



Mr Grahame Edwards  
Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Edwards

**Residential redevelopment at 21-31 Edwin Street, 16-22 Bennett Street,  
1 Northcote Street and 14-22 Hilly Street, Mortlake (MP10-0154).**

I would hereby like to express my **objection** to the application relating to the concept plan for the abovementioned sites.

**I would like my details and name to remain confidential and NOT available to the proponent, authorities or on the Department's website.**

The reasons for this objection and other comments are listed and explained below.

**Floor Space Ratio**

The floor space ratio of this site is well in excess of the controls – almost double what is permissible. It is also significantly in excess of what was approved for Breakfast Point. There is no real reason why this should occur.

This excessive floor space ratio is really the crux of the environmental problems with the proposal. It leads to a massive overdevelopment which then triggers the others issues of concern – for example – excessive traffic, inadequate (and realistic) on-site parking provision, lack of open space.

There are no satisfactory reasons provided with the proposal as to why this should occur, except for suggestions by the developer that in order to remediate the site the floor space ratio must occur to cover the cost. This is not a valid planning reason – any costs incurred by the developer should have been factored into the original price paid for the land. Importantly, this is also not a valid planning consideration under Section 79C of the EP&A Act, and therefore, the application should fail on this point alone.

Another reason that has been given by the developer, which is again invalid, is that Breakfast Point's floor space ratio is low due to the roads not being included in the original calculations for the site. Although the applicant's statement seems

to have had its logic reversed, the area of roads in Breakfast Point would hardly be sufficient to bring the ratio up to what is proposed by this development.

The effects of this development will be felt over a much wider area than just the immediate vicinity of the development site, or the Mortlake peninsula. We purchased our property fully aware of the peninsula being developed. Importantly, this was on the basis of the planning controls in legal force at that time, and which are still in force. We understood that the development would be around 3-4 storeys. That was our expectation. The developer seeks to change the rules, and by default, the expectations of all future developers on the peninsula. The result being a defacto rezoning of the peninsula to high density residential. Such a zone is totally at odds with the environmental and physical capacity of the road system in the area, not to mention other public services.

Upgrading the road system to carry such future density, as some kind of redress, will only destroy the low density residential environment within northern Concord, which is located immediately to the west and south of the peninsula, and through which ALL future traffic must pass. Clearly, no environmental planning has been done in regard tot his proposal. It is all about individual site re-development and developer profit.

This development is attempting to almost double the residential density which presents an unfair scenario to existing local residents.

If this floor space ratio was reduced to the currently permissible level, the development would be acceptable to the majority of the community and other aspects would present little problem. In this respect the environmental externalities have already been contemplated by residents to some extent.

### Traffic

The main impact that this development will have is on local traffic. This impact will be far reaching and will exacerbate an existing intolerable situation which has resulted from the erroneous approval of Breakfast Point. Again this problem will be further exacerbated by the excessive FSR.

The traffic situation in the area is currently under strain from the new developments at Breakfast Point and this area. Our once quiet street has now become a very busy road, particularly in peak hour, as it presents a rat run together with Norman Street for anyone going west from this area. It is a designated Local Road as Council adopted a Local Traffic Management Scheme (LATM) in 2003, largely as a response to the Breakfast Point approval. Braddon /Norman Streets are not collector Roads, but are fast achieving traffic levels (counts) these streets were never intended, or for that matter, are not capable of handling.

The peninsula is an area with very few roads in, and none that are capable of supporting large volumes of traffic which will result from the density proposed by the current application, and which will be an undeniable precedent for future

re-development of Mortlake. It would be disingenuous in the extreme to suggest otherwise.

Our area has been in constant contact with the Canada Bay City Council who to date have not resolved or done anything to assist the traffic situation. This is despite having carried out years of traffic counts, which quantifiably support my above statements.

The traffic studies that have been carried out for this proposal are laughable. I have no understanding of how they could have reached the conclusion that there will be no increase in traffic. Magic??

Even by going back to a fully active industrially zoned area would not generate the traffic of 1000 new residents. This is simply not possible, even if the proposal provided no on-site parking provision.

Public transport from this area may be in existence, however, it is so impractical that it is not the desired, or practical service. The existing bus routes to the city are long and the Cabarita Ferry Wharf is a very long walk away. The Breakfast Point Ferry Wharf, having been abandoned by the State Government after the approval of that development, simply increased private car traffic.

It is a given that most people will merely get into their cars and drive to their destination, or drive and park at nearby more efficient modes, such as the Cabarita ferry stop or a train station. The unfortunate issue here though is that these car parking areas are already full and overcrowded.

This development must be reduced from its current high density form, and local traffic calming measures carried out in our street. These to be paid for and carried out prior to any approval.

#### Setting a precedent

One of the worst aspects of this proposal, if approved, is the precedent that it will set for the whole Mortlake peninsula. Planning approvals are very much based on consistency, and are guided by precedents in the area (despite constant denials by Consent Authorities). 'Assessment on individual merits' is not equivalent to 'Assessment in isolation'.

Whilst I understand that applications are considered on their merits, there is no denying that this application would merely make it easier for the next developer to again exceed the FSR, probably by a further amount.

To have the whole peninsula developed at this density would be intolerable for the community.

#### Parking

Parking is already at a premium on the peninsula. Whilst I appreciate that the Council controls are complied with, this is hardly going to be adequate in an area with poor public transport and a high residential density. Other areas of Canada Bay are far better serviced by public transport, such as Rhodes with the train station.

### Open Space

This proposal presents little in the way of open space. Breakfast Point may have high rise buildings but it is also offset by extensive areas of high quality and useable landscaping, and recreation areas, which can be accessed by the general public.

This current development present a very poor form to the area and combined with the lack of landscaping and open space leads to a low residential amenity.

### Schools

This area would feed into Mortlake Public School a school which is currently experiencing increased numbers due to Breakfast Point. At the time of the redevelopment of Breakfast Point, the community was told that most of the new residents would be childless or retired people. This has not proven to be the case at all, due to the increased price of housing and the fact that many children and families now reside in higher density housing.

A big mistake has been acknowledged in the Rhodes redevelopment area with the problems being experienced with overcrowding at Concord West Public School due to the lack of Planning foresight in the approval of excessive densities with inadequate infrastructure to support them, or any plan/ intention to provide same.

### Consultation

The consultation from both the Department Planning & Infrastructure, and the Council, has been extremely poor in regards to this application.

Our understanding is that the Council has been working with the applicant for a number of years prior to the application lodging the proposal under the Part 3A legislation.

At no point did the council ever consult with us.

We then understand that the Department, upon exhibiting this current plan, only notified the immediate vicinity in the first round, completely ignoring the wider impacts this will have on the area.

We understand that due to Council lobbying, this proposal was then notified to the wider community which is more appropriate.

However, this is the only notification that we have received in relation to the application.

We understand that the Department carried out a neighbourhood meeting on 3 November 2011. We were never notified of this, nor were any of our neighbours in this area of Concord.

The Council then carried out a community meeting on 7 November 2011. We were never notified of this either.

Nearly everyone I spoke to from a varying area in Braddon Street, Norman Street, Anderson Road, and Bayard Street were NOT notified of anything other than the exhibition letter.

I cannot understand why this has occurred but it seems that a very grave administrative errors have been made by both the Council and the Department of Planning & Infrastructure. This raises possible issues of probity, and subsequent challenge.

This general inconsistency and piecemeal approach evident in the assessment process serves to completely undermine community confidence in Government administration and decision making in regard to planning matters. It has also demonstrated an ongoing lack of willingness of the part of State and Local Governments to engage in meaningful engagement with the community, thereby denying affected residents of the area an opportunity to provide feedback.

In summary, this proposal is considered to be a complete overdevelopment of the site which, if approved, will exacerbate the existing issues of the surrounding area. In particular, the overloading of existing public infrastructure, public services, and excessively increased traffic.

It is considered that if this proposal was reduced to comply with the currently permissible floor space ratio, many of the above issues would be acceptable.

Please ensure that you advise me of any further consultation that is carried out.

Yours sincerely

