

## Summary and Response to Public Exhibition of Major Project 010\_0076 Kirrawee Brick Pit, Kirrawee

ISSUE	SUBMISSION FROM	RESPONSE
<b>Agencies</b>		
<ol style="list-style-type: none"> <li>1. Intersection modeling</li> <li>2. Traffic generation</li> <li>3. Site access</li> <li>4. Development staging</li> </ol>	RTA	<ol style="list-style-type: none"> <li>1. A revised TMAP has been prepared in support of the PPR by Halcrow. This has been reviewed by the RTA and is provided at <b>Appendix 5</b> of the PPR. As requested in the DOPI's letter dated 14 April, Section 3 of the revised TMAP specifically addresses all the issues raised by the RTA. Refer to <b>Section 3.3</b> of the PPR for further information.</li> </ol>
<ol style="list-style-type: none"> <li>1. Proposal should include a water body with an area not less than 800 sq.m including a 40m landing area.</li> <li>2. The water within the water body should be maintained according to ANZECC Water Quality Guidelines for Freshwater Lakes and Reservoirs</li> </ol>	Environment, Climate Change & Water (DECCW)	<p>A detailed response to submissions has been prepared by Cumberland Ecology. This can be found at <b>Appendix 17</b>.</p> <ol style="list-style-type: none"> <li>1. As detailed at Section 5.10 of the revised Biodiversity Management Plan, the proposal will include an elongated water body of 800 sq.m, to include a 40m landing strip. This water body will be located adjacent to suitable roosting habitat for the Grey Headed Flying Fox. A temporary water body of this size will also be provided during the construction phase.</li> <li>2. As part of the negotiations with Council in relation to the VPA for the delivery of the proposed park, the proponent engaged Equatica to prepare a report titled "Grey Headed Flying Fox Water Quality Requirements" dated August 2011. This report assessed the water quality of a range of water bodies used by grey headed flying foxes and other bat species. Based on this assessment, it recommended, in accordance with ANZECC methodologies that, site specific water quality objectives are considered appropriate for the Kirrawee Brick Pit water body as opposed to default guidelines like the ANZECC water quality guideline for freshwater lakes and reservoirs. These standards have now been agreed with Council and have been included within the principles to be included within the VPA. We also understand</li> </ol>

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<p>3. STIF offset to address the Principles for the Use of Biodiversity Offsets in NSE</p> <p>4. STIF offset to be compared to what would be required by using Biobanking Assessment Methodology (DECCW recommends the use of the Biobanking Assessment Methodology for the purposes of quantifying an appropriate offset)</p> <p>5. The legal mechanism to be used for securing the offset should be resolved</p>		<p>that a copy of the report has been provided to DECCW for comment. Refer to <b>Section 3.5</b> of the PPR for further information.</p> <p>3. Section 2.2.1 of the response to submissions prepared by Cumberland Ecology assesses the proposed offset against the <i>Principles for the Use of Biodiversity Offsets in NSW</i>. Refer to <b>Appendix 17</b> of the PPR for further information.</p> <p>4. Section 2.2.1, Point 9 of the Cumberland Ecology response to submissions provides a comparison of the proposed offset by using the Biobanking Assessment Methodology. Refer to <b>Appendix 17</b> of the PPR for further information.</p> <p>5. As detailed in Section 1.1 of the revised BMP, the draft VPA principles relating to the delivery of the park include compensatory STIF planting both on site and also within Council owned parks, with the fall back position being that all compensatory planting will be provided on site, should the VPA not be delivered.</p> <p>Whichever option eventuates, any STIF offset areas will be retained and/or recreated and maintained in perpetuity, both within and off the subject site. As such, these obligations will likely be formalised through a legal covenant on title or other such appropriate legal instrument and as agreed in the VPA documents. If the VPA is not entered into, the Applicant will enter into similar agreements to</p>

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<p>6. A schedule of works for the implementation of the offset for at least the first 5 years should be provided.</p> <p>7. The design, ownership, management and zoning of the park and water body require resolution before the Concept Plan should be approved.</p> <p>8. The BMP should be altered to include a period of five years for the maintenance of the Western Zone or compensatory planting.</p> <p>9. The rehabilitation plan should include measurable objectives, timeframes, key</p>		<p>preserve the retained and compensatory STIF on the site. It is noted that the revised BMP specifies the management of these areas during construction and after occupation of the subject site and for off-site locations.</p> <p>6. Section 1.1.1 of the response to submissions prepared by Cumberland Ecology sets out a number of general principles for replanting. These principles are also included within the revised Biodiversity Management Plan provided at <b>Appendix 7</b> of the PPR.</p> <p>7. Refer to Section 3.5 of the PPR for discussion on the agreement reached with Council in relation to the proposed park area.</p> <p>8. The revised BMP provided at <b>Appendix 7</b> of the PPR includes a period of 5 years for the maintenance of the compensatory planting.</p> <p>9. The revised BMP provided at <b>Appendix 7</b> of the PPR presents objectives, timeframes, accountabilities and a monitoring component for the rehabilitation plan.</p>

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<p>accountabilities and a monitoring component.</p> <p>10. The BMP should include further details on the temporary and compensatory water body to meet the requirements for the threatened bat species</p> <p>11. Further justification as to the size of the temporary pond should be provided given that expert advice requires a 800 sq.m area.</p> <p>12. Further details on whether on site water treatment will be required and should be provided along with whether any in pond structures would inhibit the use of the water body by the bat species.</p>		<p>10. Refer to the response to item 1 above.</p> <p>11. Refer to the response to item 1 above.</p> <p>12. The revised BMP prepared by Cumberland Ecology confirms that the size and orientation of the proposed water body will be sufficient to allow its use by the bats. Refer to <b>Appendix 7</b> for further information.</p> <p>In relation to on site water treatment, Northrop has prepared a draft report in relation to the water supply to include the proposed water supply scheme for the park area using the treated rainfall runoff. This report also addresses the management of the stormwater discharge from the Council park. In addition, Equatica has modeled the water in the pond system and proposed a re-circulating wetland to maintain appropriate water quality within the pond system.</p> <p>In summary, the following measures are proposed:</p>

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<p>13. Greater investigation and consideration of what other native species use the existing pond should be provided. A sub-plan for the translocation of native species should be undertaken as part of the Concept Plan.</p> <p>14. Formatting issues within the BMP should be addressed.</p>		<ul style="list-style-type: none"> <li>• An integrated harvested rainwater system is proposed to supply water to the compensatory habitat water body and the podium water feature associated with the development;</li> <li>• The system will constitute harvesting and recycling treated rainfall runoff from the majority of surface areas of the podium level to the “southern two-thirds” of the proposed development site; and</li> <li>• Reticulating wetland system incorporating 800 sq.m of macrophytes.</li> </ul> <p>13. As detailed at Section 2.3 of the Cumberland Ecology response to submissions, further surveys are proposed prior to development to ensure that appropriate translocation procedures are in place for wildlife utilizing the areas to be disturbed including the water body. In addition, both the temporary and permanent water bodies will encourage water bird activity and enhance the existing water bird habitat on the site. Refer to <b>Appendix 17</b> for further information.</p> <p>14. The revised BMP at Appendix 7 of the PPR has been properly formatted.</p>
<p>1. The proposed retail and commercial parking element should be reduced to the rates as set out in the Council’s DCP with further consideration given to reducing this provision.</p>	Transport NSW	<p>1. The proposed retail and commercial parking has been reduced in line with the RTA’s rates as requested by the DOPI. Refer to Section 3.3 of the PPR for further information.</p>


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<p>2. Further detail should be provided in relation to the proposed commuter car park.</p> <p>3. Visitor bicycle parking should be provided at ground level, close to entrances and in a visible and weather protected location.</p>		<p>2. The proposed commuter car park has been removed from the concept application.</p> <p>3. The proposal is for a Concept Application. Details in relation the location of bicycle parking will be provided as part of subsequent Project Applications. However, there is nothing within the Concept Application that would prevent bicycle parking from being provided close to entrances and in a visible location.</p>
<p>1. The proposed potable water infrastructure must be designed and configured according to the Water Supply Code of Australia.</p> <p>2. A flow schedule analysis consistent with the Sewerage Code of Australia of the two wastewater drains should be provided to determine whether the proposed wastewater system is capable of servicing the development.</p> <p>3. All customers discharging</p>	Sydney Water	<p>1. Wallis &amp; Spratt has advised that Water Board has carried out further preliminary investigations on the site and has proposed a route for upgrading an existing water main for the project. Whilst the amended route and sizing is different from the arrangements previously agreed with the Board, it will be subject to future negotiations at detailed design stage.</p> <p>2. Wallis &amp; Spratt has confirmed that the proposal will connect to the existing two x 225mm sewers adjacent to the site. The carrying capacity and current loading will be subject to detailed investigation to be undertaken at the project application stage.</p> <p>3. Details in relation to trade waste disposal will be provided as part of future</p>

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<p>trade water into Sydney Water's wastewater system must have written permission from Sydney Water.</p> <p>4. The developer should apply for a Section 73 certificate</p>		<p>applications and appropriate certification will be provided when required.</p> <p>4. Noted</p>
<p>1. A qualified conservator should be involved in the planning, on site works, and the long term conservation for the in situ retention of Pipe Kiln 1.</p> <p>2. A Conservation Management Plan which addresses the longer term survival of the Kiln and Brick Pit should be written which outlines the management policies, methods and a maintenance schedule for ensuring the survival of the remains of Pipe Kiln 1.</p> <p>3. The Statement of Commitments should be</p>	Heritage Branch	<p>1. Noted. Should the Concept Plan be approved, appropriate conservation measures will be undertaken as part of subsequent project application(s) for the site.</p> <p>2. An Interpretation Plan will be prepared as part of any subsequent applications to address the precise methodology for conservation, interpretation and display of the kiln and brick pit.</p> <p>3. Noted. Refer to the amended Statement of Commitments for further information.</p>

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amended to specifically include the heritage requirements rather than a blanket statement.		
<b>Council</b>		
1. Proposed is of a scale and intensity that is inappropriate in the context of the Kirrawee centre and is contrary to the current LEP, DCP and Master Plan policies for the site and region.	Sutherland Shire Council	<p>1. As detailed within the EA, the proposal is for the use of a site that is zoned within the Sutherland Shire LEP to accommodate residential and employment generating development.</p> <p>In addition, under Part 3A, the SSLEP does not strictly apply to the consideration of this application and although it does contain certain development standards that ordinarily apply to the development of the site, we consider that those controls are not consistent with current regional planning principles described within the EA and therefore should be given only limited weight in the assessment of this proposal.</p> <p>Furthermore, discussions with Sutherland Council prior to the lodgement of the EA confirmed Council's preparedness to consider alternative physical forms that embody improved urban design outcomes. The proposed departures from the SSLEP standards are therefore considered necessary to obtain the improved regional planning and urban design outcomes encompassed within the current Concept Plan.</p> <p>It is again noted that the PAC under Part 3A is not constrained under the Act in the same manner as a consent authority under a Part 4 application. If it were to conclude that the current application has merit, it is not bound by the objectives and prescriptions of an LEP (as expressly prescribed in Section 75R of the Act). Indeed, we submit that where the provisions of an LEP or DCP are incompatible with or constrain the achievement of State or regional planning objectives, the PAC should give greater weight to regional policies above local policies where there is</p>





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<p>2. The retail component is contrary to the Kirrawee Local Area Masterplan and will result in significant impacts on the Kirrawee centre and future of retail activities in the Sutherland centre.</p> <p>3. The site planning fails to integrate the development successfully with the existing Kirrawee centre and will operate in isolation from the Kirrawee centre and surrounding residential neighbourhood.</p>		<p>an inconsistency.</p> <p>Refer to Section 3.1 of the PPR for further discussion on the Kirrawee Local Area Masterplan.</p> <p>2. This issue was raised by the DOPI in their letter dated 14 April (bullet points 1 and 2). Refer to Section 3.1 of the PPR for further information.</p> <p>3. As detailed within the PPR, the proposal has been amended to ensure that the new buildings will integrate with the existing Kirrawee Centre.</p> <p>Taking the proximity of the site to the existing centre firstly, as the extract from the revised Urban Design Report below illustrates, the site is located within 300m (i.e. an easy walk) of Kirrawee Railway Station (which itself forms the southern end of the retail strip) and is even closer to the existing retail strip along Oak Road.</p>

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		 <p>In addition, the development will become an important link to the existing industrial uses to the east and north by creating links and active edges through the site that will help make the site permeable and more accessible to all sectors of the community including those with disabilities.</p> <p>As demonstrated by the above diagram, the proposed development forms an integral part of the Kirrawee Centre, centered on the new town park at the Oak Road, Flora Street intersection and anchored by the supermarket development to the north and the rail station to the south, all supporting the existing 'main street shops' along Oak Road. All of this is within a readily walkable 150 metre radius</p>

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		<p>(300 metre diameter).</p> <p>As further explained in the amended Urban Design Report at <b>Appendix 4</b>, the amended concept plan seeks to integrate with the surroundings by providing containment to the Kirrawee Precinct. This is achieved through the creation of a termination and anchor point to the northern end of the existing retail precinct and the extension of the existing medium density residential uses to the east of Oak Road.</p> <p>This anchor point will help to strengthen the precinct's character and residential character along the northern boundary whilst also helping to consolidate the disjointed nature of the precinct which is currently fragmented by a large vacant site.</p> <p>The amended proposal also creates an opportunity to link to the existing retail and mixed uses along Oak Road by providing retail uses along Flora Street, with a direct visual connection and within 90 metres of the existing retail strip. By activating these edges to Flora Street and to the public piazza, this will in turn expose the retail uses to the public domain instead of internalising them within the site. As such, the new uses will also act as a catalyst for the redevelopment of the existing uses along the southern side of Flora Street and opposite the subject site.</p> <p>The proposed retail and commercial uses on the site have the potential to integrate with the existing industrial uses to the east and north of the subject site with links along the northern internal street ensuring that future pedestrian links to the east are possible from within the site as well as along the public domain surrounding the</p>

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		<p>site.</p> <p>The amended proposal will also physically connect to the surrounding uses at various points. In particular, the residential uses on the site will create a continuation of uses along the Princes Highway above the ground floor. In terms of the retail and commercial uses, these will extend from Oak Street along to Flora Street.</p> <p>Furthermore, the design of the proposed park area to be located at the south western corner of the site has now been provisionally agreed with Council. As part of the agreed and amended design, this has included the creation of a substantial street side signature space proposed on the southern frontage of the site that invites views into / across the parkland and lake, and further activates the public nature of the park. The amended park will also propose an amphitheatre and stair which will overlook the park with cantilevered dramatic lookouts. The design of the park space will ensure that the space catches views and marks a significant destination for pedestrians approaching from the South-West – being an important pedestrian link to the railway station and commercial precinct. Strong signage and identification of the public park will assist both the street-side space identity and benefit the park.</p> <p>Finally, the Kirrawee Local Area Masterplan clearly identifies that the “Brick Pit site” <u>is</u> part of the Kirrawee Town Centre. In the LAM, the Town Centre includes (but is not limited to) four districts, being the Main Street, the ‘Brick Pit’, Flora St East and Flora St West precincts. The aerial photo below is extracted from page 5 of the LAM and identifies the boundaries of the Kirrawee Town Centre. It is therefore</p>

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<p>4. The area required for the retention of the remnant STIF serves to further disenfranchise the proposal from the Kirrawee shopping</p>		<p>clear that the Brick Pit site is located within the Kirrawee Town Centre.</p>  <p>4. As Council will be aware, preliminary agreement has now been reached between the proponent and Council in relation to the delivery and embellishment of the proposed park. This includes offset measures to relocate most of the remnant STIF within existing Council reserves.</p>

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<p>strip.</p> <p>5. The scale of the residential component is anomalous with the locality and the buildings sit well above the surrounding tree canopy.</p> <p>6. The three residential towers will read as a large building from a distance.</p>		<p>5. The scale of the proposal has been amended and reduced in height. Refer to Section 4 of the PPR for further information. Notwithstanding this, the street edge buildings are generally lower, relating to tree canopies, whilst the tower forms are more centrally located and designed as visual markers consistent with the urban design principles established by GMUD and Woodhead for the site.</p> <p>6. As detailed in Section 4 of the PPR, the three residential towers have all been reduced in width at their northern ends to present as more slender, individual buildings from the Princes Highway. The revised photo montage below details the separation between the buildings.</p> 

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<p>7. The proposal goes beyond existing capacity and constraints of the site and will impact on the operational capacity of the surrounding road network.</p> <p>8. The proposal fails to address the requirements of the LAM and will create an insular community turning its back on the existing neighbourhood.</p> <p>9. The proposal would upgrade the status of Kirrawee centre to a town centre and will compromise/undermine the Subregional strategy.</p>		<p>7. The impact of the proposal has been fully assessed as part of the preparation of the EA and the PPR. In particular, the impact of the proposal on the capacity of the surrounding road network has been specifically addressed by Halcrow in their revised TMAP. Refer to Section 3.3 of the PPR for further information.</p> <p>8. Refer to Section 3.1 of the PPR in relation to the LAM.</p> <p>9. The draft Subregional Strategy and the Metropolitan Plan for Sydney 2036, both currently identify Kirrawee as a “Village” centre, defined as:</p> <p><i>“strip of shops and surrounding residential area within a 5-10 minute walk and usually containing a hairdresser, small supermarket, take-away food shop and having between 2,100 - 5,500 dwellings”</i> (draft Subregional Strategy)</p> <p>and</p> <p><i>“a group of shops and services for daily shopping”</i> (Metropolitan Plan for Sydney 2036).</p>



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		<p>As stated in the response to item 3 above, the subject site is included within both Council's LAM and DCP as being located within the Kirrawee centre. The development of the subject site can therefore be considered to be inherently fundamental to the character and future of Kirrawee.</p> <p>Hill PDA has prepared a response to submissions at <b>Appendix 14</b> of the PPR. Within this response, they point out that consumer needs and retail trends have changed over the past three decades (as documented in Chapter 6 of the Study Part A and provided as part of the EA) and that this has resulted in increased professionalism of the workforce and longer working hours in particular. As such, consumers are now more time-poor and are therefore demanding improved levels of convenience when undertaking "chore" shopping. As such, the role of the village centre is to meet this need. Kirrawee currently fails to meet this need, mainly due to its lack of retail offer and of an anchor tenant - namely a medium to large supermarket.</p> <p>Hill PDA therefore considers that following the development as proposed, Kirrawee will still meet the definition of a "village centre". Indeed, with around 12,500sqm of additional floorspace, it will remain smaller in total retail leasable area than many other village centres (as defined in the Sub-regional Strategy) including Engadine (35,000sqm), Marrickville Metro (23,000sqm) and Lakemba (around 30,000sqm). Furthermore, Southgate is defined as a "small village centre" but has 19,450sqm of retail floor space. The retail mix will comprise shops for "chore" shopping and not "leisure" shopping – being predominantly food and grocery related but also including restaurants and other shops for "regular" shopping.</p>



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		<p>However, and notwithstanding this, it should also be acknowledged that the Metropolitan Plan and Sub-Regional Strategy are guides only (as can be seen in the above examples of centres classified as villages yet with significant retail floor space), are not prescriptive documents and centres can and do change/evolve.</p> <p>In particular, it is noted that</p> <p><i>Some centres are expected to change significantly, for example, a Village may grow into a Town Centre as surrounding areas undergo renewal and residential density increases to provide for changing demographics</i>” (pg. 68 - Metro Strategy 2036)</p> <p><i>“The status of Local Centres will be reviewed, as many will have changed and grown over the last five years”</i> (pg. 58 – Metro Plan for Sydney 2036)</p> <p>There is therefore an expectation within both strategies that local centres should and will evolve over time.</p> <p>To this end, and in terms of the future of Kirrawee as a village, it is worthwhile considering the impact that Council’s existing controls would have on the existing centre. As stated above, the subject site is located within the Kirrawee centre. As noted within the EA, the LAM requires between 10,470 and 16,000 sq m of employment generating space on the subject site. As detailed elsewhere in this submission, major employment generating uses are considered to be retail, commercial office and light industry.</p>

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		<p>As such, a scheme that complies wholly with Council's controls alone could potentially cause Kirrawee to become a town centre in any event. Indeed, if the employment generating space on the site was to be purely commercial (and thereby still in accordance with Council's controls), Kirrawee could become one of the largest commercial centres within the Shire.</p> <p>In further supporting this position, it is noted that the development of the subject site alone will increase employment generating space in Kirrawee by approximately 500%. This is without considering the impact of the rest of the land zoned mixed uses, all of which again is within the Kirrawee centre. This is a significant increase.</p> <p>Therefore, by Council's own actions and controls Kirrawee could substantially change and elevate in status whatever employment generating use is developed on the site. Furthermore, it should be noted that the size of a centre should not be judged on retail space alone, but on the total of the retail, commercial and administrative space within it. This position is consistent with the Draft Sub Regional Strategy, which is based upon overall size, not just retail floor space.</p> <p>Therefore, to maintain Kirrawee as a village, Council should have made the subject site 100% residential as this would have maintained the status quo. Unfortunately this scenario would not only have not delivered employment, but would have required the pit to be filled in and not utilised as the Concept Plan application does, hence an environmental negative and again more obvious bulk to the development.</p> <p>Furthermore, it should also be noted that Kirrawee benefits from substantial strategic employment lands to the north and east of the centre, and across the</p>

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<p>10. The proposed retail element of the proposal could threaten the viability of the existing Kirrawee centre as well as Gymea and Sutherland. A Review of the retail element of the proposal, prepared by Don Fox Planning, is included within Council's submission.</p> <p>11. The proposal will not provide the high skill employment levels required by the Shire.</p>		<p>Princes Highway and Flora Street respectively, lie large areas of strategic employment land. Located comfortably within 600m of the centre, and linked by a pedestrian crossing points across the Highway. Kirrawee therefore actually services a much more intensive catchment that would normally occur for a village centre.</p> <p>In summary, it is considered that the definition of a village should only be considered as a guide and that centres can and should evolve due to changing circumstances. Therefore, whilst it is submitted that the size and character of Kirrawee will change as a result of the proposal, the flexibility of the definition means that it could still function as a village as a result of the proposal.</p> <p>10. Hill PDA has prepared a detailed response to the Don Fox Planning response. Refer to Section 3.1 of the PPR and <b>Appendix 14</b> for further information.</p> <p>11. Bullet point one of the DOPI's issues letter requires the proponent to provide a comprehensive response to the submissions received that specifically relate to retail. To this end, Hill PDA has produced a full response to the submission prepared by Don Fox Planning. This is provided in full at <b>Appendix 14</b> of the PPR.</p>

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12. The proposal does not take into account the release of the Metropolitan Plan for Sydney 2036 and the dwelling targets contained within this document.		<p>Refer also to Section 3.1 of the PPR.</p> <p>12. As detailed at Section 3.1 of the PPR, and in terms of the impact of the proposal on the type of employment opportunities within the Sutherland Shire, Hill PDA has prepared a response at <b>Appendix 15</b> (page 2). Specifically, this refers back to Report B of the original Hill PDA – ‘Part of the Solution’ Report submitted with the EA (refer Appendix 11 of the EA). Within this report, Chapter 3 assesses the demand for commercial office space in Kirrawee, concluding that it is “<i>poor in this location</i>”. In particular, it is noted that market rents are too low to enable a reasonable return on investment whereas retail space is in strong demand (due to the present undersupply), is far less risky and provides a much stronger return on investment.</p> <p>In addition, retailing is one of the highest forms of employment generating development, significantly more than typical business park and light industrial uses. Refer to Section 3.1 of the PPR for further information.</p> <p>As requested by the DOPI, Section 3.2 of the PPR assesses the proposal against the Metropolitan Plan for Sydney 2036.</p> <p>In relation to dwelling targets, it is noted that, for the southern region, these have increased to 58,000 from 52,900 within the Metropolitan Transport Plan 2010. There is therefore more demand for residential dwellings within Sutherland than previously anticipated.</p>
13. McLaren Traffic has prepared a detailed review of the TMPA prepared in support of the EA. This report highlights a number of issues with the proposal.		<p>13. A revised TMAP has been prepared in support of the PPR by Halcrow. This is provided at <b>Appendix 5</b> of the PPR.</p> <p>Section 4 of the revised TMAP specifically addresses all the issues raised by Council.</p>

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14. On site parking is considered insufficient in terms of resident parking. The loss of 67 on street car parking spaces in Flora Street has not been catered for.		14. Refer to Section 3.4 of the PPR for further information on residential car parking.
15. There is no demonstrated need for the proposed commuter car park.		15. The proposed commuter car park has been deleted from the Concept Plan.
16. Council considers that the design of the proposed park has a number of unresolved issues and cannot be supported.		16. Refer to Section 3.5 of the PPR for further information on the proposed park.
17. A detailed ecological assessment has been provided by Council. With specific concerns raised in relation to water quality, STIF retention		17. A detailed response to submissions has been prepared by Cumberland Ecology. This is found at <b>Appendix 17</b> .
18. Council's Architectural Review		18. Refer to Section 3.1 of the PPR in relation to the retail impact of the proposal.

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<p>Advisory Panel has concerns with the location, function and effect of the retail component of the proposal.</p> <p>19. Breaking down the buildings into smaller forms along Flora Street is recommended.</p> <p>20. The orientation and massing of the three residential towers are considered inappropriate with the three building forms reading as one large building when approached from a distance.</p> <p>21. The basic layout of the development is poor and acceptance of the application will not achieve a high quality design outcome as envisaged by SEPP 65. The applicant should have closer regard to the principles of good design</p>		<p>19. As requested by the DOPI, Block D, which presented the longest facade to Flora Street, has been divided into two (2) separate buildings, Block D1 and Block D2.</p> <p>This change in length, along with further articulation to the buildings along Flora Street will ensure that the scale of the buildings along Flora Street relate better to the scale and grain on the opposite side of Flora Street.</p> <p>20. As detailed at Section 4 of the PPR, Block A has been reduced by one (1) level to 14 levels and mid-rise levels have been removed from Blocks A and B. Further, the footprints of Blocks A, B C have all been reduced in width at their northern ends to present a more “slender” appearance to the Princes Highway and to articulate the top of each of the buildings. This will ensure that the proposed central towers continue to be read individually as “place markers” for the site.</p> <p>21. It is noted that the DOPI requested additional information in relation to SEPP 65 and compliance with the RFDC. Refer to Section 3.2 of the PPR for further information in this regard.</p>

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<p>and the Residential Flat Design Code to ensure a high quality development.</p> <p>22. The proposal will turn its back on the surrounding neighbourhood and to the detriment of Kirrawee centre.</p> <p>23. There are significant issues with the design of the park in terms of limited pedestrian access, visibility and security. The park will function as primarily as a building forecourt to the development and is unacceptable.</p> <p>24. Council is seeking to rezone the land currently zoned Zone 13 (Public Open Space) to Zone 7 (Mixed Use (Kirrawee)).</p> <p>25. The Stormwater Management Plan prepared in support of</p>		<p>22. Refer to the response to Items 3 and 9 above in relation to the integration of the development within the Kirrawee centre.</p> <p>23. Refer to <b>Section 3.5</b> of the PPR for further information on the proposed park.</p> <p>24. As detailed in Section 3.5 of the PPR, provisional agreement has been reached with Council in relation to the proposed park area. As such, it is noted that Council has resolved not to proceed with the rezoning of the land currently zoned 13 (public open space).</p> <p>25. Northrop has prepared a detailed response to submissions. This is provided at <b>Appendix 9</b>. With reference to the Stormwater Management Plan, it is noted that</p>

ISSUE	SUBMISSION FROM	RESPONSE
the EA is of a conceptual nature and therefore there is no confidence that the concept stormwater plan can be achieved and the necessary outcomes realised.		Northrop conclude that: <i>“Northrop has performed all necessary calculations, assessments and design processes to demonstrate feasibility of the proposed scheme for site stormwater management. We have placed high importance on the Concept Design demonstrating that the variety of objectives for stormwater / water management can be integrated into the development –and the need to achieve outcomes that can be constructed to operate effectively”</i> Refer to Northrop's report at <b>Appendix 9</b> for further information.
26. The applicant has failed to demonstrate how an appropriate level of water quality can be achieved and maintained in the ornamental water body.		26. Refer to the response to Item 2 above in relation to the comments received by DECCW.
27. The proposal lacks a concise and detailed document to address conservation/maintenance works and interpretation issues.		27. A revised Biodiversity Management Plan has been prepared by Cumberland Ecology. This is found at <b>Appendix 7</b> .
28. A detailed heritage works schedule would need to be provided before works		28. A detailed heritage works schedule will be provided prior to works commencing.



ISSUE	SUBMISSION FROM	RESPONSE
commence.		
29. Council's heritage officer has provided a full heritage assessment of the proposal.		29. A response to Council's heritage officer has been provided by Edward Higginbotham & Associates. Refer to <b>Appendix 12</b> for further information.
<b>Consultant Submissions</b>		
1. The proposed development is inconsistent with the Metropolitan Plan for Sydney 2036 and the Draft South Subregional Strategy and will be inconsistent with the retail hierarchy outlined in the Metropolitan Plan.	Milestone (On behalf of President Avenue Pty Ltd, owners of the Supabarn Supermarket site in Sutherland and operators of the Supabarn Supermarket at Gympie).	<p>1. Refer to Section 3.2 of the PPR for an assessment of the proposal against the Metropolitan Plan for Sydney 2036.</p> <p>In relation to the Draft South Subregional Strategy, section 5.5 of the EA provides a detailed assessment of the proposal against the land use policies of the Strategy. In particular, it is noted that the proposal will:</p> <ul style="list-style-type: none"> <li>Assist in satisfying the aims of the draft Strategy through the creation of 5,603 job years (construction) and a net increase of 485 direct retail jobs and a number of commercial jobs in a site co-located with significant housing and that is highly accessible to public transport;</li> <li>Increase the residential and working population that is accessible to public transport, shops and open space;</li> <li>Deliver approximately 430 new dwellings within the Kirrawee centre;</li> </ul> <p>As set out in the EA, the co location of housing with employment and retail uses in close proximity to established public transport services and recreation facilities means that the proposal is consistent with the Metropolitan Strategy. The mixed use development is environmentally sustainable as it embodies the principles of a walkable city. It will also be a catalyst for the revitalisation of the Kirrawee town centre, whilst reducing development pressures on nearby low-density residential areas.</p>

ISSUE	SUBMISSION FROM	RESPONSE
<p>2. The proposal will jeopardize the economic sustainability of the existing Kirrawee shops and will erode the importance of Sutherland as a potential Major Centre.</p> <p>3. The provision of 5,000 sq.m of supermarket floorspace would elevate the status of Kirrawee beyond that of a village.</p> <p>4. Proposed development does not address the L&amp;E Court judgment findings in relation to the excessive nature of the retail use.</p>		<p>2. As set out in Section 3.1 of the PPR, a Peer Review of the retail element of the proposal has been undertaken by Leyshon Consulting. To this end, we note that the Review generally agrees with the conclusions reached by Hill PDA in its original Retail Assessment with respect to the economic need and impact of the proposal, and in particular that the suburbs surrounding Kirrawee are currently under-supplied with retail floorspace and specific to supermarket floorspace by almost exactly the amount proposed by this application. Refer to Section 3.1 of the PPR for further information.</p> <p>3. Refer to the response to Item 9 (Sutherland Shire Council) above.</p> <p>4. Section 2.5 of the EA referred to the previous development proposal and the refusal by the Land &amp; Environment Court of an earlier scheme.</p> <p>As such, it is noted that the Court's refusal of the previous scheme, and in particular the retail component, was as a result of a zoning constraint rather than any inherent unsuitability of the site or the merits of the application.</p> <p>In this respect the Court, as was clear from its judgement, regarded itself as being constrained by the requirements of Part 4 of the Act and its requirement to give determinative weight to the provisions of the relevant Environmental Planning Instrument's and local planning controls.</p> <p>Refer to Section 2.5 of the EA for further information in this regard.</p>

ISSUE	SUBMISSION FROM	RESPONSE
<p>5. Proposed development is inconsistent with the objectives of the Zone 7 – Mixed Use zoning within the LEP, DCP and Council's preliminary studies informing the new Standard Instrument LEP.</p> <p>6. Inadequate economic assessment and adverse economic impacts</p>		<p>5. Refer to the response to Council, Item 1 for further information.</p> <p>6. Refer to Section 3.1 of the PPR in relation to the revised economic assessment and Hill PDA's response.</p>
<p>1. The development is inconsistent with the role of Kirrawee in the retail hierarchy.</p> <p>2. The design and layout of the development turns its back on and fails to integrate with the existing Kirrawee centre.</p> <p>3. The retail component of the proposal is inconsistent with the LAM</p>	<p>BBC Consulting Planners</p> <p>(on behalf of the owners of Menai Market Place Shopping Centre and Lend Lease Retail)</p>	<p>1. Refer to response to Council, items 3 and 9 and to Section 3.1 of the PPR.</p> <p>2. This issue was raised by the DOPI (bullet points 1 and 2). Refer to response to Council, item 3 and Section 3 of the PPR for further information.</p> <p>3. Refer to Section 3.1 of the PPR in relation to the relationship of the proposal to the LAM.</p>

ISSUE	SUBMISSION FROM	RESPONSE
<p>4. The proposal will have an adverse impact on the existing Kirrawee shopping strip</p> <p>5. The intensity of retail development is contrary to the objectives of the mixed use zone and the provisions of the DCP.</p> <p>6. The intensity of the retail development will impact on the retail function of other centres within the Sutherland Shire.</p>		<p>4. Refer to Section 3.1 of the PPR for discussion in relation to the impact of the proposal on the existing Kirrawee shopping strip.</p> <p>5. Refer to the response to Council, Item 1 for further information.</p> <p>6. Refer to Section 3.1 of the PPR for discussion in relation to the impact of the proposal on the retail function of the other centres within the Sutherland Shire.</p>
<p>1. The proposal is contrary to the established hierarchy of centres in Sutherland as established by local and state planning controls.</p> <p>The proposal does not include an assessment of the impact of the proposal on the hierarchy of centres.</p>	<p>Ingham Planning</p> <p>(on behalf of Westfield Limited and DEXUS Property Group – owners of the Westfield Miranda Shopping Centre)</p>	<p>1. Refer to Section 3.1 of the PPR for discussion in relation to the impact of the proposal on the retail function of the other centres within the Sutherland Shire.</p>

ISSUE	SUBMISSION FROM	RESPONSE
2. No hours of operation are provided within the EA.		2. The application is a concept plan. Should the application be approved, the hours of operation will be provided as part of the anticipated project applications.
3. The proposal would change the role of Kirrawee in the hierarchy of centres and would threaten the ability of Sutherland to fulfill its role as 'Potential Major Centre'.		3. Refer to Section 3.1 of the PPR for discussion in relation to the impact of the proposal on the retail function of the other centres within the Sutherland Shire.
4. The proposal is inconsistent with the mixed use zoning of the land		4. Refer to the response to Council, item 1 for further information.
5. The proposal is inconsistent with the provisions of LEP 2006 in relation to the building height and FSR controls.		5. Refer to the response to Council, item 1 for further information.
6. The proposal is inconsistent with Draft South Subregional Strategy and Metropolitan Strategy for 2036 in terms of the hierarchy of centres.		6. Refer to Section 3.2 of the PPR for further information.

ISSUE	SUBMISSION FROM	RESPONSE
7. The proposal would significantly increase traffic movements in and through the village centre of Kirrawee.		7. The impact of the proposal on the capacity of the surrounding road network has been specifically addressed by Halcrow in their revised TMAP. Refer to Section 3.3 of the PPR for further information.
8. The proposal is inconsistent with the provisions of the Sutherland DCP		8. Refer to the response to Council, item 1 for further information.

RESIDENTS		
Objection	Comment	Response
1	Will increase traffic at nearby day care and pre-school.	In conjunction with the RTA and Sutherland Shire Council, road improvements are proposed to accommodate the additional traffic that would be generated by the proposal. These improvements are set out in <b>Section 3.3</b> of the PPR. A revised Traffic Management and Accessibility Plan (TMAP) has been prepared by Halcrow in support of the proposal. This can be found at <b>Appendix 5</b> .
	Will devastate Kirrawee, Sutherland and Gymea shopping centres.	<p>Detailed retail analysis (refer to the report prepared by Hill PDA at <b>Appendix 14</b> and detailed at <b>Section 3.1</b>) has shown the existing shopping centres perform extremely well. In particular, the gravity modelling (detailed by Hill PDA in Part B page 16 Table 2 of its assessment) shows that even with the proposal, all centres including Gymea and Kirrawee will continue to enjoy growth, with Sutherland in particular enjoying growth of 36% by 2014 from its 2007 levels.</p> <p>In addition, Hill PDA's detailed assessment of demand for and supply of retail (including supermarkets) has demonstrated that there is a real need for an increase in the supply of retail across Sutherland Shire as a whole.</p> <p>In fact results of the shopper telephone survey found that less than 6% of the residents of the Central retail catchment area chose to shop at Kirrawee with 66% of residents of Kirrawee quoting the reason as being the poor range of goods and services available.</p> <p>Hill PDA's conservative assessment of expenditure on retail across the Shire (Hill PDA Report Part A page 55) balanced against the lack of emerging supply found</p>

		<p>there to be a need for a further 92,482sqm of retail across the Shire by 2036. This number takes account of proposed and mooted retail developments in the Sutherland Shire, including the Kirrawee Brick Pit, the expansion of Westfield Miranda, Sutherland Town Centre and also incorporates an additional 20% for those developments Hill PDA may not be aware of.</p> <p>As such Hill PDA has advised that it is comfortable with the current proposal including two supermarkets (one discount and one full line) which will help Kirrawee to grow, enhancing competition between retailers to the benefit of consumers and help to reduce the number and length of journeys currently made by local residents for chore shopping.</p> <p>A peer review of Hill PDA's economic report commissioned by the D&amp;PI generally agrees with the conclusions presented.</p> <p>Refer to <b>Section 3.1</b> of the PPR for further information on this issue.</p>
2	Will increase existing traffic congestion	<p>As detailed in the revised TMAP prepared by Halcrow, and in conjunction with the RTA and Council, road improvements are proposed to accommodate the additional traffic that would be generated. These improvements are set out in <b>Section 3.3</b> of the PPR.</p> <p>In addition, the provision of additional local shopping facilities within the Kirrawee centre will reduce travel distances to shops for persons living in the locality who currently shop elsewhere, This will clearly be beneficial in terms of overall road network operation.</p> <p>Refer to <b>Section 3.3</b> of the PPR for further information on this issue.</p>



3	Will increase existing traffic and rail congestion.	<p>Refer response to <b>Objection 2</b> above.</p> <p>In relation to parking, and as outlined within the TMAP, the development will be self sufficient in terms of parking, replace any on street parking lost, and will not rely on external car parking.</p> <p>In addition, recent rail improvements along the Illawara Line have added capacity.</p>
	More than 2 unit blocks of residential will look like a "slum". Existing lack of parking in Sutherland and Kirrawee.	The residential component for this proposal has been carefully designed as part of an overall Master Plan for the site with both, large areas for public open space and private amenity. The design of each of the lower edge buildings complies with SEPP 65 and the RFDC, has the potential to provide further natural surveillance and overlooking of the public domain, thus alleviating some of the existing concerns with regards to safety and lack of lighting. Comparison to a "slum" is inappropriate and not warranted.
	Existing units next to the site have parking, safety, lighting and garbage issues. Not enough hospitals in the area.	Crime Prevention through Environmental Design (CPTED) is a proven design approach for landscape and open space areas which has been shown to reduce opportunities for crime and incivility. The fundamental idea of CPTED is that it is possible to use knowledge and creativity to design environments in ways that lessen or prevent the incidence of crime. The Kirrawee project includes a full spectrum of parkland through to private garden open spaces, and CPTED principles have been utilized in the concept design for all areas. This involves providing visual access, ensuring that there are indeed sightlines from habitable areas and public spaces and adjacent streets, and that secluded spaces have been minimized. Lighting plays an important role in ensuring that there is a safe night-time environment. Formal and informal barriers such as fencing through to level changes and planting design all assist in creating a series of managed spaces with varying security and access according to their public,

		<p>common and private open space functions.</p> <p>The detailed design will continue to develop the specific design outcomes to ensure safe public and private open space areas that reduce opportunities for crime and incivility. Design to minimise opportunities for vandalism and graffiti are aspects that can be addressed through detailed design of structures and materials. The creation of well managed open space hierarchy, from defined natural 'reserves' with limited access through to accessible parks and plaza areas will provide a public asset that will invite public use and expand the amenity provided to the broader community. The constant presence of residents on the site, along with the visitors to the retail and commercial outlets will provide a high level of surveillance.</p>
4	Roads will not cope. Bunnings has created congestion. 2 supermarkets are not required	<p>Halcrow has advised that surveys since the Bunnings store opened indicate that it has only moderately affected traffic flows in the area. Refer to the revised TMAP prepared by Halcrow at <b>Appendix 5</b> for further information.</p> <p>Refer response to <b>Objection 1</b> above in relation to the proposed supermarkets.</p>
5	Will disrupt quality of life due to population explosion and traffic chaos	Refer response to <b>Objection 2</b> above.
6	Current waste disposal and water supply problems and maybe electricity has not been considered and no infrastructure	<p>Wallis &amp; Spratt (services/infrastructure consultants) have advised that it is not unusual for a project of the size proposed to require the upgrading of the existing infrastructure.</p> <p>As such, and as detailed in the Services Statement provided at Appendix 15 of</p>

	upgrades are proposed.	<p>the EA, the required upgrading of the existing services has been addressed.</p> <p>With regard to the reduced water pressure this is a progressive policy of the Water Board throughout the Sydney area to help to contain the number of leaks in their existing system.. On site pumps will be provided that will obviate any shortfall in pressure where required.</p>
7	Do not need more retail and current businesses will be adversely affected.	Refer response to <b>Objection 1</b> above.
	Will increase existing traffic problems and place Primary school children at risk. Not enough parking to be provided.	The intersection of Oak Road with Princes Highway will be improved as part of the proposal as well as numerous other road improvements such as upgrading of the intersection of Bath Road and the Princes Highway. Appropriate parking is proposed to meet resident, employee and shopper requirements as well as replacement of any on street parking that is lost. Access to the site has been planned so that there will be very little extra traffic on Bath Street passing Kirrawee Public School.
8	Extra traffic, retail space and late supermarket trading hrs will cause increase travel time, risk to pedestrians, and decrease property values in the areas. Jobs created (including construction jobs) will	<p>Refer to response to <b>Objection 2</b> above.</p> <p>In addition, it is noted that the TMAP prepared by Halcrow assessed the impact of construction traffic on the existing road network. Refer to <b>Appendix 17</b> of the EA for further information.</p> <p>In relation to property prices, Hill PDA considers that rather than negatively impacting property prices, the investment of more than \$243m in to the Kirrawee Brick Pit site including \$22.5m of community infrastructure will stimulate further private investment in the area. As a result of the increased investment more</p>

	cause traffic problems	employment opportunities will be generated. This together with an enhanced range of retail and housing options in an attractive setting will bring about the renewal of this underutilised urban site and as a result the attractiveness of the area to investors (and hence property values) could reasonably be expected to improve.
9	Will increase existing traffic and rail congestion and parking problems. Do not need shopping centre. Government should buy land and make a park.	Refer to response to <b>Objection 2 and 3</b> above.  In addition, as Halcrow has concluded in its revised TMAP that the development will be self sufficient in parking and will not lead to additional pressure for on-street parking.
	Water supply is not reliable.	In relation to the reduced water pressure, Wallis & Spratt have advised that this it is a progressive policy of the Water Board throughout the Sydney area to help to contain the number of leaks in their existing system. As such, on site pumps will be provided that will obviate any shortfall in pressure where required.  Furthermore, it is noted that the proponent has received written confirmation from Sydney Water that the water required for the project will be available albeit it will require some upgrading of the existing water main system. Refer to the Services Statement provided at <b>Appendix 15</b> of the EA for further information.
10	Proposal is too big. Do not disagree with retail. Supabarn at Sutherland is a disgrace and too expensive. Will	It is considered that the residential element of the proposed development will make a significant contribution towards meeting the Shire's housing targets in a sustainable manner. If housing targets are not met, issues associated with affordability will be exacerbated. This is a real issue in the Shire where the supply of new housing has slowed considerably over the last 5 years. Furthermore, Hill PDA's study (Part A pages 60 and 61) found that there is a real need for new

	increase traffic congestion.	<p>housing stock to better meet the local demographics of smaller households supporting a higher density development of apartments on this site which is less than 150m from Kirrawee train station.</p> <p>Refer to response to <b>Objection 2 and 7</b> above in relation to traffic and the impact on the public school.</p>
11	Object to scale.	<p>The proposal has been amended since the original submission such that the maximum number of storeys now proposed for the site is 14, and generally much lower across the site. As detailed in the revised Urban Design Report (<b>Appendix 4</b>), this is considered acceptable for a site of this scale, especially when provisions have been put in place to avoid any overshadowing and amenity impacts to neighbouring residential uses.</p> <p>In addition, further reductions to the bulk and scale of the buildings across the site have also ensured a reduction in any visual impacts as viewed from the surrounding residential and public domain areas.</p>
	Will detrimentally impact flora and fauna	<p>As set out in the EA, the site is largely disturbed, vacant and cleared and provides a water source for native fauna, including two threatened species, the Grey-headed Flying-fox and the Eastern Bent-wing Bat. Remnant vegetation to the west of the pit is identified as Sydney Turpentine Ironbark Forest (STIF), an endangered ecological community.</p> <p><u>STIF</u></p> <p>The STIF area of the site is an important protected vegetation and habitat zone on the site, with on-going management, enhancement and protection in accordance with Ecologist guidelines as set out as part of the application. The site planning and landscape design has been developed with the consultant Ecologist, and in consultation with Council officers, to ensure that the proposed</p>

		<p>areas are sustainable and suitable in terms of the ecological role. Key features that naturally restrict access to this area are the level change and the reinstatement of the pond, both of which will be highly managed landscape elements. Fencing will limit access to the regeneration area, with particular concern for safety given the significant level change. As noted, the riparian pond is to have a high level of management of accessibility in order to assist safety, and this also assists limiting access to regeneration and habitat areas beyond the pond. In this, we believe that the landscape design compliments the guidelines established by the Ecologist in maximizing protection, and reducing potential threat to habitat and natural ecology areas.</p> <p><u>FLORA &amp; FAUNA</u></p> <p>Cumberland Ecology has prepared a response to submissions at <b>Appendix 17</b>. In reference to the impact of the proposal on flora and fauna, Cumberland Ecology has advised that:</p> <ul style="list-style-type: none"> <li>- The majority of higher quality vegetation and habitat is to be retained on site;</li> <li>- Hollow-bearing trees are poorly represented on the site and the majority occurring will be protected within the vegetation to be retained;</li> <li>- No prime roosting habitat for the Eastern Bentwing Bat occurs on the site and the higher quality foraging habitat for the species will be retained and protected;</li> <li>- Proposed weed control, enhancement plantings and additional community restoration measures are expected to improve the habitat value of forest/woodland habitat over time; and</li> <li>- Further surveys are proposed prior to development to ensure that</li> </ul>
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		<p>appropriate translocation procedures are in place for wildlife utilising the areas to be disturbed, including the water body.</p> <p>In addition, consideration has been given to the use of the site by threatened bat species to ensure that such species continue to be provided for in terms of both a temporary and permanent water body of sufficient size and water quality to cater for their needs.</p> <p>Refer to the Cumberland Ecology response to the submissions at <b>Appendix 17</b> for further information.</p>
<b>12</b>	Proposal is good, but traffic is downfall. Skate park would be good.	<p>The proposal will involve two new sets of traffic signals which will improve traffic flow into Oak Road.</p> <p>Refer to response to <b>Objection 2</b> above in relation to other traffic issues.</p>
<b>13</b>	Will increase existing traffic congestion. Do not need shopping centre. Will destroy home and business value in the area.	<p>Refer to response to <b>Objections 2 and 12</b> above in relation to traffic congestion.</p> <p>Refer to response to <b>Objection 1 and 8</b> above in relation to the proposed retail and values.</p>
<b>14</b>	Will increase existing traffic congestion. Do not want shopping centre. Likes the current village atmosphere.	<p>Refer to response to <b>Objections 2 and 12</b> above in relation to traffic congestion.</p> <p>Refer to response to <b>Objection 1</b> in relation to the proposed shopping centre and <b>Objection 8</b> in relation to property prices</p> <p>Refer to response to <b>Objection 1</b> above in relation to the proposed retail.</p>

15	Will increase existing traffic congestion.	Refer to response to <b>Objections 2 and 12</b> above in relation to traffic congestion.
	Does not want 15 stories in this neighbourhood	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
16	Site is a haven for wildlife and a green space for people.	Refer to response to <b>Objection 11</b> above in relation to flora and fauna.  In relation to the existing green space, the proposal includes a large area of 9,000 sq.m to be used as a park, pending the finalisation of a <b>VPA</b> with Council. In addition, the proposal will also involve a public piazza and water body of almost 7,700 sq.m which, together will total over 16,500 sq.m of public open space. This is equivalent to almost 40% of the site. This is considered to be an adequate provision of green open space for the site.
	15 stories is monstrosity.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	Not enough green space	The proposal includes a large area as a park dedication, which is the subject of a draft Voluntary Planning Agreement (VPA) with Sutherland Shire Council. This will help to preserve green and pedestrian links throughout the site.
	There are enough supermarkets.	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.
17	Height	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	traffic congestion.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.



	more open space required.	The proposal includes a large area of 9,000 sq.m to be used as a park, pending the finalisation of a VPA with Council. In addition, the proposal will also involve a public piazza and water body of almost 7,700 sq.m which, together will total over 16,500 sq.m of public open space. This is equivalent to almost 40% of the site. This is considered to be an adequate provision of green open space for the site.
18	Traffic, enough shops, park is better option	Refer to response to <b>Objection 2</b> in relation to traffic.  The provision of a park across the whole site is not considered viable. Hill PDA's report (Part B pages 20-31) has demonstrated that the quantum and mix of floorspace proposed is necessary to deliver a viable development. If a viable solution for the site is not found it will remain vacant making no contribution to the community. The social and economic benefits associated with the proposal namely \$22m of community infrastructure (which includes a park with a value of \$17m), 1,363 direct construction jobs, 500 direct jobs once operational and a commuter car park encouraging existing residents to make more sustainable commuter journeys will be lost if aspirations for a park were pursued.
19	Will increase traffic congestion.	Road improvements will be made to accommodate the additional traffic proposed. These amendments have been formulated in conjunction with the RTA and Council. Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	Will impact on the Kirrawee village and population increase would affect the lifestyle of the residents.  Sutherland and Gynea shopping	Refer to response to <b>Objection 1</b> in relation to retail issues and impact of the proposal.

	centres would be affected.	
20	Will increase traffic congestion.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	Stormwater is a concern because of the floods in Queensland.	<p>In relation to stormwater, Northrop Engineers have confirmed the following:</p> <ol style="list-style-type: none"> <li><b>1. Disposal of Site Stormwater</b> - on-site stormwater detention facilities are proposed to reduce the rate of stormwater runoff from the development. Controlled flow-rates to Flora Street have been determined to suit the provisions for stormwater disposal that once existed on the site, and reduce the rate to less than the 'natural' catchment runoff rate. Discharge to Princes Highway will be designed generally in accordance with Sutherland Shire Council requirements.</li> <li><b>2. Quality of Site Stormwater</b> – stormwater pollution treatment facilities are proposed to treat runoff from the development according to Sutherland Shire Council requirements.</li> <li><b>3. Compensatory Water Body / Habitat</b> – site stormwater is proposed to be treated and stored on-site, in order to maintain water levels in the compensatory water body.</li> <li><b>4. Receiving Council Stormwater Drainage System</b> – on-site stormwater detention facilities will reduce runoff from development (in general), and discharge to Flora Street at a rate equal to (approx.) 50% of the 'natural site' runoff rate in the 100-year ARI storm event. The Flora Street catchment requires reinstating an existing 450mm-diameter stormwater pipe that once serviced the site and discharged to the downstream drainage system.</li> </ol>
	High density restricts the open space.	Medium to high density around existing transport nodes promotes the preservation of the available open space by preventing sprawl and by concentrating people within accessible distance to various transport options.

	Enough shopping centres already.	Refer to response to <b>Objection 1</b> in relation to retail issues.
<b>21</b>	Will increase traffic congestion, danger to pedestrians.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	Old pit is a wildlife sanctuary.	Refer to response to <b>Objection 11</b> above in relation to flora and fauna.
	Already ample shopping facilities in the Shire.	Refer to response to <b>Objection 1</b> in relation to retail issues.
<b>22</b>	Threat to wildlife,	Refer to response to <b>Objection 11</b> above in relation to flora and fauna.
	stormwater issues,	Refer to response to <b>Objection 20</b> in relation to stormwater.
	open space,	The proposal includes a large area as a park dedication, pending a Voluntary Planning Agreement (VPA), helping to preserve green and pedestrian links within the site.
	impact on shopping area.	Refer to response to <b>Objection 1</b> in relation to retail issues.
	Will increase traffic congestion on President and Princes Highway.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	No high-rise to 15 storeys in the area.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>23</b>	Development should be in keeping with	The amended proposal attempts to blend in with the fine grain character of the existing surrounding context with a number of lower scale edge buildings ranging

	small village. Will increase	between 5 and 6 storeys. This is achieved by setting back the upper levels whilst presenting a lower street edge wall of 4 and 5 storeys. These buildings provide an adequate interface to the lower scale buildings across Flora Street while the development as a whole provides a destination and anchor to the existing retail strip. It is considered that the development as proposed will complement and add to the existing character of Kirrawee.
	Oak Road traffic congestion.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
<b>24</b>	Development will destroy suburb.	Refer to response to <b>Objection 23</b> .
	Traffic volume.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	Village atmosphere will be destroyed.	The majority of the proposed buildings will be below 7 storeys in height with the exception of two of the centralised buildings which will be 11 and 14 storeys respectively. The principal tower to the centre of the development will create a marker for the site whilst announcing the point of arrival into Kirrawee.
	High rise should only be 10 storeys to reduce traffic.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	One supermarket would be sufficient.	Refer to response to <b>Objection 1</b> in relation to retail issues.
	Pond should be childproofed.	Although the application is for a Concept Plan only, it involves the provision of two water bodies, one being a 0.9ha public park to include a riparian water body, as well as a plaza pond area. Taking each of them in turn, we would comment as follows:  <u>Riparian Pond</u>

		<p>The provision of water bodies in public open space is a common amenity, and there are established design solutions and approaches to successfully manage safety in terms of restricting access to water and reasonably identifying risk through materials change and landscape treatments. The main 'riparian pond' element has been designed to have inaccessible edges by virtue of dense, low buffer planting to edges of riparian reeds and similar type vegetation that is not easily traversed. Access through the riparian zone is provided by formal boardwalks that have balustrades that provide a safety barrier. In the current concept, the walkway provides a circular route, crossing to the far side of the pond, and returning to the site entry plaza area.</p> <p><u>Plaza Pond</u></p> <p>This shallow water body is proposed to be quite separate to the Riparian Pond, with water quality managed to ensure that a high level of visual presentation is achieved. The pond is not intended to have potable water, and is to be designed as an ornamental water body with very limited accessible edge to provide proximity but not to encourage water play or access. The ornamental pond will be discretely fenced through including safety fencing into adjacent plaza and terrace elements. The fencing is proposed to be set back from the water so that the child-proof fence is not visually prominent, but also to ensure that only a relatively small and managed access zone exists adjacent to the water body. A high level of visual surveillance will exist in this area, which will reinforce the practical security measure of fencing so that a safe environment is created.</p>
25	Large shopping centre will destroy business, cause traffic and parking problems. Streets are narrow and	<p>As detailed in <b>Objection 1</b>, Hill PDA does not agree that existing businesses in Kirrawee will be negatively impacted.</p> <p>Furthermore, it is inevitable that there may be potential for one or two existing specialist retailers to close (Hill PDA report Part B page 16) due to added competition but any closures are likely to be short term being replaced with</p>

	<p>population increase will increase crime.</p> <p>(local shopkeeper)</p>	<p>specialties that will fill any underrepresented store types. Furthermore, as outlined in Hill PDA's report (Part B page 32) the design and location of the proposed development will help to support local business by helping to increase the number of pedestrian movements along Oak Road with new residents and commuters walking from the site to the train station and likewise new employees travelling to the Site via Oak Road if arriving by train. This should result in increased passing trade.</p> <p>Refer to response to <b>Objection 2</b> in relation to traffic congestion.</p>
26	<p>Proposal will cause traffic/pollution and parking problems.</p>	<p>Refer to response to <b>Objection 2</b> in relation to traffic congestion.</p>
	<p>Commuter parking takes up surrounding streets. Streets are narrow.</p>	<p>The proposal has been amended since the original submission and does not include a commuter car park.</p> <p>However, and notwithstanding this, sufficient car parking has been provided within the site to cater for the anticipated car parking demand for all uses proposed. In addition, the existing 40 car parking spaces currently provided on Flora Street will be incorporated into the proposed car parking.</p>
	<p>Small community with no high rise.</p> <p>(local shopkeeper)</p>	<p>Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.</p>
27	<p>Support 9 storeys,</p>	<p>The proposal has been amended since the original submission such that the maximum number of storeys now proposed for the site is 14. As detailed in the revised Urban Design Report (<b>Appendix 4</b>), this is considered acceptable for a site of this scale, especially when provisions have been put in place to avoid any</p>

		<p>overshadowing and amenity impacts to neighbouring residential uses.</p> <p>In addition, further reductions to the bulk and scale of the buildings across the site have also ensured a reduction in any visual impacts as viewed from the surrounding residential and public domain areas.</p>
	<p>15 storeys will overshadow and create wind tunnels. 30m height is out of character with area.</p>	<p>In relation to the potential for the site to create wind tunnels, the Pedestrian Wind Environment Statement (refer Appendix 18 of the EA) set out the likely impact of the proposed design on the local wind environment of the critical outdoor areas within and around the redevelopment. As such, the results of this study indicated that generally the expected wind conditions around the site will be suitable for their intended use and with the implementation of the treatments discussed in the report that wind conditions around the entire site are expected to be suitable for their intended use.</p> <p>Shadow impacts have been assessed and are considered acceptable.</p>
28	<p>Scale will adversely impact area, including increased traffic.</p>	<p>Refer to response to <b>Objection 2</b> in relation to traffic congestion.</p>
	<p>Height and size not in keeping with area.</p>	<p>Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.</p> <p>In addition, all structures on site are below 7 storeys with the exception of the two main towers at the centre of the site. Lower scale buildings along the perimeter of the site range between 5 and 6 storeys with a street wall height of 4 and 5 storeys. This relates better to the existing scale of the surrounding areas as the scale relationship transitions down from the centre of the site towards the</p>

		surrounding development.
29	Over-development.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	Not enough parking Flora Street already full.	In response to the D&PI's issues letter, the proposal has been amended such that the amount of car parking provided has been reduced. Refer to <b>Section 3.3</b> of the PPR for further information.
	Will destroy viability of Kirrawee and Gymea shops.	Refer to response to <b>Objection 1</b> for response on impact on Kirrawee.
	No open space, area should be parkland.	<p>The proposal includes a large area of 9,000 sq.m to be used as a park, pending the finalisation of a VPA with Council. In addition, the proposal will also involve a public piazza and water body of almost 7,700 sq.m which, together will total over 16,500 sq.m of public open space. This is equivalent to almost 40% of the site. This is considered to be an adequate provision of green open space for the site.</p> <p>The provision of a park across the whole site is not considered viable. Hill PDA's report (Part B pages 20-31) has demonstrated that the quantum and mix of floorspace proposed is necessary to deliver a viable development. If a viable solution for the site is not found it will remain vacant making no contribution to the community. The social and economic benefits associated with the proposal namely \$22m of community infrastructure (which includes a park with a value of \$17m), 1,363 direct construction jobs, 500 direct jobs once operational and a commuter car park encouraging existing residents to make more sustainable commuter journeys will be lost if aspirations for a park were pursued.</p>
	Will cause drop in well being of locals.	The proposal has been designed to ensure that any environmental impacts associated with the development have been fully mitigated where necessary.



		In addition, the proposal involves the delivery of a new park on the site. This will be available for the local and wider community.
<b>30</b>	Traffic congestion of Princes Hwy, Oak, Acacia and Kingsway.	Refer to response to <b>Objection 2</b> for traffic congestion.
	15 storey building not in keeping with village	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.  Further amendments to the length of the lower scale edge buildings respond better to the surrounding scale, grain and character.
<b>31</b>	15 storeys will create eyesore.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.  Further reductions to the overall bulk and scale of the taller built forms have been implemented to ameliorate any visual impacts to the surrounding areas.
	Will increase traffic congestion.	Refer to response to <b>Objection 2</b> for traffic congestion.
	Will kill spirit of the area and create difficulty for shopkeepers.	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> in relation to the impact of the proposal on Kirrawee.
<b>32</b>	Traffic calming devices on Clements Parade	Halcrow has advised that they do not consider that traffic calming measures are necessitated by the proposed development.
<b>33</b>	Object to scale.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height,

		bulk and scale. Further reductions to the overall bulk and scale of the taller built forms have been implemented to ameliorate any visual impacts to the surrounding areas.
	Will increase traffic and parking congestion.	Refer to response to <b>Objection 2</b> for traffic congestion.
<b>34</b>	Not enough infrastructure.	Refer to response to <b>Objection 6</b> for comment on infrastructure requirements.
	Will increase traffic, parking and rail congestion.	Refer to response to <b>Objection 2</b> for traffic congestion and parking.
	Supermarkets are needed but rest should be parkland, cafes, outdoor movies etc.	Refer to response to <b>Objection 18</b> for viability discussion.
	Do not want population growth and overcrowding	<p>As detailed in the EA, the Draft South Subregional Strategy targeted 10,100 additional dwellings and 8,000 jobs to be provided within the Sutherland LGA by 2031. The strategy also requires that 80% of dwelling growth should occur within the defined radii of identified centres.</p> <p>The proposed development will assist in satisfying the aims of the draft Subregional Strategy through a net increase of 485 direct retail jobs and a number of commercial jobs in a site co-located with significant housing and that is highly accessible to public transport</p>
<b>35</b>	Population growth,	Refer to response to <b>Objection 34</b> in relation to population growth.

	17 storeys	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	impacts on Gynea, Kirrawee and Sutherland	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
<b>36</b>	Increased traffic congestion.	Refer to response to <b>Objection 2</b> for traffic congestion.
<b>37</b>	Insufficient roads and infrastructure for population and transport needs	Refer to response to <b>Objection 2</b> for traffic congestion.  Refer to response to <b>Objection 6</b> for comment on infrastructure requirements.
<b>38</b>	Development and height inappropriate for area.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	Existing shopping centres adequate and location is not appropriate for shopping centre.	Refer to response to <b>Objection 1</b> for retail comments.
	Destroy character of Kirrawee village.	Further amendments to the length of the lower scale edge buildings respond better to the surrounding scale, grain and character.
	Traffic is at full capacity already.	Refer to response to <b>Objection 2</b> for traffic related issues.
<b>39</b>	Out of character with area.	Refer to response to <b>Objection 23</b> in relation to the impact of the proposal on the character of Kirrawee.

	Insufficient parking provision.	In response to the D&PI's issues letter, the proposal has been amended such that the amount of car parking provided has been reduced. Refer to <b>Section 3.3</b> of the PPR for further information.
	Will impact local road network.	The TMAP prepared by Halcrow has assessed the traffic effects of the development in conjunction with the RTA and Council.
	Will harm current traders in area.	HILL PDA do not agree that Kirrawee will be unduly impacted by the proposed development. Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for further information.
	Pond will be dangerous to children.	Refer to response to <b>Objection 24</b> in relation to ensuring that the proposed water body will ensure child safety.
	May be a white elephant.	The proposal demonstrates design excellence with the principal tower to the centre of the development designed to create a marker for the site whilst announcing the point of arrival into Kirrawee.
	May effect TV reception.	There is no reason to suggest that the proposal will affect TV reception.
<b>40</b>	Area is already full with traffic, noise and public transport, will cause detriment to traffic, quality of life and aesthetics.	Refer to response to <b>Objection 2</b> for traffic related issues.
<b>41</b>	Will increase traffic congestion,	Refer to response to <b>Objection 2</b> for traffic related issues.
	negative impact on	HILL PDA does not agree that Kirrawee will be unduly impacted by the proposed

	local businesses.	development. Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for further information.
	Height of buildings will dominate landscape.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.  In addition, the majority of the proposed structures on site are 5 and 6 storeys with the exception of the main towers at the centre of the site (11 and 14 Storeys). The taller built form will be seen as a gateway marker to the centre of the site. Further reductions to the overall bulk and scale to the taller built forms have been implemented to ameliorate any visual impacts to the surrounding areas. This taller built form will be seen as elegant structures above the tree canopy.
42	Height is out of character for area.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.  In addition, it is noted that the amended height proposed around the perimeter is largely as per Council's DCP. The centre heights do not impact adversely outside of the site. Built form transition has been implemented to ensure transition to surrounding scale and existing grain.
	Will increase traffic and parking congestion	Refer to response to <b>Objection 2</b> for traffic related issues.
43	Will not provide enough recreation area.	The proposal includes a large area of 9,000 sq.m to be used as a park, pending the finalisation of a VPA with Council. In addition, the proposal will also involve a public piazza and water body of almost 7,700 sq.m which, together will total over 16,500 sq.m of public open space. This is equivalent to almost 40% of the site. This is considered to be an adequate provision of green open space for the site.

	Endangered flora and fauna.	Refer to response to <b>Objection 11</b> above in relation to flora and fauna.
	Will cause traffic congestion.	Refer to response to <b>Objection 2</b> for traffic related issues.
	impact small businesses in Kirrawee.	HILL PDA does not agree that Kirrawee will be unduly impacted by the proposed development. Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for further information.
	Do not support high-rise or shopping malls.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>44</b>	15 storeys is too high.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	Will cause increase in traffic congestion.	Refer to response to <b>Objection 2</b> for traffic related issues.
<b>45</b>	Will cause overcrowding, vandalism and crime.	The proposed taller built form transitions from a 14 storey and an 11 storey tower down to the rest of the buildings on site which are in the order of 5 to 6 storeys.
	Have enough supermarkets.	Refer to response to <b>Objection 1</b> for retail issues.
	Will increase parking and traffic congestion. Pedestrian (children) safety at school.	Refer to response to <b>Objection 2</b> for traffic related issues.
	15 storeys too high.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height,

		bulk and scale.
46	Will increase traffic congestion,	Refer to response to <b>Objection 2</b> for traffic related issues.
	two supermarkets not necessary.	Refer to response to <b>Objection 1</b> for retail issues.
	Buildings too high for area.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.  In addition, this site is currently underutilised and is located close to a public transport node. This site's area and scale is capable of absorbing the proposed sites without any negative environmental and overshadowing effects on the neighbouring sites.
47	Traffic, locals will bear the infrastructure costs of the development.	Refer to response to <b>Objection 2</b> for traffic related issues.
	Development will impact ability to patronize local business. Enough supermarkets, impact on Kirrawee, Sutherland, Gympie shops.	HILL PDA does not agree that Kirrawee will be unduly impacted by the proposed development. Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for further information.
48	Out of context with locality,	The proposed taller built form transitions from a 14 storey and a 11 storey tower down to the rest of the buildings on site which are in the order of 5 to 6 storeys. This provides built form transition to the rest of the locality ensuring the retention

		of valuable open space for the enjoyment of the community at large.
	traffic,	Refer to response to <b>Objection 2</b> for traffic related issues.
	threat to wildlife,	Refer to response to <b>Objection 11</b> above in relation to flora and fauna.
	lack of public open space	Refer to response to <b>Objection 17</b> for discussion on the proposed park.
49	15 storeys too high, 6 storeys should be max,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height.
	Oak road too small, will increase traffic problems. There have been deaths from traffic; Life is more important than development. Princes, Oak and Flora should be park land	Refer to response to <b>Objection 2</b> for traffic related issues.
50	"totally shit". Bad impact on Shire, Will create Ghetto,	Refer to response to <b>Objection 2</b> for traffic related issues.
	Not enough schools, hospitals,	Refer to response to <b>Objection 34</b> in relation to the population growth envisaged for Sutherland.
	will increase traffic congestion	Refer to response to <b>Objection 2</b> in relation to traffic congestion.



51	TMAP is inaccurate and should be reviewed independently.	A revised TMAP has been prepared by Halcrow, and in conjunction with the RTA and Council, road improvements are proposed to accommodate the additional traffic that would be generated. These improvements are set out in <b>Section 3.3</b> of the PPR.
52	Will increase traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	Impact his business negatively.	Refer to response to <b>Objection 1</b> in relation to the proposed economic impacts of the proposal.
	Traffic will endanger school pedestrian traffic (local shopkeeper)	Refer to response to <b>Objection 1</b> in relation to the proposed road improvements.
53	Will increase burden on infrastructure.	Refer to response to <b>Objection 6</b> in relation to infrastructure provision.
	Will increase traffic and parking and congestion	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	Do not like high rise aesthetics. Should make it a park or youth centre.	Refer to response to <b>Objection 18</b> in relation to park across the site.
54	Will threaten local business,	Refer to response to <b>Objection 1</b> in relation to the proposed economic impacts of the proposal

	will create noise and safety issues,	A noise assessment was undertaken by Acoustic Logic in support of the original EA (refer to Appendix 14 of the EA). This report sought to identify the source of any potential noise and vibration impact within the vicinity of the site as well as assessing the impact of the Princes Highway and the rail line on the proposal. The report concluded that, subject to a number of recommendations as outlined in the report, <i>"compliance with noise emissions goals is achievable"</i> .
	will destroy family friendly atmosphere.	The proposal includes a new public park on the site. This will provide additional recreational facilities for families to enjoy.
55	Object to buildings over 3 storeys,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	more than 1 supermarket	Refer to response to <b>Objection 1</b> above in relation to the proposed retail element.
	private park.	The proposal includes a public park which will be available for the wider community to utilise.
	Traffic and parking congestion.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	Habitat should be	Refer to response to <b>Objection 11</b> above in relation to flora and fauna.

	conserved	
56	Will increase traffic and parking congestion,	Refer to response to <b>Objections 2 and 12</b> above in relation to traffic congestion.
	danger to the school children,	Refer to response to <b>Objection 1</b> in relation to the proposed road improvements to accommodate the additional traffic movements.
	15 storeys not aesthetically viable	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	Will impact businesses	Refer to response to <b>Objection 1 and 8</b> above in relation to the proposed retail and impact on existing businesses.
	What upgrades are proposed to water electricity and sewer?	Refer to response to <b>Objection 6</b> in relation to the required infrastructure.
	Why has council been ignored?	Sutherland Shire Council has provided a submission in relation to the proposal, and as part of the statutory advertising period. A response to Council's issues are provided at <b>Appendix 2</b> of the PPR.
57	Access and egress from site. Do not want traffic lights at Oak and Flora, Congestion at President Ave, Clements to Hotham and Kingsway.	Refer to response to <b>Objection 1</b> in relation to the proposed road improvements to accommodate the additional traffic movements.
	5 storeys is more in	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height,

	keeping.	bulk and scale.
58	Local business is against the KMP (LAM).	Refer to response to <b>Objection 1 and 8</b> above in relation to the proposed retail and impact on existing businesses
	Proposal is twice the LEC rejected scheme.	<p>As <b>Section 2.5</b> of the original EA sets out, A previous development application (DA) by the current site owner was submitted to Sutherland Council in 2008. This was broadly in conformity with SSLEP and DCP. However, a relatively modest amount of additional retail floor space (which was and remains fully permissible in the zone but more than had been contemplated by Council for the site at that time) was introduced into that DA.</p> <p>Retrospective changes to Council's controls introduced after the DA was lodged and before it was determined, led in part to the proposal being refused by the Land and Environment Court (ref. NSWLEC 1096 of 2008). Whilst the Court acknowledged the site was suitable for the development and specifically retail and supermarket development, it stated that it was constrained from approving it because of its inconsistency with the zone objectives.</p> <p>In other words, in broad terms its refusal of the retail component was as a result of a zoning constraint rather than any inherent unsuitability of the site or the merits of the application.</p> <p>In this respect the Court, as was clear from its judgement, regarded itself as being constrained by the requirements of Part 4 of the Act and its requirement to give determinative weight to the provisions of the relevant Environmental Planning Instrument's and local planning controls.</p>

		To this end, it is noted that the Planning Assessment Commission (PAC) under Part 3A is not constrained under the Act in the same manner as a consent authority under a Part 4 application. If it were to conclude that the current application has merit, it is not bound by the objectives and prescriptions of an LEP (as expressly prescribed in Section 75R of the Act). Indeed, we submit that where the provisions of an LEP or DCP are incompatible with or constrain the achievement of State or regional planning objectives, the PAC should give greater weight to regional policies above local policies where there is an inconsistency. Refer to <b>Section 5</b> of the EA for further information.
	Will destroy business and Kirrawee shops, reduce value of shops,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
	will increase traffic and parking,	Refer to response to <b>Objections 2 and 12</b> above in relation to traffic congestion.
	15 storeys ridiculous.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>59</b>	Will increase traffic congestion.	Refer to response to <b>Objections 2 and 12</b> above in relation to traffic congestion.
	15 storeys is higher than DCP control	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>60</b>	Will increase traffic congestion,	Refer to response to <b>Objections 2 and 12</b> above in relation to traffic congestion.
	Site is not appropriate for big residential development.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.

	Shortage of light industrial and would be better use (x3)	Refer to <b>Section 3.1</b> of the PPR for an economic justification of the proposal.
<b>61</b>	Will increase traffic congestion, Oak and Flora Streets too narrow	Refer to response to <b>Objection 1</b> in relation to the proposed road improvements to accommodate the additional traffic movements.
<b>62</b>	Should be park.	Refer to response to <b>Objection 29</b> for discussion in relation to the whole site being a park.
	Was rejected in the LEC. Will become like the BLOC in Redfern, high rise not appropriate area does not have capacity to deal with proposal.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	Not enough schools to deal with it.	Refer to response to <b>Objection 34</b> in relation to the population growth envisaged for Sutherland.
	Will increase traffic and parking congestion	Refer to response to <b>Objection 1</b> in relation to the proposed road improvements to accommodate the additional traffic movements.
<b>63</b>	Some residential too high and out of character,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale
	retail may adversely impact local shops,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to

	increased traffic,	the impact of the proposal on Kirrawee.
	water feature does not have a fence.	Refer to response to <b>Objection 24</b> in relation to the safety features of the proposed water feature.
<b>64</b>	should be open space.	Refer to response to <b>Objection 29</b> in relation to the proposal being a park.
	17 storeys too tall,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	increase in traffic,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	threat to local business.	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
<b>65</b>	Supermarket not needed, many design proposals,	Refer to response to <b>Objection 1</b> in relation to retail issues.
	stormwater comments,	Refer to response to <b>Objection 20</b> in relation to stormwater.
	traffic suggestions like reconfiguring the highway, does not	Refer to response to <b>Objection 2</b> in relation to traffic congestion.

	want the F6 extension and should put a toll road from Waterfall to M5/M7 intersection	
66	Object to scale, traffic	Refer to response to <b>Objection 3</b> in relation to car parking.
	impact on local business and infrastructure.	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
	# car parks mean it is not TOD,	Refer to response to <b>Objection 3</b> in relation to car parking.
	questions \$220M cost.	In relation to the total cost of the proposal, the Capital Investment Value of the project is estimated at \$238 million. This figure is confirmed by the Quantity Surveyor Cost Report attached at Appendix 26 of the original EA.
67	Traffic will flow via Clements Parade to Kingsway and President Ave, will increase traffic around school, encourage rat running, Clements will cop lions share of eastbound traffic.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
68	Will increase traffic and parking	Refer to response to <b>Objection 2</b> in relation to traffic congestion.



	congestion,	
	supermarket not needed, site not valid for this type of development	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.
<b>69</b>	Welcome major supermarket,	Support for the proposal is noted.
	does not support 15 storeys, height limit should be 5	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>70</b>	Height too much, rejected by <LEC previously,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	traffic,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	stormwater,	Refer to response to <b>Objection 20</b> in relation to stormwater.
	wildlife threat,	Refer to response to <b>Objection 11</b> in relation to flora and fauna.
	supermarket not needed,	Refer to response to <b>Objection 1</b> in relation to the proposed retail.
	new church in Durbar Ave will create traffic	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
<b>71</b>	Out of sync with surroundings,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	do not need 2 supermarkets,	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.

	effect business in Sutherland, Gymea and Kirrawee,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
	will increase traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	height is out of character,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	wildlife threat.	Refer to response to <b>Objection 11</b> above in relation to flora and fauna.
<b>72</b>	High rise out of character,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	POS not adequate should be double the size,	Refer to response to <b>Objection 16</b> in relation to the proposed public open space across the site.
	will increase traffic and parking congestion, parking provision inadequate should be 3500,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	threat to Kirrawee businesses, supermarket not needed.	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
<b>73</b>	Object to 15 storeys,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	overshadowing will impact surrounding	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height,

	areas,	bulk and scale.
	type of buildings will lead to people not integrating with community	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>74</b>	Object to buildings over 8 storeys, out of character,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	Shops should connect better with Kirrawee shops	Refer to response to <b>Objection 1</b> in relation to retail issues and impact of the proposal.
<b>75</b>	Too many people, units and cars.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	LEC rejected smaller development	Refer to response to <b>Objection 58</b> in relation to the previous proposal.
<b>76</b>	Does not allow traffic to or from Princes Hwy,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	disputes economic assessment,	Refer to response to <b>Objection 1</b> above in relation to the proposed retail element.
	will increase traffic and parking congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.

<b>77</b>	Will increase traffic congestion	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
<b>78</b>	No positive benefits for the area,	Refer to response to <b>Objection 24</b> in relation to the positive benefits for the area.
	height out of character,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	will devastate local business,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
	will increase traffic and parking congestion	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
<b>79</b>	Against LAM and LEC judgement,	Refer to response to <b>Objection 58</b> in relation to the previous development application.
	STIF should be protected,	The STIF area of the site is an important protected vegetation and habitat zone on the site, with on-going management, enhancement and protection in accordance with Ecologist guidelines as set out as part of the application. The site planning and landscape design has been developed with the consultant Ecologist, and in consultation with Council officers, to ensure that the proposed areas are sustainable and suitable in terms of the ecological role. Key features that naturally restrict access to this area are the level change and the reinstatement of the pond, both of which will be highly managed landscape elements. Fencing will limit access to the regeneration area, with particular concern for safety given the significant level change. As noted, the riparian pond is to have a high level of management of accessibility in order to assist safety,

		and this also assists limiting access to regeneration and habitat areas beyond the pond. In this, we believe that the landscape design compliments the guidelines established by the Ecologist in maximizing protection, and reducing potential threat to habitat and natural ecology areas.
	stormwater and traffic impacts,	Refer to response to <b>Objection 20</b> in relation to stormwater.
	wants public hearing.	Once the PPR has been considered by the Department of Planning, the application will be determined by the planning Assessment Commission (PAC). The PAC has the ability to call a public hearing to debate the proposal if they deem this necessary.
	Impact on local business	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
<b>80</b>	Not necessary, should be nature reserve.	Refer to response to <b>Objection 29</b> in relation to the proposal being a park.
<b>81</b>	Height not in character with Shire,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	park is unusable and functions as a building forecourt,	Refer to response to <b>Objection 11</b> in relation to the proposed park area.

	pedestrian access convoluted,	Refer to response to <b>Objection 11</b> in relation to the proposed park area.
	will kill small business in Kirrawee and Sutherland,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
	provide no skill employment for the Shire	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
<b>82</b>	Overdevelopment, more high rise and less buildings would allow more open space.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>83</b>	Kirrawee not good for public transport,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	will increase parking and traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	supermarkets will not do well.	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.
<b>84</b>	Ecology is threatened, ecology and recreation al mix of uses is not compatible in park,	Refer to response to <b>Objection 11</b> in relation to impacts on the flora and fauna
	will increase traffic	Refer to response to <b>Objection 2</b> in relation to traffic congestion.

	and parking congestion,	
	traffic will create noise and pollution,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	will threaten industrial jobs due to traffic,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	supermarket not needed,	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.
	may cause flooding,	Refer to response to <b>Objection 20</b> above in relation to stormwater.
	will destroy village atmosphere,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	height not in character with area, overshadowing	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>85</b>	Construction traffic concern, will increase traffic and parking congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	height inappropriate, Oak road north closure stupid,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	do not need supermarket,	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.
	should be a park	Refer to response to <b>Objection 29</b> for discussion in relation to the whole site

		being a park.
86	car park entry should be moved away from boundary, inadequate parking, will not be able to conduct brake tests in Flora St, need another vehicle egress from the site, will increase parking and traffic congestion, loss of parking on Flora street, proposed childcare is prohibited.	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
87	Out of context with locality,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	traffic,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	impact on local business,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
88	Scale will ruin village,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	will increase traffic and parking congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.



	traffic study incorrect,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	will have adverse social and financial impacts, enclave	The EA concluded that the proposal will have a beneficial impact in relation to social and financial considerations. Refer to the EA for further information.
89	Bigger than LEC rejected scheme,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	will increase traffic congestion	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
90	overdevelopment,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	too many shops,	Refer to response to <b>Objection 1</b> in relation to the proposed retail element.
	traffic chaos,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	should be open space	Refer to response to <b>Objection 29</b> for discussion in relation to the whole site being a park.
91	overdevelopment, too many shops,  traffic chaos,  should be open space	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
92	Will increase traffic and parking congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.

	scale and height not in context, noise concerns.	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
<b>93</b>	Will increase traffic and parking congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	will set precedent for other development,	
	alcohol sales could cause anti-social behaviour,	There is no reason to suggest that the proposal will lead to anti-social behaviour. Refer to <b>Objection 3</b> in relation to the proposed CPTED measures that will be included within the proposed design.
	additional demand on infrastructure,	Refer to response to <b>Objection 6</b> in relation to the demand on infrastructure.
	high rise will spoil the area	Refer to response to <b>Objection 24</b> in relation to the proposed integration of the development into Kirrawee.
<b>94</b>	GUFC; want park to be detailed, want playing fields,	Refer to response to <b>Objection 17</b> in relation to the proposed public open space across the site.
<b>95</b>	Will increase traffic and parking congestion, Oak road entry is dangerous, rat run dangerous to school children in Clements Parade,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.

	scale and	
	supermarkets unwarranted	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.
96	In favour of proposal exact high rise	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
97	Proposal too large,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	will increase traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	park is bad design,	Refer to response to <b>Objection 17</b> in relation to the proposed public open space across the site.
	supermarkets not needed,	Refer to response to <b>Objection 1</b> above in relation to the proposed retail.
	detrimental to bats and STIF,	Refer to response to <b>Objection 11</b> above in relation to the flora and fauna.
	may cause flooding,	Refer to response to <b>Objection 20</b> in relation to the stormwater impacts of the proposal.
	site access inadequate,	Refer to response to <b>Objection 2</b> in relation to traffic and access.
	site contaminated,	Preliminary investigations into the physical suitability of the site for the proposed development have been undertaken by Jeffrey and Katauskas and have identified no encumbrances to that development.
	disregard for local community,	The application has been advertised to the local community and a response has been prepared to each of the issues raised.

		In addition, it is concluded that the proposal will bring vitality, convenience and outstanding environmental, social and economic outcomes to Kirrawee and the wider local community.
	concern that developer has made donations,	The proponent has disclosed all political donations as noted on the application form submitted with the Concept Plan.
	concern that developer will build shopping centre only	As part of the application documentation, a staging plan has been prepared. This sets out the following staging:  <b>Stage 1 -</b> Retail, basement car parking and Blocks D1, D2 + E. Full embellishment of public park.  <b>Stage 2 -</b> Blocks A, B and C;  <b>Stage 3 -</b> Princes Highway Blocks F, G + H.
98	Overdevelopment, against controls,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	will increase traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	council should not pay for park,	The amended proposal includes an agreement with Council that the proponent will build and maintain the park at no cost to the Council. Refer to <b>Section 3.5</b> of the PPR for further information.
	LEC rejected,	Refer to response to <b>Objection 58</b> in relation to the previous proposal.
	impact local business, state government ignorant	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.

99	Oak road access not viable,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	overdevelopment, more high rise will mean more open space (x2)	Refer to response to <b>Objection 17</b> in relation to the proposed public open space across the site.
100	Kirrawee Chamber of Commerce; Will impact on local shops,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
	does not integrate,	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
	will increase parking and traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
101	Will increase traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	smaller scheme was rejected by LEC,	Refer to response to <b>Objection 58</b> in relation to the previous proposal.
	stormwater issues,	Refer to response to <b>Objection 20</b> in relation to stormwater.
	threat to wildlife, public open space,	Refer to response to <b>Objection 11</b> in relation to the impacts of the proposal on the flora and fauna.
	impact on local business	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
102	Will increase traffic	Refer to response to <b>Objection 2</b> in relation to traffic congestion.

	congestion,	
	smaller scheme was rejected by LEC,	Refer to response to <b>Objection 58</b> in relation to the previous proposal.
	stormwater issues,	Refer to response to <b>Objection 20</b> in relation to stormwater.
	threat to wildlife,	Refer to response to <b>Objection 11</b> in relation to the impacts of the proposal on the flora and fauna.
	public open space,	Refer to response to <b>Objection 17</b> in relation to the proposed public open space across the site.
	impact on local business	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> for response in relation to the impact of the proposal on Kirrawee.
<b>103</b>	Was not given proper notice,	The application was exhibited for an extended period of time and between 15 December 2010 and 11 February 2011. It is considered that this was an appropriate amount of time for submissions to have been prepared.
	submission deceptive, has been denied natural justice, council officer was not available to discuss the proposal, , village atmosphere will be destroyed,, concerned about endangered fauna, mosquito borne disease may result, large steps not suitable for disabled access, water body	

	dangerous to humans	
104	Will increase traffic congestion,	Refer to response to <b>Objection 2</b> in relation to traffic congestion.
	will impact lifestyle of residents,	The proposal has been designed to ensure that the lifestyle of the residents will be maximised.
	will impact local shops, no need for shopping centre.	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> in relation to the impact of the proposal on Kirrawee.
105	Too many problems, too high,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	too much traffic,	Refer to response to <b>Objection 2</b> for traffic congestion.
	impact on local shops	Refer to response to <b>Objection 1</b> and <b>Objection 25</b> in relation to the impact of the proposal on Kirrawee.
106	Height out of character,	Refer to response to <b>Objection 11</b> in relation to the proposed changes in height, bulk and scale.
	will increase traffic congestion,	Refer to response to <b>Objection 2</b> for traffic congestion.
	do not need supermarkets,	Refer to response to <b>Objection 1</b> in relation to retail issues.
	stormwater issues,	Refer to response to <b>Objection 20</b> in relation to stormwater.
	should be parkland	Refer to response to <b>Objection 18</b> in relation to park across the site.