

- Site: Breakfast Point -- Job: Breakfast Point Concept Plan 2005 Modification 4 -- Annex: EA - Website Submissions -
 - Activity: Submission Details for Catriona Kazuno (object) -

(81)

Submission Details for Catriona Kazuno (object)

Catriona Kazuno<treekaz@gmail.com>
 to Simon Truong

Aug 14 (6 days ago)

Confidentiality Requested: no

Submitted by a Planner: no

Disclosable Political Donation: no

Name: Catriona Kazuno
 Email: treekaz@gmail.com

Address:
 125 View St

Annandale, NSW
 2139

Content:

I write to support my mother and grandmother who live in Woodlands Avenue, Breakfast Point in their submissions of objection to the Modification Request. They will be directly and adversely effected by this new Modification.
 This proposal is clearly not in the public interest because:

 It represents a gross breach of faith by the developer with existing residents of Breakfast Point, the Mortlake Peninsular and the City of Canada Bay more generally.

 It will put the developer in breach of contracts for sale with many existing residents.

 Contrary to the developer's representations, it is in breach of the original Council LEP 91 for the site which specifies a maximum 2073 residences

 It is clearly and substantially in breach of the Minister's Determination of Breakfast Point Concept Plan dated 7th April 2006, in particular Condition 7 of that Determination in respect of its failure to:

- o Maintain or improve the amenity of existing residents and approved buildings (see also below on Community Facilities)
- o Maintain and not obstruct existing view corridors and vistas, and
- o Not result in a significant loss of open space

 It is in breach of the Determination both in isolation and in conjunction with other approvals and proposals, including and in particular with its proposal for the construction of 6 dwellings on the Powerhouse lot, which is itself grossly in breach of all aspects of Condition 7

 As the DG's approval of Condition 7 was not subject to public consultation and consequently illegal, it calls into question the legality all subsequent approvals which rely on it, including any purported approval of this proposal.

 It contains insufficient information to fully determine the breaches above due to its complete lack of detail beyond conceptual outlines for the buildings it proposes, however see below on storeys and roof lines

 It breaches conditions regarding numbers of storeys in buildings which have been consistent since original approvals in Master Plans 1999, 2002 and the Minister's Determination of 2006

 It is in breach of the requirement that buildings will have predominantly hipped and gable style roofs.

 It contains insufficient detail to determine compliance with visitor parking requirements. Given that the developer's own requirements are that visitor parking will be onsite if offsite parking is not available within 100m, and that the developer's own parking plans show conclusively that there are insufficient spaces offsite, for compliance it would need to have a detailed plan of how all residences and resident parking together with visitor parking can be accommodated onsite.

 The traffic report is grossly inadequate as it shows only traffic at access points to the site and fails to address the significant traffic issues around the site and the Canada Bay area more generally, including the already grossly choked areas of access on Lyons Rd, Burwood Rd and Broughton St across Parramatta Rd, Hospital Rd onto Concord Rd and Homebush Bay Dve, and Correys Ave onto Concord Rd, Centenary Dve, the M4 and Olympic Park. And the report also fails to take account of traffic generated by other developments in the Mortlake area, including Part 3A approval by the PAC in Mortlake, which is itself non-compliant on traffic impacts.

 It is in breach of all previous approvals concerning retention of heritage and historical aspects of the site. Original heritage aspects of the site covered 9 specific structures and, if this were approved that would be reduced to 5, despite the Minister's Determination covering 7. In particular, the developer's Statement of Heritage Impact finds the Plumbers Workshop to be of significant historical value, yet then proposes to demolish it as adaptive reuse is either impracticable or uneconomic. This claim is clearly false: it is contrary to the developer's previous proposals for the site; and particularly given the objection below concerning inadequate community facilities, could easily be put to a use such as an annex to the Country Club with public café facility and heritage display (an area similar to but smaller than the excellent facility established in the public area at the northern end of Garden Island Sydney, containing cafeteria and Naval Museum, comes to mind)

 The developer contends that community facilities on the site are adequate. This is clearly and substantially false. Original approval for Breakfast Point in Master Plan 1999 allowed for 1650 residences. This has already increased by 25% to 2069 and this proposal would increase it by a further 400 residences or 24% giving a total increase of 50% (rounded to nearest integer). At the same time, community facilities proposed for the 1650 residences included Village Green, Multipurpose Chapel (Meeting Hall), Village Centre, Club, Skiff Rowing Facility (Boatshed), Marina (private) as part of a Waterfront Precinct, Wharf, Amphitheatre, Festivity Gathering Place, Playground , Rotunda and Shelter (on the Point), Function Centre (Powerhouse), Fishing Access/Public

Jetties and Energy Park and Museum. Consequent on the considerable reduction in the number of community facilities now proposed, and those remaining having been designed for a population contained in 1650 residences, facilities are already inadequate and becoming overcrowded despite only partial occupancy of the site at present. Approval of this proposal would see them as ultimately grossly inadequate.

 The developer's contention that this approval is really only for an additional 173 residences is patently false by his own admission. In seeking approval for the 227 Seniors Living units he now relies on for this proposal, he clearly argued that Seniors Living did not result in any increases in residences. Therefore he is not in a position to now argue that such residences were previously approved. This proposal is clearly for an increase of 400.

Thank you for your attention to my submission.

Yours truly,

Catriona Kazuno

IP Address: cpe-58-164-80-78.lns1.ken.bigpond.net.au - 58.164.80.78

Submission: Online Submission from Catriona Kazuno (object)

https://majorprojects.affinitylive.com/?action=view_activity&id=72299

Submission for Job: #6044 Breakfast Point Concept Plan 2005 Modification 4

https://majorprojects.affinitylive.com/?action=view_job&id=6044

Site: #543 Breakfast Point

https://majorprojects.affinitylive.com/?action=view_site&id=543

Email Details

Created 9:51 PM - Wed Aug 14, 2013

Logged for Aug 14, 2013

Priority Medium

Class General Details

Tags

Visibility All

- Site: Breakfast Point -- Job: Breakfast Point Concept Plan 2005 Modification 4 -- Annex: EA - Website Submissions -
- Activity: Submission Details for Peter Ryrie (object) -



Submission Details for (object)

Aug 15 (6 days ago)

to Simon Truong

Confidentiality Requested: yes

Submitted by a Planner: no

Disclosable Political Donation: no

Name:

Email:

Address:

Content:

I do not believe the Modification Request is in the public interest because:

1. There will be further significant issues with parking within Breakfast Point due to the continued practice by the developer to assign designated visitor parking spaces to the streets of Breakfast Point which havenot changed from the original master plan. There are already major issues with parking on the streets of Breakfast Point without considering the impact of the apartments currently approved or being constructed.
2. The traffic study included with the submission is inadequate and fails to deal with the increased traffic on the Mortlake Peninsula with developments such as the recently approved increased apartments associated with the Hilly Street development. Whist the study focuses on traffic within the Breakfast Point community, the baseline for the study fails to take into account the current apartments under construction or not sold. It also fails to deal with the potential impact of traffic if a commercial marina is constructed in Kendall Bay. This continues to be an option for developer while they retain ownership of lot 55 of DP 27034 which is required to 'attach' a marina to the foreshore.
3. Some of the architectural changes, including the use of a flat roof design to incorporate a 'complete' top floor on some of the buildings, will impact view lines and vistas.
4. The demolition of the Plumbers Workshop, which is considered to be of local cultural significance, will result in only five heritage structures being retained from the nine included in the Breakfast Point Master Plan.
5. The original master plan had a total of 1650 residential apartments and with the current application, if approved, the total will increase to over 2460 an increase of 50% . With this significant increase in apartment numbers there has been no increase in the community facilities within Breakfast Point; in fact there has been a reduction in community facilities from the original master plan.

In summary it is clearly and substantially in breach of the Minister's Determination of Breakfast Point Concept Plan dated 7th April 2006, in particular Condition 7 of that Determination in respect of its failure to:

- o Maintain or improve the amenity of existing residents and approved buildings
- o Maintain and not obstruct existing view corridors and vistas, and
- o Not result in a significant loss of open space

IP Address:

Submission: Online Submission fro

https://majorprojects.affinitylive.com/?action=view_activity&id=72328

Submission for Job: #6044 Breakfast Point Concept Plan 2005 Modification 4

https://majorprojects.affinitylive.com/?action=view_job&id=6044

Site: #543 Breakfast Point

https://majorprojects.affinitylive.com/?action=view_site&id=543

Email Details



Carol Neale

32/71 Peninsula Drive

Breakfast Point 2137

14 August 2013

Mayor

City of Canada Bay

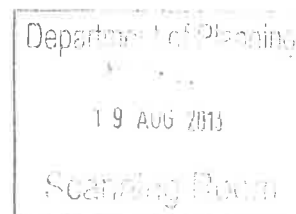
Locked Bag 1470

Drummoyne

cc.

Department of Planning

23-33 Bridge street Sydney 2000



Subject: Objection to BP Concept Plan 2005 Mod 4

I object to the Modification Request as it is clearly not in the public interest because:

- It represents a gross breach of faith by the developer with existing residents of Breakfast Point, the Mortlake Peninsular and the City of Canada Bay more generally.
- It will put the developer in breach of contracts for sale with many existing residents.
- Contrary to the developer's representations, it is in breach of the original Council LEP 91 for the site which specifies a maximum 2073 residences
- It is clearly and substantially in breach of the Minister's Determination of Breakfast Point Concept Plan dated 7th April 2006, in particular Condition 7 of that Determination in respect of its failure to:
 - o Maintain or improve the amenity of existing residents and approved buildings (see also below on Community Facilities)
 - o Maintain and not obstruct existing view corridors and vistas, and
 - o Not result in a significant loss of open space

- It is in breach of the Determination both in isolation and in conjunction with other approvals and proposals, including and in particular with its proposal for the construction of 6 dwellings on the Powerhouse lot, which is itself grossly in breach of all aspects of Condition 7
- As the DG's approval of Condition 7 was not subject to public consultation and consequently illegal, it calls into question the legality all subsequent approvals which rely on it, including any purported approval of this proposal.
- It contains insufficient information to fully determine the breaches above due to its complete lack of detail beyond conceptual outlines for the buildings it proposes, however see below on storeys and roof lines
- It breaches conditions regarding numbers of storeys in buildings which have been consistent since original approvals in Master Plans 1999, 2002 and the Minister's Determination of 2006
- It is in breach of the requirement that buildings will have predominantly hipped and gable style roofs.
- It contains insufficient detail to determine compliance with visitor parking requirements. Given that the developer's own requirements are that visitor parking will be onsite if offsite parking is not available within 100m, and that the developer's own parking plans show conclusively that there are insufficient spaces offsite, for compliance it would need to have a detailed plan of how all residences and resident parking together with visitor parking can be accommodated onsite.
- The traffic report is grossly inadequate as it shows only traffic at access points to the site and fails to address the significant traffic issues around the site and the Canada Bay area more generally, including the already grossly choked areas of access on Lyons Rd, Burwood Rd and Broughton St across Parramatta Rd, Hospital Rd onto Concord Rd and Homebush Bay Dve, and Correys Ave onto Concord Rd, Centenary Dve, the M4 and Olympic Park. And the report also fails to take account of traffic generated by other developments in the Mortlake area, including Part 3A approval by the PAC in Mortlake, which is itself non-compliant on traffic impacts.
- It is in breach of all previous approvals concerning retention of heritage and historical aspects of the site. Original heritage aspects of the site covered 9 specific structures and, if this were approved that would be reduced to 5, despite the Minister's Determination covering 7. In particular, the developer's Statement of Heritage Impact finds the Plumbers Workshop to be of significant historical value, yet then proposes to demolish it as adaptive reuse is either impracticable or uneconomic. This claim is clearly false: it is contrary to the developer's previous proposals for the site; and particularly given the objection below concerning inadequate community

facilities, could easily be put to a use such as an annex to the Country Club with public café facility and heritage display (an area similar to but smaller than the excellent facility established in the public area at the northern end of Garden Island Sydney, containing cafeteria and Naval Museum, comes to mind)

- The developer contends that community facilities on the site are adequate. This is clearly and substantially false. Original approval for Breakfast Point in Master Plan 1999 allowed for 1650 residences. This has already increased by 25% to 2069 and this proposal would increase it by a further 400 residences or 24% giving a total increase of 50% (rounded to nearest integer). At the same time, community facilities proposed for the 1650 residences included Village Green, Multipurpose Chapel (Meeting Hall), Village Centre, Club, Skiff Rowing Facility (Boatshed), Marina (private) as part of a Waterfront Precinct, Wharf, Amphitheatre, Festivity Gathering Place, Playground , Rotunda and Shelter (on the Point), Function Centre (Powerhouse), Fishing Access/Public Jetties and Energy Park and Museum. Consequent on the considerable reduction in the number of community facilities now proposed, and those remaining having been designed for a population contained in 1650 residences, facilities are already inadequate and becoming overcrowded despite only partial occupancy of the site at present. Approval of this proposal would see them as ultimately grossly inadequate.
- The developer's contention that this approval is really only for an additional 173 residences is patently false by his own admission. In seeking approval for the 227 Seniors Living units he now relies on for this proposal, he clearly argued that Seniors Living did not result in any increases in residences. Therefore he is not in a position to now argue that such residences were previously approved. This proposal is clearly for an increase of 400.

Regards
C. Meale

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- Site: Breakfast Point -- Job: Breakfast Point Concept Plan 2005 Modification 4 -- Annex: EA - Website Submissions -
- Activity: Online Submission from ,

Online Submission from .

Jul 17 (34 days ago)

to Simon Truong

I Strongly against the proposal of building 400 more apartments to the seniors living area of Breakfast Point. As it will over develop. We already have alot of apartments in Breakfast Point and our Country club already cannot accomodate, I started living in Breakfast Point 7 yrs ago. And before it's not so hard to gain entry into the country club house, and when we brought our 2nd apartment, we tried to gain access to the country club with the new flop. But the country club management gave us so many restrictions that restrict us to obtain access. The reason they gave was they have to be more restriction when providing access as we have TOO Many residence. Our ADSL line is over used already as all Breakfast Point residences share 1 exchange. I use to live in Woodlands ave, and have requested Telstra to investigate issue why we only have 1MB internet speed (no matter what time). Telstra responds was our exchange is been used by TOO many residence and it cannot accomodate. The only way to fix this problem is by setting up a new exchange but it would cost millions of dollars. If the developer is to build another 400 more residentials, will they fix the above 2 main problems? Will the developer build another country club house and another ADSL exchange for residence to share?

Email Details

Created	5:25 PM - Wed Jul 17, 2013
Logged for	Jul 17, 2013
Priority	Medium
Class	Anonymous Object
Tags	
Visibility	All



PCU047329



5/08/13 3:07 PM

[New South Wales Government](#)

[Department of Planning](#)

[Skip to content](#)

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Your security code didn't match. Please reattach any attachments and disclosures and try again.

EA Exhibition

Breakfast Point

Breakfast Point Concept Plan 2005 Modification 4

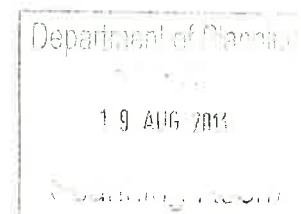
Modification to the approved Breakfast Point Concept Plan 2005 to allow for:

- Removal of the approved seniors living use (509 beds);
- Provision of 400 additional residential apartments within the 5 approved seniors living building envelopes with some internal and external design changes;
- Increase the dwelling cap from 1189 dwellings to 1589 dwellings;
- Increase the number of car spaces within the Seashores Precinct from 304 to 555 car spaces; and
- Demolition of the Plumbers Workshop building previously identified to be adaptively reused.

Other assessments against this site:

- [Concept Plan - Residential and Commercial development \(Part3A\)](#)
- [River Front Precinct - Project Application \(Part3A\)](#)
- [Project Application - Vineyards South \(Part3A\)](#)
- [Project Application - The Point \(Part3A\)](#)
- [Project Application - Vineyards North \(Part3A\)](#)
- [Project Application - Country Club \(Part3A\)](#)
- [Modification 1 - Vineyards South \(Part3AMod\)](#)
- [Modification 1 Vineyards North MP 05-0149 \(Part3AMod\)](#)
- [Silkstone Precinct - Project Application \(Part3A\)](#)
- [Plantations Precinct - Project Application \(Part3A\)](#)
- [MP08 0209 - Blacksmiths Workshop \(Part3A\)](#)
- [MP09 0020 - Seashores Precinct \(Part3A\)](#)
- [MP08 0026 MOD 1 - Silkstone Precinct \(Part3AMod\)](#)
- [MP08 0025 MOD 1 - Plantations Precinct \(Part3AMod\)](#)
- [MP08 0025 MOD 2 - Plantations Precinct \(Part3AMod\)](#)
- [MP08 0025 MOD 3 - Plantations Precinct \(Part3AMod\)](#)
- [MP05 0153 MOD 1 - The Point Precinct \(Part3AMod\)](#)
- [MP08 0209 MOD 1 - Blacksmiths' Workshop \(Part3AMod\)](#)
- [MP08 0025 MOD 4 - Plantations Precinct \(Part3AMod\)](#)
- [MP08 0025 MOD 5 - Plantations Precinct \(Part3AMod\)](#)
- [MP08 0026 MOD 2 - Silkstone Precinct, Breakfast Point \(Part3AMod\)](#)
- [Breakfast Point Concept Plan 2005 MOD 1 \(Part3AMod\)](#)
- [MP10 0200 - Construction of a five \(5\) storey residential flat building at Seashores Precinct \(Part3A\)](#)
- [MP10 0206 - Demolition of existing Powerhouse Building and construction of 6 two](#)

*I am sorry
for mess
bud*



asterix "*" are mandatory.

- ☐ I am making a personal submission
- ☐ I am submitting my organisation's submission

Name: *

Ms :

Title

robin

First Name

amm

Last Name

Please tick this box if you do not want your name published in the list of submitters on the department's website (see step 2, second dot point):

"Name withheld on request" will appear on the list, instead of your name.

Your details:

Organisation

Position in organisation

robin.amm@bigpond.c

Email *

Address: *

63/5woodlands ave

Address 1

Address 2

breakfast point

Suburb - we will publish your suburb in the list of submitters with a link to your submission

NSW :

State

2137

Postcode

Submission: *

We will publish your submission including any personal information about you which you

*Sorry
leaving
this afternoon
for overseas
- had*

*I goes
and the
result is
this I am not
sure if you
received*

*by email
Robin Amm*

The concept plan in its content, photographs and descriptions of the buildings, the spaciousness and landscaping only refers to the eastern end which will remain so. However the western end of breakfast point will be overcrowded, poorly landscaped and with an increase in traffic. It will be like those complexes built around railway stations.

The newly finished and nearly finished buildings have no set back and with very meagre and cheap landscaping.

The plan talks about the view from the river but again it is talking about the eastern end. In contrast the view at the western end will be buildings and more buildings

There is no justification for the readaptive use of the Plumbers Workshop to a 4 or possibly a 5 storey building. If it is agreed it should be the same height as it is now. However the Heritage report speaks of it - "possess uncommon, rare or endangered aspect of Canada Bay's cultural history. It could be left, made safe and be a reminder of our fast diminishing industrial past.

To make extra spaces to reach its target of 2469 we are asked to approve flat roofs to fit in an extra floor. Already there are 6 storey levels on many so called 5 storey buildings. The rooflines become overlarge and impinge on other buildings views and space. Rooflines should be made to be low so all can benefit.

Traffic will increase whatever a report says and the roads into town along Broughton ST are already overcrowded and this will increase with more cars. The nature of the suburb of BP results in cars rather than public transport being used. It seems that the extra people to be accommodated will eventually prove to be more costly to the Council than any benefits that might accrue

Robin Amm

have chosen to include in your submission, on the department's website. Your submission can be either typed in the column below or uploaded.

* The concept plan content and pictures with reference to space, landscaping, views from the river of trees etc is about the eastern end NOT the western end which will become like a railway station hub where there is justification for

Your comments

I object to it :

Your view on the application *

Please upload any attachments in **PDF format**.

Choose File no file selected

File attachment 1

Choose File no file selected

File attachment 2

Choose File no file selected

File attachment 3

Choose File no file selected

File attachment 4

Choose File no file selected

File attachment 5

4. Disclose reportable political donations *

The requirement to disclose depends on:

- whether your submission is about a relevant planning application, and
- the value and timing of any political donation/s you or your associate have made.

To determine whether the reporting requirements apply to you, read Parts 3 and 4 of [Disclosure of Political Donations and Gifts](#).

I have made a reportable political donation. No : If your answer is 'No' go to Point 5.

5. Agree to the following statements

I have read the Department's [Privacy Statement](#) and agree to the Department using my submission in the ways it describes. I understand this includes full publication on the Department's website of my submission, any attachments, and any of my personal information in those documents, and possible supply to third parties such as state agencies, local government and the proponent.

I agree to the above statement X

(86)



12 August 2013

NSW Government
Planning & Infrastructure
GPO Box 39 Sydney
NSW 2001

Dear Sir/Madam

BREAKFAST POINT CONCEPT PLAN 2005 MODIFICATION 4 - MODIFICATION REQUEST

Reference is made to your letter of 15 July 2013 with submission date 16 August 2013.

The under signed are all property owners in the Maple complex in 8 Peninsula Drive, Breakfast Point 2137, NSW.

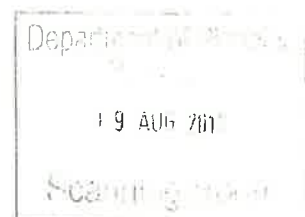
It is in the opinion of the under signed residents, that the Modification Request should be denied on the following reasons:

- An increased number of apartments would worsen the street parking situation at Breakfast Point.
- There are already too many cars compared to parking opportunities.
- Resident's and visitor's safe parking is compromised as there's insufficient safe places to park; therefore causes dangerous parking. It does not help us who live here that such parking is illegal.
- Unsafe and illegal parking will continue to take place and all streets will be prone to accidents
- Allocated indoor parking has not been taken into account to the average number of cars per household.
- The difficult parking situation also makes some caretakers move garbage bins to the street up to 48 hours before garbage collection time, in order to make sure that there is space for them in the street when emptied. In addition to the danger of smell, it will attract flies, birds and vermins.
- We the residents are already immensely affected with the traffic condition in Breakfast Point, considering there are still apartment that are due for completion this year and next.
- Breakfast Point amenities will also be compromised given the increase of residents and population of the suburb, which could potentially reduce value of our property.

[Handwritten signature]

203

L. ABBERTSON *[Signature]* 12/8/2013



Simon Truong - Breakfast Point Concept Plan 2005 MOD 4

From: HM Tong <hmtong1980@gmail.com>
To: <simon.truong@planning.nsw.gov.au>
Date: 22/07/2013 8:02 AM
Subject: Breakfast Point Concept Plan 2005 MOD 4
Attachments: Breakfast Point Concept Plan 2005 MOD 4.pdf

(87)

Simon

Appreciate if you can register our objection to the proposed amendments to the Breakfast Point Concept Plan 2005. Attached is our submission on the proposal. Please acknowledge receipt.

Thank you

Regards
Hoe & Mary TONG

Mr Simon Truong
Contact Officer
Breakfast Point Concept Plan 2005 MOD4
Department of Planning & Infrastructure
NSW Government

18th July 2013

Dear Sir

Subject: Breakfast Point Concept Plan 2005 MOD 4

Thank you for the notification on the request by Rosecorp Management Services Pty Ltd to amend the Breakfast Point Concept Plan 2005. We would like to express our **strong objection** to the plan due to the following reasons:

1. With the ageing population within Australia, there is a need for continuing development of accommodation suitable for seniors within NSW. The original plan to include 509 beds will provide seniors with the ability to move into or remain in an area where they are able to maintain a reasonable quality of life. Its removal also changes the original intent of the precinct and initial marketing promotion of an environment with a diverse range of homes and an array of community amenities.
2. The replacement of senior living accommodation with residential apartments would significantly increase the density of the area already filled with apartment blocks.
3. The increase density of apartments would also exacerbate the problem of street parking with severe congestion already being experienced in the area. The proposed addition of an additional 251 car spaces will not provide much relief if approval was given for the development of the additional 400 additional residential apartments. Current experience indicates that the internal parking spaces are insufficient for residents in the area with significant overflow on to the streets around the precinct. More parking spaces are actually required within the precinct for existing residents.
4. The addition of 400 apartments will also increase traffic congestion in the precinct and surrounding areas as there are limited approach roads into the area.
5. Rosecorp Management Services should also be made to meet their obligation to restore the heritage buildings within the precinct to enable adaptive reuse of these buildings and maintain the heritage of the precinct.

We hope that you will give our objection serious consideration and proceed to **deny** the modification request submitted by Rosecorp Management Services.

Thanking you in anticipation

Yours sincerely



Mary & Hoe Tong
Owners of Unit 307
Cypress 2-6 Peninsular Drive
Breakfast Point

Simon Truong - RE: Objection to Breakfast Point Concept Plan 2005 MOD 4

88

From: "John Small" <johnwsmall@iinet.net.au>
To: <simon.truong@planning.nsw.gov.au>
Date: 9/08/2013 11:11 AM
Subject: RE: Objection to Breakfast Point Concept Plan 2005 MOD 4
CC: "Peter Marshall" <pjjmarshall@gmail.com>, "Paul Driver" <padriver@bigpond.net.au>, "john clarke" <jhnclarke@yahoo.com.au>, <dlewinto@gmail.com>
Attachments: Breakfast Point CP Mod 4 - Submission to Dept Planning & Infrastructure - August 2013.pdf

Dear Mr Truong,

Further to email my below, please find attached my comprehensive objection.

Regards,

John Small
Chairman
Executive Committee
Fairwater Community Association
14 Breakfast Point Bvd
Breakfast Point NSW 2137
Ph: 02 9743 1820
Mob 0421 345 637
Fax: 02 9743 0861
E-mail: johnwsmall@iinet.net.au

From: John Small [mailto:johnwsmall@iinet.net.au]
Sent: 29 July 2013 11:57
To: 'simon.truong@planning.nsw.gov.au'
Cc: Peter Marshall (pjjmarshall@gmail.com); Paul Driver (padriver@bigpond.net.au); john clarke; dlewinto@gmail.com
Subject: Objection 2 Breakfast Point Concept Plan 2005 MOD 4

Dear Mr Truong,

I submit my objection in the strongest terms to the proposal above. Please note I will be putting a more comprehensive proposal to support this objection soon.

However, given the major impact of this change within Breakfast Point, on the Mortlake Peninsular and more generally in the City of Canada Bay, I first seek that the closing date for submissions be extended by 3 months to 15th November 2013. The impact is so significant that it is simply not possible to provide a comprehensive objection in the inadequate time currently allowed.

Regards,

John Small
Chairman
Executive Committee

Fairwater Community Association
14 Breakfast Point Bvd
Breakfast Point NSW 2137
Ph: 02 9743 1820
Mob 0421 345 637
Fax: 02 9743 0861
E-mail: johnwsmall@iinet.net.au

14 Breakfast Point Blvd
Breakfast Point NSW 2137
9th August 2013

The Director, Industry, Social Projects and Key Sites
Dept of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001
Attention Mr Simon Truong

Objection to Modification Request for Breakfast Point Concept Plan 2005 MOD 4

I object to the Modification Request as it is clearly not in the public interest because:

- It represents a gross breach of faith by the developer with existing residents of Breakfast Point, the Mortlake Peninsular and the City of Canada Bay more generally.
- It will put the developer in breach of contracts for sale with many existing residents.
- Contrary to the developer's representations, it is in breach of the original Council LEP 91 for the site which specifies a maximum 2073 residences
- It is clearly and substantially in breach of the Minister's Determination of Breakfast Point Concept Plan dated 7th April 2006, in particular Condition 7 of that Determination in respect of its failure to:
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- It contains insufficient detail to determine compliance with visitor parking requirements. Given that the developer's own requirements are that visitor parking

will be onsite if offsite parking is not available within 100m, and that the developer's own parking plans show conclusively that there are insufficient spaces offsite, for compliance it would need to have a detailed plan of how all residences and resident parking together with visitor parking can be accommodated onsite.

- The traffic report is grossly inadequate as it shows only traffic at access points to the site and fails to address the significant traffic issues around the site and the Canada Bay area more generally, including the already grossly choked areas of access on Lyons Rd, Burwood Rd and Broughton St across Parramatta Rd, Hospital Rd onto Concord Rd and Homebush Bay Dve, and Correys Ave onto Concord Rd, Centenary Dve, the M4 and Olympic Park. And the report also fails to take account of traffic generated by other developments in the Mortlake area, including Part 3A approval by the PAC in Mortlake, which is itself non-compliant on traffic impacts.
- It is in breach of all previous approvals concerning retention of heritage and historical aspects of the site. Original heritage aspects of the site covered 9 specific structures and, if this were approved that would be reduced to 5, despite the Minister's Determination covering 7. In particular, the developer's Statement of Heritage Impact finds the Plumbers Workshop to be of significant historical value, yet then proposes to demolish it as adaptive reuse is either impracticable or uneconomic. This claim is clearly false: it is contrary to the developer's previous proposals for the site; and particularly given the objection below concerning inadequate community facilities, could easily be put to a use such as an annex to the Country Club with public café facility and heritage display (an area similar to but smaller than the excellent facility established in the public area at the northern end of Garden Island Sydney, containing cafeteria and Naval Museum, comes to mind)
- The developer contends that community facilities on the site are adequate. This is clearly and substantially false. Original approval for Breakfast Point in Master Plan 1999 allowed for 1650 residences. This has already increased by 25% to 2069 and this proposal would increase it by a further 400 residences or 24% giving a total increase of 50% (rounded to nearest integer). At the same time, community facilities proposed for the 1650 residences included Village Green, Multipurpose Chapel (Meeting Hall), Village Centre, Club, Skiff Rowing Facility (Boatshed), Marina (private) as part of a Waterfront Precinct, Wharf, Amphitheatre, Festivity Gathering Place, Playground , Rotunda and Shelter (on the Point), Function Centre (Powerhouse), Fishing Access/Public Jetties and Energy Park and Museum. Consequent on the considerable reduction in the number of community facilities now proposed, and those remaining having been designed for a population contained in 1650 residences, facilities are already inadequate and becoming overcrowded despite only partial occupancy of the site at present. Approval of this proposal would see them as ultimately grossly inadequate.
- The developer's contention that this approval is really only for an additional 173 residences is patently false by his own admission. In seeking approval for the 227 Seniors Living units he now relies on for this proposal, he clearly argued that Seniors Living did not result in any increases in residences. Therefore he is not in a position

to now argue that such residences were previously approved. This proposal is clearly for an increase of 400.

Therefore, I again object to this application as being clearly and substantially contrary to the public interest. I would be pleased to elaborate on any of my points made above, and would be prepared to do so at any PAC hearing resulting from this proposal and the undoubted large number of objections it will receive.

I declare that I have made no political donations.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'J. Small', with a stylized flourish underneath.

John Small OAM

Residential Numbers – Breakfast Point

Precinct	Numbers
Pre-Concept Plan Approvals	876
Concept Plan Approval	989
Total Approved	1865
Additional possible (Condition 7)	200
Potential Total	2065
Plantations	267
- Mod 3	18
- Mod 5	35
The Point	128
- Mod 1	30
River Front	25
Vineyards South	118
- Mod 1	-1
Vineyards North	110
Seashore (see Note 1 over)	246
Country Club North	83
Silkstone	45
Manors North	8
Council - Additional Newbury/York (see Note 2 over)	4
Council - Powerhouse (in prospect – see Note 3 over)	6
Woodlands North (in prospect with Dept of Planning)	144
Total (given or in prospect)	2142

Notes:

1. Seashores – consisting of 222 apartments in new buildings, 8 Torrens title townhouses and 16 apartments to go in the Plumber's Workshop – total 246
2. Newbury/York additional 4 – approved by Council within the Master Plan 2002 area, noting this Plan is not specific as to where those numbers will occur on the site. Further, it is also very clear in the Minister's determination that he is concerned with total numbers on the site covered by the Master Plan, even though his determination covers only part of the site. Therefore these numbers must remain in
3. Powerhouse – Council records point to advanced discussions on change of use with the addition of 6 residences. Council also asserts that they have consulted with Dept of Planning on this application - see extract from Council minutes of 17th March 2009 immediately below:

“ITEM POWER HOUSE BUILDING BREAKFAST POINT

RESOLVED

(Crs McCaffrey/Fasanella)

1. THAT the General Manager be authorised to have further discussions with the Department of Planning and Rose in regard to the following matters:
 - (a) Agreement to retain buildings of historical significance for adoptive reuse on site if Power House Building is demolished (eg. plumbers workshop);
 - (b) The proposal to enable key heritage elements within the Power House Building to be displayed in landscaped areas within the Breakfast Point Development area;
 - (c) The process of consultation proposed with the Breakfast Point Community and the broader Mortlake Community on the Development Application for the demolition of the Power House Building and the erection of 6x2 storey dwellings on that site;
 - (d) The means to assess the "Public Benefit" be provided in lieu of the dedication of the Power House Building and its curtilage to Council for public use.
2. THAT the General Manager prepares a further report to Council once those matters have been clarified.”

Simon Truong - Breakfast Concept plan 2005 MOD4

From: "Patrick Murray" <pat4june@bigpond.net.au>
To: <simon.truong@planning.nsw.gov.au>
Date: 14/08/2013 3:42 PM
Subject: Breakfast Concept plan 2005 MOD4
CC: "john sidoti" <drummoyne@parliament.nsw.gov.au>

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RE BREAKFAST POINT CONCEPT PLAN 2005 MOD 4

Dear Mr Truong,

I am writing to you as a resident of Breakfast Point for over 8 years to express my concern at the continuing changes that Rosecorp. is forcing onto community which are way over the original concept plan. They continue to use all sorts of pretexts to convince councils and governments of the need to increase their concentration of buildings in their development and consequently their profits.

There was originally space allocated for 227 seniors units (units NOT apartments !) and now proposes to call them apartments of 1,2,3 bedrooms (not a room for an elderly person)

This breaches the original Master Plan of 1999 which allowed 1650 residences, this was increased by 25% to 2069 and this proposal will increase it by 400 UNITS (residences) which is approximately a 50% increase in the density originally allowed. The residents facilities such as gym, swimming pool, country club, meeting rooms etc are stretched now at peak times.

I live in one of the older buildings built to the original planning permit and it is a pleasure to walk or drive in this vicinity. As you progress into the more recently built on areas it is apparent that there is overcrowding for people and for parking their vehicles. There is friction amongst residents over parking as Rosecorp have reduced residents, and visitor spaces.

The planned new buildings will exceed original plans, some with a change in roof design to have a flat roof structure with more residences in what was a hipped or gable design. and affecting the sight lines of current building. It fails to address the parking problems and significant traffic issues in the Canada Bay area.

I submit that Breakfast Point Pty.Ltd. aka. Rosecorp must adhere to the last concession given to them as their demands are excessive and will be injurious to the amenity of the existing residents and grossly so to buyers of apartments that would result from approval given to their recent profit grab (sometime called "developers creep")

yours faithfully, PATRICK MURRAY 113/18 Village drive Breakfast point 2137 ph. 9736-3005, 0429 929 963

OP

52/21 Tennyson road
Breakfast Point
NSW 2137

14th August 2013

Department of Planning and Infrastructure
Major Projects Assessment,
GPO Box 39
Sydney. NSW. 2001

Attention: Director, Industry, Social Projects and Key Sites

Dear Ms Warton,

Re: Breakfast Point Concept Plan 2005 Mod 4

Firstly, I would like to express my disappointment at a 30 day window to consider such a large modification to the concept plan. My initial request is that the time period be extended to 90 days to allow for proper consultation with the community.

When I purchased my apartment "Off the Plan" in 2001, my purchase was based on the Concept Plan 1999 which allowed for 1650 dwellings.

My objection to the proposed modification is based on the following points,

1. The increase in dwellings from the initial 1650 of the initial master plan to somewhere in the order of 2469 with no increase in the amenity of the community.
2. Community facilities, provided for 1650 dwelling, being inadequate to fulfil the needs of the increased population.
3. The signification change to the roof structures design from the current pitched roof, which applies to all existing buildings within Breakfast Point, to flat roof design, is totally inconsistent with the roofing design standards of existing building. A flat roof may require lift wells and plant etc. to be placed on the top of the building.
4. The increase in the number of floors from five to six.
5. The demolition of the Plumber's workshop heritage building and the replacement with a larger envelope building on the site does not comply with the approved master plan.

6. The disparity in unit entitlements on the established Stratas will cause disquiet within the established community.
7. Potential impact on property prices due to overdevelopment of Breakfast Point.
8. Parking is a very big issue within Breakfast Point particularly since the previous reduction in the number of three and two bedroom apartments in favour of one bedroom apartments, which have only one car space and two bedroom apartments having 1.5 car parking spaces on average. The current parking plan does not have the capacity for additional on street visitor parking.
9. Traffic congestion impact not only in Breakfast Point but also the Mortlake Peninsula the traffic report does not address this issue.

When the Planning Assessment Commission has its public hearing I would like the opportunity to verbalise my concerns to provide grounds for the Department of Planning and Infrastructure to refuse the project proposal.

Yours faithfully,

Paul Driver

Paul Driver

Simon Truong - OBJECTION Breakfast Point Concept Plan 2005 Mod 4

From: john clarke <jhnclarke@yahoo.com.au>
To: "simon.truong@planning.nsw.gov.au" <simon.truong@planning.nsw.gov.au>
Date: 15/08/2013 5:01 PM
Subject: OBJECTION Breakfast Point Concept Plan 2005 Mod 4
CC: John Clarke <jhnclarke@yahoo.com.au>
Attachments: 400 extra.docx

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Mr Truong

Attached please find my submission regarding the proposal to modify Breakfast Point Concept Plan 2005

I have no objection to my submission being added to the Departments website

John Clarke
8 Breakfast Point Bvd
Breakfast Point

8 Breakfast Point Bvd
BREAKFAST POINT NSW 2137

The Director, Industry, Social Projects and Key Sites
Dept of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001
Attention Mr Simon Truong

Objection to Modification Request for Breakfast Point Concept Plan 2005 MOD 4

I object to the Modification Request as it is clearly not in the public interest because:

- Contrary to the developer's representations, it is in breach of the original Council LEP 91 for the site which specifies a maximum 2073 residences
- It is clearly and substantially in breach of the Minister's Determination of Breakfast Point Concept Plan dated 7th April 2006, in particular Condition 7 of that Determination in respect of its failure to:
 1. Maintain or improve the amenity of existing residents and approved buildings (see also below on Community Facilities)
 2. Maintain and not obstruct existing view corridors and vistas, and
 3. Not result in a significant loss of open space
- As the DG's approval of Condition 7 was not subject to public consultation, it calls into question the legality all subsequent approvals which rely on it, including any purported approval of this proposal.
- It contains insufficient information to fully determine the breaches above due to its complete lack of detail beyond conceptual outlines for the buildings it proposes, however see below on storeys and roof lines
- It breaches conditions regarding numbers of storeys in buildings which have been consistent since original approvals in Master Plans 1999, 2002 and the Minister's Determination of 2006
- It is in breach of the requirement that buildings will have predominantly hipped and gable style roofs.
- It contains insufficient detail to determine compliance with visitor parking requirements. Given that the developer's own requirements are that visitor parking will be onsite if offsite parking is not available within 100m, and that the developer's

own parking plans show conclusively that there are insufficient spaces offsite, for compliance it would need to have a detailed plan of how all residences and resident parking together with visitor parking can be accommodated onsite.

- The traffic report is grossly inadequate as it shows only traffic at access points to the site and fails to address the significant traffic issues around the site and the Canada Bay area more generally, including the already grossly choked areas of access on Lyons Rd, Burwood Rd and Broughton St across Parramatta Rd, Hospital Rd onto Concord Rd and Homebush Bay Dve, and Correys Ave onto Concord Rd, Centenary Dve, the M4 and Olympic Park. And the report also fails to take account of traffic generated by other developments in the Mortlake area, including Part 3A approval by the PAC in Mortlake (Hilly St), which is itself non-compliant on traffic impacts.
- The developer contends that community facilities on the site are adequate. This is clearly and substantially false. Original approval for Breakfast Point in Master Plan 1999 allowed for 1650 residences. This has already increased by 25% to 2069 and this proposal would increase it by a further 400 residences or 24% giving a total increase of 50% (rounded to nearest integer). At the same time, community facilities proposed for the 1650 residences included Village Green, Multipurpose Chapel (Meeting Hall), Village Centre, Club, Skiff Rowing Facility (Boatshed), as part of a Waterfront Precinct, Wharf, Amphitheatre, Festivity Gathering Place, Playground, Rotunda and Shelter (on the Point), Function Centre (Powerhouse), Fishing Access/Public Jetties and Energy Park and Museum.

Consequently with the considerable reduction in the number of community facilities now proposed, and those remaining having been designed for a population contained in 1650 residences, facilities are already inadequate and becoming overcrowded despite only partial occupancy of the site at present. Approval of this proposal would see them as ultimately grossly inadequate.

- The developer's contention that this approval is really only for an additional 173 residences is wrong by his own admission. In seeking approval for the 227 Seniors Living units he now relies on for this proposal, he clearly argued that Seniors Living did not result in any increases in residences. Therefore he is not in a position to now argue that such residences were previously approved. This proposal is clearly for an increase of 400.

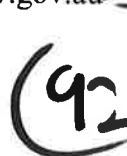
I again object to this application as being clearly and substantially contrary to the public interest. I would be pleased to elaborate on any of my points made above, and would be prepared to do so at any PAC hearing resulting from this proposal and the undoubted large number of objections it will receive.

I declare that I have made no political donations.

Yours faithfully,
John Clarke
15 August 2013

Simon Truong - Breakfast Point Concept Plan Mod 4 Objection

From: john clarke <jhnclarke@yahoo.com.au>
To: "simon.truong@planning.nsw.gov.au" <simon.truong@planning.nsw.gov.au>
Date: 16/08/2013 1:21 PM
Subject: Breakfast Point Concept Plan Mod 4 Objection
CC: John Clarke <jhnclarke@yahoo.com.au>
Attachments: 400 Apts BPRG.doc



Mr Truong

Attached is an objection submission to BP Concept Plan 2005 Mod 4

We have no objection to it being posted on the Departments web site

Could you please acknowledge this submission

Thank You

John Clarke
Secretary
Breakfast Point Residents Group



breakfast point residents group

The Director, Industry, Social Projects and Key Sites
Dept of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Attention Mr Simon Truong

Objection to Modification Request for Breakfast Point Concept Plan 2005 MOD 4

We write to object to the Modification Request (Mod 4), as it is not in the public interest.

Our objections are based on

- Increase in proposed number of dwellings which will take the number of dwellings from the original 1650 to in excess of 2400, an increase of approx 50%
- The consequential impact of this growth on external and internal infrastructure particularly road networks
- The inadequate parking facilities within Breakfast Point for the increased number of vehicles.
- The lack of consideration of the impacts on traffic flows and public transport of this increase and the consequential impacts of decisions to allow excessive development in the Mortlake and Breakfast Point areas. The Hilly Street precedent will double traffic numbers in the Tennyson Rd area.
- The impact of the increased numbers on the already strained and diminished community facilities which were a significant part of the initial proposal by the Developer
- The developers failure to provide the number of indicated facilities set out in the initial master plan
- Similarly the impact of the increased numbers on Council infrastructure and facilities by this proposal will further strain Councils ability to meet its obligations to all ratepayers.

- It is in breach of all previous approvals concerning retention of heritage and historical aspects of the site. In particular, the developer's Statement of Heritage Impact finds the Plumbers Workshop to be of significant historical value, yet then proposes to demolish it as adaptive reuse is either impracticable or uneconomic
- The contention that this approval is really only for an additional 173 residences is misleading. In seeking an earlier Modification of the Concept Plan wherein approval was given for the 227 Seniors Living units on which he now relies for this proposal, he clearly argued that Seniors Living did not result in any increases in residences

Concern is expressed at the previous modifications to the Concept Plan in that they were not promulgated widely to owners. These have resulted in Dwelling Cap being removed, public access to a community facility, now deleted, in the Power House site and dwelling numbers being increased. Each of these was significant but barely notified which is in stark contrast to the current proposal. These earlier modifications have given rise to this latest proposal

We recognise that the site will be developed. Our concern is the "over development". Should there be a more considered further application by the Developer we point out the continued need for improved and increased community facilities due to this and future breaches of the original number cap. Such facilities should be all those originally proposed plus adequate additional items to meet community's demand.

Further, there needs to be continued financial contributions as required under item 9 of the April 2006 approval. These funds need to be at least escalated to current value and paid up front to allow an agreed program of work to be completed prior to this development completion.

We are happy to meet with officers to discuss our concerns or to appear at a public hearing to elaborate on our views.

The Breakfast Point Residents Group does not make any contribution to political parties.

Yours faithfully

John Clarke

Secretary

16 August 2013

Simon Truong - Breakfast Point Concept Plan 2005 Modification 4

From: <lvotoole@aol.com>
To: <simon.truong@planning.nsw.gov.au>
Date: 16/08/2013 4:34 PM
Subject: Breakfast Point Concept Plan 2005 Modification 4



Breakfast Point Concept Plan 2005 Modification 4 Submission
NSW DEPARTMENT OF PLANNING AND INFRASTRUCTURE
16th August 2013

Dear Simon ,
Herewith my submission for the above application .

The Breakfast Point Concept Plan 2005 is now to be considered for yet another modification . This is the fourth time that the residents have had to make a submission .

The residents of Breakfast Point were informed at a public meeting on the 3rd August 2013 that Rosecorp are seeking approval for an increase of 400 additional residential apartments.

The original concept plan had a total of 1,650 residential apartments and the current application ,if approved, will increase the total to more than 2,460 .

The residents and the site will be now have to manage an increase of 50% .

There were restrictions placed on the area that could be built on . They mainly applied to areas that contained the residual remediated material that was not removed from the site . The main storage site was under the oval and the Country Club .

This did mean that the original concept plan was based on the areas that had been remediated and approved for building 1,650 dwellings .

Now the application proposes that the road and street plans that were designed to service 1,650 apartments have to encompass a massive 50% increase.

PARKING

The constant usage of the roads, by heavy building equipment being hauled to the site and workers cars, are not only damaging the roads but denying the residents parking spaces for visitors . The whole site of the former owner AGL had to be remediated . Clean soil replaced contaminated land so the road base appears not to be as firm as an uncontaminated site .

The increase in numbers of new residents using the roads can be assessed to number an extra 800 people. This figure was determined by allowing a minimum no of 2 residents to each of the proposed 400 apartments . There would be a variant in these figures depending on the number of residents in each

apartment .

There are concerning issues, regarding the inability to find on street parking within Breakfast Point. It appears to be due to the continued practice by Rosecorp of assigning designated visitor car spaces, to the streets of Breakfast Point .

Tandem parking which has been allowed in some apartment complexes, appears to be increasing on street parking . The necessary shuffling of car positions, in tandem car spaces, appear to discourage both cars, being parked in the garage and inevitably, one of the cars is parked on the street .

I have often parked in the NSW Parliament car park . I can imagine the chaos, if the number of parliamentarians was doubled . It would match what we are to face, if these apartment numbers, add a 50% departure from the original concept .

ARCHITECTURAL CHANGES

These include an alteration in the roof structure design from a pitched roof (which applies to all current buildings) to a flat roof design . If adopted these changes will cause what was a pleasing overall view to a major departure from the original advertised architecture style .

The flat roof apparently has been chosen so that the number of floors can be changed from 5 to 6 .

It also may mean that an entertainment area can be built on the flat roof . This could mean that neighbours bedrooms would be impacted by the noise from parties held on the roof .

It is debatable whether a flat roof would provide the necessary cooling during Sydney's hot summers . Does it comply with a best practice BASIX design ? Would air conditioning not be essential when there is no roof space ?

HERITAGE BUILDINGS

ROSECORP have demonstrated that the preservation of protected heritage buildings in Breakfast Point can be an asset to the community . The present sales office has been tastefully preserved for future generations . Government planners in the past have sought the preservation of historical buildings . None are more applauded than the Rocks .

I hope that the all the existing heritage buildings will be preserved as the Pump Station has been . The destruction of the wharf which majestically formed one side of Kendall Inlet was a tragic loss to the history of this site . I have some amazing photographs of the wharf at sunset but they do not replace the actuality .

The meeting held at the community meeting was well attended and the votes taken indicated that the majority of residents were against MODIFICATION 4 .

The government have recently approved the Hilly Street Development despite the narrow streets and lack of parking (not that they will need many cars because the developer is going to distribute push bikes to all the owners) . I mention that approval because the parking overflow will impact Breakfast Point .

Planning decisions should take into account any surrounding proposed developments . This narrow peninsula with narrow roads has been subject to extensive development .All new developments and modifications should consider the impact on the area as a whole .

Public Transport is limited . The nearest railway station is Concord West Station which is about 10km away .

The bus service to the city in non peak hours takes 1 hour .

The ferry service is limited and often leaves travellers on the wharf .

I am sure the committee would be available to show the decision makers the problems that I have reported . Please contact me if anyone would like to attend . I served on Strathfield Council for nearly 10 years , as a Councillor and then Mayor . I was one of the Local Government representatives on the Olympic Local Government Liaison Committee .

I also served on the Olympic Events Committee . The committee traffic management plans were always tested by holding several events simultaneously at all the venues, during peak hours .

Overdevelopment due to constant modifications causes community disharmony .

I thank you for your consideration .

Laurel O'Toole Hunters Wharf Breakfast Point

I