

2016SSH003 – 24-38 Flora Street Kirrawee

DA16/1668

ASSESSMENT REPORT APPENDICES

- | | | |
|----------|---|--|
| Appendix | A | Sydney Trains Response dated 17 May 2017 |
| | B | RMS response dated 7 June 2017 |
| | C | NSW Police Response CPTED dated 18 May 2017 |
| | D | NSW Police Response Liquor dated 16 May 2017 |
| | E | Economic Consultant Assessment dated 19 April 2017 |
| | F | ARAP Report dated 2 February 2017 |
| | G | Architectural Plans |

Hi Daniel

APPENDIX "A"

At present we cannot continue with our assessment. The amended plans do not meet our requirement for a setback for maintenance, and the only way you could meet the June 2nd required date for SSPP would be if amended plans were provided to us by Monday. The attached plans have comments indicating that there is no setback in place. There are also no documents provided to advise how the applicant would maintain the walls and structure without needing to enter the rail corridor due to lack of a setback. This includes graffiti control.

The applicant may contact Sydney Trains to discuss our requirements; we have a minimum of 1.5m setback, unless the applicant can prove that they can maintain the area in a smaller setback space.

Please let me know if you need anything further.

Kind Regards

Sarah Anderson

Assistant Town Planner

Future Direction, Growth & Performance

Sydney Trains

T 02 8575 0237

Level 1, 36-46 George Street, Burwood NSW 2134

PO Box 459, Burwood NSW 1805

Generic email: DA_sydneytrains@transport.nsw.gov.au

Sydney Trains is a NSW Government agency





7 June 2017

Our Reference: SYD17/00190/02
Council Ref: DA16/01668

The General Manager
Sutherland Shire Council
Locked Bag 17
Sutherland NSW 1499

Attention: Daniel Lukic

Dear Sir/Madam,

**PROPOSED WOOLWORTHS DEVELOPMENT
24-38 FLORA STREET, KIRAWEE**

Reference is made to Council's email dated 11 May 2017, regarding the abovementioned Application which was referred to Roads and Maritime Services (Roads and Maritime) for comment accordance with *Clause 104 of the State Environmental Planning Policy (Infrastructure) 2007* and for consent under *Section 87 of the Roads Act 1993*.

Roads and Maritime has reviewed the submitted application and generally raises no objection to the proposed development. It is noted that additional information was submitted on 2 June 2017 including a revised traffic report and concept plan of the proposed upgrade to the traffic signals at President Avenue/Oak Road intersection. Roads and Maritime has reviewed this information and provides the following comments:

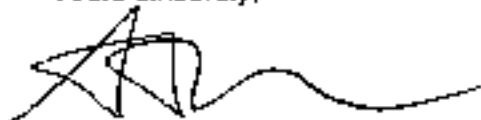
1. The current intersection layout provides a shared through and left turn arrangement in lane 1 and a shared through and right turn arrangement in lane 2. The current layout allows better flexibility for northbound traffic on Oak Road. Therefore the concept plan will need to be amended to reflect this change as Roads and Maritime does not support the proposed changing of the lanes northbound on Oak Road.
2. Section 2.4 of the Roads and Maritime guidelines for Traffic Signal Design requires that signalised marked foot crossings must be provided on all legs of an intersection. The current proposal does not include a signalised marked foot crossing on the southern leg of the President Avenue/Oak Road intersection. Therefore a pedestrian crossing should be provided on the southern leg of the President Avenue/Oak Road intersection.

Upon receipt of amended plans addressing the abovementioned requirements, Roads and Maritime will provide a response accordingly.

Roads and Maritime Services

Should you have any further inquiries in relation to this matter, please do not hesitate to contact Hans Pilly Mootanah on telephone 8849 2076 or by email at development.sydney@rms.nsw.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Aleks Tancevski', with a long, wavy horizontal line extending to the right.

Aleks Tancevski
Senior Land Use Planner
Network Sydney South Precinct

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NSW Police Force
www.police.nsw.gov.au

18th May 2017

Mr. Dan LUKIC
Environmental Assessment Officer
Planner Major Development Assessment
Sutherland Shire Council

NSWPF - Sutherland LAC comments on DA16/1668 demolition of existing structures and construction of mixed use commercial development including Woolworths supermarket, Dan Murphy's liquor store, commercial tenancies, child care centre, parking, signage and associated facilities at 24-38 Flora Street, Kirrawee.

Dear Sir,

Thank you for the opportunity of commenting on this proposal.

This is in addition to comments already submitted by Sutherland LAC Licensing Supervisor, Sergeant Thompson on 16th May 2017 concerning the Dan Murphy's liquor store component of this Development Application.

These comments will relate to the primarily on the child care centre and parking component and will in line with guidelines set out in the Crime Prevention through Environmental Design (CPTED) principles.

These comments and recommendations are also made in the absence of not knowing the remaining occupants' business / industry that will be operating in the commercial premises areas within this development application.

Child care centre

- Extensive CCTV coverage should be considered for use at internal staircase/s, lift/s and throughout the premises. Police suggest the use of CCTV to monitor the common areas, lobbies, access/egress driveways, delivery dock and underground car parks to ensure staff and patron safety.
- Police highly recommend that restrictions are placed on the premises for the amount of children which can be accommodated at any given time. The number of children must be within current guidelines and the ratio for NSW.
- Police highly recommend the installation of fixed equipment i.e. tables, chairs etc. This should prohibit the likelihood of any person/child of using placing the items outside any opened window.

SUTHERLAND LOCAL AREA COMMAND

Corr Flora Street and Glencoe Street, Sutherland 2232

Telephone 02 9542 0699 Facsimile 02 9542 0708 E/Net 58899 E/Fax 58709TTY 9211 3776 (Hearing/Speech impaired)

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- Consideration should be considered installing fixed windows, with no external opening devices installed. The Strata Schemes Management (Child Window Safety Devices) Act 2013 has recently been enforced relating to child safety windows. This must be considered when choosing the appropriate window.
- Fencing at a minimum 2.5mtrs in height should be considered relating to the Child Care Centre to reduce the likelihood of natural ladders being formed. Restrictions such as anti-climbing material should be utilised, reducing the likelihood of child/ren climbing and possibly falling over the nominated height. Increase of height will minimise this likelihood.
- Noise reduction devices should be installed to reduce the likelihood of children emanating noise whilst playing outdoors.
- Age and/or height restrictions should prohibit the use of internal amusement rides, fixtures to unauthorised children.
- The Child Care Centre and area, should consider Child Safe Gates, whereby, suitable locks, clips or other mechanism should prohibited the escape of any child.
- The children's safety and wellbeing is the utmost importance whilst in the presence within the premise. All staff within the licensed premise is to complete a National Working With Children checks.

Car park area

- The proposed basement car parks accommodates vehicles below street level, therefore, there is an increased risk for public safety, due to the seclusion of the area.
- The area needs to be marked clearly with good visibility for customers entering and exiting the car park and give good natural surveillance into the car park. Opportunities for concealment within the car park area should be avoided. Clear signage needs to be in place throughout the car park to indicate exit and emergency exit routes, no parking areas, direction to facilities and to mobility car spaces to minimise the risk of antisocial behaviour and use of the car park for skateboarding, burnouts, illegal parking, etc.
- Emergency services car parking spaces should be clearly marked in the basement and external parking areas.
- Consideration should be given to the access control of the entry to the carpark, by use of gates/chains or other device to reduce the likelihood of unauthorised access afterhours.
- Suitable height restriction devices should be considered at the entry point of the carpark or near the extended rooftop and a distance away from the building alignment to limit the amount of possible damage and/or person/s using the device as a natural ladder.
- Police recommend that each unit is supplied a lockable garage. A two point lockable garage door should be installed for each garage.
- Clean, well-maintained areas often exhibit strong territorial cues. Rundown areas may cause perception of fear and affect community confidence to use public space. Ultimately, it may provide crime opportunity. Vandalism can cause fear and avoidance behaviour in a public space, therefore the rapid repair of vandalism and graffiti, the replacement of car park lighting and general site cleanliness is important to create a feeling of ownership. Ownership increases the likelihood that people will report or attempt to prevent crime.
- Consideration should be given to "Staff Only" car spacing, especially for staff working late at night. The basement car park includes access by the general public. Given this, Police believe access should be restricted by the installation of security shutters on the basement level. Police would recommend that all authorised staff are allocated access cards to provide temporary activation of security shutters to the basement areas and lobbies. This should reduce the possibility of residents being outside or in unauthorised areas
- Skateboarders can adversely affect the reputation of areas if not controlled. As a result of this, patrons and residents could shop and live in fear of their safety and no longer use certain areas of the basement parking facilities. Smooth, large concreted areas are enjoyed by skateboarders who generally enjoy smooth downhill descents. Skateboarders generally congregate in large numbers and some skateboarding communities within the Sutherland Shire are known to commit graffiti attacks. As a result, the area may be avoided by pedestrian traffic and the risk of crime could rise, and may increase noise associated complaints. To reduce the area for the potential of skateboarders attributing to noise and crime, Police highly recommend the use of ribbed or waffle concrete.

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- Many graffiti vandals favour porous building surfaces, as 'tags' are difficult to remove. Often a ghost image will remain even after cleaning. Easily damaged building materials may be less expensive to purchase initially, but their susceptibility to vandalism can make them a costly proposition in the long term, particularly in at-risk areas. This should be considered when selecting materials for construction. Police recommend painting walls with an anti-graffiti type commercial grade paint or substance.
- The proposal should comply with Sutherland Shire Council's Draft Control Plan.
- All car parking areas should conform to AS 2890.
- This proposed development will impact on traffic in this specific area as it will be adjoining or opposite the 'Brick Pit Development', 586- 594 Princes Hwy, Kirrawee.
- This proposal will have an impact on traffic movement and flow on Flora Street, Oak Road North and Bath Road, Kirrawee. The development location will also be impacted during school zone times, with Kirrawee Public School which has limited parking for parents, therefore considerations for school drop off/ pick up locations are to be designated.
- Consideration of collaboration in the upgrade to Traffic Control Lights at the Princes Hwy and Bath Road due to increase traffic movement of private and commercial vehicles.
- It would be expected with the Woolworths Supermarket commercial vehicle sizes up to semi-trailers would delivering stock and products. This will require vehicles to travel in Bath Road where a school zone is located for Kirrawee Primary School or access through the intersection of Oak Road and Flora Street. Vehicle restrictions in Bath Rd and Hotham Rd are to be considered. Further considerations for vehicle restrictions on Oak Road south of Flora Street.
- Consideration of installing a **marked pedestrian crossing** in the middle of Flora Street as it would be expected an increase in usage of the supermarket from residents occupying the residential units in the Brick Pit Development location.
- It should be noted that the intersection of Princes Highway and Oak Road has had a consistent motor vehicle collision history and is a current black spot location for the Sutherland Local Area Command. There are current turning restrictions imposed on this intersection, which would significantly impact peak hour periods.
- This development will impact on the surrounding neighbourhood. Clearly car parking in the surrounding streets could be a problem in this area with existing parking servicing public transport and shopping precinct already in high demand. Car parking in the surrounding streets should be carefully considered in line with the SRDAC recommendations.
- No exit from Flora Street west onto Oak Road and consideration of entry only from Oak Road to provide a continual movement flow of traffic in Flora Street.
- Consultation on a **traffic management plan** for Flora Street and surrounding streets should be discussed and implemented through the Sutherland Shire Council Traffic and Consultative Committee to ensure a consistent approach is adopted early for this and already sanctioned development applications.

Loading Dock Area

- Forward movement of delivery vehicles in and out only of the development. No reversing in or out due to pedestrians and vehicular traffic on the development and on the outside footpath and roadway. This is considered appropriate to reduce the incidences of motor vehicle collisions both in injuries and damage.
- Access to the loading dock area needs to be restricted to authorised personnel only. External areas providing access into the shopping centre and areas that are left unattended for long periods of time can provide opportunity for anti-social behaviour, malicious damage and theft and as such need to be closed off after hours or when not in use or covered by Security or CCTV. Clear signage on the entrance to the loading dock area needs to be in place to prevent excuse making for trespassers, illegal parking and safety for heavy vehicle access. Security risk areas or potential hiding areas also need to be addressed. These areas must display signage to reflect this.
- Clear sight lines to the loading dock area, by way of appropriate landscaping, require attention. This should provide a sense of natural surveillance and clear visibility to pedestrians on the street.

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- Garbage collection waste should be removed at a reasonable hour not to disturb residents. Although this area is considered by NSW Government as an essential service and has no current legislated time restrictions, Police recommend a reasonable hour is after 7am.
- A gate should be installed as a minimum restriction to unauthorised vehicles entering the restricted area.
- Refrigerated delivery trucks should be limited to delivery times in accordance with current NSW legislation (Protection of the Environment Operations Act 1997). At the time of this report, the time is 8am to 8pm. Outside these hours, the driver/company could be committing an offence and appropriate action taken.

Yours sincerely



Terry O'Neil
Detective Chief Inspector
Crime Manager
Sutherland Local Area Command

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16 May 2017

Sutherland Shire Council
4 - 20 Eton Street
Sutherland, NSW 2232

**APPLICATION NUMBER: DA16/1668
DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF MIXED USE
COMMERCIAL DEVELOPMENT INCLUDING WOOLWORTHS SUPERMARKET, DAN
MURPHY'S LIQUOR STORE, COMMERCIAL TENANCIES, CHILD CARE CENTRE,
PARKING, SIGNAGE AND ASSOCIATED FACILITIES**

Police object to this application due to, the likely negative social impacts, the public interest not being served by an additional full service liquor store and failure to comply with the Sutherland Shire Council Draft Development Control Plan 2015.

I am currently the Licensing Supervisor at Sutherland Local Area Command having been a Police Officer for 27 years. During this time I have worked at Redfern Police Station, Sydney Police Station (cells), Kings Cross Police Station, The Olympic Security Command, City Central Police Station, The Rocks Police Station, the Alcohol and Licensing Enforcement Command (ALEC), Surry Hills Police Station and now Sutherland Police Station.

I have been the Licensing Supervisor at all four inner city Police Commands (now three Commands) being Kings Cross, City Central, The Rocks and Surry Hills. Whilst attached to ALEC, I was the Region Licensing Coordinator for 4 years and have spent the last 26 years working in the inner city, 11 of which were at Kings Cross. As a result I have extensive knowledge relating the operation and cumulative impact of licensed premises.

1. Location

- 1.1. The premises are located within the Sutherland Local Area Command and Sutherland Shire Local Government Area.
- 1.2. The premises are located within an 'Intermediate Activity Area' for the suburb of Kirrawee in accordance with the Sutherland Shire Council Draft Development Control Plan 2015.
- 1.3. It is in close proximity of numerous existing residential premises and the new Brick Pitt development.

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Sutherland Local Area Command
Licensing Section

111-115 Flora Street Sutherland NSW 2232
T 02 9542 0773 F 02 9542 0854 W www.police.nsw.gov.au
TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000)

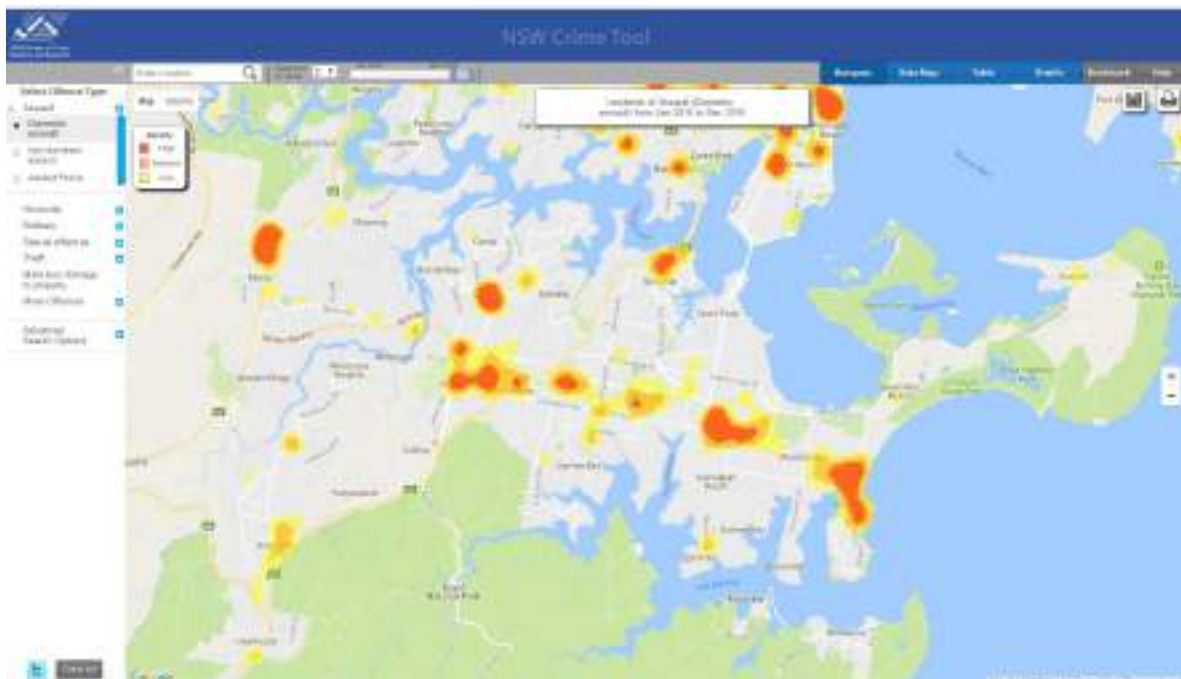
POLICE ASSISTANCE LINE (131 444)

CRIME STOPPERS (1800 333 000)

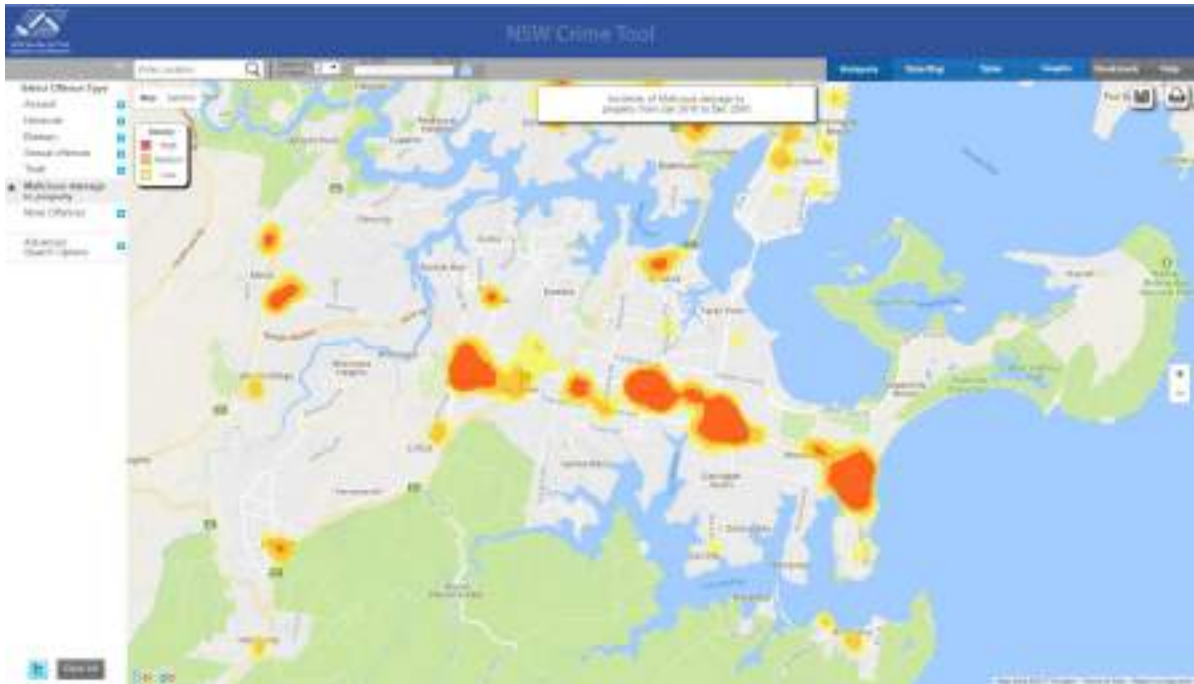
- 1.4. It is in close proximity of two existing take away liquor outlets, BWS at 152 Oak Road Kirrawee, and The Prince Kirrawee at 531-541 Princes Highway Kirrawee, and three DA approved take away liquor stores (one currently being withdrawn) within the Brick Pitt development.
- 1.5. The premises consist of a Dan Murphy's liquor store, which will be subject of a Package Liquor Licence authorising the sale and supply of liquor.
- 1.6. The liquor store is seeking to trade between 9.00am and 10.00pm Monday to Saturday and 10.00am and 10.00pm on Sunday.
- 1.7. The liquor store is large in size being 1195 square metres and will operate as a full service liquor store. Furthermore, the applicant has not provided any information on the type or volume of liquor being kept on the premises.
- 1.8. Police submit the liquor store is incredibly large and the trading hours extensive, which increases the scope of this business to contribute to adverse alcohol related impacts.

2. NSW Bureau of Crime Statistics and Research

- 2.1. The premises are located within a hotspot for domestic assault and malicious damage incidents.

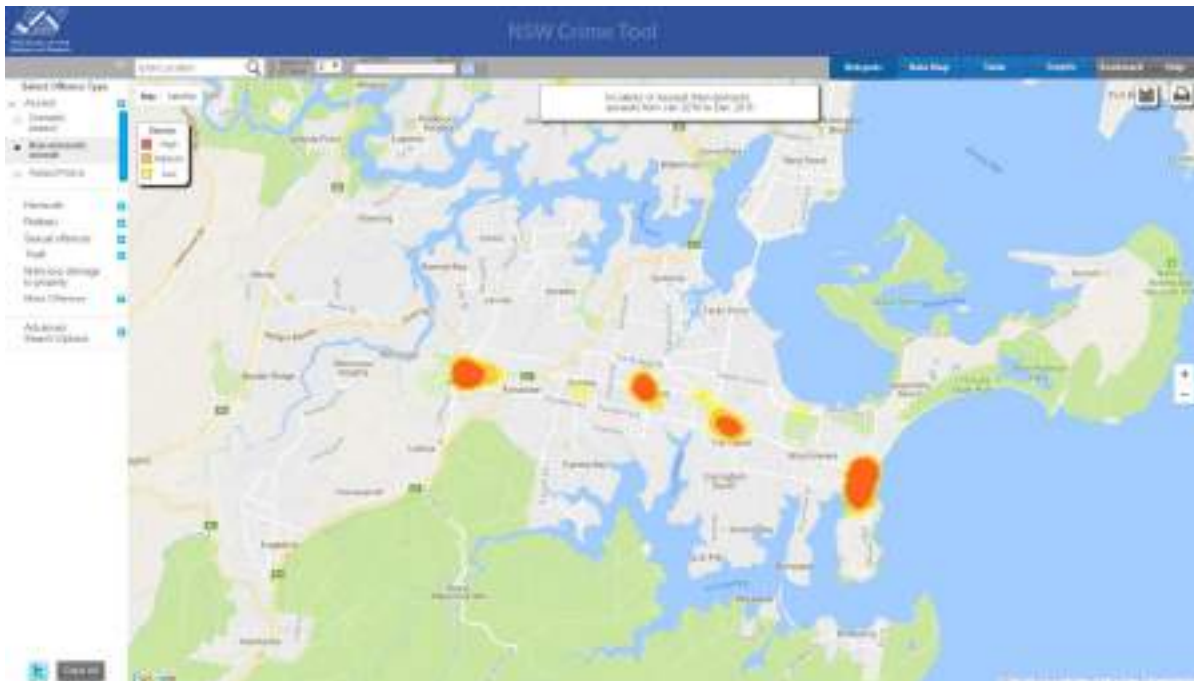


Incidents of Assault (Domestic assault) from Jan 2016 to Dec 2016



Incidents of Malicious damage from Jan 2016 to Dec 2016

- 2.2. The premises are not located within a hotspot for non-domestic assault, however this is more to do with the current density and risk level of licensed premises within this suburb as opposed to Cronulla, Caringbah, Miranda, Gymea and Sutherland.



Incidents of Assault (Non-domestic assault) from Jan 2016 to Dec 2016

- 2.3. NSW BOCSAR Crime Statistics for January 2015 to December 2016 indicate that in the year ending December 2016 the State suburb of Kirrawee recorded a rate of *alcohol related domestic assault* at **94.1** per 100,000 persons of population, below the rate for New South Wales as a whole at **116.9** per 100,000 persons. This data also

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TRIPLE ZERO (000)

POLICE ASSISTANCE LINE (131 444)

CRIME STOPPERS (1800 333 000)

indicates that in the year ending September 2016 the State suburb of Kirrawee recorded a rate of *alcohol related non-domestic assault* at **83.6** per 100,000 persons of population, below the rate for New South Wales as a whole at **136.5** per 100,000 persons.

- 2.4. However, if the suburb of Sutherland is to be used as an example of the likely outcome of additional residential development and an increased density of high risk licensed premises NSW BOCSAR Crime Statistics for January 2015 to December 2016 indicate that in the year ending December 2016 the State suburb of Sutherland recorded a rate of *alcohol related domestic assault* at **148.1** per 100,000 persons of population, **well above** the rate for New South Wales as a whole at **116.9** per 100,000 persons. This data also indicates that in the year ending September 2016 the State suburb of Sutherland recorded a rate of *alcohol related non-domestic assault* at **379.6** per 100,000 persons of population, **well above** the rate for New South Wales as a whole at **136.5** per 100,000 persons.
- 2.5. Police submit there is a significant risk that liquor sold from this new liquor store will increase the prevailing levels of alcohol related crime, disturbance and adverse impacts upon the amenity of Kirrawee from a minority of customers who abuse packaged liquor.

3. Alcohol Related Crime Information Exchange (ARCIE)

3.1. To further illustrate the link between liquor stores and alcohol related crime, from January 2015 to April 2017, the number of Police involvements by last place of consumption is as follows;

- 3.1.1. 39% in Home/private residence
- 3.1.2. 22% in Licensed premises
- 3.1.3. 19% in Public Place
- 3.1.4. 19% is Unknown
- 3.1.5. 1% is Other

3.2. Police submit that liquor derived predominately from liquor stores represents 58% of all Police involvements.



3.3. This is further supported by data from January 2015 to April 2017, the number of Police involvements by under age – last place of consumption report;

- 3.3.1. 47% in Public Place
- 3.3.2. 31% in Home/private residence
- 3.3.3. 21% is Unknown
- 3.3.4. 1% in Licensed premises



3.4. Police submit that liquor derived predominately from liquor stores by minor's represents 78% of all Police involvements.

4. Sutherland Shire Council Draft Development Control Plan 2015

4.1. Police submit this application is subject of the provisions in the Sutherland Shire Council Draft Development Control Plan 2015, in particular DCP Chapter 36 Late Night Trading and DCP Chapter 40 Social Impact.

4.2. In accordance with DCP Chapter 36, Late Night Trading, the applicant has failed to satisfy the following;

4.2.1. *Safety and Security, Owners and operators of late night trading premises are to demonstrate how they will responsibly manage the surrounding environment adjoining the premises (within a minimum 50 metre radius), to maintain local amenity, safety, security and prevent potential impacts on surrounding residents.* Departing patrons from the liquor store are likely to consume liquor within the specified radius, particularly the existing Kirrawee shopping precinct, yet this has not been addressed. Police submit the approval of this application is more likely to leave the neighbourhood amenity in the vicinity of the premises more vulnerable.

4.2.2. *Safety and Security, All licensed premises and late night trading venues must be equipped with a functioning CCTV system which complies with Australian Standard 4806.1—2006 - Closed circuit television (CCTV).* Whilst the Crime Prevention Report does discuss CCTV, there is no CCTV plan, which is essential in making a proper assessment as to the adequacy of CCTV.

4.2.3. *Management Plans, The following late night trading premises are required to provide a Management Plan: All Licensed Premises.* Police submit there is no Management Plan relating the operation of the liquor store.

4.3. In accordance with DCP Chapter 40, Social Impact, the applicant has failed to satisfy the following;

- 4.3.1. The proposed liquor store in no way enhances community health and amenity through increased opportunities for recreation, relaxation, physical activity, worship and/or improved safety and security.
- 4.3.2. The proposal does not acknowledge community perception of risk to social, environmental and/or economic outcomes and demonstrates how risks will be avoided, mitigated or offset.
- 4.3.3. The proposal does not encourage the use of public and active transport options as a means by which to reduce private vehicle dependence.
- 4.3.4. The Crime Prevention report does not address the issues of minors purchasing liquor / or secondary supply, which is a significant issue within the Sutherland Shire LGA.
- 4.3.5. The Crime Prevention report does not address the Crime types of Assault (Domestic assault), which will invariably increase due to the proposed large scale liquor store, or Malicious Damage, both of which show Kirrawee as a hotspot.
- 4.3.6. Police further note there is no information relating, Operational matters, security and the specific harm minimisation and responsible service of alcohol practices, Liquor Store "House Policy", Woolworths Best Practice Policy and Interventions, School Uniform Policy, Refusal of service – Intoxication Policy, ID 25 Policy or Secondary Supply Policy, all of which are necessary to reduce the risk of a large full service liquor store.

5. Comment

- 5.1. Police object to the approval of this application for the following reasons;
 - 5.1.1. The development application should be refused as the associated liquor store will have an adverse impact on local amenity including drinking in public places, secondary supply of liquor to minors, "pre-fuelling" and alcohol related litter. A new liquor store in this location will contribute to increased alcohol related crime, similar to what is exhibited in nearby suburbs of Sutherland.
 - 5.1.2. ARCIE data indicates that Liquor stores are the predominated source of liquor for all Police involvements.
 - 5.1.3. Alcohol related domestic violence incidents are attributable to the abuse of packaged liquor, with the rate of domestic violence, within the suburb of Sutherland, well above the state average. The suburb of Kirrawee was previously immune to this issue having one liquor store. With the addition of one large hotel, with take away liquor facilities, and three new liquor stores, this will no longer be the case if this development application is approved.
 - 5.1.4. Without knowing the type or volume of liquor being kept on the premise, Dan Murphy's usually sells products attractive to minors, most of which are refrigerated, making this attractive to persons wishing to immediately consume liquor products.

- 5.1.5. The development application does not comply with the Sutherland Shire Council Draft Development Control Plan 2015, in that the application has failed to satisfy aspects of Chapter 36 and 40.
- 5.1.6. Police submit the granting of this development consent is not in the public interest, does not comply with the Sutherland Shire Council Draft Development Control Plan 2015, the operation of a new liquor store in this location will likely result in adverse social impact in the suburb of Kirrawee and it is likely that alcohol related crime and the associated harms would be exacerbated by the operation of this premises.

If you require any further information please don't hesitate to contact.



Darrin Thompson
Licensing Sergeant
Sutherland Local Area Command



planning consultants

19 April 2017
Our Ref: 9895A.2ER_Peer Review.docx

The General Manager
Sutherland Council
Locked Bag 17
SUTHERLAND NSW 1499

Attention: Mark Adamson, Manager Major Project and Development
madamson@ssc.nsw.gov.au

Dear Mark

Economic Impact Assessment Peer Review
24-38 Flora Street, Kirrawee

1.0 Introduction

As requested, DFP Planning has undertaken a review of the Economic Impact Assessment (EIA) prepared by MacroPlan Dimasi dated November 2016 (MPD EIA) and the peer review of a version of the MPD EIA undertaken by Hill PDA. We note that the Hill PDA peer review is dated 21 October 2016 and pre-dates the MPD EIA provided to us. We are therefore unaware of the version of the MPD EIA that has actually been reviewed by Hill PDA.

The MPD EIA was submitted with a development application lodged by Ionic Management Pty Ltd for the following development at 24-38 Flora Street, Kirrawee:

Demolition of existing structures and construction of mixed use commercial development including Woolworths supermarket, Dan Murphy's liquor store, commercial tenancies, child care centre, parking, signage and associated facilities

According to the Hill PDA peer review, they (Hill PDA) were commissioned by Ionic Management.

In undertaking our peer review of these reports, we have also had regard to previous investigations and advice provided by DFP to Sutherland Council (Council) and a private client in relation to the mixed use development on the Kirrawee Brick Pit site (which is located immediately north of the site of the proposed development) including:

- Statement of Evidence prepared by Michael Evesson (on instructions from Freehills) in relation to an appeal by Restifa & Partner Pty Ltd v Sutherland Shire Council for a development application on the Kirrawee Brick Pit site;
- Judgement of the NSW Land and Environment Court in relation to the above appeal (NSWLEC 1267);
- Retail Sustainability Assessment and Economic Impact Assessment prepared by MacroPlan on behalf of Council in relation to the Kirrawee Brick Pit development;
- Centres Study for Sutherland Shire – Parts A and B – prepared by Hill PDA on behalf of the applicant for the Kirrawee Brick Pit development;



- Planning Assessment Report prepared by Council in relation to a previous development application (DA) on 24-38 Flora Street for consideration by the Sydney East Joint Regional Planning Panel (DA13/1192). This application was refused at the JRPP meeting held on 3 April 2014.

We understand that another DA was lodged and subsequently withdrawn before the current DA was lodged.

The purpose of this advice is to peer review the MPD November 2016 EIA and the accompanying market analysis prepared by Quantum and the Hill PDA peer review of that EIA. We have not undertaken an alternate economic impact assessment. This advice is based on our professional assessment of assumptions, methodology and conclusions in that EIA, examined against our extensive experience for work previously undertaken in relation to the nearby Brickpit development.

2.0 Strategic Considerations

As part of our assessment of the development proposals for the Kirrawee Brick Pit (including modifications to that development), we had due regard to the relevant strategic planning documents in place at those times. These included:

- The Metropolitan Strategy (December 2005); and
- Draft Southern Sub Regional Strategy.

Since that time, these strategic planning documents have undergone several iterations and the current policies include:

- A Plan for Growing Sydney; and
- The draft South District Plan.

Although the name of these strategic policies has changed, the overarching strategic direction espoused in these documents remains essentially the same, despite inferences in the MPD EIA to the contrary.

We maintain our previous adopted position in relation to the importance of Sutherland town centre and the status of Kirrawee within the centre's network in the Sutherland Shire.

The draft District Plan nominates Sutherland as a District Centre and does not include Kirrawee. The draft Plan does not support the statement in the MPD EIA that Sutherland is no longer identified as a higher order strategic centre. The Brick Pit development (and the associated retail floor space within the Brick Pit, including two supermarkets) does not, in our opinion, elevate Kirrawee to a similar status to Sutherland.

3.0 Local Planning Considerations

We note that when the JRPP considered the previous development application for the site, the land was located within Zone 7 – Mixed Use Kirrawee under Sutherland Local Environmental Plan 2006 (Sutherland LEP 2006) and was assessed against the provisions of Sutherland Shire Development Control Plan 2006 (Sutherland DCP 2006). We also note that Council was of the opinion that the previous proposal was inconsistent with the objectives of Zone 7.

In the intervening period, Sutherland LEP 2015 has been published and is the relevant local environmental planning instrument for the purposes of the current DA.

The site is zoned B4 Mixed Use under Sutherland LEP 2015. Whilst we acknowledge that commercial premises (which includes retail premises) are a permissible use in the B4 zone, in our opinion, the proposed development is not consistent with some of these objectives. For reference, the objectives of the B4 Mixed Use zone are:



- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To permit light industrial uses that are compatible with the desired future residential amenity of the zone.
- **To facilitate the re-vitalisation of the Kirrawee town centre and the Kirrawee railway station precinct.**
- **To ensure that any expansion of retail activity in the zone maintains the role and function of Kirrawee town centre and does not adversely impact on the sustainability of other centres in the Sutherland Shire.**
[our emphasis]

We note that the Sutherland town centre is zoned B3 Commercial Core, whereas the existing Oak Road retail strip in Kirrawee is zoned B2 Local Centre with the Brick Pit site and land along Flora Street (being the area in which the proposed mixed use development is located) is zoned B4 Mixed Use. Clearly, therefore, Council does not consider the Sutherland and Kirrawee centres to be of a “similar status”.

Draft Sutherland DCP 2015 identifies that the “focus of the Sutherland Centre Strategy” is to recognise and reinforce the centre’s identity as the main administrative centre of the subregion. The aim is to encourage urban regeneration and revitalise the centre through increased residential and retail development (pg. 2, Chapter 23 of draft Sutherland DCP 2015).

Chapter 16 of the draft Sutherland DCP relates to the B2 Local Centre and B4 Mixed Use zones of Kirrawee. Two of the aims of the draft DCP are to “reinforce the role and function of the existing Oak Road retail precinct as the town centre of Kirrawee” and to “integrate the Brick Pit site and development along Flora Street with the town centre.”

The aims and objectives of the LEP and draft DCP are therefore aligned.

In our opinion, the proposed development at 24-38 Flora Street Kirrawee is inconsistent with the bolded objectives of the B4 Mixed Use zone, and would result in development which is clearly contrary to Council’s vision for the Sutherland town centre.

We also refer to a previous Statement of Evidence prepared by Brian Haratsis (December 2008) in relation to the Brick Pit DA appeal wherein the following is stated:

“In the South Subregion, Sutherland is nominated as a Town Centre, as is Caringbah and Miranda, with Kirrawee and Gymea supporting the Town Centres as Village Centres. The Metropolitan Strategy also recognises the future potential of Sutherland Town Centre evolving into a strategic major centre for the Subregion.” [Paragraph 34]

And in paragraph 37 of his December 2008 Statement of Evidence, Mr Haratsis notes that:

“an economic assessment of retail development should consider the appropriate role and function of the particular centre rather than base an economic assessment on the size of the retail centre proposed.”

Mr Haratsis goes on to say that:

“The diminished role of the Sutherland Town Centre without a major supermarket will limit its ability to transform and expand over time which will limit the ability of the town centre to attract new commercial tenant users whose performance and business location decisions rely on consistent and vibrant activity levels and high amenity.”

Clearly, Mr Haratsis is of the opinion that there is a strong correlation between retail development as an attractor to commercial/non retail development.



Supermarkets are generally the major retail anchors of a well-functioning, comprehensive centre. There are currently only two supermarkets within the Sutherland town centre. These facilities represent approximately 16.5% of the estimated 19,900sqm of retail floorspace within the Sutherland town centre. By way of comparison, the supermarkets within the Brick Pit development will comprise 43.6% of the total retail floorspace within that development and the Supabarn Express in the Gymea local centre comprises approximately 7% of the floorspace in that centre.

This is not to say that supermarket floorspace should comprise the bulk of floorspace within a centre. This will depend on a number of factors including the size of the centre and its role and function.

The point we have previously made and also made by Mr Haratsis is that the more major retail development is provided in locations outside but proximate to the Sutherland town centre, the more the position of Sutherland within centre hierarchy is eroded.

The effect is likely to be a significantly 'degraded' town centre at Sutherland, wherein supermarket services do not meet local expectations and where the 'retail health' of the whole centre is compromised. In this context, effective planning for optimum retail facilities and opportunities to attract commercial investment in Sutherland would be at risk together with the potential for Sutherland town centre to fulfil its strategic role.

In a Centres Study for Sutherland Shire which was prepared by Hill PDA on behalf of the proponents of the Brick Pit development, it is noted that by 2036 the Sutherland LGA will need to accommodate an additional 92,500sqm of retail floorspace, 56,000sqm of office floorspace and more than 10,000 additional dwellings.

Based on Council's strategic vision, it is clear that Council envisages the Sutherland town centre as being the premier location for much of this additional office floorspace. However, as noted by Mr Haratsis in his review of the economic impact assessment for the Brick Pit development, continued erosion of retail floorspace provision within the Sutherland town centre will further diminish its role and *limit its ability to transform and expand over time which will limit the ability of the town centre to attract new commercial tenant users whose performance and business location decisions rely on consistent and vibrant activity levels and high amenity.*

4.0 Judgement of Land and Environment Court in relation to Brick Pit Development

In relation to the appeal by Restifa Pty Ltd [NSWLEC 1267], in dismissing the appeal, in paragraph 138 the Commissioners noted that:

At the very least, a supermarket of this size in close proximity to Sutherland will compete with this centre and may impact on its ability to attract a further supermarket, given the issues associated with developing within Sutherland Centre compared to land within Zone 7. As discussed above, retailing is identified as playing an important and integrated function with other uses in the sustainability of Sutherland Centre.

The Court acknowledges in paragraph 233 of the Judgement, that some retail development of the site may be appropriate:

The main issue relates to the retail component of the development, particularly the size of the supermarket. While a supermarket and retail use of the site is appropriate there is concern about the size of the 4,500 sqm supermarket, particularly the impact it may have on Sutherland and Kirrawee, both economically and on the strategic role of these centres.

Clearly the Court was concerned as to how much retail floorspace might be appropriate on the Brick Pit site from a strategic planning perspective. Those concerns apply similarly to this proposal and maybe even more so, as additional retail development within the vicinity of the Brick Pit will only serve to exacerbate the shift in the focus of retail activity away from the Kirrawee local centre and Sutherland town centre.



5.0 Peer Review of MacroPlan Dimasi Economic Impact Assessment

We have undertaken assessment of the assumptions and methodologies upon which the conclusions of the MPD EIA have been based in order to determine if these are sufficiently robust for Council (and the Panel) to be satisfied that the proposed development is consistent with the objectives of the B4 zone and aims of the draft DCP and the strategic direction for centres as set out in the relevant policies of NSW Department of Planning and Environment.

In our opinion, the proposed development does not provide for development which is consistent with the zone objectives nor is it consistent with the strategic direction set by Council and the NSW Government for the Sutherland town centre and Kirrawee local centre for the following reasons.

5.1 Need for Supermarket Floorspace

The MDP EIA suggests that for every 1,000 persons, 340sqm of supermarket floorspace is required (pg. 55 of MPD EIA). However, the source of the target benchmark of 340sqm of supermarket floorspace per 1000 residents is not stated.

We do not believe that applying a calculation of sqm of supermarket floorspace/person is an appropriate methodology for the purposes of justifying new and additional supermarket floorspace as it ignores the extent and variety of other food and grocery specialty stores in other centres within the trade area. These stores could contribute towards this benchmark and may be attracting expenditure which might otherwise be directed to supermarkets.

Further, the 'benchmark' dismisses supermarket floorspace located beyond, but close to the area identified by MPD as the main trade area.

The MPD EIA notes of the estimated 3,000sqm of retail floorspace within the Kirrawee local centre there are three small convenience oriented foodstores, a liquor outlet, a fruit and vegetable store, a butcher, a bakery and a selection of food catering tenancies. Notwithstanding that in addition to these shops there is also a gift shop, fabric shop, newsagency, pet shop, florist, bike shop and a pharmacy, by far the majority of floorspace within the Kirrawee local centre comprises food related stores.

Whilst it is acknowledged that there is no supermarket anchor within the Kirrawee local centre, we dispute the suggestion in the MPD EIA that this is a role that could be fulfilled by the proposed Woolworths.

In our opinion there is no nexus between this development and the Oak Road retail strip. The likelihood of the existing local centre being able to attract patronage in favour of the retail offering to be provided within the Brick Pit development and as part of the proposed development is, in our opinion, remote given the convenient location of the car parking in relation to these proposed retail facilities.

The existing stores, and in particular the specialist food stores, provide a vital function in centres such as Kirrawee and Gymea and without them these local centres might not be able to continue to offer the same range of services.

In a November 2011 submission to the Select Committee on ACT Supermarket Competition Policy, Coles noted that the capital cities average of supermarket floorspace in Australia was 298sqm per 1,000 persons. This is significantly less than the benchmark recommended by MPD and indicates that the Sutherland Shire may not be as lacking in supermarket floorspace as suggested.

5.2 Strategic Planning Context

We do not accept that Sutherland/Kirrawee should be considered as one centre from a strategic planning context. Such a notion is not envisaged in the draft Sydney South District Plan, nor in Council's own strategic planning.



Whilst we note the Sutherland – Kirrawee structure plan (pg. 3 of Chapter 23 of draft SDCP 2015) shows the context of both the Sutherland town centre and Kirrawee local centre and associated B4 zoned land, we have not seen any strategic assessment which suggests these two centres should be considered as “one larger strategic centre”. In this regard the statement on pg. 10 of the MPD EIA that “*any impacts or issues relating to Sutherland would no longer be relevant planning issues*” is unsubstantiated.

Despite the approval of the Brick Pit development we do not believe that this is sufficient justification for the provision of significant additional retail floor space in Kirrawee.

The MPD EIA cites the difficulty in sourcing a single site of sufficient size in the Sutherland Town Centre (and the Kirrawee local centre) as justification for proceeding with a retail development on the Flora Street site. We acknowledge that sourcing suitable development sites can be challenging, however, whilst fragmentation of land ownership does present a potential obstacle for the purposes of assembling a development site, this is not an insurmountable hurdle as demonstrated in this instance. We note that the development site at Flora Street comprises six separate allotments.

5.3 Reliance on Survey Data

The MPD EIA has placed significant weight on expenditure data collected by Quantum which appears to be based solely on National Australia Bank (NAB) customers and their usage of debit/credit card expenditure. We question the reliance that has been placed on this data particularly as it only considers expenditure by NAB customers and no information has been provided with respect to the NAB market share in the retail banking sector. Certainly, more explanation as to how this data has been extrapolated and how the conclusions about expenditure patterns have been reached is required before statements such as “irrefutable evidence” can be made.

There are contradictions in the MPD EIA in relation how the information collected by Quantum has been used. In particular, the EIA acknowledges that the data only considered credit and debit card expenditure by NAB customers and does not include cash transactions (or, presumably, purchases using credit and debit cards by customers of other banks) but then concludes that it “*forms the basis for a detailed estimation of expenditure flows*” (pg. 38 of MPD EIA) [our emphasis].

We are also confused as to why Quantum can provide detailed information regarding supermarket expenditure behaviours but information for centre expenditure more broadly is confidential (pg. 44 of MPD EIA). Such information could be useful in providing an insight as to how the draw potential of retail and non-retail floorspace within each centre in the trade area and (potentially) a greater appreciation as to how these centres function within the centres network.

5.4 Trade Area and Population Projections

We previously made the observation that the trade area estimated for the Brick Pit development was considered too large based on the role and function of Kirrawee as a local centre. However, following approval of the Brick Pit development, including the two supermarkets within the Brick Pit, it is likely that the estimated trade area of the proposed development will reflect that of the Brick Pit development. We also believe the separation of the catchment area into a primary trade area and secondary trade area is appropriate.

The estimate of population growth and expenditure potential also appears reasonable.

In terms of addressing the supply of supermarket and liquor outlets in the identified trade area, the MPD EIA errs in stating that there is no Woolworths supermarket in the main trade area (pg. 54). There is in fact a 1,177m² Woolworths supermarket in Jannali (refer Table 3.1, pg. 30 of MPD EIA).

5.5 Retail Expenditure Assumptions

In our opinion the MPD EIA understates the current (2016) retail turnover density (RTD) for a supermarket such as that proposed. This has repercussions in terms of the projected turnover post 2016 which results in the potential impacts being understated.



We also believe the sales growth rate of 0.5% per annum is an underestimation, particularly given the socio-economic characteristics of the population and historical evidence. This has also resulted in the post 2016 sales turnover been underestimated and understating of the likely impacts on other centres.

We question the basis of the estimated 15% of sales from areas beyond the trade area (pg. 58) at the proposed supermarket. We note that Quantum has identified that 18% of total recorded electronic sales in the supermarkets provided within the study area (which equates to the estimated main trade area with the exception of the inclusion of the suburb of Loftus) are drawn from customers other than residents of the area (pg. 45 of MPD EIA) however it is not clear if this is the 'evidence' that has been used to inform the estimated 15% of sales.

In our experience, the ability of a suburban supermarket that is not within a major employment area and is within an area which is reasonably well serviced with retail centres and supermarkets, to be able attract this proportion of sales from areas beyond the estimated trade area is questionable.

Further, if these facilities were attracting this proportion of expenditure from beyond the trade area, it would appear to contradict the estimate of 43% of total food and grocery expenditure escaping the trade area (pg. 61).

There is no evidence to support the statement that "*large format liquor stores serve main trade area catchments of 60,000 – 80,000 persons*" (pg. 62). It is unsubstantiated statements such as these which cast doubt over many of the assumptions within the EIA.

6.0 Conclusion

In our opinion, the MPD EIA fails to provide sufficient assurance that this development, should it proceed, will not adversely impact on the adopted centre hierarchy for the Sutherland Shire, nor does it provide valid reasons as to why the strategic planning direction for the LGA and the district should be disregarded. The EIA clearly acknowledges that this development will shift the focus of retailing from Sutherland to Kirrawee and seeks to justify this based on the lack of availability of a site in the Sutherland town centre within a single parcel. However, we note that this development parcel comprises six separate allotments.

Whilst the economic feasibility of a development is a consideration, where a development is clearly inconsistent with the strategic direction for the area, the developer's expectations in terms of profit margin may need to be reconsidered. Further, other developers have made investment decisions based on the adopted strategic framework and to consider development which is contrary to that framework would be prejudicial and have significant impacts in relation to a return on investment for those who have abided 'by the rules'.

In our opinion, the development is inconsistent with the objectives of the B4 zone as it would result in development which is clearly contrary to Council's vision for the Sutherland town centre.

We have considered the MPD EIA and in our opinion some questionable assumptions and methodologies have been used. The heavy reliance which has been placed on the Quantum data to justify the need for additional supermarket floorspace is concerning as is the underestimation of the turnover of the supermarket. Overall, we could not reasonably advise Council or the Panel that the MPD EIA provides us with sufficient comfort as a reflection of the possible economic impacts that could result should this proposal proceed.

And even if we could provide such assurances, the issue of the development's inconsistency with the strategic frameworks and zone objectives must, in our opinion, be the over-riding reasons as to why this proposal should not be supported.



Should you have any questions regarding this matter, please do not hesitate to contact Ellen Robertshaw of DFP on 9980 6933.

Yours faithfully

DFP PLANNING PTY LTD

A handwritten signature in black ink, appearing to read 'ER', written in a cursive style.

**ELLEN ROBERTSHAW
PARTNER**

erobertshaw@dfpplanning.com.au

Reviewed:  _____

Architectural Review Advisory Panel

Proposal: **Demolition of existing structures and construction of mixed use commercial development including Woolworths supermarket, Dan Murphy's liquor store, commercial tenancies, child care centre, parking, signage and associated facilities**

Property: 24-26 Flora Street KIRRAWEE NSW 2232

1/24-26 Flora Street KIRRAWEE NSW 2232

2/24-26 Flora Street KIRRAWEE NSW 2232

3/24-26 Flora Street KIRRAWEE NSW 2232

4/24-26 Flora Street KIRRAWEE NSW 2232

28 Flora Street KIRRAWEE NSW 2232

30 Flora Street KIRRAWEE NSW 2232

32 Flora Street KIRRAWEE NSW 2232

34 Flora Street KIRRAWEE NSW 2232

36 Flora Street KIRRAWEE NSW 2232

38 Flora Street KIRRAWEE NSW 2232

Applicant: Ionic Management Pty Ltd

File Number: DA16/1668

The following is the report of the Architectural Review Advisory Panel Meeting held on Thursday, 2 February 2017 at the Administration Centre, Sutherland Shire Council, Eton Street, Sutherland. The report documents the Panel's consideration of the proposed development described above.

“3. DA16/1668 – DEMOLITION OF EXISTING STRUCTURES, SITE PREPARATION AND BULK EARTHWORKS, CONSTRUCTION OF 4 LEVEL MIXED USE BUILDING INCLUDING WOOLWORTHS SUPERMARKET, DAN MURPHY'S LIQUOR STORE, COMMERCIAL PREMISES AND SPECIALTY SHOPS/CAFES, CHILD CARE CENTRE, AMENITIES; AT-GRADE AND LOWER LEVELS CAR PARKING; LOADING DOCK FACILITIES; LANDSCAPING; AND BUSINESS SIGNAGE AT 24-38 FLORA STREET KIRRAWEE

Council's Peter Brooker, Evan Phillips, Bismark Opoku-Ware and Barbara Buchanan outlined the proposal for the Panel, including providing details of Council's relevant codes and policies

Adrian Kilburn (development manager); Mike Fairhurst (architect) and Marian Higgins (town planner) addressed the Panel regarding the aims of the proposal and the constraints of the site.

Description of the Site and Proposal

Proposal: Development Application for demolition of existing structures, site preparation and bulk earthworks, construction of 4 level mixed use building including Woolworths supermarket, Dan Murphy's liquor store, commercial premises and specialty

	shops/cafes, child care centre, amenities; at-grade and lower levels car parking; loading dock facilities; landscaping; and business signage
Project Address:	24-38 Flora Street Kirrawee
Zoning:	B4 Mixed Use
Applicant:	Chris Ryan (Ionic Management Pty Ltd)
Meeting Date:	2 February 2017
PAD:	No
ARAP Pre-DA:	Yes
Responsible Officer/Team Leader:-	Evan Phillips/ Luke Murtas
Consent Authority:	Sydney South Planning Panel

Key Controls

Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015).

Sutherland Shire Council Draft Development Control Plan 2015 (SSDDCP 2015)

Applicant's Submission

The Development Application was considered in the context of an Architectural Review Advisory Panel report that was prepared following a Pre-DA meeting on 18 February 2016. The recommendations and conclusions were:

The form and intent of the proposed development was not endorsed, although there was recognition that the design changes had addressed a number of the concerns that had been identified in the Architectural Review Advisory Panel findings following the meeting on 24 October 2013. It is recommended that:

- *The proponent be encouraged to provide alternative schematic development incorporating residential development as an integral part of the design for the site.*
- *Indicative schematic design be prepared demonstrating the relationship between the proposed development of the site and future development of adjacent sites that more closely reflect the Master plan principles for Kirrawee, including the incorporation of mixed development land uses.*
- *The potential to provide a more active retail edge to Flora Street should be explored.*
- *The relocation of the proposed surface car parking area in the western sector of the subject site should be explored.*
- *More effective utilisation of the potential FSR be explored.*

Design Quality Principles

Although SEPP65 does not apply to this proposal, the SEPP65 Heads of Consideration are used to structure the Panel's comments. The intent of these comments is to examine issues that stem from any changes in the revised submission or are related to issues that were identified during the Panel's previous meetings with the Applicant.

PRINCIPLE 1 – CONTEXT AND NEIGHBOURHOOD CHARACTER

The change in ownership and architect of the Brickpit development (Deicorp/Turner) has led to an improved urban design outcome that should foster an enhanced integration of commercial development with the 24-38 Flora Street, Kirrawee development.

The Panel supports the introduction of commercial tenancies and childcare above the supermarket. This is an effective utilisation of the potential FSR and enhances the contextual relationship as part of the wider Flora Street mixed-use precinct.

The revised scheme also provides a small retail café area at the lower level pedestrian entry in response to the street activation objectives of the Council's master plan for Kirrawee.

PRINCIPLE 2 – SCALE AND BUILT FORM

The additional height of the development to accommodate the commercial and childcare facilities is supported.

The Panel continues to strongly recommend that the three mature trees in the north-west corner of the site must be retained. For a site of this size, retention of these trees is a more than reasonable requirement given that there is no deep soil provision and the project seeks to integrate into the leafy character of the Sutherland LGA. This will require re-planning of the access driveways and café.

The Flora Street elevation requires further refinement of the modulation of the building façade, with particular reference to the central section between the lower level pedestrian entry and the glazed three storey lobby toward the western end of the development.

The entries rely on signage for identity and way-finding, and their formal presence should be strengthened. The raised planter that occupies almost half the frontage does not contribute to the street in any meaningful way. The Panel recommends it be deleted and a more appropriate ground level landscape strategy is adopted to avoid the sterilisation of the façade at footpath level. A re-design should include areas of setback to the frontage that incorporate advanced STIF species into the street corridor.

The frontage should aim to better realise what the Design Statement claims for it: a scale 'that reflects a village feel', and 'the modulation of the facade projecting an image of different buildings and a more fine grain urban fabric presentation to the street front'. The Panel suggested drawing on the articulation of the existing Kirrawee retail strip adjacent to Kirrawee station to progress this objective.

Consideration should be given to the incorporation of trees within and along the western boundary of the on-grade car-parking area by leaving out car spaces at considered locations in the basement below to form soil pits that are designed to accommodate substantial tree growth. This would combine with the retained trees and mitigate the negative impact of the open car-park on the streetscape. A screen of tall

eucalypts along the western edge of the building would eventually assist in providing good solar protection to the L.1 child care centre.

PRINCIPLE 3 – DENSITY

The Panel supports the increase in FSR to the permissible 1:1.

PRINCIPLE 4 – SUSTAINABILITY

No further details were provided on sustainability measures. Active ESD provisions such as rainwater recycling, solar power and solar hot water were not discussed at the meeting, however it is expected that at a minimum these measures will be included in the development. A well-designed solar array could assist in improving the view of the large roof from the higher buildings in the Brickpit development.

PRINCIPLE 5 – LANDSCAPE

As noted above, the Panel reiterated its previous view that the proposal must retain retention the significant existing trees located in the north-west corner of the site. Trees 1, 2 and 3 as numbered in the Arboricultural Impact Appraisal prepared by Naturally Trees are mature remnant local native canopy trees of the Endangered Ecological Community of Sydney Turpentine Ironbark Forest, and as ridgeline trees in a fairly denuded location, they make an impressive and significant contribution to the local streetscape, amenity and environment.

While there is a basal wound on Tree 3, Council's arborist has assessed this as not presenting a significant public safety risk. The three trees as a group are well worthy of retention and protection. In addition, all the Ironbarks along the north side of Flora St have unfortunately now been removed, so the retention of these remnant STIF trees is even more important. Their retention will contribute significantly to the quality and amenity of the street and broader area and must be ensured by design changes that ensure their health into the future.

The Panel again highlights the importance of maintaining and supplementing existing patterns of vegetation, including that of the retained STIF vegetation in the Brick-Pit site and the existing vegetation in the western sector of Flora Street leading through to Sutherland. Mature landscape forms an important part of the overall urban character for Kirrawee and will contribute to the significance of Flora Street as a connection between major development areas.

The Panel recommends removal of the proposed planter boxes to the Flora Street façade and that planting is carried out at ground level, As a minimum the planter boxes should be lowered and set back to allow minimum of 400mm horizontal clearance next to the footpath, for low-growing and groundcover species. It was also suggested that stepping of the building plan alignment could create more space for landscape in front of the proposed building. Any set back area should incorporate seating and planting.

The ground level floor plan identified in the architectural drawings indicates an extensive linear parking area effectively along the full frontage of the development, while the landscape drawings indicate a verge complete with street replanting and no provision for indent parking. The landscape and architectural documentation requires co-ordination, particularly the proposed street planting to Flora Street.

As noted in Principle 2 – Scale and Built Form, the limited width and depth of planting along the western boundary is not acceptable and deep soil areas for tree planting within a number of the proposed parking must be provided.

Overhead power lines must be undergrounded in accordance with Council policy. The location of street tree planting must be reviewed to ensure sufficient distance from the kerb to accommodate the trunk diameter of a mature tree.

PRINCIPLE 6 – AMENITY

The Panel recommends that further detailed consideration be given to effective solar screening of the west-facing childcare centre. Measures that should be considered include a deep soil area that will support large tree planting, comprehensive shade control and measures to address heat gain associated with artificial turf. The pergola should include retractable overhead shading as well as on the vertical perimeter of the space to allow for full control of western sun. In addition, the line of columns shown where the pergola meets the roof (not taken account of in the detailed plan of this area) should be significantly reduced. If this issue is not addressed the area will be unsuitable for outside play during the afternoons of warmer months.

Glazing to the street facades should be clear to promote transparency and a sense of activation, at the same time incorporating appropriate measures to shade what are large glazed areas facing north.

PRINCIPLE 7 – SAFETY

More consideration is to be given to locations and identification of parking areas associated with protected and dedicated access to the childcare facility. Options included secure spaces within the basement car park area directly adjacent to lifts leading to the childcare level, as well as nominated car parking spaces located within the western car park in close proximity to the vertical circulation from which access to the childcare facilities is gained.

The Panel noted that the one-way system associated with the loading dock and the truck exit pattern appears to conflict with the vehicular circulation in the western car park area and the ramp access between the western parking area and the B1 basement. Drawing A06.03 indicates that exiting trucks from the loading dock will need to cross customer vehicular movement between the western ground floor car-park and the ramp leading to B1 below. The combination of customer turning movements to access the ramp potentially conflicts with the truck exit path, which is via the western car-park through to Flora Street.

PRINCIPLE 8 – HOUSING DIVERSITY AND SOCIAL INTERACTION

Not applicable.

PRINCIPLE 9 – AESTHETICS

Refer Principle 2 – Scale and Built Form.

Increasing the extent of landscape as already noted is considered important to the overall aesthetic character and presentation of this development.

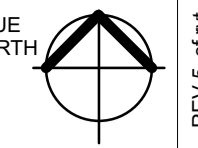
RECOMMENDATIONS

Many of the comments from the previous ARAP Report (DA15/1664) continue to apply to the proposal, particularly in relation to the Flora St frontage, entries, retention of existing trees, and landscape. The form and mix of the development has generally improved, however the Panel further recommends that:

- Landscaping for Flora Street is increased, including retention of existing trees, additional new street trees and revisions to the landscape environment along the footpath and adjacent to the building façade.
- Design of the western entry sequence and cafe in the north-west corner of the site is re-examined to integrate the existing mature trees. The public presentation and sequence of entry from the street is not well resolved at present, and this will create an opportunity to address this issue. A more centralised area with improved way-finding and clear addresses to each of the various functions should be considered.
- Deep soil planting for large trees is provided in the western car-park.
- A comprehensive and effective solar protection strategy to the west-facing glazing and open areas of the childcare facility is provided.
- Potential conflicts between the service vehicle exit path and vehicular movement within the western car park and the ramp access to level B1 are resolved.
- The Flora Street facades are further refined and modulated.”

Tony Caro
ARAP Chairman

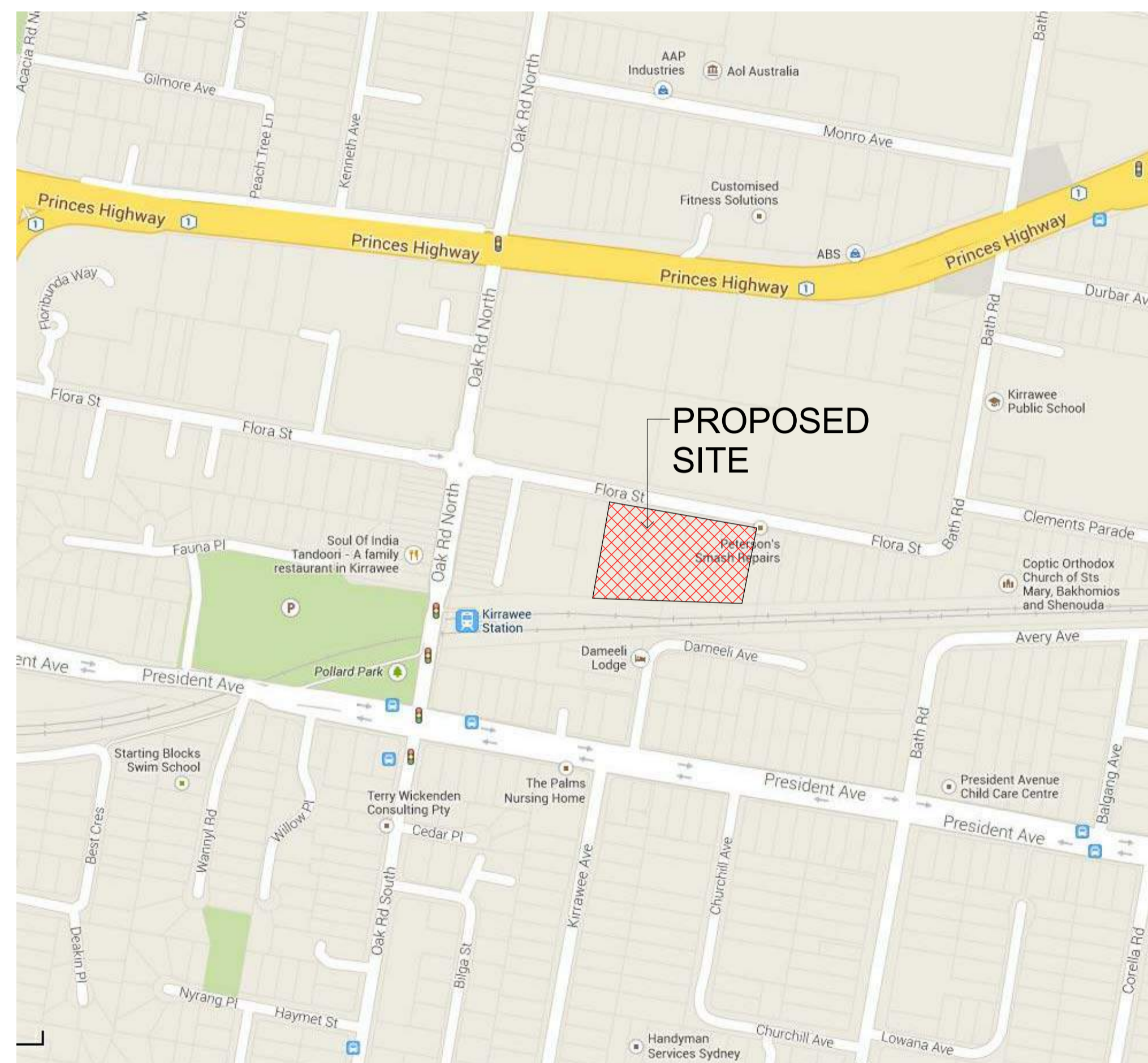
15 February 2017



WOOLWORTHS KIRRAWEE

DEVELOPMENT APPLICATION

24-38 FLORA STREET, KIRRAWEE NSW 2232



LOCATION MAP

DRAWING LIST - DA	
Sheet Number	Sheet Name
A00.01	TITLE SHEET, LOCATION PLAN & DRAWING LIST
A00.03	SITE ANALYSIS
A00.20	GFA & CARPARKING ANALYSIS
A00.80	SOLAR STUDY
A02.01	DEMOLITION PLAN - GROUND LEVEL
A06.01	PROPOSED FLOOR PLAN - CP - B2
A06.02	PROPOSED FLOOR PLAN - CP - B1
A06.03	PROPOSED SITE PLAN & FLOOR PLAN - GL
A06.04	PROPOSED FLOOR PLAN - MEZZANINE
A06.05	PROPOSED FLOOR PLAN - L1
A06.10	PROPOSED ROOF PLAN
A10.01	PROPOSED ELEVATIONS
A10.02	PROPOSED ELEVATIONS
A11.01	SECTIONS
A80.01	PERSPECTIVES
A80.02	SIGNAGE DETAILS



1 PERSPECTIVE

ISSUE	DATE	DESCRIPTION
DA-4	02-05-2017	ISSUED FOR DA
DA-3	10-04-2017	ISSUED FOR DA
DA-2	29-11-2016	ISSUED FOR DA
DA-1	17-11-2016	ISSUED FOR REVIEW

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Coordinated Reference Drawings	
Discipline	Company
SURVEY	
STRUCTURE	
CIVIL	
MECHANICAL	
HYDRAULIC	
ELECTRICAL	
LANDSCAPE	
FIRE	

Client
PAYCE FS Pty Ltd
 Level 37, Chifley Tower, 2 Chifley Square Sydney
 NSW 2000
 T: 612 8080 2300 F: 612 8080 2399

Project Manager
ICONIC MANAGEMENT
 Level 37 Chifley Tower 2 Chifley Square
 SYDNEY NSW 2000
 T: 8313 0210

Architect
BN Architecture
 Urban Design
 Masterplanning
 Graphics
 Interiors
 BN Group Pty Ltd T +61 2 9437 0511
 82 Alexander Street F +61 2 9437 0522
 Crosses Nest, NSW 2065 www.bngrrouponline.com
 ABN 43 092 960 499 sydney@bngrrouponline.com

Project
WOOLWORTHS KIRRAWEE
 24-38 FLORA STREET, KIRRAWEE NSW
 2232

Sheet name
**TITLE SHEET, LOCATION
 PLAN & DRAWING LIST**

Scale @ A1: 1:1
 Project No.: S1444
 Drawn By: CF Checked By: MF

A00 SERIES - INFORMATION & ANALYSIS	
Drawing No.	Stage - Rev
A00.01	DA-4

DEVELOPMENT APPLICATION
 NOT FOR CONSTRUCTION

GENERAL INFORMATION

ADDRESS: 24-38 Flora Street, Kirrawee
 AREA: 7940m²
 COUNCIL: Sutherland Shire Council

DOCUMENT	ITEM	DESCRIPTION/REQUIREMENTS
Sutherland Shire LEP 2006	Land Zoning Map	Zone 7 - Mixed Use - Kirrawee
	Floor Space Ratio	1:1
	Building Height	3 Storeys
Sutherland Shire DCP	Street Setback	7.5m
	Side/Rear Setbacks	1.5m / 4.0m
Australian Standard 4512:2008	Atmospheric Corrosivity level	

GENERAL PARKING & ACCESS

DOCUMENT	ITEM	DESCRIPTION/REQUIREMENTS
Sutherland Shire DCP	Parking	
	Motorbike	1 Motorcycle space per 25 car spaces
	Car	Shop - 1 space / 30sqm GFA Food Shop - 1 space / 30sqm GFA Min. clearance height of 2.2m
	Bicycle	1 Bicycle per 10 car parking spaces for the first 200 cars Then, 1 space per 20 parking spaces thereafter (1 Unisex shower per 10 employees)
Australian Standard 2890.1:2004	Classification	User class 3A • Full opening, all doors • Short term, high turnover parking at shopping centres
Off-street car parking	Parking modules	Min car space - 5.4M x 2.6M Min aisle width - 6.6M
	Access ways	Max 1:20 Where driveway crosses a footpath, max 1:40 over a lateral distance of 1M
Circulation roadways & ramps		Max 1:6 for longer than 20M Max 1:5 for up to 20M
	Change of grade	1:8 for summit grade change 1:6 for sag grade change Min length for grade change is 2M
Gradient within parking module		Max 1 in 20 - Parallel to angle of parking
		Max 1 in 16 - any other direction

DISABLED PARKING

DOCUMENT	ITEM	DESCRIPTION/REQUIREMENTS
Sutherland Shire DCP	Disabled parking	
Australian Standard 2890.6:2009	Parking spaces	Min car space - 5.4M x 2.4M Min shared space - 5.4M x 2.4M with bollards
Off-street Parking for People with Disabilities		

LOADING & UNLOADING

DOCUMENT	ITEM	DESCRIPTION/REQUIREMENTS
Sutherland Shire DCP	Loading facilities	
Australian Standard 2890.2	Bay sizes	SRV - Min 3.5M x 6.4M MRV - Min 3.5M x 8.8M HRV - Min 3.5M x 12.5M AV - Min 3.5M x 19M
Australian Standard 2890.2	Maximum grades	SRV - Max 1:12 in 4M travel MRV & HRV - Max 1:16 in 7M travel AV - Max 1:16 in 10M travel
Off-street commercial vehicle facilities		

PEDESTRIAN ACCESS & MOVEMENT

DOCUMENT	ITEM	DESCRIPTION/REQUIREMENTS
Sutherland Shire DCP	Pedestrian access & movement	12.5% and less than 20%, provision for steps and/or handrail shall be made Separate pedestrian access stair with handrails shall be provided if exceed 20% Path and steps shall be min. 1m wide
Australian Standard 1428.1	Continuous path of travel	Straight - Min 1M clear Curved - Min 1.5M clear
Design for access & mobility	Ramp	Max 1:14 for ramp exceeding 1.9M Landing at every 9m for 1:14 ramp Landing at every 15m for 1:20 ramp
	Landing	No change of direction - Min width 1M x length 1.2M Less than 90deg turn - Min width 1.5M x length 1.5M 90 - 180deg turn - Min width 2.07M x length 1.54M

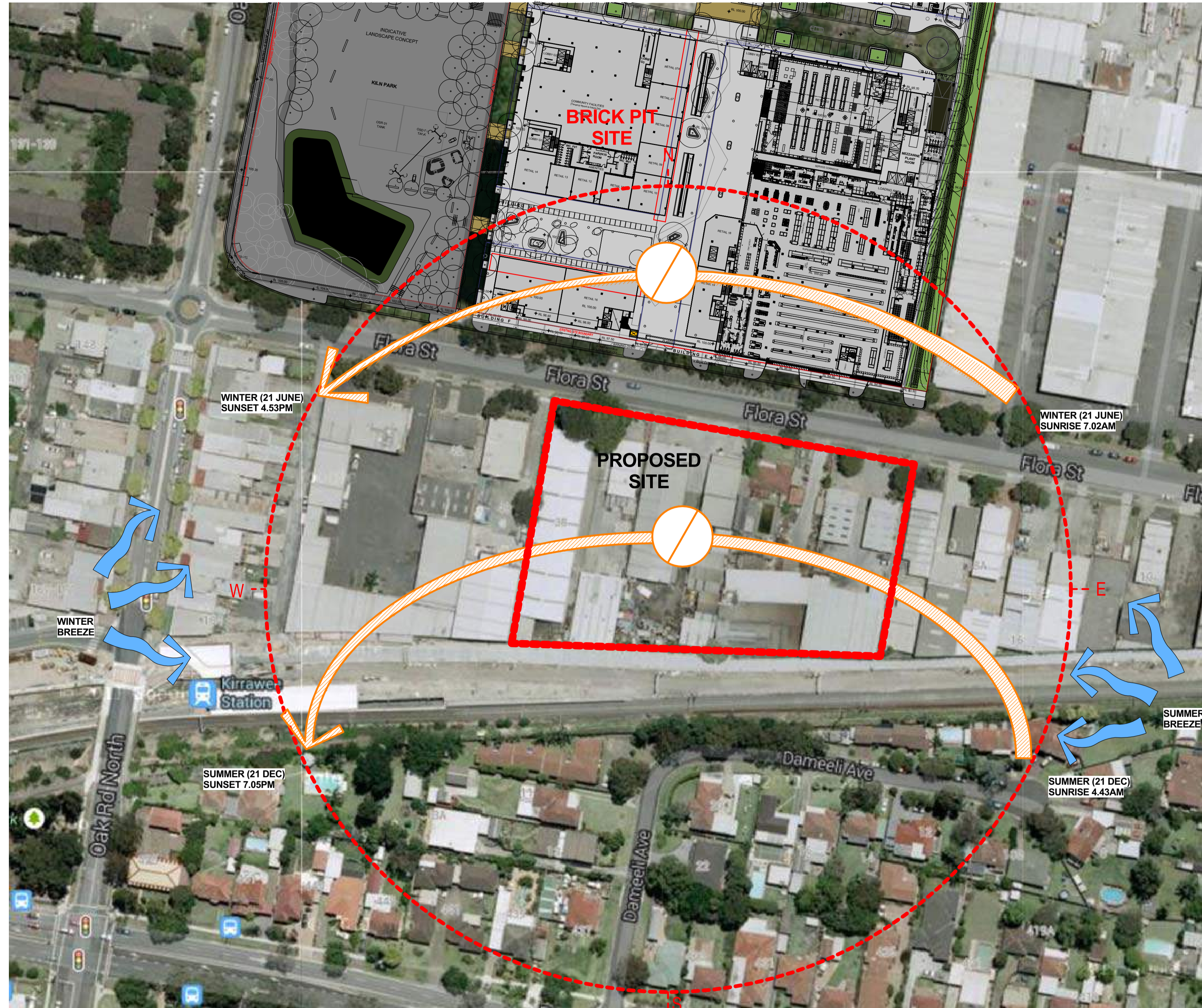
SIGNAGE

DOCUMENT	ITEM	DESCRIPTION/REQUIREMENTS
Sutherland Shire DCP	Signage	Refer to Chapter 10 of Sutherland Shire DCP

BCA 2010

DOCUMENT	ITEM	DESCRIPTION/REQUIREMENTS
BCA 2010	Climate Zone	Zone 6
BCA 2010	Building Class	Class 6 - Retail Class 7a - Car park

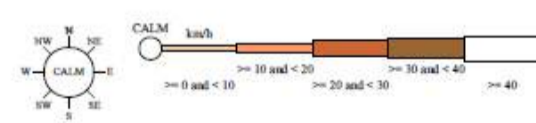
SITE ANALYSIS



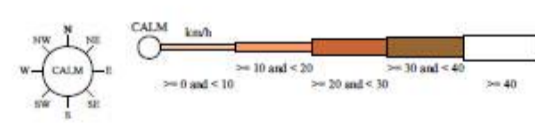
WIND ROSE (LUCAS HEIGHTS)

(Ref: Australian Government Bureau of Meteorology http://www.bom.gov.au/climate/averages/tables/cw_06078.shtml)

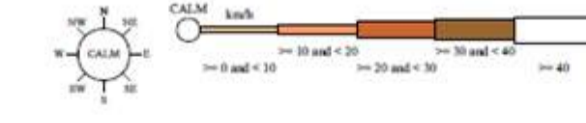
9AM JUNE



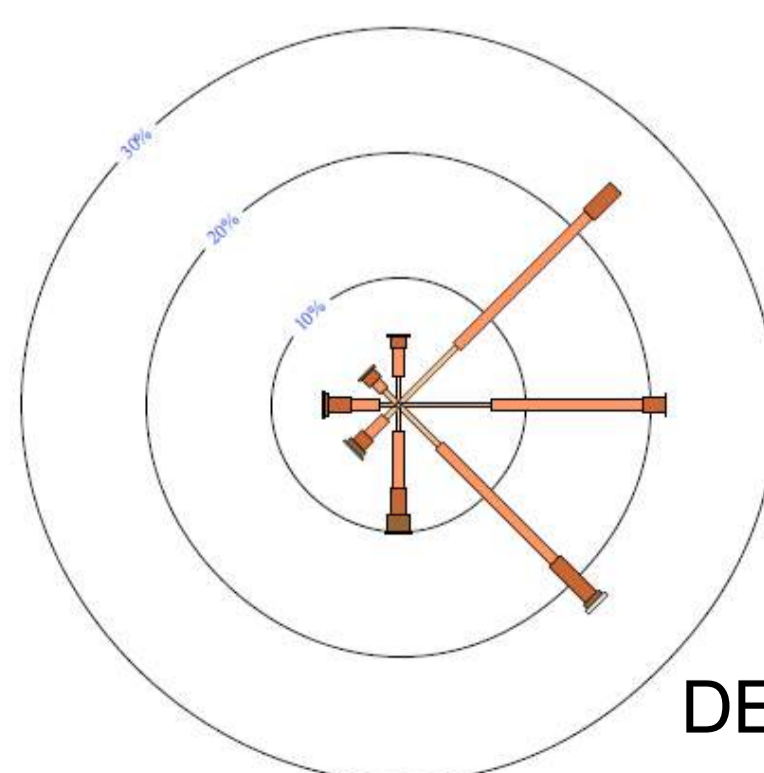
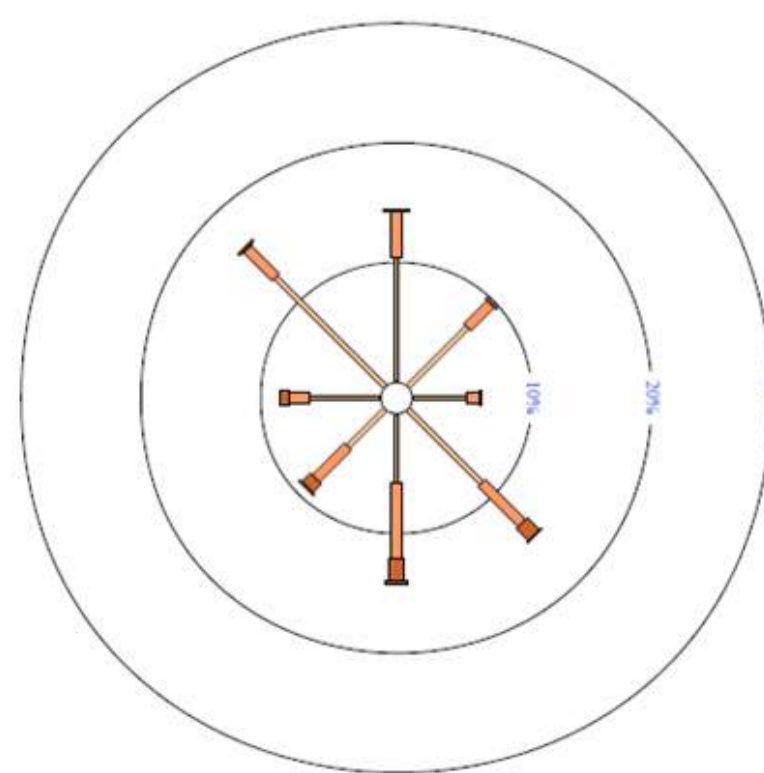
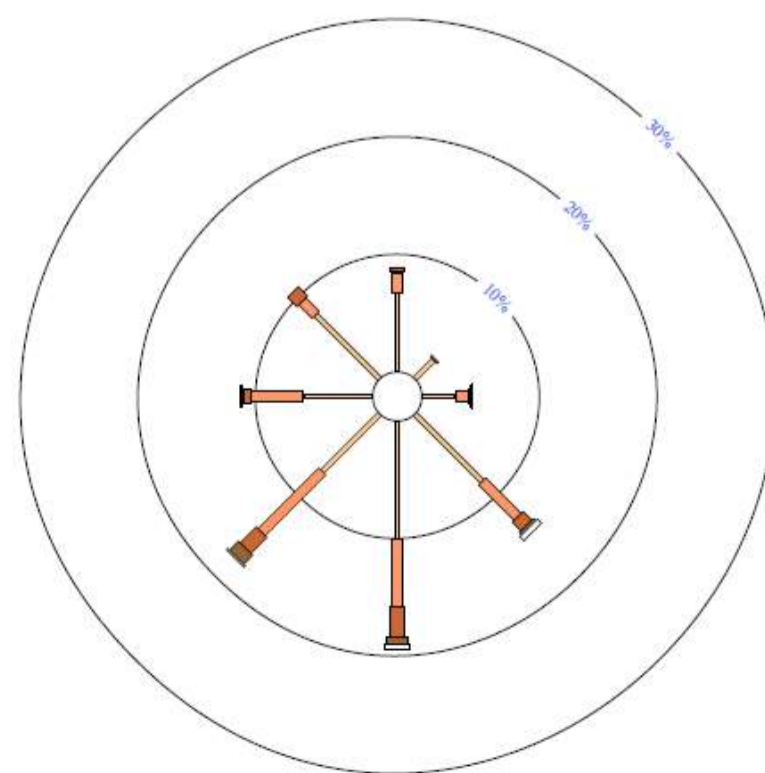
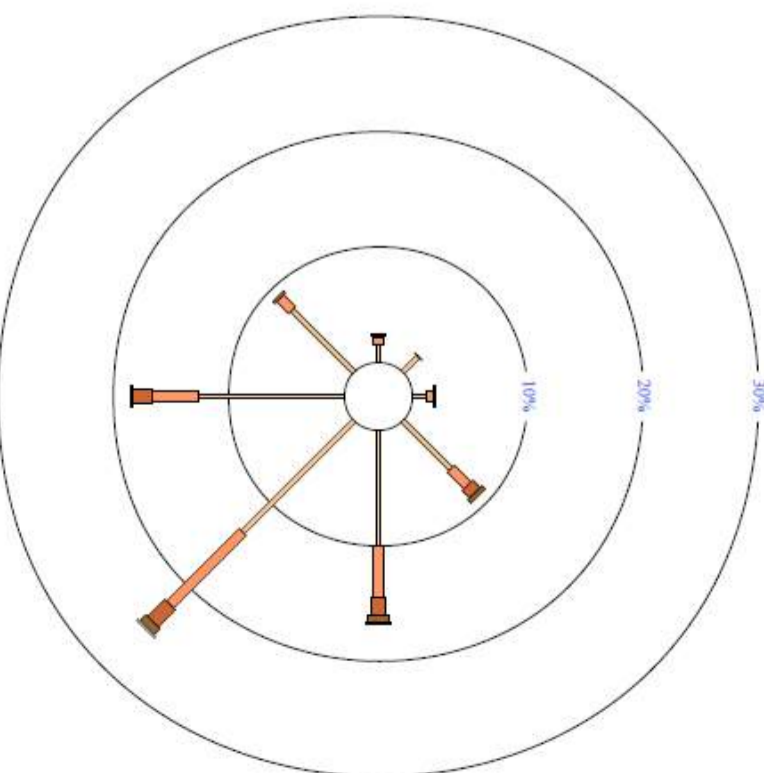
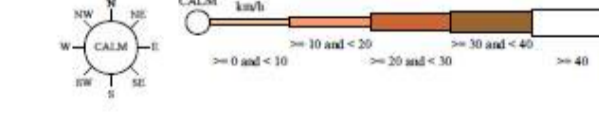
3PM JUNE



9AM DEC



3PM DEC



DEVELOPMENT APPLICATION
 NOT FOR CONSTRUCTION



ISSUE	DATE	DESCRIPTION
DA-3	10-04-2017	ISSUED FOR DA
DA-2	29-11-2016	ISSUED FOR DA
DA-1	17-11-2016	ISSUED FOR REVIEW

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Coordinated Reference Drawings

Discipline	Company
SURVEY	
STRUCTURE	
CIVIL	
MECHANICAL	
HYDRAULIC	
ELECTRICAL	
LANDSCAPE	
FIRE	

Client

Project Manager

Architect

BN Architecture
 Urban Design
 Masterplanning
 Graphics
 Interiors

BN Group Pty Ltd
 82 Alexander Street
 Crows Nest, NSW 2065
 ABN 43 092 960 499

T +61 2 9437 0511
 F +61 2 9437 0522
 www.bngrrouponline.com
 sydney@bngrrouponline.com

Project

WOOLWORTHS KIRRAWEE
 24-38 FLORA STREET, KIRRAWEE NSW
 2232

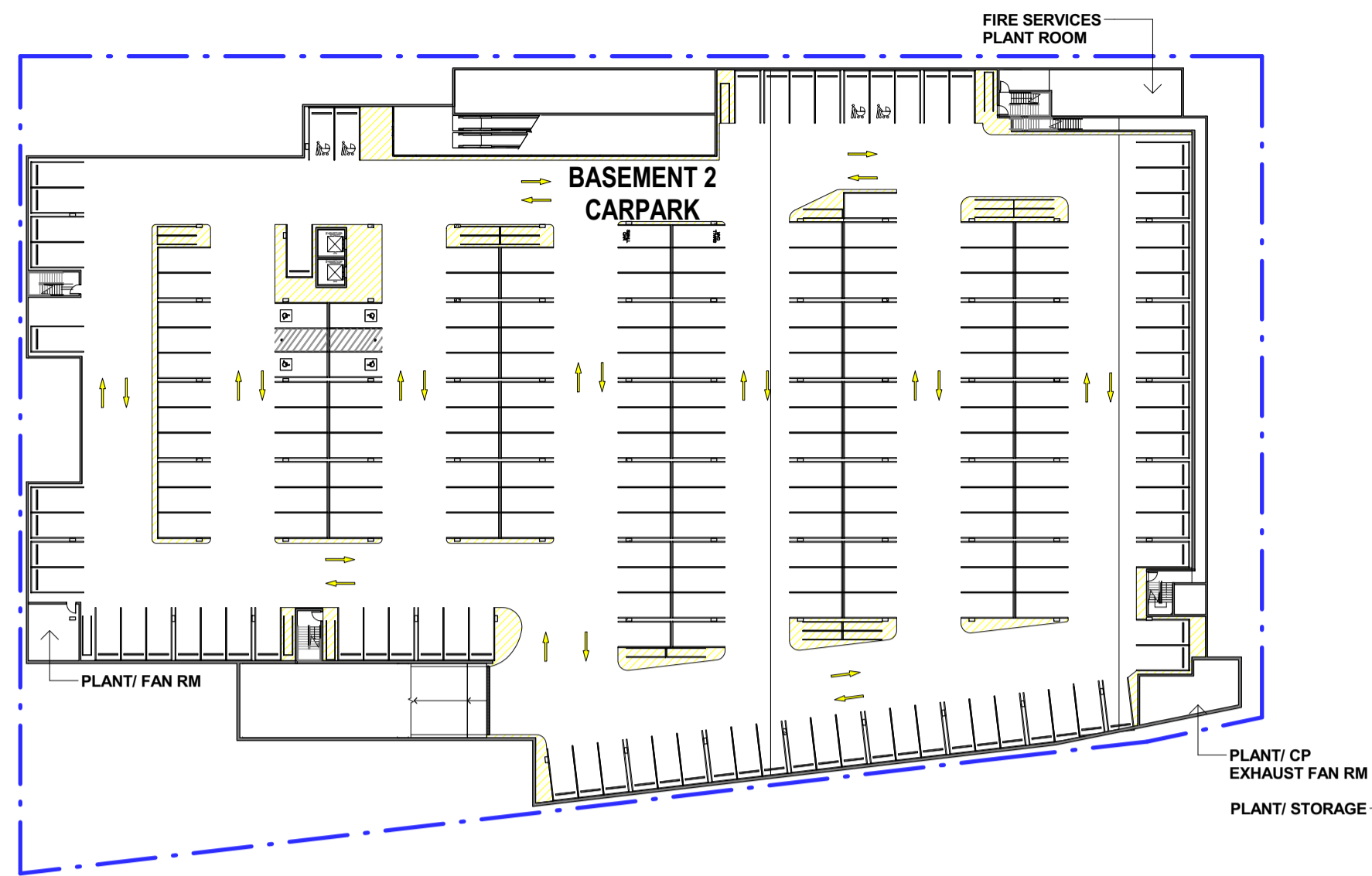
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SITE ANALYSIS

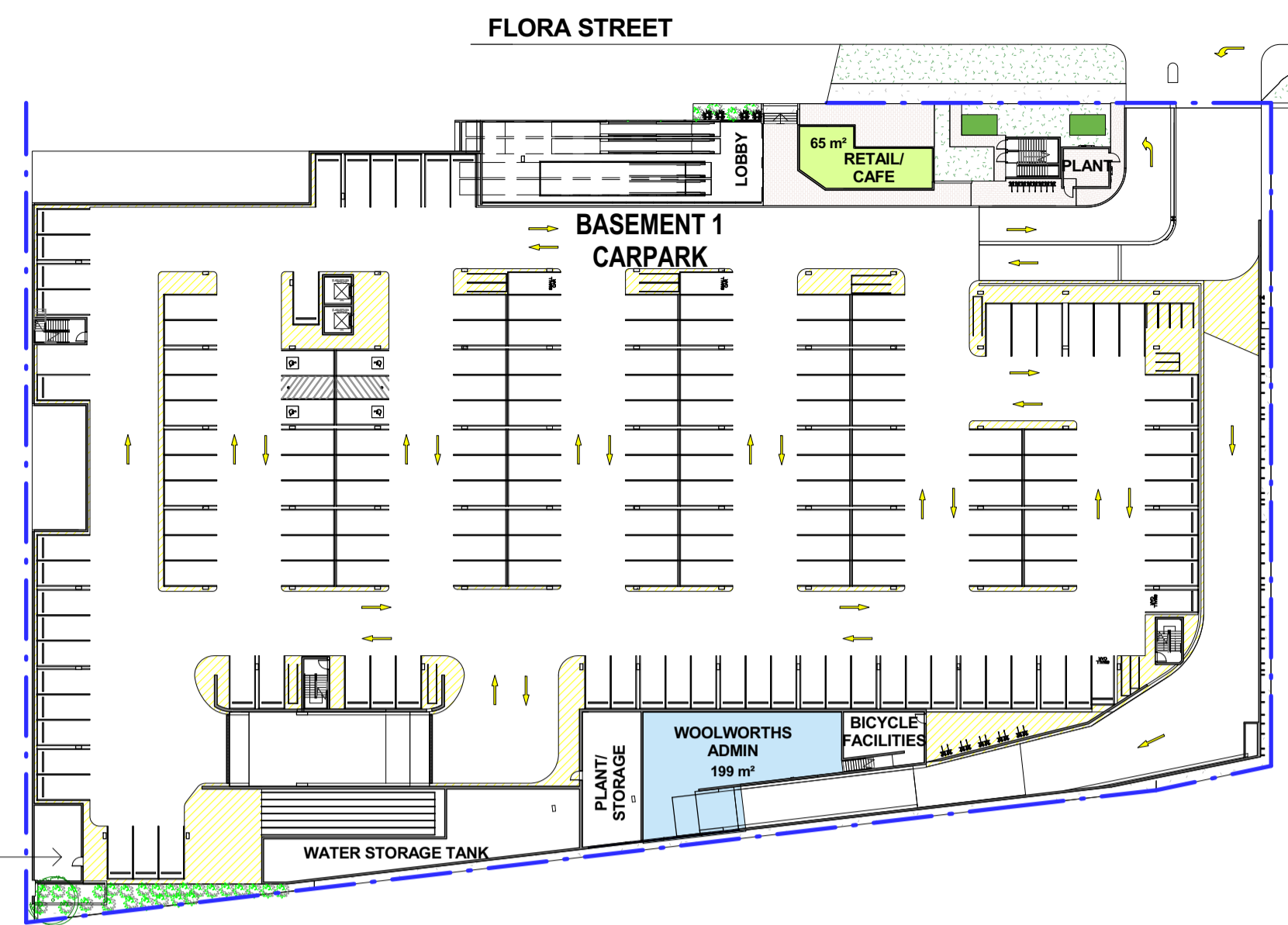
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 Project No.: S1444
 Drawn By: CF
 Checked By: MF

A00 SERIES - INFORMATION & ANALYSIS
 Drawing No. Stage - Rev

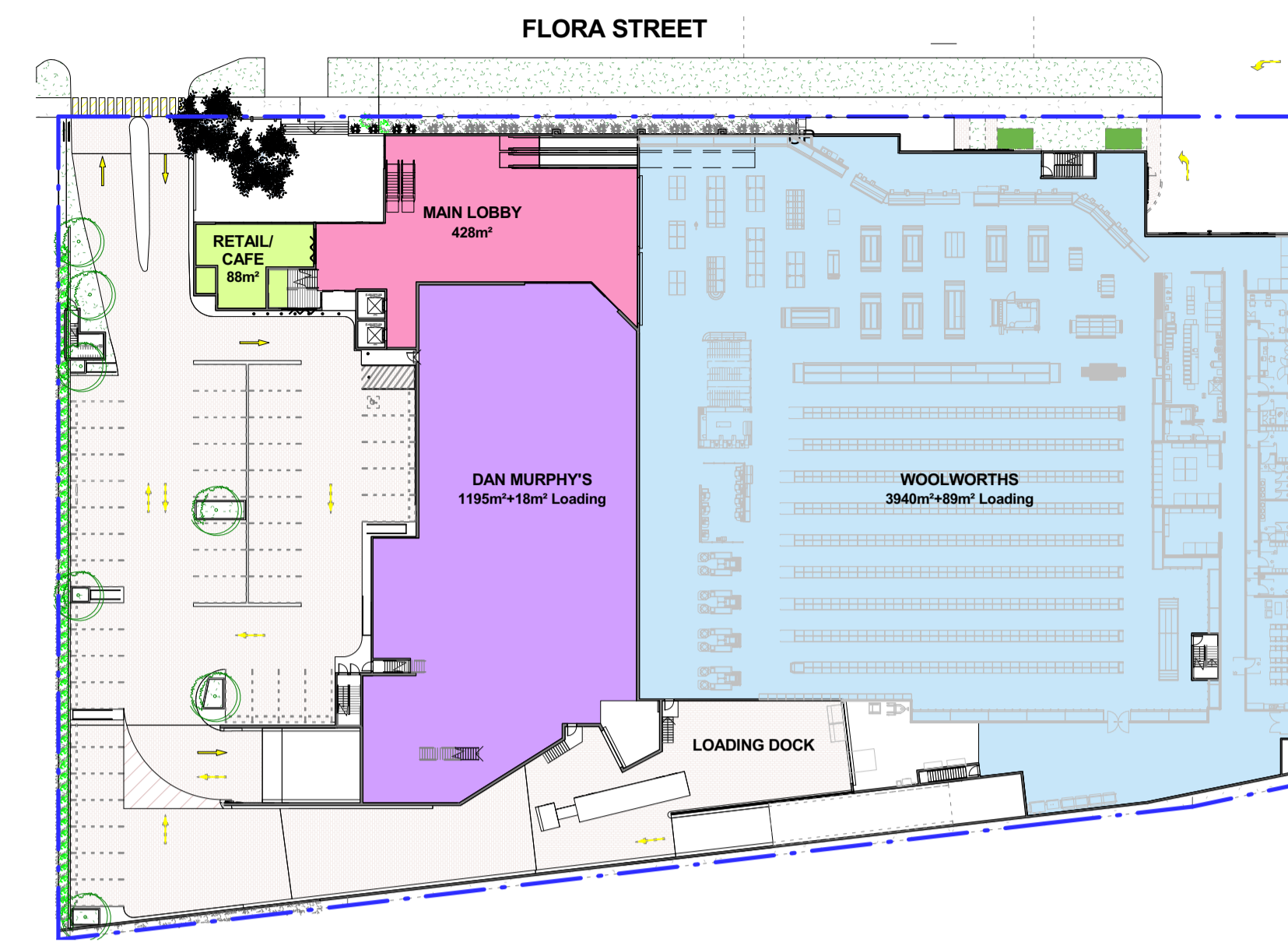
A00.03 DA-3



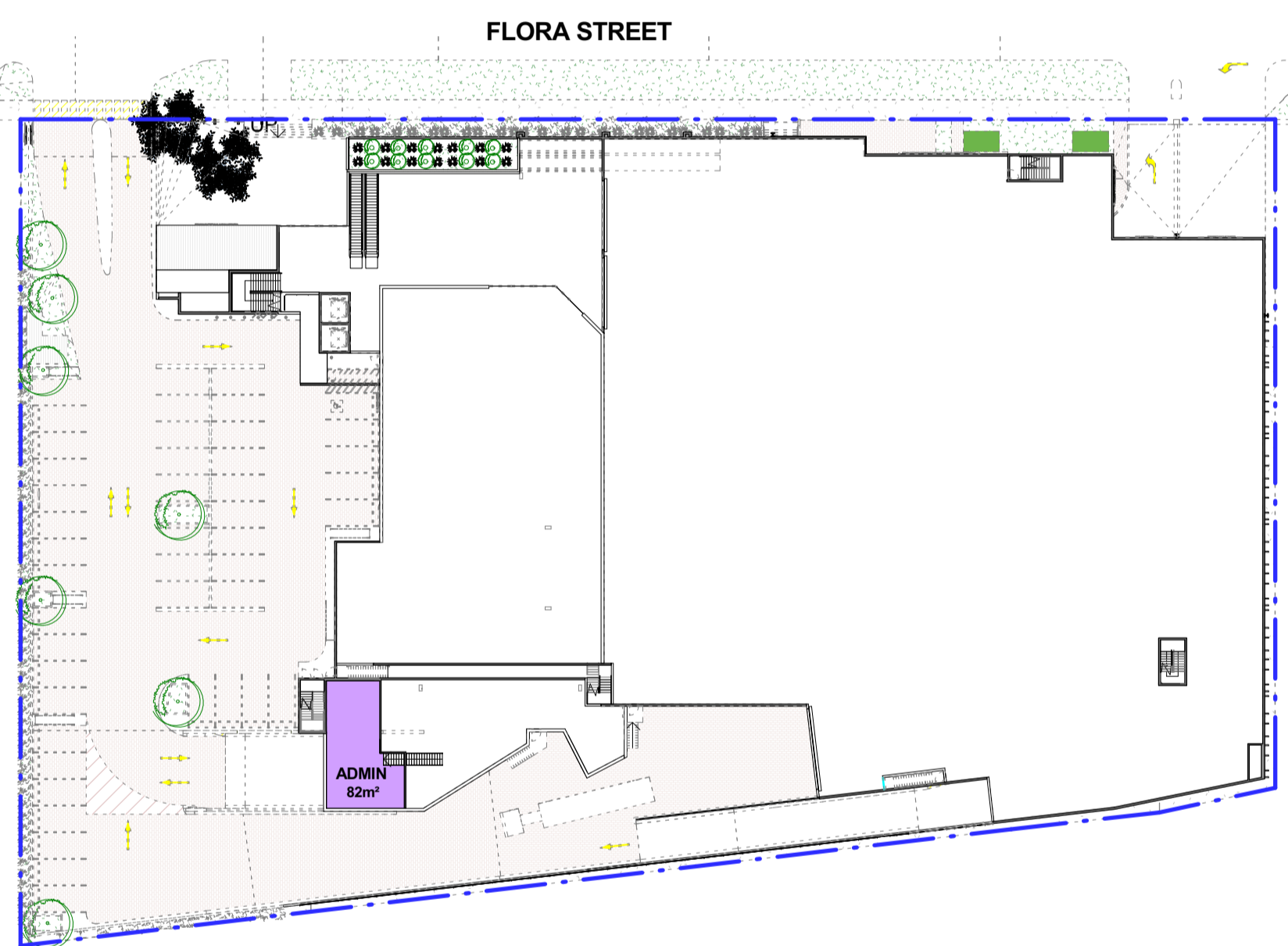
1 GFA - BASEMENT B2
1 : 600



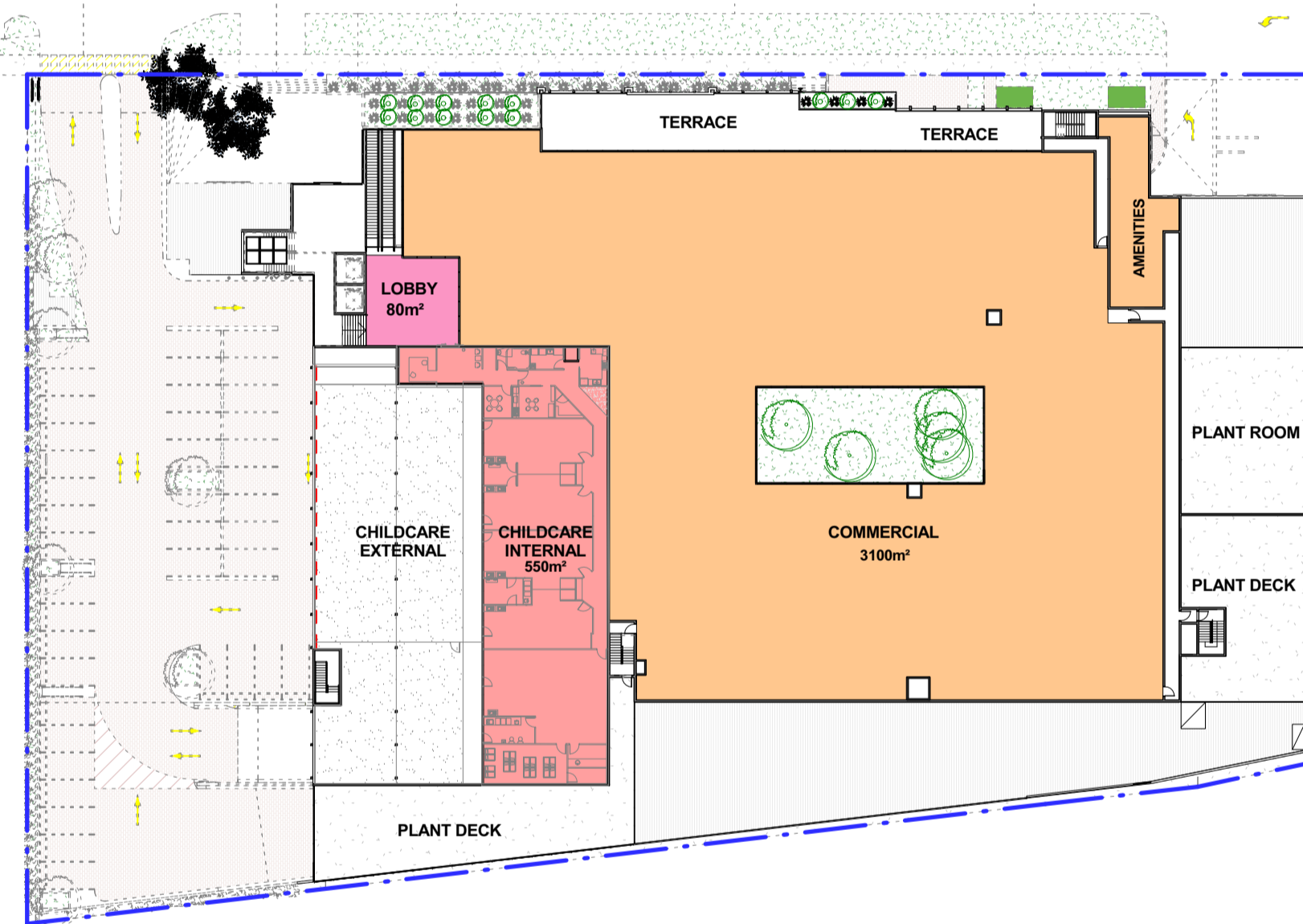
2 GFA - BASEMENT 1
1 : 600



3 GFA - GL
1 : 600



4 GFA - MEZZANINE
1 : 600



5 GFA - LEVEL 1
1 : 600

AREA SCHEDULE - GFA	
NAME	AREA
WOOLWORTHS	3940m²
DAN MURPHY'S	1195 m²
WOOLWORTHS ADMIN	199 m²
DAN MURPHY'S ADMIN	82 m²
GF-LOBBY	428 m²
B1-RETAIL / CAFE	65 m²
GF-RETAIL / CAFE	83 m²
GF-RETAIL / CAFE WC	5 m²
L1-CHILD CARE	550 m²
L1-LOBBY	80 m²
L1-COMMERCIAL	3100 m²
TOTAL GFA AREA SQ.M	9727 m²

GFA - COLOUR LEGEND

- WOOLWORTHS
- DAN MURPHY'S
- CAFE / RETAIL
- CHILD CARE
- COMMERCIAL
- LOBBY

CAR PARKING SCHEDULE

TYPE	COUNT
PROPOSED BASEMENT 2	
CAR 5400 x 2600	209
SMALL CAR 5400 X 2300	4
DISABLED 5400 x 2600	4
MOTORCYCLE	-
TOTAL	217
PROPOSED BASEMENT 1	
CAR 5400 x 2600	166
SMALL CAR 5400 x 2300	3
DISABLED 5400 x 2600	4
TOTAL	173
MOTORCYCLE	2
PROPOSED GROUND LEVEL	
CAR 5400 x 2600	40
SMALL CAR 5400 x 2300	4
DISABLED 5400 x 2600	1
TOTAL	45
BICYCLES	18
CARS GRAND TOTAL	435

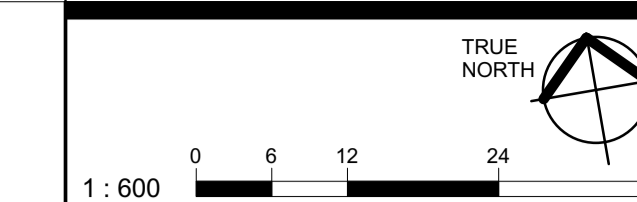
METHOD OF MEASUREMENT

GROSS FLOOR AREA (GFA)

REF: Sutherland Shire Local Environmental Plan 2015

Gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

- the area of a mezzanine, and
- habitable rooms in a basement or an attic, and
- any shop, auditorium, cinema, and the like, in a basement or attic, but excludes:
- any area for common vertical circulation, such as lifts and stairs, and
- any basement.
- storage, and
- vehicular access, loading areas, garbage and services, and
- plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and car parking to meet any requirements of the consent authority (including access to that car parking), and
- any space used for the loading or unloading of goods (including access to it), and
- terraces and balconies with outer walls less than 1.4 metres high, and
- voids above a floor at the level of a storey or storey above.



ISSUE	DATE	DESCRIPTION
DA-4	02-05-2017	ISSUED FOR DA
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SURVEY	
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CIVIL	
MECHANICAL	
HYDRAULIC	
ELECTRICAL	
LANDSCAPE	
FIRE	

Client
PAYCE FS Pty Ltd
Level 37, Chifley Tower, 2 Chifley Square Sydney NSW 2000
T: 612 8080 2300 F: 612 8080 2399

Project Manager
ICONIC MANAGEMENT
Level 37 Chifley Tower 2 Chifley Square SYDNEY NSW 2000
T: 6313 0210

Architect
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WOOLWORTHS KIRRAWEE
24-38 FLORA STREET, KIRRAWEE NSW 2232

Sheet name
GFA & CARPARKING ANALYSIS

Scale @ A1: As indicated
Project No.: S1444
Drawn By: CF Checked By: MF

Sheet No. A00-20
Stage - Rev DA-4

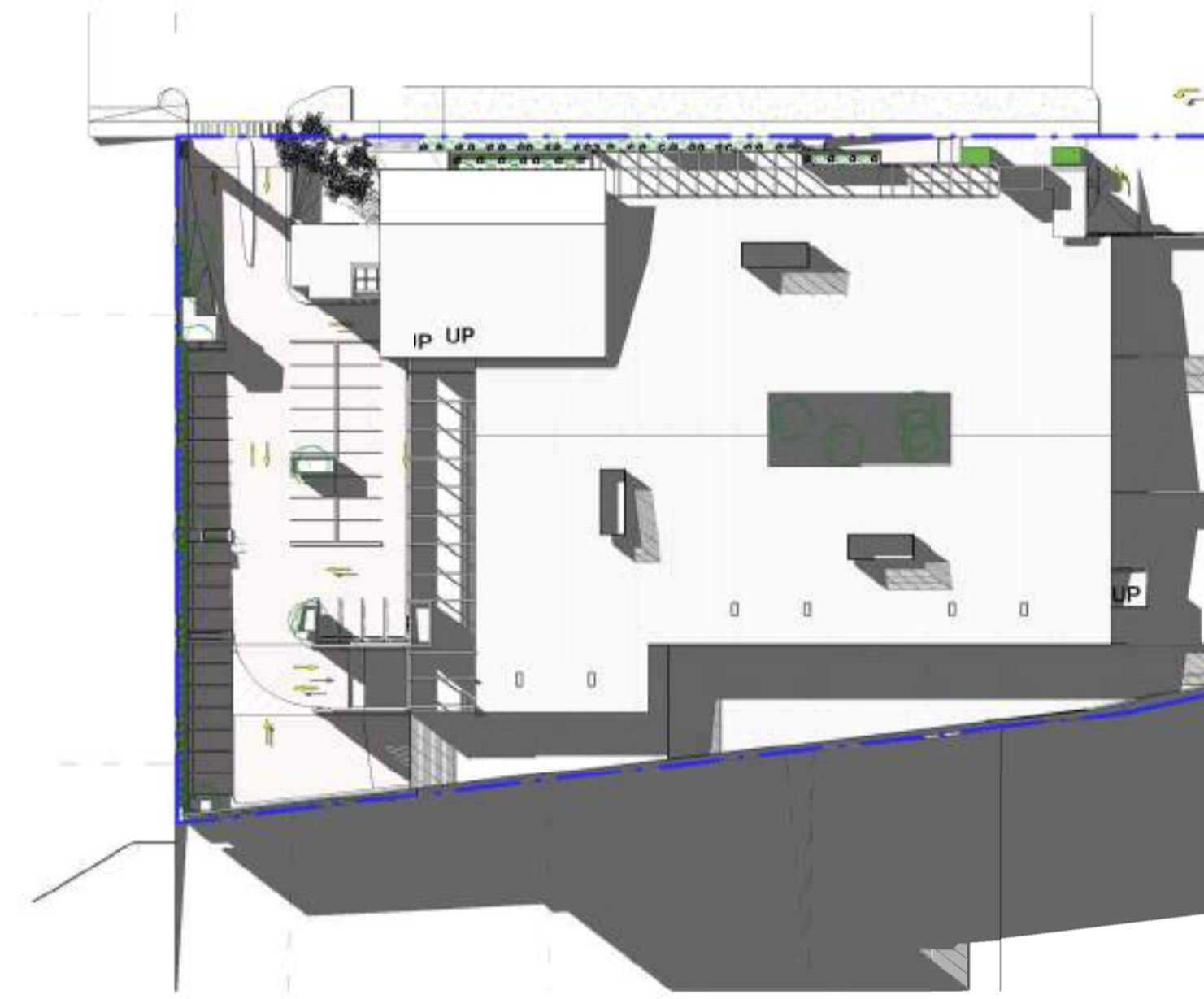
DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION



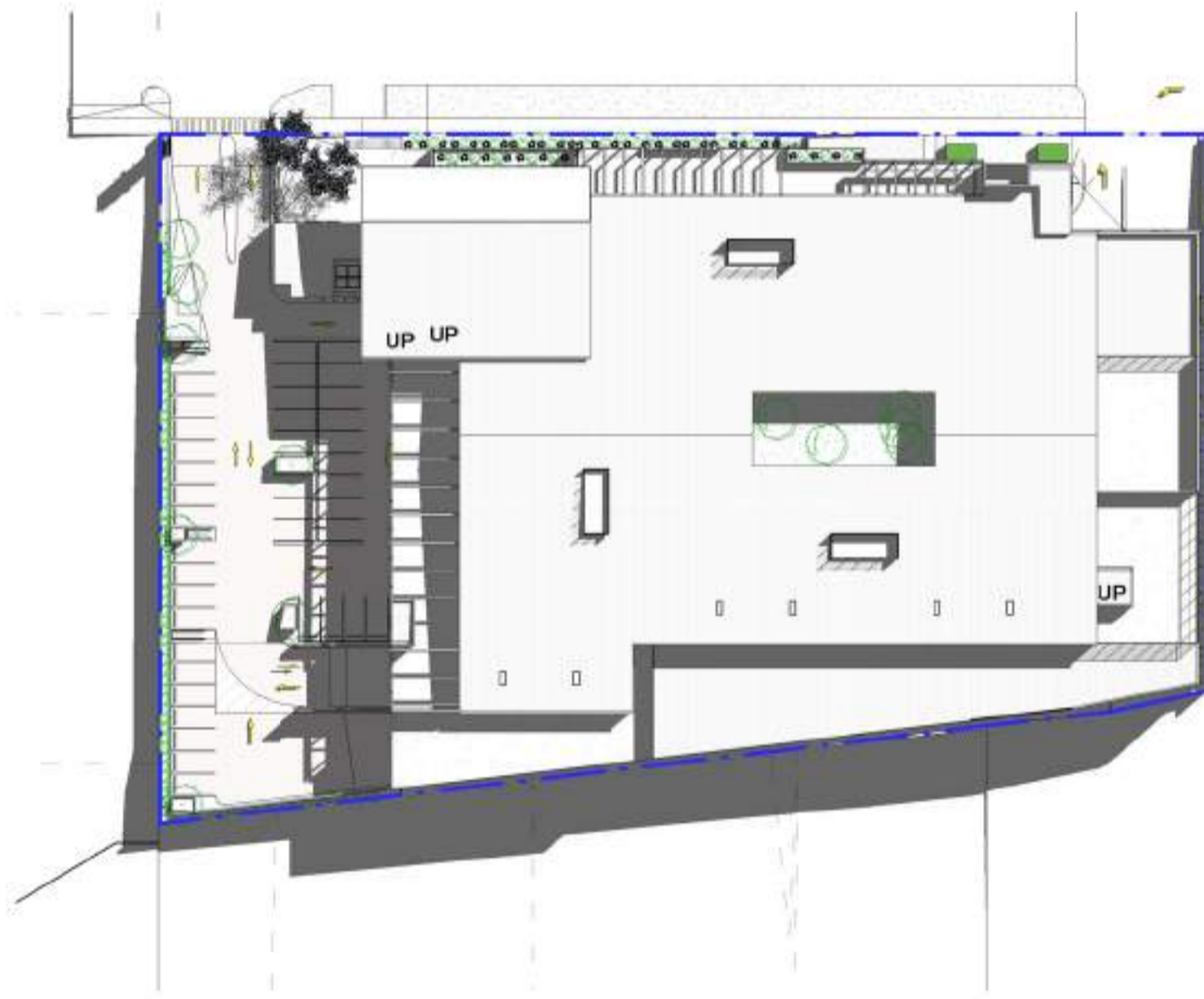
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1:750



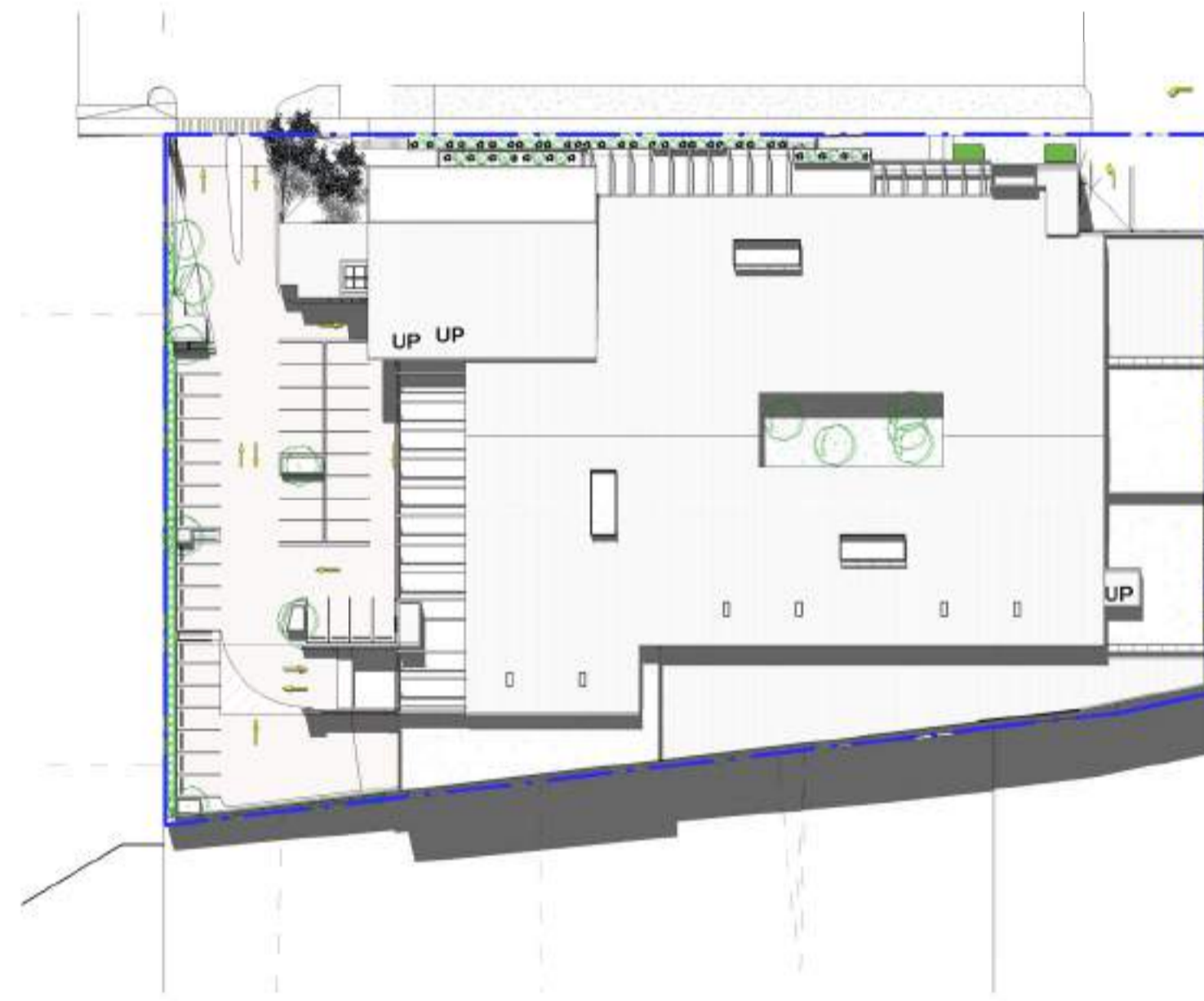
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1:750



3 WINTER SOLSTICE - 3PM
1:750



4 EQUINOX - 9AM
1:750



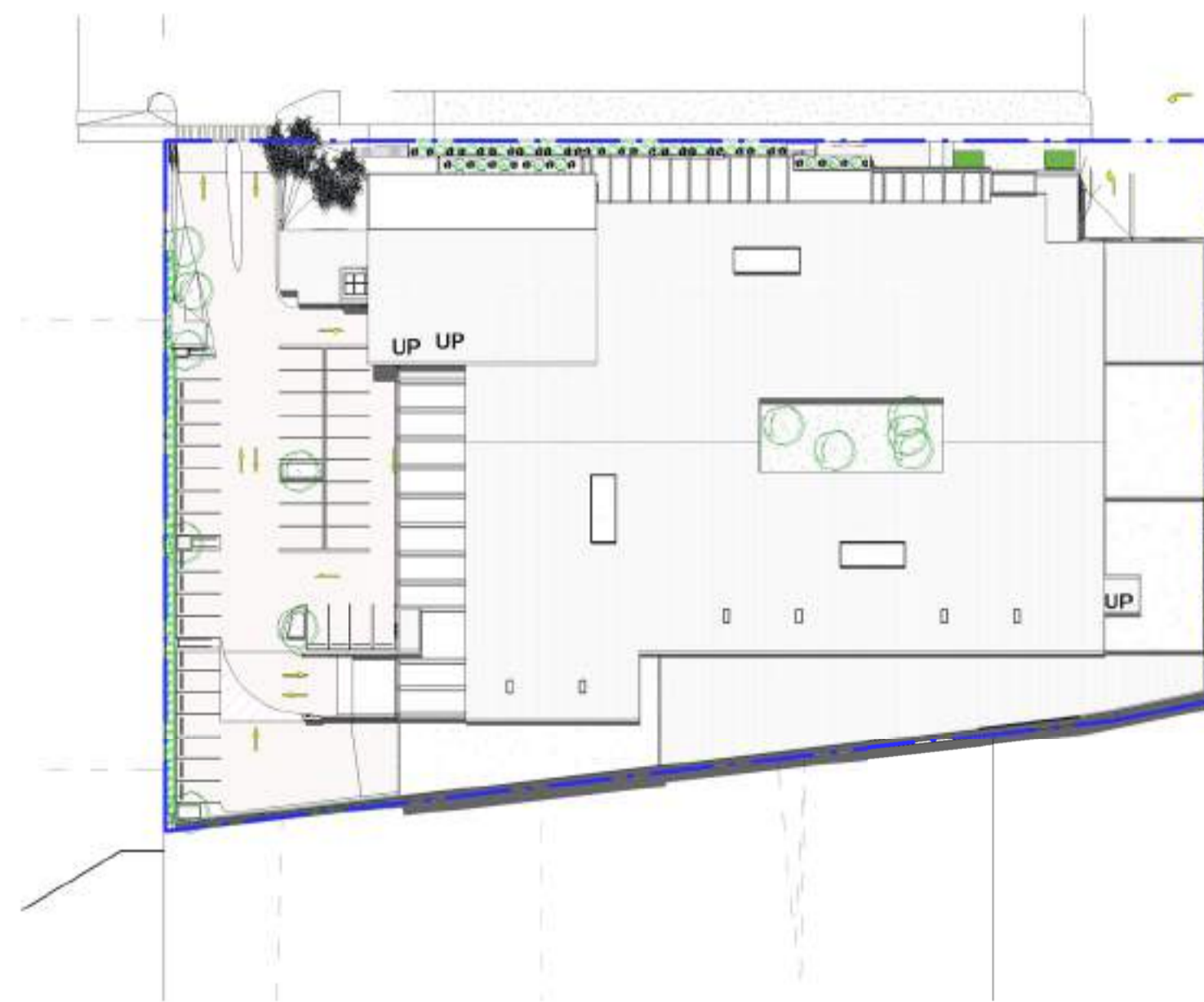
5 EQUINOX - 12PM
1:750



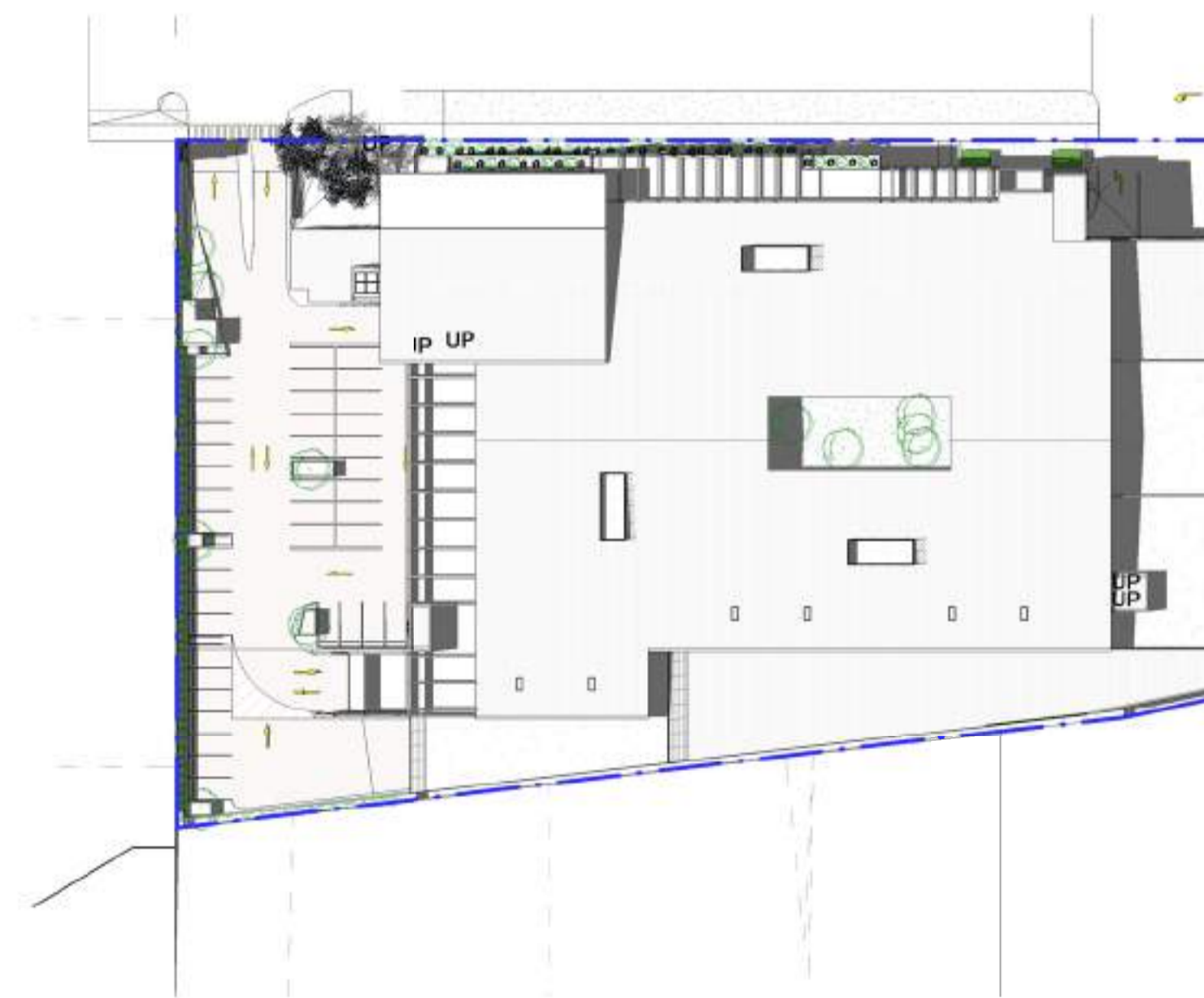
6 EQUINOX - 3PM
1:750



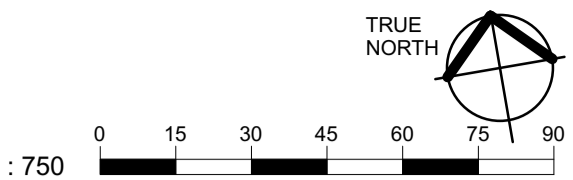
7 SUMMER SOLSTICE - 9AM
1:750



8 SUMMER SOLSTICE - 12PM
1:750



9 SUMMER SOLSTICE - 3PM
1:750



SUN ANGLE CALCULATIONS

LOCATION	SYDNEY, AUSTRALIA	
LATITUDE	33.88 deg	
LONGITUDE	151.22 deg	
MAGNETIC VARIATION	TRUE NORTH 13 deg WEST OF M.M.	

SEPT 23rd & MAR 21st EQUINOXES		
TIME	AZIMUTH	ALTITUDE
9.00 AM	62 deg E	35 deg
12.00 PM	0 deg	58 deg
3.00 PM	62 deg W	35 deg

SHADOW CALCULATION IS GENERATED USING AUTODESK REVIT 2014 SOFTWARE.

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Project
WOOLWORTHS KIRRAWEE
 24-38 FLORA STREET, KIRRAWEE NSW 2232

Sheet name
SOLAR STUDY

Scale @ A1: As indicated
 Project No.: S1444
 Drawn By: CF Checked By: MF

A00 SERIES - INFORMATION & ANALYSIS	
Drawing No.	Stage - Rev
A00.80	DA-4

DEVELOPMENT APPLICATION
 NOT FOR CONSTRUCTION

CAR PARKING SCHEDULE	
TYPE	COUNT
PROPOSED BASEMENT 2	
CAR 5400 x 2600	209
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DISABLED 5400 x 2600	4
MOTORCYCLE	-
TOTAL	217
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SMALL CAR 5400 x 2300	4
DISABLED 5400 x 2600	1
TOTAL	45
BICYCLES	18
CARS GRAND TOTAL	435

▨ = LINEMARKINGS

ISSUE	DATE	DESCRIPTION
DA-4	10-04-2017	ISSUED FOR DA
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HYDRAULIC	
ELECTRICAL	
LANDSCAPE	
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Project Manager

Architect
BN Architecture
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ABN 43 092 960 499 sydney@bngrrouponline.com

Project
WOOLWORTHS KIRRAWEE
24-38 FLORA STREET, KIRRAWEE NSW 2232

Sheet name
PROPOSED FLOOR PLAN - CP - B2

Scale @ A1: As indicated
Project No.: S1444
Drawn By: CF Checked By: MF

A06 SERIES - SETOUT PLANS
Drawing No. Stage - Rev

A06.01 **DA-4**

DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION

