



DH/BG
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28 February 2017

Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2000

Attention Mr Brendan Nelson

BAYSIDE WEST PRECINCTS LAND USE AND INFRASTRUCTURE STRATEGY COOK COVE SUBMISSION

Thank you for the opportunity to make a submission on the *Draft Bayside West Precincts Land Use and Infrastructure Strategy* (the draft Strategy). This submission has been prepared by JBA on behalf of Cook Cove Inlet Pty Ltd, as sole and exclusive agent, representative and development manager of the Kogarah Golf Club to deliver the relevant aspects of the Cook Cove project.

At the outset, we would like to confirm our support for the draft Strategy and wish to acknowledge and thank the Department for the considerable time and effort that has been invested into preparing the draft Strategy. The draft Strategy presents a comprehensive review of the precinct's context, key constraints and opportunities together with a strong vision for implementation of the Cook Cove site.

However, we write to request clarification on several specific and more detailed aspects of the Strategy, which are summarised under the key subheadings as follows.

1.0 STATE INFRASTRUCTURE CONTRIBUTION

We acknowledge that a State Infrastructure Contribution (SIC) is required to support upgrades to regional infrastructure within the precinct and that this requirement will be imposed on development within Cook Cove. Clarification is required on the particulars of the SIC in terms of its dollar rate, its application and the full suite of works that constitute state infrastructure.

Secondly, we request that the SIC only apply to residential floor space, with an exception being any floor space set aside for affordable and / or key worker housing. The latter will act, in part, as an incentive to the provision of such accommodation.

Likewise, the application of the SIC to non-residential floor space such as commercial office, hotel, retail and community / civic uses will only act as a disincentive to provide these lower yielding uses on site and will work against achieving a mixed-use precinct.

2.0 GOLF COURSE RECOGNITION

The Cook Cove Southern Precinct Development Application (DA) was submitted to Bayside Council on 18 November 2016. Public exhibition concluded on 10 February 2017 and we anticipate a determination of the DA in May / June 2017. The DA includes a new publicly accessible 18-hole golf course and driving range, new and enhanced public reserves and pocket parks, new and reconfigured shared pedestrian / cycle paths, a comprehensive remediation strategy and various ecological enhancements and rehabilitation.

We request that an acknowledgement of the proposed golf course (subject to determination) is made within the final Strategy as per the current planning controls applying to the land, i.e. Sydney Regional Environmental Plan No. 33 – Cooks Cove and the Cooks Cove Master Plan 2004 (a deemed DCP).

These instruments always envisaged the relocation of the course to the south. An extract of the Cooks Cove Master Plan 2004 Section 2.2 indicates the following:

“The Proposal – The accommodation and enhancement of existing key community sporting facilities. These include the 18-hole golf course reconfigured and integrated within a unique wetlands habitat environment.”

As such, the proposed relocation of the Kogarah Golf Club is a necessary component of the Cook Cove proposal and has been the product of considerable discussions with Council and other authorities over many years.

3.0 EAST-WEST SHARED CYCLE LINKS

In terms of regional connectivity, the Cook Cove Southern Precinct provides a key component of the Cooks River foreshore link extending from the southern side of the SWSOOS structure through to Kyeemagh via a new bridge over Muddy Creek. This link has been designed to provide seamless connection to the Cooks River foreshore link as envisaged in the draft Strategy.

This new infrastructure allows the rationalisation of exiting paths through Barton and Riverine Parks and facilitates more direct and desirable regional links. As such, we request that **Figure 19** of the draft Strategy is amended to reflect the proposal, with a mock-up and explanation of the proposed amendments provided below. In addition, a new east-west cycle link can be added as shown below within the northern Precinct. This will be delivered as part of the redevelopment of the northern precinct.



Figure 1 – Proposed amendments to the draft Strategy's infrastructure map

We fully support the proposed cycle link along Spring Street to enhance east to west connectivity in the area. To this end, we proposed to amend the Southern Precinct DA to incorporate a missing section from Firmstone Gardens to Spring Street along the eastern side of West Botany Street. This will allow a seamless connection to future infrastructure to be delivered as part of the final Strategy. We recommend modifications are made to the draft Strategy's proposed infrastructure to ensure the two proposals are consistent.

4.0 STAGING OF MARSH STREET INTERSECTIONS

Upgraded intersections are a necessary requirement of the development of the precinct. However, we note the draft Strategy requires these major new intersections to be completed prior to the construction certificate for the first dwelling within Cook Cove.

The WestConnex temporary construction compound will not vacate the Cook Cove site until July 2021. As such, it will not be possible to complete the intersection upgrades of Marsh Street/Gertrude Street and Marsh Street/Flora Street until this time. This does not align with the first new dwellings within Cook Cove which are planned for delivery in 2019.

The present strategy for development within Cook Cove is to utilise an existing connection to the Kogarah Golf Club via Levey Street under the Giovanni Brunetti Bridge for the initial phases of development, until traffic volume dictate the extension of Gertrude Street and connection with Cook Cove. The Flora Street intersection is proposed as the third connection, which would be necessitated later in the development staging for Cook Cove, which is not expected for several years.

As such, we request that greater flexibility is provided in the timing and delivery for these intersection upgrades to allow them to take place in a progressive manner to match the proposed development staging within Cook Cove. It is suggested that the delivery of these intersections is staged in accordance with the findings of the transport study currently being undertaken and that this is enshrined in the infrastructure schedule that will accompany the Voluntary Planning Agreement (VPA) for the northern precinct.

5.0 MARSH STREET BUS STOPS

The draft Strategy requires the provision of bus stops along Marsh Street to be completed prior to the construction certificate for the first dwelling within Cook Cove. As the Cook Cove site extends along the southern side of Marsh Street, it will only possible to accommodate the westbound bus stop within the frontage of the site and only following the temporary WestConnex facility vacating the site.

It is suggested that the eastbound and westbound bus stop infrastructure is clearly delineated as two components, as these will ultimately be delivered at different times and by different mechanisms. The westbound bus stop land and infrastructure is proposed to form part of the intended Cook Cove VPA. However, the eastbound stop infrastructure will be reliant on land reservation under the LEP to facilitate space for the bus bay and shelter which is presently not available along the Marsh Street road reserve. It is problematic to deliver eastbound Marsh Street bus stop infrastructure which is located on land outside Cook Cove and outside of the control of the proponent.

6.0 TIMING OF DELIVERY OF PEDESTRIAN AND CYCLE INFRASTRUCTURE

The identified pedestrian and cycle infrastructure along the foreshore of the Cooks River is a key missing link in regional connectivity and is an integral component of the Cook Cove proposal. The ultimate intention within the Northern Precinct mixed-use area of Cook Cove is for separated commuter cycle and recreational walking paths in parallel along the river foreshore. To ensure community benefits are achieved upfront in the development of Cook Cove, the recreational infrastructure within the Southern Precinct will be delivered initially with the golf course relocation along with a section of the network within land under the control of Sydney Airport.

It is requested that flexibility is provided within the Strategy to deliver a temporary initial shared path along the length of the Cooks River within the Northern Precinct, with the final separated and landscaped paths to be delivered in stages as development progresses.

Further, we acknowledge that pedestrian improvements in Cahill Park and the grade separated crossing of Princes Highway are essential to safety and amenity of future residents of Cook Cove. However, it is requested that these are able to be implemented prior to occupation of the initial dwellings of the development, rather than requiring these items prior to construction of the first dwelling. This will more closely align the needs of residents to essential infrastructure delivery.

7.0 AFFORDABLE RENTAL HOUSING

The draft Strategy stipulates a “*target of up to 10% affordable housing will be required as part of new development within the precincts*”. We request that the wording of this be amended to state that the affordable target should be consistent with the relevant target that applies to the Greater Sydney Region at the time. As a minimum, the wording should be consistent with the Greater Sydney Commission’s Draft Central District Plan target of “5% to 10%”.

8.0 HERITAGE

The draft Strategy requests that further investigations within Cook Cove are to provide archaeological and Aboriginal cultural heritage assessment including a landscape heritage assessment taking into consideration the cultural landscape of the precinct and the landscape master plan (Section 9, Implementation). The study area was assessed by consultant Biosis in 2001 as “having limited potential to contain in situ archaeological deposits based upon disturbance to ground deposits”.

The proponent has engaged Biosis for the Planning Proposal stage, who have formulated a scope of work which allows for the preparation of an Archaeological Survey Report. This will satisfy the *Due Diligence Code of Practice for the protection of Aboriginal objects in NSW (DECCW 2010)* and ensures that there is a minimal repetition of tasks. As such we request the final Strategy is amended to require an archaeological survey report, in lieu of an Aboriginal cultural heritage assessment and landscape heritage assessment.

We again wish to thank the Department for preparing the draft Land Use and Infrastructure Strategy and offering the opportunity to provide comments. We intend to submit the northern precinct Planning Proposal to Bayside Council in April 2017. We are most willing to discuss any aspect of this submission further with you.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or bgallagher@jbaurban.com.au.

Yours faithfully

A handwritten signature in black ink, appearing to read 'BG' followed by a stylized flourish.

Bernard Gallagher
Director