

Marian Pate
Sutherland LEP Review
NSW Department of Planning and Infrastructure
PO Box 39
SYDNEY 2001

13 February, 2014

Re: Draft Shire LEP Independent Panel Review - Kirrawee Centre

I am writing regarding my property at 50 Flora Street Kirrawee and, more generally, the street block surrounded by Flora Street, Acacia Rd, President Avenue and Oak Rd, at Kirrawee.

I am also **representing the views of 4 other owners** at the eastern end of that precinct being Nos 48 & 52 Flora Street and Nos 1 & 5 Fauna Place. Attached to this submission are authorities from those owners to make representations to the Review Panel on their behalf.

As background, I am a town planner with 30 years experience in local government in Southern Sydney. I am currently the Director - Planning and Environmental Services at Kogarah City Council. I made a verbal presentation to the Review Panel at the evening session of Thursday 6 February at Sutherland regarding this issue.

Submission Summary

The residents I represent strongly support the proposed R4 zoning over the residential land within the precinct bounded by Oak Road, Flora Street, Acacia Road and President Avenue but request review and increase of the applicable development controls related to height and floorspace ratio.

Of primary concern is that the proposed development yield at a floorspace ratio of 1.2:1 and height of 16 metres (5 storeys) is not commercially viable nor does it present a redevelopment value to existing owners that would encourage or facilitate lot amalgamation. Fauna Place properties range around 600m² in area and present a redevelopment value of \$700,000 - \$800,000 which is comparable to or less than the residential value of properties in that street.

This precinct has the requisite underlying planning and locational attributes to allow for a minimum floorspace ratio of 2:1 and heights in excess of 20 metres and the proposed development controls for the precinct should be revised and amended accordingly.

Attached are copies of submissions from the owners that I represent that were lodged with Council in response to the exhibition of the second version of the draft Sutherland LEP (exhibited 17 September 2013). Those submissions generally address the issues summarised below and provide more detail on the underlying planning principles that support the proposed R4 high density residential zone and discussion on the inadequacy of the proposed accompanying development controls (height and floorspace ratio). I request that the content of those attached submissions be reviewed as a part of this submission.

Submission in Full

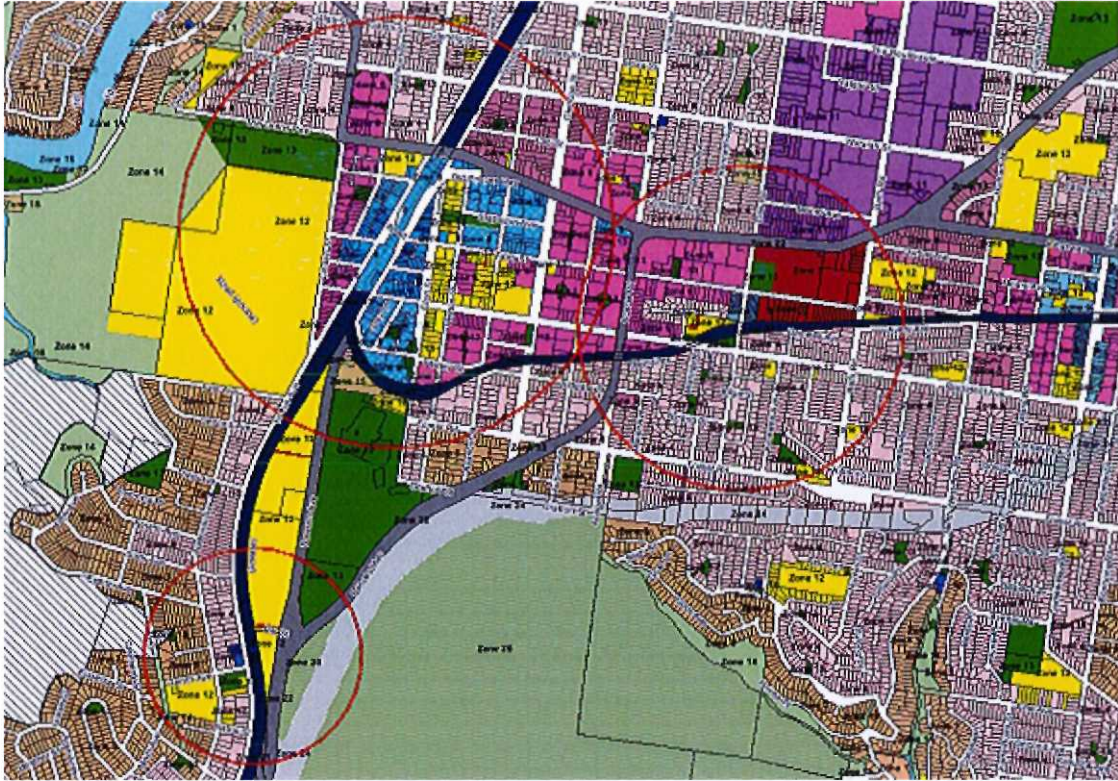
The area surrounding the Kirrawee Centre is a suitable location for increasing population densities. The opportunity for this area has been identified in a report to Council, prepared by Council Officers, on 11 March 2013 - Urban Activation Precincts Update. That report clearly expresses the potential of this area, being located at a recently upgraded railway station, with enhanced services, and the significant proposal for the adjacent Brick Pit site, which I am sure of which you are aware, will provide a high level of retail services to the local area. Since that report Council has received an application for a further full size supermarket at 28-38 Flora Street, adjoining the Brick Pit site which is to be considered by the Sydney East Joint Regional Planning Panel. These developments will provide even more services and facilities for local residents, creating impetus and the need to reconsider the scale and density of potential building forms in and around the Kirrawee Local Centre.

The adoption of the area by the State Government as an Urban Activation Precinct would allow for this potential to be fully explored and developed, however the acceptance of that nomination is not guaranteed. The current rate of preparation of controls for these Precincts (1 centre being progressed (North Ryde) from 8 nominations) does not augur well for timely implementation of these schemes.

Council has articulated a vision for the Kirrawee Centre that can be pursued independently of the State Government and it is requested that the current exhibited controls in the street block surrounded by Flora Street, Acacia Rd, President Avenue and Oak Rd be reviewed and amended for possible re-exhibition.

Retention of the current (LEP 2006) controls for Fauna Place is untenable. That area is an island of low density development that will be encircled by higher density building forms and result in poor amenity for the residents in that area. The current permitted development form along Flora Street (refer to the current approved and under construction development at 62-64 Flora Street), Acacia Road and President Avenue already provides a less than acceptable interface with the single dwelling area, presenting privacy impacts and impacts on solar access for those properties to the south in Fauna Place. Lot consolidation and redevelopment of Fauna Place properties would also provide an opportunity to resolve vehicular access issues to Acacia Road sites through Fauna Place.

The previously mentioned Council report on the Sutherland Urban Activation precinct clearly outlines the strategic planning principles that underpin the need to review current development potential and controls in this area. I need not reiterate them in total in this submission except to restate that the entire block between Oak Rd and President Avenue is within the 600m scale of influence of the Kirrawee village and is within the area that the Department of Planning and Infrastructure directs councils to consider increasing density because of the ease of access to rail services and local services. Please refer to the attached extracted diagram of the area from the previously mentioned Council report that demonstrates that fact.



With the redevelopment of the ex Water Board site the Kirrawee centre will take on a higher order function and the current development controls for Flora Street do not make optimal use of this location - close to services, shopping and the recently upgraded railway station and enhanced train service to the city. There are few areas remaining in Sutherland Shire that are better suited to accommodate high density housing than the precinct bounded by Oak Road, Flora Street, Acacia Road and President Avenue.

The attached submissions provide detailed arguments on the economically unviable nature of the proposed height and floorspace ratio for this area that were placed on exhibition and make arguments for proposed controls that would facilitate redevelopment.

I urge the Panel to endorse the zoning change in this area to R4 High Density Residential that was proposed in the Mayoral Minute, and placed on public exhibition in accordance with the requirements of the E P & A Act. I further request that the Panel take into consideration the view that the proposed density controls exhibited for this area are not economically viable, nor appropriate for the location, and make recommendations that those controls should be increased.

Rod Logan
50 Flora Street
Kirrawee 2232
Mob 0417 249 334

Environmental Planning Unit
Sutherland Shire Council
Locked Bag 17
SUTHERLAND 1499

Re: LP/03/79340

Amended Draft Shire Local Environmental Plan 2013

I write regarding the proposed zoning and development controls particularly as they apply to 50 Flora Street, Kirrawee and more generally as they apply to the precinct bounded by Flora Street, Oak Road, President Avenue and Acacia Road.

I write as owner of 50 Flora Street and as a town planner with 30 years experience in Southern Sydney.

Submission Summary

In summary this submission supports the proposed R4 zoning over the residential land within the precinct bounded by Oak Road, Flora Street, Acacia Road and President Avenue but requests review and increase of the applicable development controls related to height and floorspace ratio.

Of primary concern is that the proposed development yield at a floorspace ratio of 1.2:1 and height of 16 metres is not commercially viable nor does it present a redevelopment value to existing owners that would encourage or facilitate lot amalgamation.

This precinct has the requisite underlying planning and locational attributes to allow for a minimum floorspace ratio of 2:1 and heights in excess of 20 metres and the proposed development controls for the precinct should be amended accordingly.

Planning rationale for density increase

The area surrounding the Kirrawee Centre is a suitable location for significantly increasing population densities. The opportunity for this area has recently been identified in a report to Council on 11 March 2013 - Urban Activation Precincts Update. That report clearly expressed the potential of this area, being located at a recently upgraded railway station, with enhanced services, and the proposal for the adjacent Brick Pit site.

The bulk of lands currently zoned for high density residential development within the Sutherland /Kirrawee area are already developed with little potential for subsequent redevelopment within the short to medium term.

The Kirrawee area is recognised as having high desirability in the residential market due to its locational characteristics, access to public transport and major arterial roads

and also presents good comparative value within Sutherland Shire. High density residential development in this area has the capacity to provide some of the most affordable units in Sutherland Shire.

The recent sale and clearing of the BrickPit site give a high degree of surety that the project will proceed. Despite providing a large number and range of units in the proposal that project will take a long lead time to reach market, due to significant site preparation works and the general scale of the project. The final residential product also does not suit all potential purchasers due to the scale, large strata management bodies and more costly strata levies generally applicable to such projects arising from the higher level of on site facilities. There is a definite and strong market for smaller projects and this precinct provides an opportunity to address that market in the short term.

Comparable locations in Sutherland Shire, in terms of current access to transport and shopping facilities, have floorspace ratios and heights higher than those proposed in the Amended Draft Local Environmental Plan (DLEP) for this precinct eg Warbuton Street, Gymea which provides a floorspace ratio of 2:1 and height of 20 metres and allows for residential flat buildings. The future provision of a full scale supermarket, discount supermarket and approximately 9,000m² of ancillary retail/commercial on the adjacent Brick Pit site will provide a higher level of local service provision and access to local jobs than a number of those comparable sites.

In terms of geography the precinct lies at a high point on the ridgeline to the east of Sutherland Centre and views to Cronulla, National Park and the city are available. The precinct adjoins other high density residential areas, the commercial strip shopping centre, the rail line, arterial roads and a commuter carpark and any high density building form would not present amenity impacts on low density residential areas. The proposed development on the Brick pit site provides an immediate built form context of high rise buildings.

In summary there is a strong and sound argument on planning grounds to boost the yield and increase the height of the built form in this precinct above that anticipated by the proposed DLEP development controls.

Proposed development controls.

The proposed development controls have significant implications for a number of smaller lots in the precinct in that the development yield at 1.2:1 does not provide a reasonable land value in comparison to the underlying residential value as a single home.

This disparity can significantly frustrate lot consolidation and lead to a form of planning blight with sites left in isolation. Under the circumstances of this precinct, as outlined in the previous section, it is appropriate to increase density which would increase redevelopment land values and facilitate lot consolidation and potential for short term redevelopment.

Redevelopment land value per unit site in the Sutherland/ Kirrawee area is approximately \$110,000. For a 580 m² site in Fauna Place the redevelopment yield at 1.2:1 floorspace ratio is approximately 7 units, assuming an average 95 sq m unit. This equates to a redevelopment value of less than \$800,000. This does not provide replacement value for any existing dwelling in Fauna Place.

The anticipated built form at the proposed floorspace ratio and permitted height also has inherent problems in terms of a viable floorplate, particularly for small redevelopment sites. A 1200sqm – 1500sq m site only allows 3-4 units per floor. Even a 2000sq m consolidated lot only allows for 5 units per floor. With the provision of a lift core this factor adds to the construction cost per unit and also imposes higher ongoing maintenance costs per unit, impacting on general affordability and on the capacity of a project of that scale to secure financing.

The proposed controls could also certainly lead to variations being sought for an increase in permitted floorspace. With a permitted building scale of 16 metres (5 storey) there would appear to be little planning justification to refuse development applications that may be lodged which proposed a higher floorspace than permitted, having regard to the locational characteristics of this precinct.

Summary

There are few areas in the Shire that are better suited to accommodate high density housing than the precinct bounded by Oak Road, Flora Street, Acacia Road and President Avenue. I urge Council to take immediate action to review the proposed development controls in this precinct and increase the floorspace ratio to a minimum of 2:1 and the building height to a minimum of 20metres.



Rod Logan
50 Flora Street
Kirrawee 2232

16 September 2013

11 September 2013

The General Manager
Sutherland Shire Council
Locked Bag 17
SUTHERLAND 1499

Att: Environmental Planning Unit

Re: Amended Draft Shire Local Environmental Plan 2013 LP/03/79340

1.0 Introduction

We act on behalf of Dr. S Nair, the owner of No 48 Flora Street Kirrawee. We have been instructed to make a submission regarding that property and the planning context of the precinct generally bounded by Oak Road, Flora Street, Acacia Road and President Avenue, Kirrawee.

It is recommended in this submission that the planning controls for the precinct as exhibited under the abovementioned Draft Local Environmental Plan (DLEP) be reviewed and increased. The dwelling yield generated by the proposed controls results in a built form that is neither commercially viable nor appropriate for this location given its strategic position and the existing developed context.

In forming an opinion on the suitability of the redevelopment parameters expressed in the DLEP the site and locality has been visited, recent approvals in the locality have been reviewed, the sub regional and state strategic planning framework has been considered and a preliminary feasibility analysis of redevelopment has been undertaken.

The town planning justification for the requested increase in density is summarised in a series of sub headings below.

2.0 Description of the site and surrounding context

The Kirrawee Centre and the subject street block is centrally located in Sutherland Shire with excellent access to the Eastern Suburbs and Illawarra rail line and the regional road network.

The residential street block between Oak Road and Acacia Road to the west lies at a high point on the ridge between Sutherland and Miranda and would provide expansive district views from any high density residential redevelopment.

The predominant land use along the rail line east of Sutherland Station to Kirrawee Station is high density residential development and with the exception of the subject street block has limited capacity for additional growth.

To the immediate north east of the subject street block on the corner of Flora Street and Oak Road, lies a large site known as the Brick Pit site which has recently received Concept Approval under S.750 of the Environmental Planning and Assessment Act from the Planning Assessment Commission of NSW, for a proposal incorporating 432 dwellings and 15,230m² of retail/commercial floor space including a 3,900m² supermarket and 1,470 m² discount supermarket.

The strategic capacity of this area has recently been identified by Sutherland Council in nomination of this area under the Urban Activation Precinct Program. The recent decision by Sutherland Council to zone the subject street block R4 High Density Residential is further recognition of the redevelopment potential of this area.

3.0 Redevelopment feasibility analysis

The DLEP proposes a floor space ratio (FSR) of 1.2:1 and a maximum height of 16 metres (5 storey equivalent). This particular set of primary development controls would present an unusual building form in terms of site cover and has some fundamental viability issues in terms of a developable floor plate.

A notional site of 1200m² would allow for a five storey building with a floor plate of only 288 m² per floor (3x95m² units). This yield would not financially support a lift core. This particular street block precinct has a wide range of lot sizes with a predominance of approximately 560m² – 600m² lots in Fauna Place and larger lots from approximately 670m² – 980m² along Flora Street, Acacia Road and President Avenue.

Even a 3 lot consolidation to form a 1700m² site provides a yield of only 4-5 units per floor at the density proposed.

Another aspect of these controls that would frustrate redevelopment is that the limited yield would provide a development value for land that only approximates the current replacement value as single dwellings, particularly for properties in Fauna Place.

Recent sales in that area, and Kirrawee generally, are in the mid \$800,000s. A yield at 1.2:1 FSR for a 560m² block is approximately 7 - 8 units. This would have a value of between \$770,000 and \$800,000, assuming a land value per unit of approximately \$110,000. Such low redevelopment values will not facilitate lot consolidation.

As well as being small in area the lots in Fauna Place are also not deep. This could present design difficulties in efficient basement layouts, satisfaction of SEPP 65 design requirements and the need for additional service cores which would all act to reduce viability.

A preferable redevelopment scenario would be through block amalgamation from Flora Street to Fauna Place. This would provide maximum design flexibility but would probably require bonus floorspace provisions to encourage large lot consolidations.

4.0 Options for consideration

As a minimum the development controls for this precinct should reflect those achievable in the high density residential precinct surrounding Sutherland and which present a minimum 6 storey building form. It is more critical to appreciate however that an increase in permitted FSR is required in order to improve the viability of redevelopment.

An FSR of 2:1 and a height 20 metres (6 storey height) could present a viable form, however an increased height to 25 metres would provide for improved amenity of units, increased separation and reduced site cover. To encourage through block site consolidation (Flora Street to Fauna Place lot amalgamation) a bonus floorspace and height provision could be considered.

Increases in FSR and height as outlined above are amendments that could be made to the DLEP in final consideration of the plan by Council under S.58 of the Environmental Planning and Assessment Act in response to this submission.

5.0 Summary

Options to take maximum advantage of the location of the site with respect to the availability of services such as local shops and public transport by optimising the residential yield should be explored through the immediate review of the proposed development standards.

As well as being well located in terms of easy access to transport and a full range of urban services, the eastern edge of the nominated precinct is at one of the highest points of the Shire and would afford commanding district views if appropriately scaled development were allowed.

The Kirrawee Centre is undergoing dramatic change. The approved mixed use development at the Brick Pit site adjacent to the centre will provide additional local jobs through a supermarket focused shopping centre and provide a new local park proposed to be one hectare in area.

It has been clearly demonstrated in this submission that the exhibited development controls do not provide a financially viable development option, an appropriate building form or present a redevelopment land value that would encourage lot consolidation.

This street block can support much higher buildings having regard to its locational characteristics and, due to its discrete location, resultant development of the scale recommended would not present impacts on any adjacent low density residential land.

We request that we be kept informed as to when the matter is to be considered by Council and register our desire to address Council at this time.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C.F. Blyth', with a stylized flourish at the end.

C.F.Blyth MPIA CPP Director
Boston Blyth Fleming Pty Ltd

Environmental Planning Unit

Sutherland Shire Council,

Locked Bag 17,

Sutherland 1499

Re : LP/03/79340 – submission regarding Fauna Place, Kirrawee

My wife and I own No 1 Fauna Place, Kirrawee and are very supportive of the proposed rezoning to R4 High Density Residential and believe high density residential development is very appropriate in this location.

Of significant concern with the proposal is that the permitted height and floorspace ratio under the draft plan will not provide sufficient development potential to encourage redevelopment.

The following preliminary analysis outlines the fundamental problem with the low density and height that is proposed. Our block is approximately 560m² and the proposed floorspace ratio of 1.2:1 will allow 675 m² of development. This only represents a redevelopment value of approximately \$770,000, assuming a unit site has a land value of approximately \$110,000 per unit. Recent sales of single dwellings in Fauna Place achieve a higher value than \$770,000.

Even at a floorspace ratio of 1.5:1 sites in Fauna Place are only worth around \$950,000 using the same assumptions. This does not provide any incentive for sale for redevelopment as we cannot find a comparable dwelling and cover all the additional costs in moving. For example, a recent sale of a 30 year old house in Kirrawee Avenue, further away from the shops, for \$925,000.

Under the proposed height and floorspace there is no incentive to redevelop from the current owner's perspective. We will end up sitting here with development happening all around because we cannot get out and buy something even of equivalent value to our current homes.

The current rezoning is R4 HIGH DENSITY yet the density that is proposed is less than other similar areas of the Shire. Areas at Gymea that are almost the same as this area, such as Warburton Street which is right next to the shops, have a floorspace ratio of 2:1 and a height of 20 metres. Although that area is zoned local centre a residential flat building is permitted at that height and floorspace. This area has the same attributes and should allow the same type of development.

With immediate access to the railway station, the Brick Pit site shopping center and the proposed 1 hectare park on the corner of Flora Street and Oak Rd, this area, particularly the sites at the eastern end of the precinct adjoining the shops, are perfectly placed for HIGH DENSITY DEVELOPMENT.

The proposed 14-15 storey development on the Brick Pit site provides a guide to what this area can support and I believe that a height of 8 storey and a floorspace ratio of 2:1 would be more than suitable in this area.

I therefore request that this area be rezoned to R4 but that the permitted height and floorspace be significantly increased from that which is currently on exhibition.

Lois and Leon Francis
1 Fauna Place
Kirrawee 2232

Environmental Planning Unit
Sutherland Shire Council
Locked Bag 17
SUTHERLAND 1499

**Re: Amended Draft Shire Local Environmental Plan 2013
LP/03/79340**

I am writing regarding the street block surrounded by Flora Street, Acacia Rd, President Avenue and Oak Rd, at Kirrawee.

I fully support the current proposal to zone this area R4 High Density Residential. The area surrounding the Kirrawee Centre is a fantastic location for increasing population densities being at the railway station and the proposal for the Brick Pit will provide even more services and facilities for local residents.

I think that the area could be developed for higher than the proposed 16 metres which is about 5 storeys, particularly close to the railway station and the shops where there are great opportunities for views and higher buildings will not cause any problems to any other residential land. Units at Kirrawee sell straight away and the area is good value. I think the more units in this area the better for someone who wants to get a foot into the property market in the Shire, particularly with a shopping centre and parklands on the Brick Pit.

It would be a waste of the zoning if the amount and height of development was not maximised. I am therefore asking for Council to change the current development controls and allow these areas to be properly developed to a higher density than is currently proposed.

H Buestrami
52 Flora Street
Kirrawee

Sutherland Shire Council
Locked Bag 17
SUTHERLAND 1499
Environmental Planning Unit

Re: Shire LEP
Your Reference **LP/03/79340**

Kirrawee Centre

I am writing regarding my property at 5 Fauna Place, Kirrawee. I previously made a submission to the draft LEP requesting that my property and others in Fauna Place be rezoned to high density residential. I am pleased to see that Council has taken action to rezone this area but I do not believe that proposed controls are high enough to allow redevelopment to occur.

The area surrounding the Kirrawee Centre should be considered for significantly increasing population densities as it is at the railway station and the proposal for the Brick Pit site will provide even more shopping facilities and a park for local residents. That site will allow up to 50 metres high. The area at the end of Fauna Place next to the shops on Oak Road should allow higher development than the 16 metres that is proposed as it will not impact on anyone.

The blocks in Fauna Place are not very big and the amount of development allowed at the 1.2:1 floorspace ratio does not allow for us to sell at a reasonable price. It should be much higher.

I request that the proposed development controls be reviewed and increased to allow this area to be viably redeveloped. I am aware that areas at Gymea close to the shops are R4 zoning with a floorspace ratio of 2:1 and height of 20 metres. Something like that would be much more suitable.

J Nias
5 Fauna Place
Kirrawee

Marian Pate
Sutherland LEP Review
NSW Department of Planning and Infrastructure
PO Box 39, Sydney 2001

Re : Authorisation for 3rd Party to make representations on my behalf.

As owner of No 48 Flora Street, Kirrawee I authorise Rod Logan of 50 Flora Street, Kirrawee to make representations on my behalf to the Independent Sutherland Local Environmental Plan Review Panel regarding the rezoning of my property.

A handwritten signature in black ink, appearing to read 'S. Nair', with a stylized flourish extending from the end.

S. Nair
48 Flora Street, Kirrawee

Marian Pate
Sutherland LEP Review
NSW Department of Planning and Infrastructure
PO Box 39, Sydney 2001

Re : Authorisation for 3rd Party to make representations on my behalf.

As owner of No 52 Flora Street, Kirrawee I authorise Rod Logan of 50 Flora Street, Kirrawee to make representations on my behalf to the Independent Sutherland Local Environmental Plan Review Panel regarding the rezoning of my property.



H. Buestrami
52 Flora Street, Kirrawee

19.01.2014

Marian Pate
Sutherland LEP Review
NSW Department of Planning and Infrastructure
PO Box 39, Sydney 2001

Re : Authorisation for 3rd Party to make representations on my behalf.

As owner of No 1 Fauna Place, Kirrawee I authorise Rod Logan of 50 Flora Street, Kirrawee to make representations on my behalf to the Independent Sutherland Local Environmental Plan Review Panel regarding the rezoning of my property.



L Francis
1 Fauna Place, Kirrawee

15 / 1 / 2014

Valid for six months to 30/6/2014



Marian Pate
Sutherland LEP Review
NSW Department of Planning and Infrastructure
PO Box 39, Sydney 2001

Re : Authorisation for 3rd Party to make representations on my behalf.

As owner of No 5 Fauna Place, Kirrawee I authorise Rod Logan of 50 Flora Street, Kirrawee to make representations on my behalf to the Independent Sutherland Local Environmental Plan Review Panel regarding the rezoning of my property.



15 / 1 / 2014 ,

J Nias
5 Fauna Place, Kirrawee