

## Response to submissions – Breakfast Point Concept Plan 2005 – Modification 1

The following table summarises and responds to the submissions made regarding the proposed modification to the approved Concept Plan at Breakfast Point that proposes, inter alia, a serviced self care housing component within the Seashores Precinct. The submissions are divided into those from public authorities and those from the wider public.

There are 3 submissions from State agencies (all related to public transport/buses), one from the Council (regarding contributions, rather than an objection) and 8 from existing residents within the Breakfast Point Masterplan area (noting two submissions are from the same author).

The issues raised in submissions neither warrant any change to the proposal (by submission of a preferred project), or refusal of the proposal.

No.	Address/Objector	Issue(s)	Response
<b>Public Authorities/Agencies</b>			
1	Sydney Buses	<ul style="list-style-type: none"> <li>• Bus services are important to Canada Bay residents.</li> <li>• Public transport has not been addressed, as no direct bus service is available within the site, and an extra 227 dwellings will make this more problematic, especially as they are seniors.</li> <li>• Travel behaviour within the site is not likely to reach the State target of 28% public transport use.</li> <li>• Recommend the developer/DoP and STA liaise and implement a bus service through the site, with infrastructure to be</li> </ul>	<ul style="list-style-type: none"> <li>• It is agreed bus services are important to the area.</li> <li>• There are 227 serviced self care housing units proposed. However, many units previously approved are being reduced in size, so the net change in bedrooms (including the seniors living), is an increase of 67 bedrooms.</li> <li>• The site has good access to bus services along Tennyson Road. The development was designed to accommodate Sydney Buses, along a route determined with the State Government previously and outlined in the approved Concept Plan. This included carriage design, width, grades, turning circles and reinforcement to accommodate buses. Buses</li> </ul>

		provided/met by the developer.	<p>have not subsequently been provided within the site, however this is a matter for Sydney Buses.</p> <ul style="list-style-type: none"> <li>• The process of determining whether to provide buses in the site has been the subject of extensive consideration and public consultation by the State Government in 2009 and 2010, which has recently been completed. That process concluded that buses should not be provided within the site.</li> <li>• The developer remains supportive of providing buses within the site, along the routes approved in the Concept Plan. While generally supportive of the recommendation made by Sydney Buses, the recommendation may have been made without knowledge of the extensive process that has occurred, and this should be clarified with Sydney Buses prior to including the condition suggested.</li> </ul>
2	Transport NSW	<ul style="list-style-type: none"> <li>• Additional parking is not justified in terms of transport and access benefits.</li> </ul>	<ul style="list-style-type: none"> <li>• The additional parking is justified and meets Council requirements.</li> </ul>
3	RTA	<ul style="list-style-type: none"> <li>• The Traffic and Transport report should address non-car travel modes and the provision of facilities to increase public transport use.</li> <li>• STA should be consulted.</li> </ul>	<ul style="list-style-type: none"> <li>• This has been addressed, particularly in terms of bus access (also see above).</li> <li>• STA was consulted and their comments, together with a response, is provided above.</li> </ul>
4	Canada Bay Council	<ul style="list-style-type: none"> <li>• A s94A levy should be applied to the development (1% of cost).</li> </ul>	<ul style="list-style-type: none"> <li>• s94 contributions have been addressed in the Environmental Assessment (EA). Particular regard should be given to the likely reduction in the</li> </ul>



			population on site, and the principles of s94. Given the resulting decrease in population, a s94 (or s94A) contribution should not be applied. However, the proponent is willing to negotiate a reasonable contribution with the Department of Planning and Council.
<b>Public submissions</b>			
1	13/20 Orchards Avenue, Breakfast Point	<ul style="list-style-type: none"><li>• The seniors living will cut-off access to landscaped public open space and there will be too much traffic.</li></ul>	<ul style="list-style-type: none"><li>• This is factually incorrect. The proposed seniors housing will not cut off access to landscaped public open space.</li><li>• Landscaped open space within the whole precinct will not be diminished.</li><li>• Traffic impacts have been addressed in the EA and the proposal will result in a negligible traffic impact compared to the approved development.</li></ul>
2	24/56 Village Drive, Breakfast Point	<ul style="list-style-type: none"><li>• Not objecting to a Seniors Living development, only seeking clarification (regarding beds and bedrooms and heritage listing of the Plumbers Workshop).</li><li>• The contribution towards the cost of the Country Club should be clarified if the seniors' residents have access to it.</li><li>• Health facilities should be committed to at this stage.</li></ul>	<ul style="list-style-type: none"><li>• The issues requiring clarification are not significant and reasonably able to be deduced from the EA.</li><li>• The levies and contributions within the development and from individual owners are a matter for the subdivision stage.</li><li>• The intention regarding health facilities is outlined in the EA.</li></ul>
3	16/22 Admiralty Drive, Breakfast point	<ul style="list-style-type: none"><li>• Agree with the need for a seniors living precinct.</li></ul>	<ul style="list-style-type: none"><li>• The proposal is not the same as what exists on site currently. There will be cleaning and assisted</li></ul>

		<ul style="list-style-type: none"> <li>Do not agree with “self care”, as this is what exists now on the site. “Assisted care” and “full care” is needed (with suggestions made of how the development could be amended to provide assisted and full care).</li> </ul>	<p>care/personal care/nursing available on demand, and the design and layout will be such to address the needs of older people. While the proposal is not for “full care” seniors housing, it will improve the provision of housing for older people in the area.</p>
4	15 Market Street, Breakfast point	<ul style="list-style-type: none"> <li>Motherhood statements in the EA.</li> <li>The modest increase in bedrooms in this proposal needs to be considered with the original plan for 876 dwellings, wherein changes over time have been substantial. This is also the case for the access and availability of services for existing residents, drainage, landscape usage etc.</li> <li>Residents have more affluence and higher car usage/ownership than “the average” and the traffic assessment underestimates impact, including from visitors.</li> <li>Additional residences within approved envelopes will create “rabbit warrens” and this will affect its context.</li> <li>The built form is being changed by retaining the Plumbers Workshop building, contrary to a claim it is not changing.</li> </ul>	<ul style="list-style-type: none"> <li>The statements within the EA are supportable having regard to the proposal, the history, the site and its impacts.</li> <li>The main change on the site occurred with the approval of the Concept Plan. This proposal seeks to amend that Concept Plan, and the development overall remains substantially the same, notwithstanding the proposed changes.</li> <li>The overall density is within the LEP standard for the site, and the population, particularly having regard to the seniors housing and the nature of that development, is such that overall services for the existing community will not be significantly affected.</li> <li>The proposal will not result in “rabbit warrens”. The provision of SEPP 65 can be considered for residential flat buildings at the Project Application stage, and the resulting amenity of dwellings will be high.</li> <li>It is true that the built form is changing by retention of the Plumbers Workshop Building and this has been made clear in the EA, and is a positive built form outcome.</li> </ul>
5	Ms M Eliasek (address unknown) – NB	<ul style="list-style-type: none"> <li>The removal of the land [for seniors housing]</li> </ul>	<ul style="list-style-type: none"> <li>The seniors housing component is not residential</li> </ul>

	<p>see submission No. 7</p>	<p>must reduce the 2065 apartment cap.</p> <ul style="list-style-type: none"> <li>• There should be a stocktake on the number of apartments and parking spaces (and questions regarding what has been approved).</li> <li>• Inadequate car parking/off street parking, including for staff.</li> <li>• Bus stops may reduce street parking</li> <li>• Woodlands access is limited/an additional road is needed.</li> </ul>	<p>apartments. In any event, the inclusion of seniors housing has occurred with subsequent reductions in the total number of bedrooms elsewhere, such that the overall density is almost identical. The overall density is within the LEP standard for the site.</p> <ul style="list-style-type: none"> <li>• There is an existing condition (No. 14) requiring the equivalent of a “stocktake”, which has been fully complied with to date.</li> <li>• The on-street/visitor parking within the site meets the requirements of the approved Concept Plan. Indeed, an additional 182 visitor spaces have been provided above requirements, and this excludes the spaces that may be needed if bus stops are provided within the site.</li> <li>• Adequate car parking is proposed and has been provided to date.</li> <li>• Detailed access and parking issues can be addressed at the Project Application stage.</li> </ul>
<p>6</p>	<p>Owners Corporation, Mulberry Hill, 25 Market Street breakfast Point</p>	<ul style="list-style-type: none"> <li>• Fundamental change to the development and the consequent lifestyles of people who originally purchased.</li> <li>• Lower property values.</li> <li>• Another change to the original concept plan.</li> <li>• Will complicate governance and administration, which is already fractious</li> </ul>	<ul style="list-style-type: none"> <li>• The proposal is a change, but does not fundamentally change the whole development, in its full context.</li> <li>• Property values are not a valid planning consideration.</li> <li>• The overall changes to the Concept Plan have not been as numerous as one may expect for a development of this size.</li> <li>• The governance system is able to be rationally established, although it is difficult to predict or regulate for how systems are administered or for</li> </ul>

			possible future internal friction. There are avenues through the Department of Fair Trading if any implementation disputes arise in governance or implementation.
7	11/1 Woodlands Avenue, Breakfast Point (note same author as Submission No 5, and very similar issues)	<ul style="list-style-type: none"> <li>• The apartment cap should be reduced if the “commercially run” seniors housing is proposed.</li> <li>• No stocktake has been done</li> <li>• Bus stops will reduce on street parking</li> <li>• Construction stage parking plan not provided</li> </ul>	<ul style="list-style-type: none"> <li>• The seniors housing component is not residential apartments. In any event, the inclusion of seniors housing has occurred with subsequent reductions in the total number of bedrooms elsewhere, such that the overall density is almost identical. The overall density is within the LEP standard for the site.</li> <li>• There is an existing condition (No. 14) requiring the equivalent of a “stocktake”, which has been fully complied with to date.</li> <li>• The on-street/visitor parking within the site meets the requirements of the approved Concept Plan. Indeed, an additional 182 visitor spaces have been provided above requirements, and this excludes the spaces that may be needed if bus stops are provided within the site.</li> <li>• Adequate car parking is proposed and has been provided to date.</li> <li>• Detailed access and parking issues can be addressed at the Project Application stage.</li> </ul>
8	23/5 Juniper Drive, Breakfast Point	<ul style="list-style-type: none"> <li>• The Seashores Precinct was not “zoned” or originally proposed as an aged care facility.</li> <li>• The proposed aged care development is large and out of keeping with the rest of the</li> </ul>	<ul style="list-style-type: none"> <li>• The development is permissible in the zone. While the seniors housing was not originally proposed, it is appropriate, and is within the overall configuration/envelopes approved for the Seashore</li> </ul>



		<p>development</p> <ul style="list-style-type: none"><li>• The density of the development will increase, as every one bedroom units will be occupied.</li><li>• Service deliveries, buses, visitors, parking, shift work etc will be very different to a residential development and will negatively impact on existing resident's amenity</li><li>• Internal changes outside the Seashores Precinct represent another change and negatively affect the configuration of well designed buildings.</li></ul>	<p>Precinct.</p> <ul style="list-style-type: none"><li>• Being within the approved envelopes, the proposed seniors housing will not be "out of keeping" with the remainder of the Breakfast Point development and will be designed to have a complementary aesthetic.</li><li>• While there will be differences in the servicing and nature of the proposed seniors housing, the differences are not such to significantly affect the amenity of existing residents, particularly as conditions (eg hours) can be imposed to regulate use and servicing.</li><li>• Internal changes to the approved buildings/envelopes are not significant in the context of the overall development, while amenity and size considerations can be addressed at Project Application stage.</li></ul>
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