

Matthew Rosel

From: Aaron Sutherland <aaron@sutherlandplanning.com.au>
Sent: Friday, 29 August 2014 5:26 PM
To: Matthew Rosel; Mark Brown
Cc: Chris Ryan; jhanley@imanager.net.au; Fiona Gibson
Subject: RE: Brick Pit - Council's and RMS' comments
Attachments: RMS 26-08-2014.pdf

Matthew,

I note that the RMS letter is in response to MOD 4 which is a minor housekeeping matter that Fiona Gibson is dealing with.

In relation to MOD 3, the Council letter is particularly disappointing and fails to acknowledge many of the responses provided in the amended documentation.

For background, we attempted to engage in a workshop process with Council following receipt of their first letter of objection when the S75W was originally exhibited. On 15 April 2014 I received the attached email from Mark Adamson, Manager of Assessments at Council declining to engage in a workshop process with us. As a result, we commenced a series of meeting with Mark and others from the Department instead which proved to be a productive exercise which led to the amendments to the scheme.

Despite meaningful and significant amendments to the proposal, Council have objected again and I note some of the most concerning or contradictory elements in their latest submission:

- Council suggest that the 17% increase in housing targets under the Draft Metropolitan Strategy should be applied on a site by site basis which lacks a fundamental understanding of the nature of delivery of housing to meet these targets where some sites are much more capable of delivering housing than others.
- Council suggest that the approved FSR should be expressed as 1.8:1 despite the Department's assessment report which notes the FSR as being 1.43:1. Payce have obtained legal advice that "the development" includes both the proposed buildings and the park which are permissible within their respective areas of the site, such that there is no proposed development which is prohibited, and therefore the entire site must be used when expressing the proposed FSR. Irrespective, the Department is not bound by the semantics of this debate and have already advised that their primary consideration in relation to density is relates to the built form outcome, amenity and compatibility.
- On one hand the Council state that the 9 storeys proposed to Flora Street will be incompatible with 5 storeys on the eastern adjacent site, but the proposed development should provide an increased eastern side setback to provide a RFDC separation of 24m in the event that higher buildings are allowed by Council on the eastern adjoining sites. If higher buildings will be supported by Council on the eastern adjoining site in the long term, this would resolve any purported incompatibility (we maintain that compatibility issues have now been resolved) with the proposed height on the subject site. However, if higher buildings on the eastern adjoining site will not be supported by Council in this future, then there is no need to provide a greater separation distance.
- Council suggest that Kirrawee train station has "limited services and limited capacity". Kirrawee train station was recently rebuilt as part of the duplication of the remaining single track sections of the Cronulla line, under the CityRail Clearways Project. The duplication was completed in 2010 at considerable expense to the State which increased the capacity of the rail network.
- The Council suggest that the proposal does not address the job targets of the Draft Metropolitan Study yet the development will deliver a significant quantum of job generating uses.
- Council have again stated that it is unclear why the lake has been relocated to the northern part of the site, despite the Response to Submissions outlining that "The water body has been relocated to improve visual connectivity between the park and the development, and also to locate the passive open portion of the park at the southern end where it will receive the most sunlight to the benefit of the community".

- The Council have again stated that it defies logic that 300 residential units can be added to the site without any material impact on traffic generation, despite acknowledging previously that the RMS have issued new trip generate rates, which appropriately form the basis of the traffic assessment of the amended S75W scheme.

Once you have had an opportunity to review the Council's letter, we would like to meet with you to understand the Department's view and whether you require a further response again. I note that many of Council's objections seem to have disregarded the responses that we have already provided to the issues at hand.

We look forward to discussing the matter further with you next week.

Kind regards

AARON SUTHERLAND

Director

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From: Matthew Rosel [<mailto:Matthew.Rosel@planning.nsw.gov.au>]

Sent: Friday, 29 August 2014 3:49 PM

To: Aaron Sutherland; Mark Brown

Cc: Chris Ryan; jhanley@imanager.net.au

Subject: RE: Brick Pit - Council's and RMS' comments

Hi Aaron,

Council's submission is attached as requested. I notice that RMS' submission isn't showing online so I have attached it too.

Kind regards

Matthew Rosel

Senior Planner, Metropolitan Projects

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