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Attention: Aaron Sutherland – Director

Proposal: Section 75W Modification (MOD5) to Concept Plan for Kirrawee Brick Pit (MP10\_0076) - amend Condition A4A to permit an alternative apartment mix and increase apartments from 749 to 808.

Property: 566-594 Princes Highway, Kirrawee

Dear Aaron,

Ason Group has been commissioned by Combined Projects (Kirrawee) Pty Ltd (the Applicant) to provide transport and traffic consultancy services to support the proposed modifications to the approved Concept Plan for mixed-use development at 566-594 Princes Highway, Kirrawee (the Site). The Site is located within the local government area of Sutherland Shire Council. The currently proposed MOD5 modifications – sought under Section 75W of Part 3A of the Environmental Planning and Assessment Act 1979 – generally seek to increase the dwelling cap from 749 dwellings to 808 dwellings (the Proposal).

As part of the MOD5 application, Ason Group provided a Traffic Impact Assessment (TIA) report dated 06 March 2017 (the 2017 TIA report) that assessed the Proposal, focussing on the key aspects of Car Parking and Traffic Impacts. The TIA report concluded the following:

- *The parking analysis demonstrates that the modified scheme, which proposes no additional resident or visitor car parking, is acceptable on parking grounds as it is consistent with the maximum parking rates of the Concept Plan approval and the RMS parking rates applicable to the Site under SEPP 65. Furthermore, the Proposal would have no detrimental operational or functional impacts, (as it) benefits from the Site's high level of public transport accessibility and would further encourage the use of public transport and other alternative/active transport modes to access the Site.*
- *The traffic analysis above demonstrates that the current MOD5 development, which proposes 59 additional units, is acceptable as the increase in peak hour traffic generation is negligible compared with the forecast traffic generation of the approved DA scheme and (more importantly) the forecast peak hour traffic generation of the entire Site with the additional 59 units is still significantly lower than the permissible traffic generation threshold defined by the 2011 Halcrow TMAP that supported the original Concept Plan approval.*

In response to the application, Council has provided comments in a letter dated 3 May 2017 (the Council letter), which includes comments on parking and traffic generation. The remainder of this letter provides our response to Council's comments. We provide our response herewith.

## **Parking**

In summary, Council contends that the Proposal results in a shortfall of 36 car parking spaces based on the application of the Concept Plan parking rates, and that this shortfall, "*will have unacceptable impacts in the locality*".

This statement is however incorrect as it fails to acknowledge that the Concept Plan parking rates are maximum parking rates, and as such, there can be no theoretical shortfall in car parking. Accordingly, the Proposal, which provides 1,023 parking spaces in response to a maximum permissible car parking provision 1,059 spaces (using Council's numbers) is clearly compliant with the Concept Plan parking rates.

Regarding the perceived unacceptable impacts arising from Council's position that the provision of 1,023 parking spaces for the residential component represents a shortfall in parking, it is important to note that due

to the Site being within 800 metres of Kirrawee train station, the applicable residential parking controls for the Proposal are covered by State Environmental Planning Policy No. 65 (SEPP 65) Design Quality of Residential Flat Development, which – as a result of the relatively recent Amendment No. 3 to the SEPP – stipulates that the minimum car parking rates for the Proposal are the RMS metropolitan sub-regional centre rates presented in the 2002 RMS *Guide to Traffic Generating Developments* (the RMS Guide).

Application of these rates to the Proposal indicates a minimum parking requirement of 846 spaces, which – when compared with the proposed parking provision of 1,023 spaces – indicates that the Proposal provides 177 spaces (21%) more than the statutory minimum parking requirement of the Proposal.

In summary, the provision does not represent a shortfall in parking but rather represents a generous supply of car parking that significantly exceeds the minimum parking requirement of the controls applicable to the Proposal, and accordingly the Proposal remains acceptable on parking grounds and would not result in unacceptable impacts.

### Traffic Generation

In summary, Council acknowledges that the Proposal would generate in the order of (just) 15 additional trips per hour (during the weekend peak hour and just 9 additional trips during the weekday evening peak hour) and that this, *“increase in movements on and off the site can be accommodated”*. Indeed, the Council letter does not suggest that the traffic generation is unacceptable; however, it states that if, *“the Department is of a mind to recommend approval for the current modification, it would be fair and reasonable to require the applicant to also contribute toward road work to cater for additional traffic generated”*.

To assess the veracity of Council’s position that additional contributions are warranted, it is important to understand the history of the project as it relates to upgrade works within proximity of the Site.

Firstly, based on the available trip rate data at the time – and through coordination with RMS – the 2011 Halcrow TMAP that supported the original Concept Plan approval for the Site, calculated the peak hour traffic generation for the Site during the critical periods to be:

- 1,117 trips during the Thursday evening peak hour, and
- 1,213 trips during the Saturday peak hour.

Based on this level of traffic generation, a package of improvements was developed to mitigate the traffic impacts arising from the Proposal and specifically to accommodate traffic generation volumes listed above. These upgrades – which were to be constructed by the Applicant – can be summarised as:

- Regional (RMS) Upgrades – consisting generally of improvements to intersections on the Princes Highway, and
- Local (Council) Upgrades – consisting generally of improvements to Oak Road and Flora Street and conversion of the intersection of these 2 streets from a roundabout junction to a signalised crossroads intersection.

These improvements not only accommodated the development traffic, but also improved traffic conditions for existing drivers in the area. Importantly, subject to the delivery of the package of improvements, the peak hour traffic volumes listed above effectively became ‘permissible’ levels of peak hour traffic for the Site.

It is noted that as part of the RMS Gateway to the South Pinch Points Program – a \$300 million program to address critical pinch points along Sydney’s key southern corridors with the aim to ease congestion and improve journey reliability – RMS revisited the design and form of the previously proposed regional upgrades and is now in the process of designing and delivering an alternative (more extensive) package of upgrades. RMS confirmed that alternative upgrades were being developed based on accommodating the permissible traffic volumes listed above. Furthermore, RMS took on the responsibility for delivering the regional upgrades.

Delivery of the local upgrades remained the responsibility of the Applicant and it was agreed that the Applicant would contribute funds towards the RMS regional upgrades equivalent to the costs that were associated with the original regional upgrades. In summary, the Applicant contributed directly – either through actual construction or contribution – to improvements that retained the traffic generation volumes above as permissible traffic volumes for the Site.

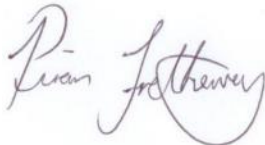
Regarding the MOD5 Proposal, traffic analysis in the 2017 TIA report applied current trip rate data that was not available in 2011 when the original Concept Plan was assessed. This data included the 2013 updated RMS residential trip rates and actual survey data of similar shopping centre uses. Based on the application of this data, the 2017 TIA report determine that the current Proposal would generate:

- 377 fewer trips (a reduction of 33.8%) during the Thursday evening peak hour when compared with the permissible traffic volumes, and
- 334 fewer trips (a reduction of 27.5%) during the Saturday peak hour.

In summary, based on the 2011 traffic analysis that informed the original Concept Plan approval for the Site, the Applicant has constructed and/or contributed to improvements that effectively set a permissible level of traffic that can be generated by development at the Site. The analysis in the 2017 TIA report – which is based on current trip rate data – indicates that the Site is now expected to generate traffic volumes significantly lower than the adopted permissible levels. Accordingly, the Proposal remains supportable on traffic planning grounds as the committed regional and local upgrades (that are currently being delivered) have been developed to accommodate significantly more traffic than is now expected for the Site and therefore contrary to Council's position, it would be unfair and unreasonable to seek further contributions from the Applicant.

Should you have any questions, please contact the undersigned.

Yours sincerely,



Piran Trethewey

**Director – Ason Group**

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