generation who are often seeking dwellings requiring less backyard maintenance. The proposal is in accordance with these goals.</p> <p>Whilst most R3 zones are located near built up centres, the overall size of the site and its unique characteristics offer an opportunity for the new development to have a point of difference to the typical Shire medium density areas. In this respect it is noted that it will be situated in a quiet, leafy residential area, which is likely to be highly desirable as a place to live in the future. Although the concept plan indicates that it is</p>	✓

	possible to achieve the 0.7:1 FSR, the extent of landscaping on site and the treelined buffer almost all of the way around the property will ensure that it feels much more like a low density development that medium density in many respects. Accordingly it will be a good fit within the nearby R2 – Low Density zone neighbourhood.	
Does the proposal have site specific merit, having regard to the following?		
Objectives	Comment	Consistent
The natural environment (including known significant values, resources or hazards),	This matter is discussed in section 8 of the report, and in the reports and plans submitted under separate cover. They demonstrate that all environmental constraints can be adequately dealt with.	✓
The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and	The Planning proposal has taken into consideration the surrounding land uses as discussed throughout this report and above. Notably the site is generally well buffered from most residential use by trees and other native vegetation.	✓
The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.	Services are available for the current development and can be amplified to meet the demands of the new development.	✓

Table 5: Greater Sydney Region Plan – a Metropolis of Three Cities

Objectives	Comments	Consistent
Infrastructure & Collaboration		
A City Supported by Infrastructure		
1. Infrastructure supports the three cities 2. Infrastructure aligns with forecast growth – growth infrastructure compact 3. Infrastructure adapts to meet future needs 4. Infrastructure use is optimised	The Planning Proposal allows for future development of the subject site which can be appropriately serviced and provided with utilities. It is suitably accessible by public transport and in proximity to a range of local activities and amenities.	✓
A Collaborative City		
5. Benefits of growth realised by collaboration of governments, community and business	The proposal allows for the site to be sold and funds from the sale used by Sylvanvale to invest in Specialist Disability Accommodation	✓

	in the locality which is in high demand.	
Liveability		
A City for People		
<p>6. Services and infrastructure meet communities' changing needs</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> • Deliver social infrastructure that reflects the needs of the community now and in the future. • Optimise the use of available public land for social infrastructure. 	<p>The Planning Proposal will provide new dwellings to suit the needs of a range of household types in the locality where it is in demand, in proximity to local amenities and activities and able to be appropriately serviced.</p>	✓
<p>7. Communities are healthy, resilient and socially connected</p> <p><u>Actions:</u></p> <p>Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by:</p> <ul style="list-style-type: none"> • providing walkable places at a human scale with active street life • prioritising opportunities for people to walk, cycle and use public transport • co-locating schools, health, aged care, sporting and cultural facilities • promoting local access to healthy fresh food and supporting local fresh food production. 	<p>The Planning Proposal provides for future development at a human scale and with suitable access to public transport as well as local amenities, services and activities.</p>	✓
<p>8. Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> • Incorporate cultural and linguistic diversity in strategic planning and engagement. • Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. 	NA	NA
<p>9. Greater Sydney celebrates the arts and supports creative industries and innovation</p> <p><u>Actions:</u></p> <p>Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden, including:</p>	NA	NA

<ul style="list-style-type: none"> arts enterprises and facilities and creative industries interim and temporary uses appropriate development of the night-time economy. 		
<p>Housing in the City</p>		
<p>10. Greater housing supply</p>	<p>The Planning Proposal will allow for new dwellings to be located on site and designed in a manner to meet the needs of a range of household types.</p>	<p>✓</p>
<p>11. Housing is more diverse and affordable</p> <p><u>Actions:</u></p> <ul style="list-style-type: none"> Prepare Affordable Rental Housing Target Schemes, following development of implementation arrangements. State agencies, when disposing or developing surplus land for residential or mixed-use projects include, where viable, a range of initiatives to address housing diversity and/or affordable rental housing. 	<p>Affordable rental housing is not proposed, however the range of dwelling types will contribute positively to the range of housing in the community and will suit a variety of households.</p>	<p>✓</p>
<p>A City of Great Places</p>		
<p>12. Great places that bring people together</p> <p><u>Actions:</u></p> <p>Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:</p> <ul style="list-style-type: none"> prioritising a people-friendly public realm and open spaces as a central organising design principle recognising and balancing the dual function of streets as places for people and movement providing ne grain urban form, diverse land use mix, high amenity and walkability in and within a 10-minute walk of centres integrating social infrastructure to support social connections and provide a community hub recognising and celebrating the character of a place and its people. <p>In Collaboration Areas, Planned Precincts and planning for centres:</p> <ul style="list-style-type: none"> investigate opportunities for precinct-based provision of adaptable car parking and infrastructure in lieu of private provision of car parking 	<p>The Planning Proposal has been designed so as to have a minimised and positive presentation to the streetscape. It will present a high level of amenity to suit the needs of a variety of household types and is in proximity to a range of local amenities and activities. Parking is able to be fully accommodated on site to meet the needs of the dwellings and visitors on site.</p>	<p>✓</p>

<ul style="list-style-type: none"> ensure parking availability takes into account the level of access by public transport consider the capacity for places to change and evolve, and accommodate diverse activities over time incorporate facilities to encourage the use of car sharing, electric and hybrid vehicles including charging stations. 		
<p>13. Environmental heritage is identified, conserved and enhanced</p> <p><u>Actions:</u></p> <p>Identify, conserve and enhance environmental heritage by:</p> <ul style="list-style-type: none"> engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place applying adaptive re-use and interpreting heritage to foster distinctive local places managing and monitoring the cumulative impact of development on the heritage values and character of places. 	<p>The subject site is not known to contain any items of environmental heritage.</p>	<p>NA</p>
<p>Productivity</p>		
<p>A Well Connected City</p>		
<p>14. A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</p> <p>15. The Eastern, GOPP and Western Economic Corridors are better connected and more competitive</p> <p>16. Freight and logistics network is competitive and efficient</p> <p>17. Regional connectivity is enhanced</p>	<p>NA</p>	<p>NA</p>
<p>Jobs & Skills for the City</p>		
<p>18. Harbour CBD is stronger and more competitive</p> <p>19. Greater Parramatta is stronger and better connected</p> <p>20. Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City</p> <p>21. Internationally competitive health, education, research and innovation precincts</p>	<p>NA</p>	<p>NA</p>

<p>22. Investment and business activity in centres</p> <p>23. Industrial and urban services land is planned, retained and managed</p> <p>24. Economic sectors are targeted for success</p>		
<p>Sustainability</p>		
<p>A City in its Landscape</p>		
<p>25. The coast and waterways are protected and healthier</p> <p>26. A cool and green parkland city in the South Creek corridor</p> <p>27. Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>28. Scenic and cultural landscapes are protected</p> <p>29. Environmental, social and economic values in rural areas are protected and enhanced</p> <p>30. Urban tree canopy cover is increased</p> <p>31. Public open space is accessible, protected and enhanced</p> <p>32. The Green Grid links parks, open spaces, bushland and walking and cycling paths</p>	<p>The Planning Proposal will provide for more than compliant deep soil landscaping on site, complemented by non-deep soil landscaping. It will include a range of trees and other vegetation, including trees to be retained as able. This ensures the protection of biodiversity and the tree canopy as appropriate, and retains the leafy and environmental characteristics of the site and locality.</p>	<p>✓</p>
<p>An Efficient City</p>		
<p>33. A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>34. Energy and water flows are captured, used and re-used</p> <p>35. More waste is re-used and recycled to support the development of a circular economy</p>	<p>The Planning Proposal will facilitate redevelopment of the site which is capable of including a range of efficient measures.</p>	<p>✓</p>
<p>A Resilient City</p>		
<p>36. People and places adapt to climate change and future shocks and stresses</p> <p>37. Exposure to natural and urban hazards is reduced</p>	<p>The Planning Proposal has been designed with regard to site opportunities and constraints and will contain dwellings capable of being designed in future detail to respond to these considerations.</p>	<p>✓</p>

38. Heatwaves and extreme heat are managed		
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Table 6: Our Greater Sydney 2056 – South District Plan – Connecting Communities

Planning Priorities	Comment	Consistent
Infrastructure & Collaboration		
1. Planning for a city supported by infrastructure 2. Working through collaboration	The Planning Proposal allows for future development of the subject site which can be appropriately serviced and provided with utilities. It is suitably accessible by public transport and in proximity to a range of local activities and amenities. It also allows for collaboration with Council.	✓
Liveability		
3. Providing services and social infrastructure to meet people's changing needs <u>Objectives</u> <ul style="list-style-type: none"> Services and infrastructure meet communities' changing needs 	The Planning Proposal is located in proximity to local activities and amenities, and will be appropriate serviced by all required utilities.	✓
4. Fostering healthy, creative, culturally rich and socially connected communities <u>Objectives</u> <ul style="list-style-type: none"> Communities are healthy, resilient and socially connected Greater Sydney's communities are culturally rich with diverse neighbourhoods Greater Sydney celebrates the arts and supports creative industries and innovation 	The Planning Proposal will provide new dwellings which will suit a range of household types, supporting the housing needs of the community regardless of culture, background, occupation, etc	✓
5. Providing housing supply, choice and affordability, with access to jobs, services and public transport <u>Objectives</u> <ul style="list-style-type: none"> Greater housing supply Housing is more diverse and affordable 	The Planning Proposal will provide additional housing supply and choice in a locality where it is in demand and in proximity to jobs, services, public transport and other local amenities and activities. The dwellings will suit the needs of a variety of household types.	✓
6. Creating and renewing great places and local centres, and respecting the District's heritage <u>Objectives</u> <ul style="list-style-type: none"> Great places that bring people together 	The site is not known to contain items of environmental heritage. The Planning Proposal will facilitate new housing with common areas which are well designed to meet the needs of residents.	✓

<ul style="list-style-type: none"> Environmental heritage is identified conserved and enhanced 		
Productivity		
7. Growing and investing in the ANSTO research and innovation precinct	NA	NA
8. Growing and investing in health and education precincts and Bankstown Airport trade gateway as economic catalysts for the District.	NA	NA
9. Growing investment, business opportunities and jobs in strategic centres	NA	NA
10. Retaining and managing industrial and urban services land	NA	NA
11. Supporting growth of targeted industry sectors	NA	NA
12. Delivering integrated land use and transport planning and a 30-minute city	NA	NA
Sustainability		
1. Protecting and improving the health and enjoyment of the District's waterways	NA	NA
2. Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes and better managing rural areas	The Planning Proposal retains and provides trees and other vegetation throughout the site as able to contribute positively to biodiversity and the scenic and landscaped character of the site and locality.	✓
3. Increasing urban tree canopy cover and delivering Green Grid connections	The Planning Proposal retains trees as able, and allows for the provision of numerous new trees and other vegetation throughout the site.	✓
4. Delivering high quality open space	NA	NA
5. Reducing carbon emissions and managing energy, water and waste efficiently	The Planning Proposal will facilitate the provision of new dwellings on site which are capable of managing energy, water and waste efficiently and minimising emissions.	✓
6. Adapting to the impacts of urban and natural hazards and climate change	The Planning Proposal has been designed with regard to site opportunities and constraints and will contain dwellings capable of being designed in future detail to respond to these considerations.	✓

7.2.2 Q4. Will the Planning Proposal Give Effect to a Council’s Endorsed Local Strategic Planning Statement or another Local Strategy or Strategic Plan?

Yes. The request to change the zoning of the northern part of No 147 Garnet Road Kareela from SP2 Infrastructure to R3 Medium Density Residential will be consistent with the Sutherland Shire Local Strategic Planning Statement as outlined in the tables below.

Table 7: Sutherland Shire Local Strategic Planning Statement

Planning Priorities	Comment	Consistent
Infrastructure & Collaboration		
1. Align Planning to Existing Infrastructure Consider the capacity of existing infrastructure, committed improvements and forecast demand from the existing and anticipated population when planning for the future.	The Planning Proposal provides parking catering to the traffic generated by the proposed built form. This ensures that it will not burden the capacity of streets. The proposed dwellings will be able to be suitably serviced by the required utilities.	✓
2. Managing Traffic Congestion and Parking Plan for and manage traffic congestion through planning for parking, traffic, arterial roads and smart transport.	The Planning Proposal provides for compliant off street parking.	✓
3. Realise the F6 Expedite the delivery of the M6 Motorway and provide integrated transport options such as a safe cycling and walking route and a bus priority lane within the corridor to improve road capacity across Sutherland Shire.	NA	NA
4. Miranda to Kogarah Mass Transit Link Collaborate with the State Government to plan for the new Miranda to Kogarah Mass Transit Link to ensure it provides the greatest benefit to Sutherland Shire.	NA	NA
5. SCATL and Active Transport Infrastructure Plan and provide the Sutherland to Cronulla Active Transport Link (SCATL) and other Active Transport Infrastructure.	NA	NA
6. Collaborative Partnerships Improve collaboration with key agencies and stakeholders to ensure the community’s best interests are considered during local area changes.	The Planning Proposal provides for collaboration with Council to ensure the community’s interests are considered.	✓
Liveability		
7. Respect Local Character Manage change by considering the defining qualities and characteristics of local areas in managing their growth and development. Actions: <ul style="list-style-type: none"> Identify locations for the preparation of local character statements 	The Planning Proposal is considered to respect the local character through its well considered design which generally meets key numerical controls for the R3 zone under SSLEP 2015, while providing in excess of the minimum landscaping within this zone. It will provide additional	✓

<ul style="list-style-type: none"> • Prepare local character statements once their value is demonstrated • Include consideration of local character statements that are prepared with the community as part of future zonings • Advocate for changes to the planning framework to protect local character 	<p>housing to suit the needs of the community where it is in demand. Further, future sale of the site will allow Sylvanvale to invest in high demand Specialist Disability Housing for its clients.</p>	
<p>8. Open Space and Sporting Needs</p>	<p>NA</p>	<p>NA</p>
<p>9. Community Connections Strengthen community connections by providing a range of facilities and support for community activities and services to bring people together.</p> <p>Actions:</p> <ul style="list-style-type: none"> • Support and strengthen opportunities in the arts to help facilitate higher community participation • Develop a strategic and facilities plan for library services • Explore opportunities for joint use and shared use of school facilities, such as halls, stages and studio/workshop space for creative activities • Prepare sector plans for Child & Family; Youth; Seniors; People with Disability and Mental Health; Multicultural; Aboriginal and Torres Strait Islander; and Vulnerable communities • Refurbish the Sutherland Entertainment Centre • Refurbish the Sutherland School of Arts. • Facilitate multiple and shared use of community halls/ buildings • Ensure the spatial distribution of community halls/ buildings across Sutherland Shire and the services they provide are appropriate for growing and changing community needs 	<p>NA</p>	<p>NA</p>
<p>10. Housing Choice Provide our community with housing choice by making available opportunities for a range of housing sizes and types within each community.</p> <p>Actions:</p> <ul style="list-style-type: none"> • Prepare Housing Strategy 2036 that addresses the following: a. the delivery of the five-year housing supply targets of 5,200 dwellings b. the delivery of 6-10 year (when agreed) housing supply targets c. capacity to contribute to the longer term 20-year strategic housing targets for the South District d. the housing strategy requirements outlined in Objective 10 of A Metropolis of Three Cities • Undertake research and policy development work to facilitate affordable rental housing • Collaborate with NSW Land and Housing Corporation to support the renewal of social housing in Sutherland Shire • Collaborate with the Community Housing Providers Industry Association, Community Housing providers, not-for-profit housing providers, charities and the broader industry to deliver affordable rental housing and to explore ways that supply can be enhanced. 	<p>The Planning Proposal will provide for additional housing within the community where it is in demand. It will suit a range of housing types. Further, future sale of the site will allow Sylvanvale to invest in high demand Specialist Disability Housing for its clients.</p>	<p>✓</p>

11. Attractive and Distinctive Centres and Public Places	NA	NA
Productivity		
12. Grow Strategic Centre Jobs	NA	NA
13. Grow Caringbah Health Cluster	NA	NA
14. ANSTO Innovation Precinct	NA	NA
15. Grow Industrial and Urban Services Jobs	NA	NA
16. Connected Transport Networks	NA	NA
17. Grow Tourism	NA	NA
Sustainability		
18. Waterways & Beaches Quality	NA	NA
19. Aboriginal Heritage, Natural Habitats and Landscapes	The site is not known to contain items of Aboriginal cultural heritage.	NA
20. Urban Tree Canopy	The site currently contains numerous trees, and the Planning Proposal will retain and provide trees and other vegetation throughout the site so as to contribute positively to the tree canopy as well as biodiversity, streetscape, character, and reduce the impacts of urban heat.	✓
21. Green Grid Connections	NA	NA
22. Efficiency and Innovation	The Planning Proposal facilitates new dwellings on site capable of being designed in further detail to maximise efficiency, appropriately manage waste and meet BASIX requirements.	✓
23. Manage Risks from Hazards	The Planning Proposal has been designed with regard to site constraints and opportunities so as to respond to and minimise potential risks.	✓

7.2.3 Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The request to change the zoning of the northern part of No 147 Garnet Road Kareela from SP2 Infrastructure to R3 Medium Density Residential will be consistent with the relevant State Environmental Planning Policies (SEPP) as outlined in the table below.

Table 8: Consistency with Relevant SEPP's

SEPP	Comment	Consistency
State Environmental Planning Policy No 19— Bushland in Urban Areas	The Planning Proposal is consistent with the relevant aims	✓
State Environmental Planning Policy No 21— Caravan Parks	Not applicable.	NA
State Environmental Planning Policy No 33— Hazardous and Offensive Development	Not applicable.	NA
State Environmental Planning Policy No 36— Manufactured Home Estates	Not applicable.	NA
State Environmental Planning Policy No 47— Moore Park Showground	Not applicable.	NA
State Environmental Planning Policy No 50— Canal Estate Development	Not applicable.	NA
State Environmental Planning Policy No 55— Remediation of Land	Matters arising from this SEPP regarding demolition of the existing buildings can be dealt with as conditions of consent for future DAs. There is no known site contamination.	✓
State Environmental Planning Policy No 64— Advertising and Signage	Any future signage can be managed as part of the DA process.	✓
State Environmental Planning Policy No 65— Design Quality of Residential Apartment Development	If applicable, matters arising under this SEPP can be appropriately managed as part of the DA process.	✓
State Environmental Planning Policy No 70— Affordable Housing (Revised Schemes)	Not applicable.	NA
State Environmental Planning Policy (Aboriginal Land) 2019	Not applicable.	NA
State Environmental Planning Policy (Affordable Rental Housing) 2009	Should a future development wish to prepare a DA under this SEPP the controls would be applied accordingly as part of the assessment process. There are no implications for the PP process.	NA
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	This can be managed as part of the DA process. All future dwellings would be designed to comply.	✓
State Environmental Planning Policy (Coastal Management) 2018	Not applicable.	NA
State Environmental Planning Policy (Concurrences and Consents) 2018	Not applicable.	NA

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	Not applicable.	NA
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	This SEPP is not relevant to the PP process and is unlikely to apply to the subject site given the environmental constraints.	✓
State Environmental Planning Policy (Gosford City Centre) 2018	Not applicable.	NA
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	Likely not applicable. There are no implications for the PP process. It is also noted that the site is unlikely to pass site compatibility tests.	NA
State Environmental Planning Policy (Infrastructure) 2007	As noted in the report prepared by McLaren Engineering “ <i>The proposed development does not qualify as a traffic generating development with relevant size and/or capacity under Clause 104 of the SEPP (Infrastructure) 2007. Accordingly, formal referral to the Roads and Maritime Services (RMS) is unnecessary and the application can be assessed by Sutherland Shire Council officers accordingly.</i> ”	✓
State Environmental Planning Policy (Koala Habitat Protection) 2019	Not applicable. There is no known koala habitat on site.	NA
State Environmental Planning Policy (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable.	NA
State Environmental Planning Policy (Kurnell Peninsula) 1989	Not applicable.	NA
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.	NA
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	Not applicable.	NA
State Environmental Planning Policy (Primary Production and Rural Development) 2019	Not applicable.	NA
State Environmental Planning Policy (State and Regional Development) 2011	Not applicable.	NA
State Environmental Planning Policy (State Significant Precincts) 2005	Not applicable.	NA
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	Not applicable.	NA
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	Not applicable.	NA

State Environmental Planning Policy (Three Ports) 2013	Not applicable.	NA
State Environmental Planning Policy (Urban Renewal) 2010	Not applicable.	NA
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	The Planning Proposal is consistent with the relevant aims.	✓
State Environmental Planning Policy (Western Sydney Aerotropolis) 2020	Not applicable.	NA
State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable.	NA
State Environmental Planning Policy (Western Sydney Parklands) 2009	Not applicable.	NA
Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas)	Not applicable.	NA
Sydney Regional Environmental Plan No 9—Extractive Industry (No 2—1995)	Not applicable.	NA
Sydney Regional Environmental Plan No 16—Walsh Bay	Not applicable.	NA
Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)	Not applicable.	NA
Sydney Regional Environmental Plan No 24—Homebush Bay Area	Not applicable.	NA
Sydney Regional Environmental Plan No 26—City West	Not applicable.	NA
Sydney Regional Environmental Plan No 30—St Marys	Not applicable.	NA
Sydney Regional Environmental Plan No 33—Cooks Cove	Not applicable.	NA
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Not applicable.	NA

7.2.4 Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. The request to change the zoning of the northern part of No 147 Garnet Road Kareela from SP2 Infrastructure to R3 Medium Density Residential will be consistent with the relevant S 9.1 Directions as outlined below.

Table 9: Consistency with S9.1 Directions

S 9.1 Direction	Comment	Consistency
1. Employment and Resources		
1.1 Business and Industrial Zones	Not applicable.	NA
1.2 Rural Zones	Not applicable.	NA

1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.	NA
1.4 Oyster Aquaculture	Not applicable.	NA
1.5 Rural Lands	Not applicable.	NA
2. Environment and Heritage		
2.1 Environment Protection Zones	Not applicable.	NA
2.2 Coastal Management	Not applicable.	NA
2.3 Heritage Conservation	Consistent. The site is not located within or in proximity to a heritage conservation area or heritage item. It is also considered that there is minimal impact for potential aboriginal heritage, considering that the primary building area of the site has been built upon or heavily disturbed in the past.	✓
2.4 Recreation Vehicle Areas	Not applicable.	NA
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.	NA
2.6 Remediation of Contaminated Land	Not applicable.	NA
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones	<p>The Direction notes: <i>“The objectives of this direction are:</i></p> <ol style="list-style-type: none"> 1. <i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i> 2. <i>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i> 3. <i>(c) to minimise the impact of residential development on the environment and resource lands.”</i> <p>This planning proposal has demonstrated in the discussion throughout consistency with the above Direction.</p> 	✓
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.	NA

3.3 Home Occupations	Not applicable.	NA
3.4 Integrating Land Use and Transport	<p>The Direction notes that <i>“This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</i></p> <ol style="list-style-type: none"> 1. <i>(a) Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</i> 2. <i>(b) The Right Place for Business and Services – Planning Policy (DUAP 2001).”</i> <p>The Planning Proposal will be consistent given that it is located in an area with adequate access to public transport and is well positioned with respect to several local centres.</p>	✓
3.5 Development Near Regulated Airports and Defence Airfields	Not applicable.	NA
3.6 Shooting Ranges	Not applicable.	NA
3.7 Reduction in non-hosted short term rental accommodation period	Not applicable.	NA
4. Hazard and Risk		
4.1 Acid Sulfate Soils	SSLEP 2015 provisions relating to acid sulphate soils. Any future development of the site will comply with these provisions and the Planning Proposal does not request any amendment to them.	✓
4.2 Mine Subsidence and Unstable Land	Not applicable.	NA
4.3 Flood Prone Land	Consistent. The site is affected by potential flooding within the southern area of No 147 Garnet Rd, Kareela. The flood report submitted under separate cover provides the parameters for future building forms on the northern part of the site and demonstrates that the site can be suitably developed for medium density housing. A future development application on	✓

	the site will need to be supported by further detailed hydrological assessment. The R3 zone in the northern part of the site is considered an appropriate response to its flood affectation.	
4.4 Planning for Bushfire Protection	Consistent. The site is partly identified as bushfire prone land. Council will consult with the NSW Rural Fire Service following the receipt of a Gateway Determination.	✓
5. Regional Planning		
5.1 Implementation of Regional Strategies	Consistent.	✓
5.2 Sydney Drinking Water Catchments	Not applicable.	NA
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.	NA
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.	NA
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not applicable.	NA
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.	NA
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.	NA
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	Not applicable.	NA
5.9 North West Rail Link Corridor Strategy	Not applicable.	NA
5.10 Implementation of Regional Plans	Consistent	✓
5.11 Development of Aboriginal Land Council land	Consistent. The planning proposal does not affect development of Aboriginal Land Council Land.	✓
6. Local Plan Making		
6.1 Approval and Referral Requirements	Consistent. The planning proposal does not identify any development as designated development.	✓
6.2 Reserving Land for Public Purposes	Consistent. The planning proposal does not affect land zoned for public purposes.	✓

6.3 Site Specific Provisions	<p>The Direction notes: <i>“This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out.”</i></p> <p>Consistent. While the planning proposal recommends some site specific LEP provisions, these are not considered restrictive, rather ensure that the site can be appropriately developed in future with regard to the site specific opportunities and constraints.</p> <p>The concept plan provided as part of the package is not a Development Proposal but rather a demonstration of a way in which the site could be developed in the future.</p>	✓
Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney (revoked 9 November 2020)	Not applicable.	NA
7.2 Implementation of Greater Macarthur Land Release Investigation (Revoked 28 November 2019)	Not applicable.	NA
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.	NA
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.	NA
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.	NA
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.	NA
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.	NA
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	Not applicable.	NA
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable.	NA
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.	NA

7.3 Environmental, Social and Economic Impact

7.3.1 Q7. 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?

No. This issue is discussed in the Flora and Fauna report submitted under separate cover and discussed in section 8 of this report.

7.3.2 Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. Refer the following specialist consultant reports and plans submitted under separate cover and the environmental planning discussion in Section 8 of this Planning Proposal:

- Flooding Report
- Arboricultural Report
- Ecology Report
- Grey-headed Flying-fox Fauna Management Plan
- Bushfire Report
- Traffic & Parking Report
- Architectural Concept Plans
- Landscape Concept Plans
- Stormwater Concept Plans

Other than those discussed in section 8 of the report, there are no other known site constraints or issues that would affect the rezoning of the site for the uses sought. Notwithstanding, further detailed assessment would be undertaken with respect to an individual development proposal at DA stage.

7.3.3 Q9. Has the planning proposal adequately addressed any social and economic effects?

The proposal will contribute to the availability of medium density residential land in the Sutherland Shire in an area that is well suited to the development proposed and where all environmental impacts are able to be managed appropriately. Given the relatively unique setting this would provide opportunities for some diversification of the current medium density product in the Shire.

The proposed concept layout has been configured such that the likely future development is centrally located on the lot with significant buffering of natural landscape around. The design ensures that the landscaped area provided can be at least as much as that typically provided in an R2 low density zone as well as the environmental E3 and E4 zones, even though the density will be 0.7:1. This will assist in its compatibility with the neighborhood. The proposal is also consistent with relevant objectives and goals under Metropolitan, Regional and Local Strategy plans is therefore considered to reflect the current aspirations and priorities for the region.

In addition the development that will be allowed on site once the new R3 zone is gazetted will:

- Create medium density housing choice with a point of difference to most other R3 zones in the Sutherland Shire;

- Create local employment during the development and construction period; and
- Support the local economy through the addition of 43 new households into the area.

7.4 State and Commonwealth Interests

7.4.1 Q10. Is there adequate public infrastructure for the planning proposal?

Yes. All services and utilities are currently available to the subject site and can be readily amplified to meet the requirements of the new medium density development. A separate two lot subdivision application submitted at the same time as the Planning Proposal and subsequently approved on 24 November 2020 also addresses this issue.

The rezoning subject site is a short drive/bus ride to several surrounding centers including Kirrawee, Gymea, Jannali and Sutherland. It has access to Mikarie Place via the Sylvanvale owned property which connects to Garnet Road and ultimately Waratah Street and the Princes Highway.

The site is also strategically positioned in relation to other local and regional infrastructure such as the Illawarra Railway and Sutherland Hospital

The proposal to rezone part of the subject site to R3 will allow medium density development that is appropriate by virtue of the site's proximity to the town centre, the local and regional road network and public transport infrastructure.

7.4.2 Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No state or Commonwealth public authorities have been consulted at this stage.

Consultation will occur as guided by the Gateway determination and during public exhibition of the planning proposal.

8

Environmental Planning Discussion

As noted in Section 2 specialist consultants have been engaged to assist in developing a potential future design taking into consideration the opportunities and constraints of the subject site. The consultants include: Surveyor, Flooding, Bushfire, Ecology, Arborist, Traffic & Parking, Architect, Landscape and Stormwater.

The analysis below includes some of the findings of the planning and environmental analysis.

8.1 Existing Development and Setting

The subject site currently contains the Sylvanvale Head Office, indoor pool, an educational establishment and childcare child care centre. The property has a leafy and peaceful setting which can be maintained by the proposed rezoning. Future residents on site as well as residents and landuses surrounding will benefit from the highly desirable setting into the future.

The massing model prepared by Couvaras Architects provides an overhead view of the concept plans. This demonstrates the ability of the proposed built forms to integrate with the existing site topography and vegetative character. It is noted that this image allows for an overall outlook of the built forms provided on concept plans, however when viewed within the site or from surrounding areas these forms would not be widely visible due to local topography and surrounding vegetation. Further, it is noted that this image relates to concept plans only, with future further developed plans and images to be detailed with a variety of complementary colours, materials and finishes to integrate with the leafy character and visually break down the built form.

Comments are also made with respect to the bulk and scale of the likely future buildings with respect to their setting:

- **FSR:** Concept plans prepared by Couvaras Architects demonstrate that the site is capable of almost achieving the available FSR within the R3 Medium Density Residential zone of 0.7:1 while providing good amenity and responding to site opportunities and constraints.
- **Height:** Future dwellings on site can comply with the proposed maximum building height of 12m. This is higher than that typically available under Zone R3 Medium Density Residential, however the additional height allows dwellings to have a good relationship with the site topography. It is also noted that the site's current SP2 zoning allows for a 12m maximum building height.

- **Landscaped Area:** Concept plans prepared by Couvaras Architects demonstrate that future development under zone R3 Medium Density Residential is able to be provided while easily exceeding the required minimum landscaped area required within the zone. This ensures that the leafy landscaped setting is able to be maintained and enhanced. The arrangement of built forms also allows for non-deep soil to also be provided on site, further contributing to the leafy nature of the locality and amenity of residents.

8.2 Vehicular and Pedestrian Access, Traffic and Parking

The proposal provides the opportunity for all traffic and parking generated by the future rezoning to be accommodated for on site. This is in contrast to the existing development which results in a significant overflow of parking into the surrounding streets. This is considered a positive outcome for the surrounding road network.

The concept vehicular access and circulation is logical and achievable. The site currently has direct access from Mikarie Place leading to the existing child care centre on site and Bates Drive Public School beyond. This existing access is positive in that it is able to be used also to provide vehicular access to future dwellings on site also. This allows for the removal of the other existing vehicular access to the site via Garnet Road and replacement with new vegetation, which will contribute to the landscaped character of the street and minimise the visual impact of the proposal as viewed from the street.

A specialist report has been prepared by McLaren Engineering and provided under separate cover, addressing parking, servicing, loading, traffic generation, etc and demonstrating that the planning proposal suitably addresses these considerations.

8.3 Topography

The significant landforms and steeply sloping portions of the site have been considered in the creation of the concept architectural plans, driving the arrangement of dwellings and access to these while also considering amenity for future dwellings (including solar access). Dwellings can be stepped and provided with levels which respond to the varied topography of the site. This stepping and positioning of dwellings is positive in that it allows for maximised outlook, solar access and privacy for future dwellings.

8.4 Existing Vegetation

Given the numerous trees on site, a Preliminary Tree Assessment has been prepared by Jacksons Nature Works and is submitted under separate cover.

Key findings within this preliminary assessment include a number of trees capable of being removed from site without consent, trees to be removed, and the numerous trees to be retained. It is noted that tree retention is preferable where possible.

Concept plans prepared by Couvaras Architects also demonstrate that a high percentage of landscaped area can be provided on site (well over 35%), indicating that numerous trees are likely to be able to be retained and that high quality landscaping is capable of being provided throughout the site. Furthermore, there are several areas of non calculable landscaping (above basement parking) that will

support future tree plantings. The bushfire affectation and easement for electricity transmission also facilitate the retention of numerous trees. Accordingly the total area of deep soil landscaping and non-deep soil landscaping able to be achieved on site will be generous.

8.5 Views and Solar Access

The site has outlook to surrounding vegetation, including at Joseph Banks Native Plants Reserve. The subject site is large in nature with opportunity for solar access from various directions.

The subject site has good northerly orientation and the concept plans indicate that the siting of any residential component would achieve high exposure to northerly sunlight.

The design of the concept proposal indicates that the future development is acceptable in terms of potential overshadowing.

8.6 Flooding

The site is partially identified as being subject to Initial Assessment for flooding along the south eastern boundary. Accordingly, a preliminary assessment of flooding on site has been commissioned by FloodMit. This has revealed that there is an existing block wall along the southern boundary which appears to have been constructed to provide some flood protection for the site, and accordingly this wall is intended to remain so as to retain the protection of the site.

It is noted that the provided concept plans have generally avoided placing dwellings in the flood affected area of the site.

The report prepared by FloodMit notes:

“Sutherland Shire Council has adopted a flood risk classification that divides the floodplain into the following flood risk areas:

High Flood Risk – Land below the 100 year flood that is subject to a high hydraulic hazard or where there are significant evacuation issues;

Medium Flood Risk – Land that is below the 100 year flood that is not subject to a high hydraulic hazard and where there are no significant evacuation issues;

Low Flood Risk – All other land that could be potentially inundated up to the Probable Maximum Flood (PMF).

The flood risk classification is used by Council to determine the controls that apply to future development. All development is mostly restricted from the high flood risk area; development within the medium flood risk area is usually permissible subject to satisfying various flood related development controls; and most development is permitted within the low flood risk area with minimal flood related development controls.

A map showing the different flood risk precincts in the vicinity of the site is provided The site would be classified as being partially within a “Low Flood Risk” area

and partially within a “Medium Flood Risk Area”. The extent of the medium flood risk area would increase if the southern boundary wall were removed. This would impact mostly on proposed Lot 105, where it has been proposed to retain the majority of class room buildings and driveways.”



Source: Floodmit

Figure 22: Flood Risk Management Precinct Map Extract

The report further notes: “Flood related development controls will apply to all land that has been identified as being within the medium and low flood risk areas, as shown on Figure 8. This mainly affects proposed lot 105 (where no new development is proposed) and a small portion of the southeast corner of proposed lot 104 (which partially impacts on proposed Block D which contains 2x 3 bed villas. Habitable floor levels need to be 0.5m above the 100 year flood level (shown on Figure 7). The 100 year flood level is approximately RL 37.0m AHD, requiring a minimum floor level of RL 37.5m AHD.

The proposed ground floor level of Block D was shown on previous architectural drawings (Issue C) at RL 37.46m AHD. This is close to Council’s minimum requirement, and can comply with minor variation to the design floor level.

The latest architectural drawings (Issue J) do not show the ground floor level of Block D, but it would appear that the building has been elevated by approximately 0.2m. It is assumed that the minimum floor level requirement has been complied with.

All other proposed buildings are outside the low flood risk area and not subject to flood related development controls.”

The report also contains recommendations for basement protection, evacuation procedures etc. It demonstrates that flood risk can be suitably managed for the proposed development.

Notably the proposed R3 development will not make flooding worse for any adjoining sites in the 1:100 year flood. With respect to any potential evacuation, all future

dwelling will be above the Probable Maximum Flood (PMF) so there would not really be any need to evacuate. Where people do need to leave the site, and if there was any affectation to the south east corner in a major flood event, the cars could use the loop road to get out.

8.7 Bushfire

Asset Protection Zones constrain development along the northern, western and south eastern boundaries.

This has been further investigated by Building Code & Bushfire Hazard Solutions who have provided the below overlay demonstrating the required Asset Protection Zones (APZ) in accordance with Planning For Bushfire Protection.



Source: BCBHS

Figure 23: APZ Overlay Extract

The above overlay requires:

- 14m setback from the south eastern boundary
- 14m setback from the northern boundary
- 11m setback from the western boundary.

The provided architectural concepts demonstrate compliance with each of the required asset protection zones. It is noted that while the Asset Protection Zones constrain and inform the location of future dwellings, they also provide opportunity for deep soil landscaping in these areas to contribute positively to the landscaped character of the site and locality.

The future residential development will also incorporate all other relevant bushfire protection measures as required by the NSW Rural Fire Service. This includes:

- water supply (hydrants complying with AS2419),

- construction complying with AS3959 (eg: Bushfire Attack Level ratings – materials selection, glass needed or type of timbers/restrictions etc) and
- internal access provisions. Notably the new road design facilitates fire truck movement within the grounds, which is a positive.

Part of the site will be repurposed from a listed special fire protection use under the NSW Rural Fires Act 1997 to a lower risk residential use. Fire Protection will be better on site after the development takes place than currently.

8.8 Services, Easements etc

The available survey shows that the site is affected by an easement for transmission 30.48m in width along the northern boundary. Accordingly, the concept plans prepared by Couvaras Architects do not provide residential built forms within the easement for transmission. While the easement for transmission restricts the location of built forms, it provides opportunity for the retention of numerous trees.

There are no other known services constraints, easements or restrictions on title.

All services and utilities are currently available to the subject site and can be readily amplified to meet the demands of any redevelopment on site.

8.9 Surrounding Noise Sources

The site is immediately adjoined by bushland, Bates Drive School and low density residential development. Accordingly, existing noise sources are likely to result from the nearby school and local intermittent traffic.

8.10 Heritage

There are no buildings or items of heritage significance identified under Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) on the or in close proximity to the site. The site is not located within a heritage conservation area.

8.11 Acid Sulfate Soils

The site is identified as being partially affected by Class 5 acid sulfate soils. This is generally an identification which can be managed by appropriate design and construction methods. Generally, it is not an issue where future development does not lower the water table below 1m AHD on land affected by Class 1, 2, 3 or 4 acid sulfate soils. It is not anticipated that this identification would have significant impact upon future development.

8.12 Ecology

The subject site is identified as containing vegetation communities (Coastal Enriched Sandstone Dry Forest). An excerpt of Council's mapping showing the extent of the vegetation communities is provided on the following page:



Source: Shire Maps

Figure 24: Vegetation Communities Map Extract

Given the numerous trees and other vegetation on site and the potential for this to provide habitat and food for fauna, an Ecological Constraints Assessment has been prepared by Ecoplanning. Key findings within this assessment are summarised below:

Direct Impacts

- Vegetative clearing:** *“The proposed rezoning is not likely to require vegetation clearing, however, development of the proposed units and APZ will remove or modify up to 0.48 ha of Coastal Enriched Sandstone Dry Forest (Figure 4.1) [in the Flora and Fauna report]. The assessment is potentially a worst case scenario as there may be opportunities to retain more native vegetation, and APZs are not likely to remove all vegetation. The vegetation type requiring removal and/or modification to facilitate the proposed rezoning and development is displayed in [the figure below]”*

Plant Community Type	BC Act	EPBC Act	Study area (ha)	Development footprint (ha)*
Coastal Enriched Sandstone Dry Forest (PCT 1776)	No	No	0.55	0.48
Total vegetation			0.55	0.48

Note: subject to rounding errors.

- Loss of fauna habitat:** *“The proposed rezoning and future development will remove up to 0.48 ha of fauna habitat (i.e. structural complexity, leaf litter, outcropping rock) within the study area. This provide potential shelter, forage and roosting habitat for a suite of fauna, including birds, bat and arboreal mammal species.”*

Indirect Impacts

- *“A Plan of Management PoM has been developed for this GHFF camp (ELA 2013). The POM makes specific mention in regard to minimising the impact to the GHFF camp by any redevelopment of the ‘adjacent schools’.”*

Avoidance and Mitigation

- **Vegetation Clearing:** *“Development of the site should seek to minimise vegetation clearing, and seek to use species characteristic of Coastal Enriched Sandstone Dry Forest in landscaping.*
- **Pre-clearance protocols:** *“No hollow bearing trees were identified on the subject site. As such, it is not necessary for an ecologist to be present onsite during the removal of the native vegetation proposed for removal in the subject site. However, several fauna species such as birds, arboreal mammals and amphibians may be present in the subject site. Appropriate pre-clearance protocols will be put in place at the time of construction to avoid and mitigate any potential harm or injury to these individuals.*
- **Grey-headed Flying-fox:** *Demolition of the existing buildings and building the future development will create excessive dust and noise that may affect the camp. A fauna management plan is required to guide the demolition and construction period to minimise impacts to GHFF in a manner consistent with the relevant policy and plans, such as DoEE (2017) and ELA (2015). The fauna management plan will (amongst other things):*
 - *identify times of year when GHFF may be more susceptible to disturbance start and end times for workers.*
 - *Appropriate monitoring of the camp during time when excessive dust or noise will be generated;*
 - *Preferentially retain winter flowering Eucalyptus sp. and Corymbia sp.*
 - *Triggers for stop work*
 - *A monitoring program.”*

Legislative Context

- **Commonwealth Listings:** *“The significance of the impact that the proposal would have on Commonwealth listed threatened flora/fauna and migratory species assessed as having a ‘moderate’ likelihood of occurring (Appendix A) [in the Flora and Fauna report] was considered by applying the Significant Impact Criteria (Appendix C) [in the Flora and Fauna report]. The species assessed was Pteropus poliocephalus (Grey-headed Flying-fox). Assessment of the threatened species against the relevant components of the Significant Impact Guidelines Commonwealth Department of the Environment (DoE) (2013) concluded that, provided construction was conducted following a clear set of protocols (i.e. a fauna management plan) endorsed by council, impacts to the camp are unlikely.”*
- **State Listings:** *“Impact assessment in accordance with Part 7.3 of the BC Act (i.e. the ‘Test of Significance’) and the associated guidelines (OEH 2017) have been undertaken. These assessments found that the proposal was not likely to result in a significant impact. Specifically, impact to GHFF were not considered significant assuming that construction would be undertaken in*

accordance with a clear set of protocols (i.e. a fauna management plan) endorsed by council.”

The Flora and Fauna report concludes:

“This report considered the potential impacts to threatened species, populations and ecological communities with respect to the proposed rezoning and future development of units at Lot 1142 // DP 752064 and Lot 1 // DP 225581 (147 Garnet Road, Kareela, NSW 2232). The proposal would remove or modify up to 0.48 ha of Coastal Enriched Sandstone Dry Forest.

No threatened flora species listed under the EPBC Act or BC Act were identified in the study area during field assessment.

One threatened fauna species listed under the BC Act and EPBC Act, the GHFF, was recorded adjacent to the study area during field assessment. A GHFF camp is located adjacent to the site. The camp is the subject of regular monitoring and the population is often numbers 2,500 to 10,000 individuals, however, monitoring during 2019 consistently counted 500 to 2,500 individuals. An additional five threatened fauna species were assessed as having a ‘moderate’ likelihood of occurring in the study area. Impacts to these threatened and migratory species will not be significant in accordance with Section 7.3 of the BC Act and the EPBC Act Significance Assessments (Appendix C) [in the Flora and Fauna report]

Mitigation measures have been recommended in Section 4.3. [in the Flora and Fauna report]. To avoid the potential for the proposal to significantly impact the GHFF camp, a Council approved Fauna Management Plan is required to prescribe the actions necessary to minimise potential impacts during the demolition and construction phases. The Fauna Management Plan will:

- *Identify times of you when GH FF may be more susceptible to disturbance*
- *nominate start and end times for workers*
- *describe appropriate monitoring of the camp during time when excessive dust or noise will be generated*
- *include triggers for stop work*
- *detail a monitoring programme*

In addition future landscape planting of the study area should use flora species characteristic of Coastal Enriched Sandstone Dry Forest. “

The proposal is also accompanied by a specialist Grey-headed Flying-fox Fauna Management Plan, prepared by Ecoplanning and provided under separate cover, addressing the existing registered camp to the south east of the site. This includes the following:

“Specialist lighting (Lighting, Art, Science 2020) and noise (Koikas Acoustics 2020) reports were commissioned as part of the preparation of the FMP to determine the current and perceived future noise and lighting levels at the site and develop appropriate mitigation measures.”

“The noise assessment concluded that future domestic noise sources emanating from the new building development is unlikely to impact the GHFF colony and that the proposed building development can be sufficiently insulated against noise generated by the nearby GHFF colony through the use of standard building materials and will satisfactorily reduce noise and meet the nominated noise criteria (Koikas Acoustics 2020).”

“General mitigation measures that should be considered as part of impact assessments for future developments include:

- *Increase spacing between powerlines to avoid potential electrocution of GHFFs (DoEE 2017).*
- *Avoid planting new vegetation species within the study area that would encourage the GHFF to use the study area and, therefore, be more susceptible to other negative impacts*
- *Future landscape planting of the study area should use flora species characteristic of Coastal Enriched Sandstone Dry Forest (Ecoplanning 2020)*
- *Implementation of noise and lighting mitigation measures to reduce disturbance to the GHFF camp.”*

8.13 Archaeology

The site is identified as being affected by medium archaeological sensitivity. This is generally not an issue where a site has been previously developed. Conditions of consent can be imposed to provide suitable measures in the event that any artefacts are encountered during future construction. It is noted that no consultants have reported sightings of any artefacts, but also noted that there are some portions of the site which are not easily accessible and unlikely to have been traversed, and that the consultants which have visited the site were not archaeologists. Nevertheless, a condition of consent could appropriately manage this consideration in the event that any discovery was made. Should any discovery be made in the preparation of more detailed plans and reports, it will be appropriately managed in accordance with relevant requirements.

9

Community Consultation

9.1 Pre Lodgement Consultation

Ethos Urban were engaged to carry out pre lodgement community and stakeholder consultation in May 2020. A summary report Outlining the process and summarising the key outcomes, is included under separate cover.

As mentioned in the report the findings of the consultation have been used to inform the final planning proposal and accompanying subdivision application. The objectives of the discussions, as outlined in the Ethos Urban report, were to:

- *“Introduce Sylvanvale, their vision, and hopes for the new office and Specialist Disability Accommodation;*
- *Provide an overview of the proposed development draft scheme, including the findings of the background studies, the possible impacts identified and mitigation strategies;*
- *Explain the rezoning application process, including periods of community consultation;*
- *Develop and build the relationships between Sylvanvale and the local community; and*
- *Understand and consider the views of the local community, prior to submitting the Planning Proposal to Council.”*

Key findings and responses from the stakeholder and resident consultations are outlined in the figures below:

Organisation	Comments or question	Response
Aspect Australia	<ul style="list-style-type: none"> Commented on its innovation Thought it was sensible and would be of great benefit to Sylvanvale and Aspect customers Agrees with the site being difficult to access for people with a disability Liked the landscaping proposal Asked when construction would begin and where excavation would take place Mentioned local residents will be interested in the parking strategy. 	<ul style="list-style-type: none"> Preliminary Landscape Design Plans have been developed for the draft scheme. An Access, Parking and Traffic Assessment demonstrates positive. Sylvanvale will continue to keep Aspect Australia up to date. Aspect Australia is due to move off the site in 2020 so will not be directly impacted by the construction period.
Bates Drive School	<ul style="list-style-type: none"> Supportive of the relocation and understand how it will benefit Sylvanvale's customers Requested continued access via Mikarie Place. This is currently informal; their preference would be for this to be formalised as a secondary access point. Requested the removal of tress adjoining their land due to health and safety concerns. 	<ul style="list-style-type: none"> Sylvanvale will investigate the formalisation of secondary access to the school via land at 2 Manooka Place and 147 Garnet Road. Primary access will remain on Bates Drive. Tree removal to be discussed as part of the future development application. Sylvanvale will continue to keep Bates Drive School up to date.

Source: Ethos Urban

Figure 25: Community Organisation Feedback

Topic	Comments or question	Response
Traffic and access (5 comments)	<ul style="list-style-type: none"> Question about the assumption about the number of cars per dwelling Request for information on the traffic and parking assessment Comment that there have been some traffic incidents outside the Childcare Centre, request for information about how this will be reduced Question about whether there is appetite to provide access to the townhouses via Bates Drive Perception that the proposal will result in an increase in traffic on quiet residential streets 	<ul style="list-style-type: none"> Traffic consultants have used data provided by Roads and Maritime Services (Transport for NSW) An Access, Traffic and Parking Assessment been completed and provided to Council. There will be a no parking zone either side of the 2 Mikarie Place driveway and the driveway will be widened by 1m to allow for two cars to pass There are a number of constraints which prevent access to 147 Garnet Road via Bates Drive.

Topic	Comments or question	Response
Details of the draft scheme (3 comments)	<ul style="list-style-type: none"> Question about the height of the new townhouse in the context of visual impact for local residents Question about whether the draft scheme is purely hypothetical at this stage Question about where Council standards on medium density in a cul-de-sac 	<ul style="list-style-type: none"> An R3 Zoning would allow townhouses of up to 9m. A Visual Impact Assessment has been carried out and shows limited visual impact, with the proposed development only being visible to a few direct neighbours. The R3 Zoning is considered appropriate for the site due to the surrounding topography and mix of nearby industrial and residential uses. The draft scheme has been developed to demonstrate the capability of the land under a residential zone, it is not being presented as a Development Application.
Fire protection (2 comments)	<ul style="list-style-type: none"> Question about fire protection, noting the draft scheme shows one road in and out. Request for information about the fire buffer zone 	<ul style="list-style-type: none"> A Bushfire Assessment has been prepared to support the Planning Proposal. This must also be reviewed by the Rural Fire Service as part of the planning submission.
Parking (1 comment)	<ul style="list-style-type: none"> Comment about frustration with current number of cars parked on the street and concern that proposed car spaces will end up being used as storage space, leading to an overspill of cars on the streets 	<ul style="list-style-type: none"> The parking has been designated as per the DCP requirements and includes visitor parking. Parking spaces will be provided to discourage storage use, as opposed to lock up garages There will be minimum storage requirements for the townhouses inside and within basements An Access, Traffic and Parking Assessment shows less traffic movements and no requirement for parking overspill on the surrounding residential streets.

Road reserve at 2 Mikarie Place (1 comment)	<ul style="list-style-type: none"> • Question about whether Council has provided any information about the intended future zoning of 2 Mikarie Place 	<ul style="list-style-type: none"> • Council has not provided any indication that there will be any change to the existing zoning of 2 Mikarie Place.
Project timeline (1 comment)	<ul style="list-style-type: none"> • Question about the earliest possible timescale construction will take place. 	<ul style="list-style-type: none"> • Prior to any construction commencing, Sylvanvale must gain approval for the land rezoning (via a Planning Proposal) and development (via Development Application), and the land would need to be sold. This process is likely to take 2 – 3 years.
Childcare Centre traffic and parking (1 comment)	<ul style="list-style-type: none"> • Question about the Childcare Centre staffing, customers, access and parking, and whether the proposed zoning with change this 	<ul style="list-style-type: none"> • The Childcare Centre drop off, access and parking requirements will remain the same. No reduction or expansion is planned.
Appropriateness of the proposal (1 comment)	<ul style="list-style-type: none"> • Concerned that the land is not appropriate for medium density residential development, and townhouses would give an adverse effect on the neighbourhood character and flora and fauna of the area 	<ul style="list-style-type: none"> • The draft scheme has been developed considering the local topography and surrounding residential use of the local area, and is considered appropriate in the context of the surrounding land use zoning and built form. • Opportunity and constraints analysis has been undertaken to identify issues for consideration, this guided the background technical studies which were undertaken which demonstrate the suitability of this development.
Disagreement with the sale of the land (1 comment)	<ul style="list-style-type: none"> • Concern that the development is solely about the generation of money 	<ul style="list-style-type: none"> • The proceeds from the sale of the site would allow Sylvanvale to relocate its head office to better meet the needs of the foundation and clients, and will support Sylvanvale in pursuing the provision of Specialist Disability Accommodation throughout the Sutherland Shire. • The site is not suitable for future use by Sylvanvale and the people it supports.

Source: Ethos Urban

Figure 26: Community Organisation Feedback

*Note: while the above refers to a 9m building height, the current planning proposal proposes a 12 building height. Visual impact assessment indicates that the visibility of the built forms indicated on the planning proposal would be limited as demonstrated by Figures 19 and 20 in this report as well as architectural plans under separate cover.

9.2 Formal Community Consultation

Assuming the proposal passes through the Gateway process the Planning Proposal will be placed on public exhibition for 28 days, or as otherwise stated by the Gateway Determination.

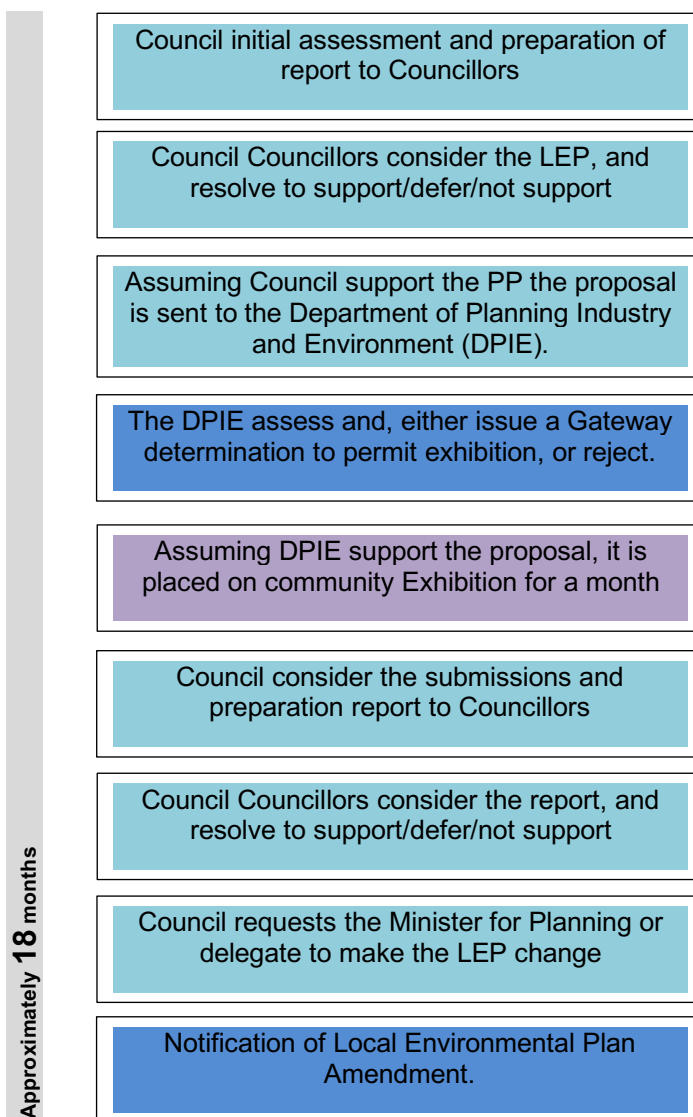
At a minimum, the public notification will involve:

- Notification in the local newspaper
- Notification on Council’s website
- Notification in writing to affected land owners

10

Project Timeline

It is anticipated that the Planning Proposal will progress in accordance with the following key timeline milestones following lodgement with Sutherland Council:



11

Conclusion

This planning proposal submission is made to Sutherland Shire Council requesting a zoning change for the northern 9,538m² portion of a Sylvanvale Foundation owned site at No 147 Garnet Road, Kareela. The proposal involves:

- rezoning the land from SP2 Infrastructure to R3 Medium Density Residential under Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015);
- introducing the R3 zone SSLEP 2015 maximum floor space ratio of 0.7:1;
- introduction a maximum height limit of 12; and
- introducing a minimum landscaped area requirement of 40%.

Section 2 of this report outlines a range of site opportunities and constraints. Importantly, the site is relatively unique in that it has several adjoining land uses that generally separate, or buffer it, from the surrounding local low density residential zone.

Couvaras Architects were engaged to develop a scheme that maximised the site's development potential, whilst working with the environmental constraints and opportunities and appropriately responding to the current Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) and Sutherland Shire Development Control Plan 2015 (SSDCP 2015) controls.

The proposed concept plans outline a potential proposal for medium density townhouse style dwellings of 1-2 storeys with basement parking. A total of 43 dwellings are achieved with a mix of dwelling sizes. The design locates the building form centrally on the northern proposed R3 rezone site and this allows for more trees to be retained around the periphery. Significantly, the development form manages to achieve a deep soil landscaped area of well over 40%, which is more akin to the lower density and environmental zone requirements, even though the proposed FSR is medium density. One of the main reasons this high landscaped figure can be achieved on this site, even with its topographical constraints, is that the R3 zone allows a greater height (12m proposed), and the slightly higher density justifies basement parking. This creates an efficiency of building form and allows the future dwellings to complement their natural surroundings better than an R2 zone scheme may. In addition, it is noted that the basement scheme for the R3 zone will provide large areas of above podium landscaping including a large centrally located communal area. This would not be feasible for an R2 scheme and would likely be replaced with above ground driveways and hardstand areas. The result is that the future development will be kept as leafy as possible, which will assist in it blending well with its local residential context.

The report satisfactorily addresses the key questions outlined in the Guide to Preparing Planning Proposals. It demonstrates consistency with the Metropolitan, District and Local Strategies, the relevant State Environmental Planning Policies and Section 9.1 Directions.

Over the last 12+ months various specialist consultants have undertaken studies as part of a background investigation of the site's opportunities, constraints and potential. This work has resulted in development parameters for the possible development concept and underpins the planning proposal for an R3 zone. The specialist input includes survey, bushfire, flooding, flora and fauna, traffic, stormwater, arborist, architectural, landscape, community consultation and planning analysis. The Planning Proposal demonstrates that the site can be developed with respect to all environmental constraints including bushfire, ecology and flooding. It has also addressed potential social and economic effects and demonstrated that there are adequate public infrastructure to support the likely future development.

The site adjoins a local residential area and is considered suitable for housing, as discussed throughout this report. The land can be developed in a way that will maintain the leafy local context whilst providing all facilities and services on site including parking for all residents and visitors in accordance with the current Council planning controls. The net result of the proposed development is a significant reduction in traffic movements compared to the current Sylvanvale Head Office land use. The provision of approximately 43 new dwellings will assist in meeting the Shire's housing targets on land that has become available for a new use as a result of changing business and operational needs of the Sylvanvale Foundation.

Whilst most R3 zones in the Sutherland Shire are located very close to local centres, the overall size of the site and its unique characteristics offer an opportunity for the new development to have a point of difference to the typical Shire medium density areas. In this respect it is noted that it will be situated in a quiet, leafy residential area, which is likely to be highly desirable as a place to live in the future. Although the concept plan indicates that it is possible to achieve the 0.7:1 FSR, the extent of landscaping on site (over 40%) and the treelined buffer almost all of the way around the property will ensure that it feels much more like a low density development than medium density in many respects. Accordingly, it will be a good fit within the nearby R2 – Low Density neighbourhood and adjoining SP2 – Infrastructure zone.

REPORTS UNDER SEPARATE COVER

Existing Survey

Architectural Concept Plans

Landscape Concept Plans

Stormwater Concept Plans

Flooding Report

Arboricultural Report

Ecology Report

Grey-headed Flying-fox Fauna Management Plan

Bushfire Report

Traffic & Parking Report

Community Engagement Report

Concept Subdivision Plan