



# Submissions Report

Florida Street, Sylvania, State Significant Development

SSD-83258708

29 Florida Street, Sylvania

Prepared on behalf of Homes NSW

**9 April 2026**

## Document control

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### Project summary

<b>Prepared on behalf of</b>	NSW Land and Housing Corporation operating as Homes NSW
<b>Land to be developed</b>	29 Florida Street, Sylvania
<b>Legal description</b>	X DP411212, Y DP411212, Lots 2-9 & Lots 10-13 DP22661, Lot 104 DP 733063
<b>Project description</b>	Construction of eight residential buildings ranging in height from seven to nine storeys, accommodating 326 market dwellings and 159 social dwellings.

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# 1 Introduction

This Submissions Report has been prepared by FPD Planning on behalf of NSW Land and Housing Corporation (operating as Homes NSW) to support the assessment of the State Significant Development Application (SSDA) for the construction of eight residential buildings with a total of 484 dwellings, including 159 affordable housing dwellings at 29 Florida Street, Sylvania (the Site).

The SSDA seeks approval for construction of 8 residential buildings ranging from 7 to 9 storeys across the site, containing a total of 484 dwellings including 159 social dwellings. Approval is also sought for associated basement car parking, construction of a new private access street, landscaping, site preparation works including demolition, tree removal and servicing and subdivision.

The proposed development will be staged development over two stages to enable the early delivery of social housing dwellings in the first stage of development.

The SSDA was lodged in December 2025, and the Environmental Impact Statement (EIS) was exhibited from 18 December 2025 to 22 January 2026.

In total 17 submissions were received in response to the public exhibition of the EIS. Of the total submissions, one submission was received from Sutherland Shire Council (Council), and 16 submissions were received from members of the public. Agency advice was also received from 5 Government agencies.

The Department of Planning, Housing and Infrastructure (DPHI) has requested the Applicant prepare a response to submissions report to address issues raised in the submissions, as required under section 59(2) of the *Environmental Planning and Assessment Regulation 2021*.

This Submissions Report has been prepared to address all matters raised in submissions from Council, government agencies and members of the public during exhibition of the EIS.

The response to all submissions and advice is provided in Section 0 and a Submissions Register is provided at **Appendix A**.

This Report has been prepared in accordance with the *State Significant Development Guidelines Appendix C - Preparing a Submissions Report*.

This Submissions Report is to be read in conjunction with the following revised plans and updated advice which address all matters raised in submissions:

- Design Response, prepared by BVN Architects– **Appendix B**
- Revised Architectural Plans, prepared by BVN Architects– **Appendix C**
- Revised Landscape Report, prepared by Turf– **Appendix D**
- Revised Landscape Plans, prepared by Turf– **Appendix E**
- Stormwater Management and Flooding advice letter, prepared by Mott MacDonald –**Appendix F**
- Revised Flood Risk Impact Assessment, prepared by Mott MacDonald – **Appendix G**
- Revised Integrated Water Management Plan, prepared by Mott MacDonald – **Appendix H**
- Revised Civil Plans, prepared by Mott MacDonald – **Appendix I**
- Groundwater Impact Assessment, prepared by PSM – **Appendix J**
- Geotechnical Investigation, prepared by PSM - **Appendix K**
- Transport Response, prepared by JMT Consulting – **Appendix L**

- Revised Transport Impact Assessment, prepared by JMT Consulting – **Appendix M**
- Waste Response Letter, prepared by MRA Consulting Group – **Appendix N**
- Fire Services Review, prepared by JHA – **Appendix O**
- Water Supply Advice, prepared by JHA – **Appendix P**
- Transport for NSW Advice - **Appendix Q**
- Revised ESD Report - **Appendix R**
- BASIX Certificates – **Appendix S**

## 2 Analysis of Submissions

The proposal was exhibited from 18 December 2025 to 22 January 2026. In response to the exhibition of the EIS, a total of 17 submissions were received including one submission from Sutherland Shire Council and 16 submissions from the members public.

In addition to the issues raised in submissions, advice from Government agencies was received from 5 agencies.

The DPHI also identified key issues to be addressed in the Submissions Report.

A response to all submissions and advice is provided in Section 4.4 and a Submissions Register is provided at Appendix A.

### 2.1 Breakdown of submissions

#### 2.1.1 Submission from Council

One submission was received from Sutherland Shire Council (Council). The matters raised in Council's submission are addressed in Section 4.3.

#### 2.1.2 Government agency advice

Advice was received from the following Government agencies:

- NSW Department of Climate Change, Energy, the Environment and Water (Water)
- NSW Department of Climate Change, Energy, the Environment and Water (Conservation Programs, Heritage and Regulation Group)
- Transport for NSW.
- NSW State Emergency Service (SES)
- Sydney Water.

The matters raised in the Agency advice are addressed in Section 4.2.

#### 2.1.3 Submissions from the public

A total of 16 public submissions were received. The key issues raised in submissions included:

The key issues raised in public submissions included:

- Traffic impacts including traffic congestion, changes to existing traffic arrangements, and limited public transport.
- Lack of parking and increased demand on on-street parking.
- Pedestrian safety concerns including lack of safe crossing of Port Hacking Road.
- Impact on local character and streetscape, bulk and scale of proposal.
- Local infrastructure impacts.
- Amenity concerns - solar, overshadowing, privacy concerns.
- Loss of trees and reduction in tree canopy.
- Provision of communal open space.
- Social impacts, including loss of existing social housing and relocations.

The matters raised in public submissions are addressed in Section 4.4

## 2.2 Categorisation of issues

The matters raised in submissions have been categorised as follows as per the categories outlined in *State Significant Development Guidelines Appendix C - Preparing a Submissions Report*:

**Table 1 Categorisation of issues**

Category	Matters raised
<b>The Project</b> (e.g. the site, the project area, the physical layout and design, key uses and activities, timing)	<ul style="list-style-type: none"> <li>Concerns about the height and scale of development.</li> <li>Impact on existing character.</li> <li>Landscape design and provision of communal open space.</li> <li>Stormwater design.</li> <li>Waste management servicing.</li> </ul>
<b>Procedural matters</b> (e.g. level or quality of engagement, compliance with the SEARs, identification of relevant statutory requirements)	<ul style="list-style-type: none"> <li>Notification and consultation process.</li> <li>Compliance with height control.</li> </ul>
<b>Economic, environmental and social impacts</b> (e.g. amenity, air, biodiversity, heritage)	<ul style="list-style-type: none"> <li>Traffic impacts including traffic congestion, pedestrian safety, car parking impacts and lack of public transport to support development.</li> <li>Amenity impacts, including overshadowing, visual impacts and privacy.</li> <li>Impact on local infrastructure.</li> <li>Tree removal and reduction of tree canopy.</li> <li>Provision of social housing and impacts on current social housing tenants.</li> <li>Construction impacts.</li> <li>Flooding and stormwater considerations.</li> </ul>
<b>Justification and evaluation of the project as a whole</b> (e.g. consistency of project with Government plans, policies or guidelines)	N/A
<b>Issues that are beyond the scope of the project or not relevant to the project.</b> (e.g. broader policy issues) or not relevant to the project.	<ul style="list-style-type: none"> <li>Tenancy viability of surrounding rental properties.</li> <li>Impact on property values.</li> </ul>

A response to each of the issues raised in the submissions is provided in Section 4.3 and Section 4.4 of this Report.

The Submissions Register at Appendix A highlights where each submission has been addressed in the Report.

## 3 Actions Taken Since Exhibition

In response to the issues raised during the public exhibition of the proposal, the applicant has undertaken a series of actions to address community concerns and refine the project. These actions are outlined below.

### 3.1 Review and Analysis of Submissions

The project team including NSW LAHC, FPD Planning, BVN Architects, Turf, JMT Consulting, MRA Consulting Group, PSM, JHA and Mott MacDonald and have reviewed and responded to the submissions received during public exhibition. The results are compiled in this Report.

### 3.2 Refinements to Proposal

Minor refinements are proposed to the design of the proposal to respond to issues raised in submissions and key issues raised by DPHI.

This includes minor refinements and updates to the Landscape Plans to directly respond to comments raised in submissions and updated Architectural Plans to include minor updates to address servicing requirements, waste management requirements, and address comments relating to balconies and lobbies.

Further, the revised plans include a minor refinement to Building 2 to include one additional 2-bedroom apartment on the ground floor following a revised servicing strategy and relocation of the waste room. The car parking has also been slightly revised for Building 2 in response to the adjustment of the waste room. This has resulted in a reduction of two parking spaces for Building B. The provision of car parking continues to meet minimum requirements. These refinements are captured in the revised project description below.

The updated Architectural Plans and updated Landscape Plans are provided at Appendix C and Appendix E.

Further assessment has been carried out to address the issues raised in submissions including:

- Updated Transport Impact Assessment
- Updated Flood Impact and Risk Assessment
- Updated Integrated Water Management Plan
- Groundwater Impact Assessment
- Geotechnical Investigation
- Fire Services Report
- Water Supply Advice

#### Revised project description

The SSDA seeks approval for construction of eight residential buildings up to nine storeys across the Site, containing a total of 485 dwellings (from 484) including 159 social dwellings.

The proposed development will be staged development over two stages to enable the early delivery of social housing dwellings in the first stage of development.

Specifically, approval is being sought for the following:

Construction of 8 residential flat buildings containing a total of 485 dwellings across two stages:

#### Stage 1:

- two residential flat buildings ranging in height from 8 to 9 storeys with 159 residential apartments for the purpose of affordable housing.
- ground level and two basement levels with 92 car parking spaces, bicycle spaces and services.
- landscaping, communal open space and public domain works.
- demolition, remediation, tree removal, excavation, site preparation works and infrastructure servicing.

Stage 2:

- six residential flat buildings (ranging from 7 to 9 storeys) with a total of 326 residential market dwellings.
- up to four basement levels with a total of 639 car parking spaces, bicycle spaces and services.
- construction of a new one-way access street from Florida Street.
- associated landscaping, communal open space and public domain works.
- demolition, remediation, tree removal, excavation, site preparation works and infrastructure servicing.
- lot consolidation, Torrens title subdivision into two lots.

## 4 Response to Submissions

A response to the issues raised in submissions, additional matters raised by DPHI, and matters raised in the agency advice is provided in the following sections.

### 4.1 Response to Department of Planning, Housing and Infrastructure

A response to the matters raised by the DPHI in the letter dated 19 December 2025 are addressed in Table 2

**Table 2: Response to matters raised by DPHI**

No.	Issue raised	Response
<b>1. Housing tenure</b>		
1.1	<p>Please clarify:</p> <p>a) the proposed housing tenure – the proposed affordable housing dwellings are interchangeably described as both ‘affordable housing’ and ‘social housing’?</p> <p>b) whether the affordable housing will be retained in perpetuity beyond the initial 25-year community housing provider agreement?</p>	<p>Social housing is captured under the definition of affordable housing in the Environmental Planning and Assessment Act (EP&amp;A) and State Environmental Planning Policy (Housing) 2021 (Housing SEPP) as housing for very low-income households.</p> <p>The proposed development is being undertaken to deliver 159 affordable housing dwellings (to be managed as social housing). This is consistent with the legal definition of affordable housing (which includes social housing).</p> <p>It is also consistent with Section 15B (2) of the Housing SEPP which sets out that: ‘In this division, residential development carried out by or on behalf of Land and Housing Corporation is taken to be used for the purposes of affordable housing’.</p> <p>Homes NSW will be partnering with a registered CHP who will develop and manage the affordable housing component for at least 25 years. The tender process for a CHP is being undertaken concurrently with the SSD approval. The successful CHP can be provided at a later stage once the CHP contract has been awarded.</p> <p>Further Part 2, Division 1, Clause 21(2) of the Housing SEPP, excludes any requirement for ‘development owned by a relevant authority or to a development application made by, or on behalf of a public authority’ to be used for affordable housing.</p> <p>The proposal is being undertaken by NSW LAHC and therefore is deemed to be used for the purpose of affordable housing and Clause 21 excludes NSW LAHC from any restrictions on title.</p>
<b>2. Built form and urban design</b>		
2.1	To minimise the bulk and scale of the proposal, overshadowing impacts to 16 to	As outlined in the Design Response prepared by BVN at Appendix B, the proposed built form and

No.	Issue raised	Response
	<p>26 Pembroke Street and to improve the transition to the adjoining R3 Medium Density Residential and R2 Low Density Residential zoned areas, consideration should be given to redistributing building mass to the north of the site and increase building heights fronting Princes Highway and Port Hacking Road to allow for lower building heights along Pembroke Street and Florida Street.</p>	<p>distribution of height have been carefully considered. It should also be noted at 2.05:1 the proposal is substantially below the maximum permitted FSR of 2.86:1.</p> <p>The proposed buildings have been carefully planned and designed to maximise the retention of high value trees, enhance open space and landscaping to create a series of buildings centred around a network of generous new communal open spaces.</p> <p>The proposal has been subject to a design review process, and in response to State Design Review Panel (SDRP) feedback, the design was refined to reduce perceived scale and massing of the social housing building while maximising the delivery of social housing in the first stage of development. These refinements focused on breaking down the building form and redistributing height to moderate bulk when viewed from the public domain.</p> <p>As confirmed by BVN, the proposed distribution of built form does result in any adverse amenity impacts to neighbouring properties or internal communal spaces, and compliance with the solar access provisions of the ADG is achieved.</p> <p>The proposal provides a considered transition to adjoining R3 and R2 zoned land through:</p> <ul style="list-style-type: none"> <li>• reduced street wall height and articulated upper levels along Pembroke Street to reduce visual impacts.</li> <li>• modulation of built form to reduce perceived bulk and scale.</li> <li>• substantial landscaped setbacks that provide an appropriate interface to neighbouring residential development – including a minimum 10m front setback and retention of existing trees along Pembroke Street and Florida Street.</li> </ul> <p>Further, the site is in an area of planned increased density, with surrounding areas envisaged to transition to higher density residential buildings of up to 6-storeys in the short to medium term in accordance with the low and mid rise (LMR) housing provisions. The proposal responds to the existing and future context, ensuring a high level of amenity for neighbouring properties, while recognising surrounding sites may redevelop in the future for higher density residential development.</p> <p>As demonstrated in the solar analysis provided by BVN at Appendix B:</p> <ul style="list-style-type: none"> <li>• overshadowing impacts properties on Pembroke Street are minor and primarily confined to lower façade levels;</li> </ul>

No.	Issue raised	Response
		<ul style="list-style-type: none"> <li>• all neighbouring properties will continue to receive more than 2hrs solar access in mid-winter, and</li> <li>• the extent of shadow cast is broadly comparable to a height-compliant massing.</li> </ul> <p>Accordingly, the proposal does not result in unreasonable amenity impacts which justify a redistribution of building mass and height across the site.</p> <p>The distribution of built form across the site has also been carefully considered in response to staging constraints and the physical characteristics of the site. The staged delivery of the project limits the location and configuration of the social housing building which is required to be delivered within the south-eastern portion of the site.</p> <p>The proposed massing and distribution of built form across the site is intrinsically linked to the delivery and management of the social housing building.</p> <p>The proposed building distribution been developed in coordination with Homes NSW to ensure the project can:</p> <ul style="list-style-type: none"> <li>• efficiently deliver social housing dwellings</li> <li>• support appropriate building management, operational oversight, and resident accessibility outcomes; and</li> <li>• integrate social housing within the broader development in a manner consistent with contemporary tenure-blind design principles.</li> </ul> <p>Redistribution of building mass as suggested would materially affect the functional planning, staging and delivery social housing, reducing operational efficiency and limiting Homes NSW's ability to manage both existing and future social housing outcomes. The proposal is also significantly below the maximum density permitted on the site.</p> <p>Further, relocating additional building height toward Princes Highway and Port Hacking Road would not result in improved environmental outcomes as it would:</p> <ul style="list-style-type: none"> <li>• concentrate bulk along primary frontages already accommodating higher traffic, noise and visual exposure.</li> <li>• reduce solar access to internal communal areas and apartments.</li> <li>• Require increased building separation to accommodate increased height – impacting the built form, communal open space and landscaping strategy.</li> </ul> <p>potentially introduce new amenity impacts without delivering any significant improvement to adjoining properties. On this basis, redistribution of building</p>

No.	Issue raised	Response
		height or built form is not considered necessary to achieve improved outcomes.
2.2	<p>The design of ground floor lobbies is to be reviewed to improve amenity, including:</p> <ul style="list-style-type: none"> <li>a) minimising the number of dead ends and increasing passive surveillance opportunities</li> <li>b) minimising reliance on artificial lighting and maximising access for natural light</li> <li>c) ensuring accessible access is provided to all lobbies.</li> </ul>	<p>The ground floor lobbies have been reviewed by BVN, and minor refinements are provided in the revised Architectural Plans at Appendix C.</p> <p>Refer Design Response prepared by BVN at Appendix B.</p>
<b>3. Stormwater and flooding</b>		
3.1	<p>The proposed increase in on-site flooding hazards resulting from the development during both the 1% AEP event and Probable Maximum Flood event is contrary to the Department's 2023 <i>Flood Risk Management Manual</i> and clause 20 of <i>Sutherland Shire Local Environmental Plan 2025</i> and is not supported. The following must be addressed:</p> <ul style="list-style-type: none"> <li>a) detail the changes to the on-site flood behaviour separately from the off-site changes and provide details of proposed flood mitigation works to ensure the existing hazards are not increased.</li> <li>b) provide plans (or update existing plans) demonstrating the finished floor levels of habitable areas, entries, basement crests, and any other openings are protected and located above the relevant flood planning levels for the site (inclusive of any required freeboard).</li> </ul>	<p>This is addressed in the response provided by Mott MacDonald at Appendix F and the revised Flood Risk Impact Assessment (FIRA) prepared by Mott MacDonald at Appendix G.</p> <p>Mott MacDonald has advised that the development seeks to reduce the overall hazard exposure of people and property through both consolidation and direction of through site overland flow paths.</p> <p>The revised FIRA identifies the finished floor levels and flood planning levels for building entries and basements, and Section 6 further outlines measures that assist in mitigating flood risk. Refer to the revised FIRA at Appendix G.</p>
3.2	<p>The comments raised by the of the Department of Climate Change, Energy, the Environment and Water - Conservation Programs, Heritage and Regulation Group (CHPR) and NSW State Emergency Service on their preference for shelter in place (SIP) as the preferred evacuation strategy must be addressed. Where a SIP strategy is proposed, address the considerations included in the Department's 2024 <i>Shelter in Place Guideline for Flash Flooding</i>.</p>	<p>This is addressed in the response from Mott MacDonald (Appendix F) and revised FIRA prepared by Mott MacDonald at Appendix G.</p> <p>The revised FIRA provides consideration of the Department's <i>Shelter in Place Guideline for Flash Flooding</i>.</p>
3.3	<p>In consultation with Council:</p> <ul style="list-style-type: none"> <li>a) update the proposed stormwater design to meet Council's requirements for connections into its drainage network.</li> <li>b) provide evidence of Council's support for the proposed relocation and reconstruction</li> </ul>	<p>This is addressed in the response by Mott MacDonald at Appendix F and revised Integrated Water Management Plan prepared by Mott MacDonald at Appendix H.</p>

No.	Issue raised	Response
	<p>of its trunk drainage system, including any concept design.</p>	<p>Mott MacDonald has confirmed the proposed realignment of the drainage pipe will maintain the upstream and downstream connection points.</p> <p>Early consultation on the proposed relocation has been undertaken with Council and Council will be consulted throughout the design process for the drainage works as part of detailed design.</p>
<b>4. Overshadowing</b>		
<p>4.1</p>	<p>There are inconsistencies between the solar access diagram and sun-eye views plan making it difficult to accurately assess the extent of overshadowing generated by the proposed height exceedance on adjoining residential buildings on the southern side of Pembroke Road (i.e., 16 to 26 Pembroke Street). Please review and clarify the extent to which the proposed height exceedance contributes to overshadowing generated by the proposal.</p>	<p>This is addressed in the Design Response prepared by BVN at Appendix B.</p> <p>BVN has undertaken additional solar analysis and assessment to confirm the extent of overshadowing to neighbouring properties to the south on Pembroke Street.</p> <p>The assessment confirms that under existing conditions, a number of neighbouring properties experience partial self-overshadowing due to the existing built form orientation and lot configuration. Despite this, the majority of façades along Pembroke Street currently receive five hours of direct solar access between 9am and 3pm in mid-winter.</p> <p>The solar analysis undertaken by BVN confirms that the proposal and a complaint height massing result in comparable overshadowing to dwellings to the south.</p> <p>Key findings of BVN's analysis at Appendix B includes:</p> <ul style="list-style-type: none"> <li>• There is only a minor increase in the extent of overshadowing of the proposal when compared to a height compliant scheme, and this is limited primarily to the lower façade only.</li> <li>• The additional overshadowed area is planted landscaping and brick wall façade, with windows not being affected.</li> <li>• Affected façades continue to achieve a minimum of 2–4 hours of solar access in mid-winter (this exceeds the minimum requirements).</li> <li>• All windows of the neighbouring facades receive a minimum of 2 hours direct solar access on June 21 between 9am-3pm.</li> </ul> <p>The proposal satisfies the underlying intent of solar access controls by:</p> <ul style="list-style-type: none"> <li>• Maintaining adequate sunlight to adjoining residential properties;</li> <li>• Avoiding unreasonable loss of solar amenity;</li> <li>• Demonstrating impacts broadly consistent with a height-compliant development outcome; and</li> </ul>

No.	Issue raised	Response
		<ul style="list-style-type: none"> <li>Achieving an appropriate balance between neighbouring amenity protection and orderly development.</li> </ul> <p>On this basis, the overshadowing impacts associated with the proposal are considered acceptable.</p>
4.2	Provide modelling of the adjoining Pembroke Road residential buildings impacted by overshadowing, identifying areas of private open space and windows to habitable rooms, and quantify the duration and extent of overshadowing resulting from the proposal.	This is addressed in the Design Response prepared by BVN at Appendix B and the response above (Item 4.1).
<b>5. Privacy and amenity</b>		
5.1	Provide a schedule detailing where recommended Apartment Design Guide (ADG) building separation distances (i.e. Part 3F) are not achieved and the proposed mitigation measure (e.g., façade privacy screening as outlined in the Architectural Design Report) that are to be implemented to ensure satisfactory visual privacy is achieved.	Refer to the Design Response prepared by BVN at Appendix B which demonstrates the visual privacy objectives of the ADG are achieved.
5.2	Further detailed justification is to be provided (including design options) that supports the private open space for all ground floor units not achieving the dimensions recommended (area of 15 m <sup>2</sup> and depth of 3 m) in the ADG (4E Private Open Space and Balconies).	<p>This is addressed in the Design Response prepared by BVN at Appendix B.</p> <p>Ground floor terraces in accordance with minimum ADG requirements have been provided in all locations where achievable. In some locations, it is not possible to accommodate ground floor terraces on elevated ground floor apartments due to site conditions and topography; however, balconies are provided in accordance with the ADG in this instance.</p> <p>Refer to the revised Architectural Plans at Appendix C.</p>
5.3	Provide details of proposed mitigation measures that will ensure future residents are not exposed to traffic noise levels above the specified assessment criteria of the NSW Road Noise Policy. The Noise and Vibration Impact Assessment shall be updated accordingly to confirm proposed mitigation measures achieve the relevant assessment criteria.	<p>E-Lab Consulting have confirmed that traffic noise generation has been assessed in Section 7.5 of the Noise and Vibration Impact Assessment (NVIA) submitted as part of the EIS.</p> <p>This assessment considered the NSW Road Noise Policy criteria, in conjunction with the forecast traffic generation for the site and traffic noise measurements for nearby residential areas.</p> <p>The assessment concluded that using the provided traffic volumes in conjunction with the measured existing traffic noise levels, the increased traffic on Pembroke Street and Florida Street results in full</p>

No.	Issue raised	Response
		<p>compliance with the NSW Road Noise Policy criteria for residential land uses.</p> <p>The NVIA confirms that Port Hacking Road’s existing traffic noise levels exceed the assessment criteria of the NSW Road Noise Policy. Future traffic volumes were assessed to ensure that the increase in traffic volume will not result in an increase of more than 2dB above the current traffic noise level as per Section 3.4 of the NSW Road Noise Policy. The NVIA confirms the future traffic volumes have been assessed and result in an increase of less than 1dB to existing traffic noise levels, fully satisfying the requirements of the NSW Road Noise Policy.</p> <p>E-Lab Consulting has confirmed that no further mitigation measures are required due to compliance with the NSW Road Noise Policy assessment criteria.</p> <p>It is noted that the ‘Development Near Rail Corridors and Busy Roads – Interim Guideline’ is applicable for traffic noise impacts for the proposal (in accordance with the Transport and Infrastructure SEPP), and the requirements of this guideline have been assessed in Section 7.3 of the NVIA submitted with the EIS.</p>
5.4	<p>Provide annotated dimensions on plans that demonstrate all apartment sizes and layouts, and private open space areas are functional and provide a high standard of amenity having regard to the relevant design criteria of Part 4 of the ADG, specifically, Part 4D and Part 4E.</p>	<p>Annotated dimensions have been shown on plans for typical apartments in the Design Response provided by BVN at Appendix B.</p>
5.5	<p>The location and design of communal open space areas and pedestrian access paths should be reviewed to ensure they positively contribute to permeability, are appropriately separated from apartments and do not result in overlooking, privacy issues or amenity impacts. Consideration should be given to reviewing the following:</p> <ul style="list-style-type: none"> <li>a) the location (and need) for the path along the eastern edge of Market Building 1B.</li> <li>b) the proximity and level of the path along the western edge of Market Building 3B.</li> <li>c) relocate the proposed Social Housing communal BBQs away from the habitable rooms of the apartments immediately adjacent.</li> </ul>	<p>Turf have advised that setback between pathways and ground floor apartments will be screened with landscaping and due to site levels ground floor apartments are typically elevated, further reducing potential for privacy impacts.</p> <p>The BBQ area for the social building incorporates additional landscaping screening to ensure a high level of amenity for adjacent apartments.</p> <p>This is addressed in Section 4.3, Table 4, Item 6 and revised Landscape Report at Appendix D and revised Landscape Plans at Appendix E.</p>

**6. Landscaping**

No.	Issue raised	Response
6.1	Provide additional details of the interface between the ground floor plane and buildings, including the quality and variety of communal spaces on the ground floor plane, as these areas appear as public domain and would be largely overshadowed – consideration should be given to incorporating additional roof top terraces and communal rooms which are more likely to achieve improved solar access, amenity and functionality for residents.	Additional details and renders showing the interface between the ground floor and buildings are included in revised Landscape Report prepared by Turf at Appendix D.
6.2	As requested in Council's submission, the proposed tree planning schedule is to be updated as follows: a) replace <i>Tristaniopsis laurina</i> (Water Gum) and <i>Cupaniopsis anacardioides</i> (Tuckeroo) in Zone 1 with a species within the Sydney Turpentine Ironbark Forest vegetation community, such as <i>Acacia implexa</i> (Hickory) and <i>Allocasuarina torulosa</i> (Forest Oak). b) replace tree species with a type resilient to high water intake in Zone 2, such as <i>Melaleuca styphelioides</i> (Prickly Paperbark) and <i>Melaleuca quinquenervia</i> (Broad Leaf Paperbark). c) incorporate more endemic species in Zone 4.	An updated tree planting schedule and planting palette is provided in the revised Landscape Plans prepared by Turf at Appendix E.
6.3	Update the calculation of deep soil areas to exclude any areas with a dimension of less than 6 m as recommended in the ADG (3E Deep Soil Zones).	The calculation of deep soil has been updated. The revised Landscape Report at Appendix D includes an updated diagram to show separate calculations for deep soil areas greater than 6m and less than 6m in dimension.  The proposal provides 5,130sqm of deep soil with minimum dimension of 6m. This is 25.9% of the total site area.  An additional 1,494sqm of deep soil is provided with a dimension less than 6m. The total deep soil (including areas less than 6m) is 30.4% across the site.

**7. Parking, traffic and waste management**

7.1	Provide further justification to support the proposed number of market dwelling parking spaces which exceeds the minimum requirement (under section 19 of the Housing SEPP) by more than 300 spaces.	As outlined in the Transport Response prepared by JMT Consulting at Appendix L, the parking rates prescribed under Section 19(2)(e) and (f) of the Housing SEPP are a non-discretionary development standard and establish minimum parking rates on which a development cannot be refused. The rates are minimum rates, and maximum rates are not specified.
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No.	Issue raised	Response
		<p>As outlined by JMT Consulting, the parking rates recommended in the Sutherland DCP are proposed to be utilised to reflect likely future demands from residents and to minimise any flow on parking impacts on nearby residential streets.</p>
7.2	<p>As the proposal seeks to rely on Council's waste collection services, the waste servicing arrangements outlined in Council's submission dated 22 January 2026, along with Council's concerns with the design and function of the proposed internal road, must be addressed.</p>	<p>This is addressed in the Transport Response at Appendix L, Waste Response at Appendix N and revised Architectural Plans at Appendix C.</p> <p>The proposal has been updated to respond to Council's comments regarding waste collection, with collection points revised to provide for more efficient servicing. Refer to Section 4.3, Table 4, Item 13.</p>
7.3	<p>An updated Traffic Impact Assessment, including SIDRA modelling, is to be prepared to address the recommendations outlined in Transport for NSW's (TfNSW) advice dated 16 January 2026.</p>	<p>This is addressed in the updated Transport Impact Assessment prepared by JMT Consulting at Appendix M.</p>
7.4	<p>Due to the extent of uplift proposed and improve pedestrian accessibility to Southgate Shopping Centre and public transport, TfNSW are to be consulted to consider the provision of pedestrian infrastructure upgrades to facilitate improved connections between the site and Southgate Shopping Centre.</p>	<p>Consultation has been undertaken with TfNSW in relation to future pedestrian infrastructure upgrades.</p> <p>As confirmed at Appendix Q, TfNSW have advised there are currently no committed plans or funding for a pedestrian bridge or crossing facility at this location. TfNSW have advised that it is unlikely that a pedestrian bridge would be warranted at this location as there is likely not enough pedestrian demand to justify this expensive infrastructure and it would likely be economically unfeasible.</p> <p>However, TfNSW have indicated the potential to consider the introduction of a pedestrian phase and marked foot crossing (signalised crossing) on the southern approach to the Princes Highway and Port Hacking Road intersection (across Port Hacking Road) to provide improved pedestrian access across Port Hacking Road.</p> <p>This would include the installation of a signalised pedestrian crossing at this intersection, in consultation with TfNSW and Sutherland Shire Council.</p> <p>Homes NSW suggest this can be addressed through a condition of consent, with a requirement for consultation with TfNSW and Sutherland Shire Council to confirm detailed design requirements.</p> <p>Subject to detailed design and agency agreement, the pedestrian phase and marked foot crossing could be delivered as part of Stage 2 of the development.</p>

No.	Issue raised	Response
<b>8. Utilities</b>		
8.1	<p>In consultation with Sydney Water, prepare a localised options and hydraulic modelling that addresses:</p> <p>a) the need for significant system amplification due to the lack of capacity within the Sutherland Water Supply Zone required to service the proposed development</p> <p>b) potential wastewater servicing impacts on downstream high risk emergency relief structures.</p>	<p>Advice provided by JHA at Appendix P, provides an assessment of the expected Water and Sewer demands on Sydney Water infrastructure (as per Sydney Water’s March 2025 Average Day Water Use Tool (ADWUT) demand rates) and evaluates whether the existing DN150 CICL water main on Pembroke Street has adequate capacity to serve the development without amplification.</p> <p>The advice from JHA confirms the DN150 main has adequate capacity for domestic supply. The only exceedance occurs when fire infill is added to domestic demand. JHA advise that this is resolvable by reducing the infill rate and increasing tank storage.</p> <p>JHA’s advice confirms that mains amplification is not recommended subject to a reduced-infill storage solution which avoids amplification while maintaining fire compliance. The reduction in infill volume is compensated by increasing on-site tank storage.</p> <p>JHA recommend engagement with Sydney Water on the revised re-fill rate prior to submission of the Section 73 application.</p>
8.2	<p>A Fire Hydrant Services Report must be prepared that assesses NSW Fire and Rescue’s fire hydrant requirements for the development, having regard to the outcomes of the localised options and hydraulic assessment to confirm that a ‘suction’ connection is not required.</p>	<p>A Fire Services Review has been prepared by JHA at Appended N.</p> <p>The review confirms the revised Architectural Plans at Appendix C show compliant access and fire water supplies for the proposal. Further development will occur as the project progresses and compliance can be maintained through the detailed design stage.</p>

## 4.2 Response to Agency Advice

This section responds to agency advice received from the following State government agencies:

- NSW Department of Climate Change, Energy, the Environment and Water (Water)
- NSW Department of Climate Change, Energy, the Environment and Water (Conservation Programs, Heritage and Regulation Group)
- Transport for NSW.
- NSW State Emergency Service (SES)
- Sydney Water.

**Table 3: Response to agency advice**

No.	Issue raised	Response
<b>1. Department of Climate Change, Energy, the Environment and Water, Conservation Programs, Heritage and Regulation (CPHR)</b>		
1.1	<p><b>Flood Risk Assessment</b> The site is partially affected, and the proposed landform modifications increase flood depths on internal roads, as identified in the <i>Gwawley Bay Catchment Floodplain Risk Management Study and Plan</i> (FLOODMIT Pty Ltd, 2015). The Flood Impact Risk Assessment (FIRA) (Mott Macdonald Pty Ltd, Revision C, 5 December 2025) is therefore required to demonstrate appropriate management of flood risk and safe evacuation.</p>	<p>This is addressed in the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p>
1.2	<p><b>Onsite flood risk management</b> The FIRA demonstrates that offsite impacts have been limited by the design of the onsite storage and internal roads within the site however this has resulted in high hazard flooding in an internal courtyard and on the internal roads. The FIRA has not shown how the residents of the development and their visitors would be protected from the risks posed by the high hazard flooding on the internal roads and the flood storage in the courtyard.</p> <p><u>Recommended action:</u> The FIRA to demonstrate how risk to residents will be appropriately managed or amend the design to mitigate those risks.</p>	<p>The revised FIRA at Appendix G includes a Flood Emergency Management section (Section 6.3), which addresses how residents will be separated from on-site hazards.</p> <p>Refer to the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p>
1.3	<p><b>Evacuation strategy</b> The site currently has good low hazard access from Florida Street however the proposed on site mitigation measures create a high hazard on internal roads which isolates part of the site from the evacuation route.</p> <p>The FIRA indicates that the primary evacuation strategy is evacuation of the site prior to a flood event under the direction of the NSW State Emergency Services (SES). The site is in a flash flood area without flood warning. It is</p>	<p>The revised FIRA at Appendix G confirms shelter in place as the primary response strategy. The shelter in place guideline is considered in the revised FIRA at Section 6.3.</p> <p>Mott MacDonald has confirmed that as the primary response is shelter in place, there is no need for evacuation or vehicles to exit the site during a flood event.</p>

No.	Issue raised	Response
	<p>considered unlikely that the SES will direct residents to evacuate.</p> <p>Shelter in place (SIP) is considered by CPHR to be the preferred primary evacuation strategy. This requires the FIRA to address the considerations included in the Shelter in place guideline for flash flooding (Department of Planning, Housing and Infrastructure, 2024).</p> <p>The internal roadways isolate part of the site from evacuation or assistance due to H3 to H5 hazards which occur for storms as frequent as the 5% AEP event. The hazards on the internal roadways do not comply with the Sutherland Shire Development Control Plan 2015 (DCP) requirement to provide reliable pedestrian and vehicle access and exceed the shelter in place considerations. The FIRA does not consider the duration of isolation.</p> <p><u>Recommended actions:</u> Review the evacuation strategy with respect to available flood warnings. If SIP is the preferred strategy demonstrate consistency with the DPHI guideline. Provide alternate access unless hazards on internal roadways can be reduced. Refer to SES for consideration.</p>	<p>Refer to the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p>
<p>1.4</p>	<p><b>Flood planning levels</b> The FIRA notes flood planning levels however it is unclear how these are met at the entry points to the proposed buildings. Access to the basements are from roads which experience deep flooding. No details have been provided regarding how basement ramps, ventilation and other openings are protected to the Probable Maximum Flood level. Recommendations are made in section 6.1 of the FIRA however it is unclear if these recommendations are reflected in the architectural and landscaping design.</p> <p><u>Recommended actions:</u> Provide a site plan and table demonstrating flood planning levels and design floor/ramp levels at each point of entry to the buildings and basements.</p> <p>In areas proposed to be cut in below adjacent landscaping clearly show how overland flow will be prevented from entering the buildings.</p>	<p>This is addressed in the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p> <p>The revised FIRA includes a site plan and table with the relevant levels for all buildings entries and basements. See Section 6.1 of the revised FIRA at Appendix G.</p>
<p>1.5</p>	<p><b>Proposed relocation of Council pipework</b> A council stormwater pipe is to be relocated from an area of excavation for a proposed basement. Limited detail is included in the stormwater management plan and there is no evidence of discussion with Sutherland Council</p>	<p>As outlined in the response from Mott MacDonald at Appendix F, discussions have commenced with Council in relation to the proposed relocation of the stormwater pipe. Further consultation with, and review</p>

No.	Issue raised	Response
	<p>officers with respect to the requirements for the pipe relocation.</p> <p><u>Recommended action:</u> Demonstrate that relocation of the pipe is acceptable to Sutherland Shire Council.</p>	<p>by Council, will inform the detailed design of the drainage infrastructure.</p>
1.6	<p><b>Landscaping plans revised after IWMP was completed</b> The IWMP and FIRA predate the latest revision of the landscape plans and are based on a previous version of the plans.</p> <p><u>Recommended action:</u> Confirm that IWMP and FIRA are consistent with the latest landscape plans dated 10 November 2025.</p>	<p>The revised IWMP at Appendix H has been coordinated with the revised Landscape Plans issued 27.03.26 – Issue G (Appendix E).</p>
1.7	<p><b>Inadequate representation of changed flood behaviour</b> The ground levels on the site are proposed to be changed by significant amounts. The afflux mapping therefore does not reflect changes in flood behaviour, such as flood depths. The changes in top water level do not show the significant changes in water depth within the site due to the levelled site. The afflux maps are therefore useful only for assessing changes in flood level offsite.</p> <p><u>Recommended action:</u> Detail changes to the onsite flood behaviour separately from the offsite changes. The FIRA must address the methods of managing the risk associated with deep flooding within the internal roads.</p>	<p>This is addressed in the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p>
1.8	<p><b>Biodiversity</b> The development is consistent with the biodiversity development assessment report (BDAR) waiver determined by CPHR on 4 December 2025. Please note, if the proposed development is changed so that it is no longer as described in Schedule 1 of the determination, the applicant will need to lodge a new BDAR waiver request or prepare a BDAR.</p>	<p>Noted. No response required.</p>
<b>2. State Emergency Services (SES)</b>		
2.1	<p>The proposed design increases flood hazard within the site posing a risk to life to site users. By including the proposed mitigation measure of “the channelisation of overland flows within the Site to the internal roadway”<sup>4</sup> the hazard within the site itself is increased in all flood events from the 20% AEP flood,<sup>5</sup> with flooding</p>	<p>This is addressed in the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p> <p>Mott MacDonald has advised that the hazard footprints are significantly reduced from existing conditions through provision</p>

No.	Issue raised	Response
	within the site during the PMF increasing from H2 to H5.6	of new structures raised above PMF levels of the adjacent flow paths. The peak hazard is located in the centre of new road to move water away from structures.
2.2	<p>The proposal has not demonstrated consistency with the Shelter-in-Place Guideline (NSW Government, 2024). The consent authority should request the proponent to demonstrate consistency with the Shelter-in-Place Guideline prior to granting consent, to ensure the risk to life is adequately managed and/or mitigated.</p> <p>This includes addressing consideration: 8c. development is not subject to high hazard flooding or surrounding roadways are not subject to high hazard flooding.</p>	<p>The revised FIRA considers the Shelter In Place Guideline.</p> <p>Refer to the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p>
2.3	<p>Recommend DPHI/consent authority includes the requirements for all openings to the basement (ramp, vents, etc) are situated above the Probable Maximum Flood (PMF) or 1% AEP plus freeboard, whichever is higher as a condition of consent. If this is not feasible reconsider basement carparking as any openings to the basement are below the PMF will pose risk to life and property.</p>	<p>The revised FIRA provides the levels of all entries and basements and confirms that all entries (including basements) are located higher than the 1% AEP plus freeboard or PMF – whichever is higher.</p> <p>Refer to the response provided by Mott MacDonald at Appendix F and the revised FIRA prepared by Mott MacDonald at Appendix G.</p>

**3. Department of Climate Change, Energy, the Environment and Water – Water Group**

3.1	<p>Prior to determination DPHI should request the proponent to quantify the maximum annual volume of water take due to aquifer interference activities and demonstrate the ability to acquire sufficient water entitlement unless an exemption applies. Additionally, the proponent should confirm if the basement design will be tanked or drained.</p>	<p>A Groundwater Impact Assessment has been prepared by PSM at Appendix J. Section 9 of the Groundwater Impact Assessment provides an inflow and groundwater drawdown assessment for the proposal.</p> <p>The assessment confirms that all basements will be tanked and seepage into the basement will be minimal.</p> <p>The assessment outlines that under the assumption the basement walls will be installed and socketed into the sandstone bedrock, the predicated total groundwater inflows for the social building and Market Building 2 are expected to be below 3ML/year.</p> <p>The groundwater inflow for Market Building 3 (3A and 3B) and Market Buildings 1 (1A, 1B and 1C) are expected to be more than 3ML/year.</p> <p>Excavation where the inflow is expected to exceed 3ML/year will require a license from WaterNSW.</p>
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No.	Issue raised	Response
3.2	Prior to determination, DPHI should request the proponent to provide an impact assessment of all water supply works proposed in relation to the project.	This is addressed in the Groundwater Impact Assessment at Appendix J.
3.3	Post approval DPHI should require the proponent to obtain a water access licence (WAL) to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the Water Management (General) Regulation 2025.	This can be addressed as a condition of consent, where required.
3.4	If the take of groundwater is found to be greater than 3 ML per year, prior to determination DPHI should request the proponent to assess impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012).	See response above.
<b>4. Transport for NSW</b>		
4.1	<p>An updated TIA and SIDRA modelling addressing the following comments is to be provided as part of the RtS:</p> <p>a) The expected traffic generation for the affordable housing component of the development has been assumed to be half of the market housing rate without any clear justification. Given the site has limited access to major public transport hubs (i.e. interchanges, train stations, rapid buses, etc.), the TfNSW Guide to Transport Impact Assessment (GTIA) rate for a High-Density Residential Dwellings with low public transport accessibility for sub-metropolitan sites is more appropriate and shall be utilised for both the affordable housing and market housing components.</p>	<p>An updated Transport Impact Assessment (TIA) including SIDRA modelling prepared by JMT Consulting is provided at Appendix M. The updated TIA has been prepared in accordance with the advice provided by TfNSW.</p> <p>As outlined in the updated TIA and Transport Response from JMT Consulting at Appendix L, the updated TIA has utilised the traffic generation rates for high density dwellings with low public transport accessibility as recommended by TfNSW for the market dwellings.</p> <p>Consistent with the original submission a discount factor for the affordable housing dwellings has been applied which reflects the significantly reduced level of on-site parking provision. JMT Consulting maintain that this is appropriate and reflective of future travel behaviour of residents within the affordable housing building.</p>
4.2	b) The traffic generation of the existing developments and the net increase in traffic generation due to the proposed development need to be assessed in the TIA.	As confirmed by JMT Consulting at Appendix L, the existing traffic generation has been factored into the assessment within the updated TIA at Appendix M.
4.3	c) The assumption that only 45% of the outbound trips (particularly in the morning peak) would be citybound is questionable and may be underestimating the traffic generation impact on the signalised intersections of Port Hacking Rd/Melrose Ave and Princes Hwy/Formosa St.	<p>The updated TIA at Appendix M includes updated trip distribution assumptions based on Journey to Work data for the Sylvania – Taren Point area.</p> <p>JMT Consulting has confirmed that this analysis indicates approximately 48% of</p>

No.	Issue raised	Response
	<p>Trip distribution assumptions need to be clearly justified in the TIA.</p>	<p>trips would be to the east which closely aligns with the original assumptions in the TIA submitted as part of the EIS.</p> <p>Notwithstanding, the traffic modelling in the updated TIA at Appendix M has been revised to consider the updated trip distribution assumptions.</p>
<p>4.4</p>	<p>d) The intersection of Port Hacking Rd and Melrose Ave needs to be assessed with SIDRA in a network model. It is particularly important that the applicant assesses the impact of additional traffic turning left from Pembroke St onto Port Hacking Rd towards the right turn bay at the signalised intersection of Port Hacking Rd/Melrose Ave, given the short distance available to cross multiple high-speed lanes, existing queues on Port Hacking Rd and reported crash history at the intersection of Pembroke St and Port Hacking Rd (e.g. capacity of the existing right turn lane, etc).</p>	<p>The updated TIA at Appendix M considers the future operation of the Port Hacking Road and Melrose Avenue intersection as requested.</p> <p>The updated TIA confirms that the proposal would not adversely impact the operation of the Port Hacking Road and Melrose Avenue intersection. The performance of this intersection is forecast to retain the current level of service (LOS B).</p>
<p>4.5</p>	<p>e) The traffic demand flows shown in the Appendix A SIDRA Movement Summary are inconsistent with the surveyed traffic counts. Modelling for the base model should be based on the traffic counts surveyed at the intersections.</p>	<p>JMT Consulting has advised the inconsistency in the SIDRA outputs is the result of the 'peak flow factor' typically applied as per TfNSW modelling guidelines. The input volumes within the SIDRA model reflect the surveyed traffic volumes. Refer to the Transport Response from JMT Consulting at Appendix L.</p>
<p>4.6</p>	<p>f) The cycle time of 150 seconds is adopted for the signalised intersection of Princes Hwy and Port Hacking Rd in the SIDRA modelling provided in the TIA. Cycle times adopted for the signalised intersections should be justified in the TIA. The modelling provided also needs to reflect existing cycle times and phasing for the signalised intersections being modelled. This information can be requested via SCATS.Traffic.Signal.Data@transport.nsw.gov.au.</p>	<p>JMT Consulting has advised (Appendix L) that the adopted cycle time and signal phasing is based on video footage taken on the date of the traffic survey. The video footage was reviewed to ensure adopted cycle times and phasing reflected the actual signal operations.</p>
<p>4.6</p>	<p>g) Electronic copies of all SIDRA files need to be submitted for review. Modelling undertaken must include, but not be limited to, the current traffic counts and the base model calibration with on-site observations (e.g. queue lengths, delays). Details on the model calibration, as well as justifications for any adjustments to the default settings needs to be documented in the TIA.</p>	<p>JMT Consulting has confirmed at Appendix L that the SIDRA traffic model was calibrated via the use of video footage of the intersections. The video footage was used to calibrate the model in the following ways:</p> <ul style="list-style-type: none"> <li>• Traffic light phasing arrangements.</li> <li>• Typical phase and cycle times of the traffic lights (including actuation of pedestrian signals).</li> <li>• Queue lengths and typical delays for vehicles on local streets.</li> </ul>

No.	Issue raised	Response
4.7	<p>h) Whilst it is acknowledged that the Construction Traffic Management Plan (CTMP) provided in the TIA is at a preliminary stage, the outbound construction routes are not shown in Figure 19. Outbound routes are critical, as heavy vehicles require significantly greater reaction time, queueing length, and safe crossing gaps compared to passenger vehicles. Consequently, all the issues identified above are exacerbated for heavy vehicles attempting to access the right-turn bay on Port Hacking Road at the intersection of Port Hacking Rd and Melrose Ave. It is Transport's preference that, during construction stages, citybound heavy vehicles instead turn right at the Evelyn St and Port Hacking Rd intersection.</p>	<p>As outlined by JMT Consulting at Appendix L, outbound construction vehicle routes have been included in the updated TIA at Appendix M, with citybound vehicles utilising the Evelyn Street / Port Hacking Road intersection.</p> <p>Construction vehicle routes will be further developed as the project progresses and outlined in the detailed Construction Traffic Management Plan (CTMP) to be prepared as a condition of consent.</p>
<b>5. Sydney Water</b>		
5.1	<p>Water Servicing</p> <ul style="list-style-type: none"> <li>• The development is supplied by the Sutherland Water Supply Zone.</li> <li>• Our preliminary assessment indicates the existing system does not have capacity to service the proposed development.</li> <li>• Significant amplifications will be required to service the development.</li> <li>• A localised options assessment will be required to provide drinking water supply to the proposed development. The proponent can either engage Sydney Water or an external consultant to carry out the options assessment.</li> </ul>	<p>This is addressed in Section 4.1, Table 2, Item 8.1 and the water servicing advice from JHA at Appendix P.</p>
5.2	<p>Wastewater Servicing</p> <ul style="list-style-type: none"> <li>• The proposed development is within Miranda SCAMP which is part of the Cronulla catchment.</li> <li>• Our preliminary assessment indicates that the existing reticulation system likely has sufficient capacity to service the development in dry weather. However, there may be some impacts to downstream high risk emergency relief structures (ERS) (Category 5).</li> <li>• Further hydraulic assessment will be required to identify these impacts.</li> </ul>	<p>Noted. This can be addressed as condition of consent.</p>

### 4.3 Response to Sutherland Shire Council

Table 4 identifies the key issues raised in Council’s submission and provides a response to each of Council’s comments.

**Table 4: Response to Council submission**

No.	Issue raised	Response
<b>1. Strategic context</b>		
1.1	The proposal is not definitive whether there will be affordable housing or social housing. The proposal vaguely indicates that there will be 159 apartments for the purpose of ‘social housing’ - which does fall within the definition of affordable housing. However, the proposal also indicates that “Homes NSW will be partnering with a registered CHP who will develop and manage the affordable housing component for at least 25 years” (EIS, pg 42). An increased and stable supply of affordable housing can reduce the need for social housing. However, in 25 years there will be no social and/or affordable housing on this site.	<p>The social housing component of 159 dwellings fits within the EP&amp;A Act definition of affordable housing. The ownership of this component will remain with Homes NSW and consistent with common practice the management will be by a registered CHP.</p> <p>This further addressed in Section 4.1, Table 2, Item 1.1.</p>
1.2	The ultimate loss of 83 social housing dwellings is opposed as this will be a significant loss of much needed social housing in the Sutherland Shire.	The proposal provides for 159 social housing dwellings which is an increase of 79 social housing dwellings –double the number of existing social dwellings on site.
<b>2. Pedestrian Infrastructure</b>		
2.1	<p>The proposal seeks to provide an additional 401 dwellings on the site. However, current conditions demonstrate a lack of safe, direct and convenient pedestrian connectivity between the site and Southgate Shopping Centre, including access to public transport services. Currently, the only safe pedestrian connection to the Southgate Shopping Centre and public transport is via the signalised pedestrian crossing at the intersection of Melrose Avenue and Port Hacking Road. This requires an average detour of approximately 400m from the centre of the site to safely access the majority of services. Site observations indicate that pedestrians prefer to take the most direct route and risk crossing six lanes of traffic across Port Hacking Road rather than taking a long detour. This behaviour highlights a significant pedestrian safety concern and highlights the inadequacy of the existing pedestrian network to support the scale the proposal.</p> <p>There are options available to improve pedestrian safety and connectivity including the provision of either a grade separated pedestrian facility (bridge), mid-block pedestrian signals, pedestrian fencing and/or upgrading of existing pedestrian signals. As both Princes Highway and</p>	<p>Homes have considered options to improve pedestrian safety in response to Council’s comments in consultation with TfNSW.</p> <p>Consultation with TfNSW (Appendix Q) has confirmed there are currently no committed plans or funding for a pedestrian bridge or crossing facility at this location. TfNSW have advised that it is unlikely that a pedestrian bridge would be warranted at this location as there is likely not enough pedestrian demand to justify this expensive infrastructure and it would likely be economically unfeasible.</p> <p>However, TfNSW have indicated the potential to consider the introduction of a pedestrian phase and marked foot crossing (signalised crossing) on the southern approach to the Princes Highway and Port Hacking Road intersection (across Port Hacking Road) to provide improved pedestrian access across Port Hacking Road.</p> <p>This would include the installation of a signalised pedestrian crossing at this intersection, in consultation with TfNSW and Sutherland Shire Council.</p>

No.	Issue raised	Response
	<p>Port Hacking Road are state roads, this will fall under the responsibility and determination of Transport for NSW.</p> <p>Notwithstanding the above, Council strongly objects to the proposed uplift in development at the subject site in the absence of appropriate pedestrian infrastructure capable of supporting the scale of the proposal.</p>	<p>The installation of a signalised crossing can be addressed through conditions of consent, in consultation with TfNSW and Sutherland Shire Council to confirm detailed design requirements.</p> <p>There is also the potential to explore further safety measures, such as pedestrian fencing along the median strip of Port Hacking Road, subject to consultation with TfNSW.</p> <p>The installation of a signalised pedestrian crossing at the intersection of Port Hacking Road and Princes Highway will significantly improve pedestrian access to Southgate Shopping Centre, and provide safe, direct and convenient access across Port Hacking Road via multiple crossing points.</p> <p>This is also addressed in Section 4.1, Table 2, Item 7.4.</p>

**3. Built Form and Scale**

3.1	<p>The proposal comprises 8 residential flat buildings ranging between 7-9 storeys in height across the site. Further investigation into the distribution of building mass across the site is required to ensure a contextually responsive design that maximises residential amenity and is sensitive to surrounding development.</p>	<p>This is addressed in the Design Response prepared by BVN at Appendix B and in Section 4.1, Table 2, Item 2.1.</p>
3.2	<p>The current proposal burdens Florida Street and Pembroke Street with excessive building mass which does not respond to the character of the street and overshadows adjoining residential development. A more contextually responsive design would increase building height fronting Princes Highway and Port Hacking Road, allowing the scale of buildings fronting Florida Street and Pembroke Street to be reduced. To achieve this outcome, height controls in the northern and western portions of the site would need to be relaxed.</p>	<p>This is addressed in the Design Response prepared by BVN at Appendix B and in Section 4.1, Table 2, Item 4.</p>
3.3	<p>The below figure outlines a strategy for the redistribution of building mass, by lowering building heights in the southern portion of the site (highlighted in purple) and increasing building height in the northern portion of the site (highlighted in red). A portion of the western wing within the social building is recommended to be removed to allow a more open area of communal / public open space to be established. This strategy would need to be modelled and analysed in detail to establish appropriate heights for all street frontages. It is anticipated that the current yield of the site would not need</p>	<p>This is addressed in Section 4.1, Table 2, Item 2.1 and in the Design Response prepared by BVN at Appendix B.</p> <p>Further, Homes NSW have advised the suggested changes to the buildings, including splitting the social building into three buildings, would significantly impact project delivery. The proposal has been carefully developed in accordance with infrastructure servicing and staging requirements to ensure the early delivery of social housing, and minimise relocations for</p>

No.	Issue raised	Response
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to be reduced to achieve a more contextually responsive outcome.



existing residents. The suggested change to the social building would require an additional 25 residents to be relocated during Stage 1 works.

The suggested layout would further affect building operations, making it more difficult to provide effective building management, CHP operability, and ongoing oversight of social housing residents into the future. In addition, the introduction of a separate basement for the social housing buildings would substantially increase construction costs and compromise the overall viability of the project as social housing.

3.4 The proposed development will be significantly denser than existing buildings within the surrounding neighbourhood. The increased building mass will be most imposing at the interface with the low-density residential environments of Florida Street and Pembroke Street. Further refinement of the proposal is required to reduce the perceived bulk and scale of development along these sensitive interfaces and to achieve a more appropriate transition to the adjoining low and medium density residential zones.

This is also addressed in Section 4.1, Table 2, Item 2.1.

It is noted that site is in an area of planned increased density, with surrounding low and medium density areas envisaged to transition to higher density residential buildings of up to 6-storeys in accordance with the low and mid rise (LMR) housing provisions.

The proposal responds to the planned higher density character for the area, while ensuring an appropriate transition to surrounding areas, and maintaining a high level of amenity to surrounding properties.

**4. Amalgamation of adjoining properties**

4.1 The development excludes the Telstra site at 94 Princes Highway and the remaining residential properties at 92 Princes Highway and 27 Florida Street. The proposal should demonstrate how these residual sites could be integrated into the overall development to achieve the densities envisaged under the Housing SEPP reforms. Leaving these sites isolated may result in a fragmented and poor planning outcome.

The proposal will not result in lot isolation and does not preclude the future development of adjoining lots in accordance with the LMR provisions in the Housing SEPP.

As confirmed in the preliminary site testing prepared by BVN in the diagrams below, the adjoining sites (subject to amalgamation) can develop in accordance with the LMR provisions and accommodate ADG compliant envelopes.

No.	Issue raised	Response
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Site testing undertaken by BVN demonstrates that the adjoining sites can amalgamate in the future and redevelop to achieve the densities envisaged under the LMR provisions in Chapter 6 of the Housing SEPP.

The proposal does not represent any barrier to the redevelopment of the adjoining sites in the future.

**5. Solar Access**

5.1	<p>A 'Sun-eye Views' plan accompanies the application which demonstrates the southern edge of the social housing building (that does not comply with the maximum height control) will dictate the extent of shadow cast by the proposal. Figure 2 below is an extract from the architectural plans which demonstrates that at 12pm, 21st of June, the non-compliant upper-level is the primary contributor to overshadowing of the southern adjoining properties.</p>	<p>This is addressed in Design Response prepared by BVN at Appendix B and Section 4.1, Table 2, Item 4.</p> <p>The analysis prepared by BVN indicates that the proposal results on only a minor increase in overshadowing to properties to the south of the site on Pembroke Street when compared to a height compliant envelope.</p>
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No.	Issue raised	Response
		<p>However, as outlined in BVN's solar analysis at Appendix B, the impact is minor and does not affect solar compliance. All adjoining properties receive more than 2hrs solar access to all windows between 9am and 3pm, mid-winter.</p>
5.2	<p>The solar access diagram provided in the Design Report by BVN (pages 69 and 70), indicates that the height contravention will not impact solar access to the residential properties on the southern side of Pembroke Street. This contradicts the sun eye view diagrams provided in the architectural drawing package and as such, the extent of overshadowing to properties south of the site has not been accurately or consistently documented. Given the significant increase in height provided by height bonuses, the transition to a lower scale residential zone and the proposed height non-compliance, it is essential that the proposal is informed by an accurate and comprehensive solar access study.</p>	<p>This is addressed in Design Response prepared by BVN at Appendix B.</p>
5.3	<p>The extent of overshadowing affecting the southern adjoining properties must be clearly and accurately demonstrated. This includes modelling existing buildings, identifying areas of private open space and windows to habitable rooms, and updating sun's eye view diagrams to quantify the duration and extent of overshadowing. The outcomes of this study should be used to further refine the built form of buildings fronting Pembroke Street to ensure an appropriate transition to the adjoining low-density residential context is achieved.</p>	<p>This is addressed in Section 4.1, Table 2, Item 4 and the Design Response prepared by BVN at Appendix B.</p>
<b>6. Communal open space</b>		
6.1	<p>The proposal has been designed to accommodate a series of cross site links, providing a permeable development that connects with the surrounding street network. This is acknowledged as a positive urban design outcome. However, this design approach has resulted in the entirety of the ground plane effectively becoming public domain, which fundamentally changes the character of the external spaces and limits their ability to support a diverse range of activities. In addition, these ground-level spaces will be significantly overshadowed due to the height, massing, and proximity of the surrounding buildings.</p>	<p>As confirmed by Turf, the landscape design provides a range of outdoor spaces that support diverse activities, including outdoor seating, BBQ facilities, gathering areas, lawn, playground, water play and outdoor working spaces. These communal areas are intentionally distributed throughout the site to encourage both passive and active use by residents.</p> <p>While cross-site links improve permeability and connectivity with the surrounding street network, the ground plane is designed as a series of defined communal landscape spaces rather than functioning solely as public domain. The spaces remain accessible, well-connected, and capable of supporting everyday residential use and social interaction.</p>

No.	Issue raised	Response
6.2	<p>To complement the ground floor public open space, it is suggested that consideration be given to incorporating a wider variety of communal spaces, including roof top terraces and communal rooms which are more likely to achieve improved solar access, amenity and functionality for residents.</p>	<p>The proposal does not include roof top communal spaces. Roof top communal space is not required as the proposal provides generous communal open space at ground level, which exceeds ADG requirements.</p>
6.3	<p>Insufficient information has been submitted to clearly understand the quality of external spaces. This raises concern that some areas of the ground floor open space and building interfaces are not currently resolved. Notwithstanding, the following issues can be identified based on the information currently available:</p> <ul style="list-style-type: none"> <li>• The western lobby of the Social housing building appears to lack an accessible entry - only steps are provided.</li> <li>• The elevated ramp adjacent to building 1A results in direct overlooking into the private open space and habitable rooms of the adjoining units, compromising residential privacy and amenity.</li> <li>• A foot path elevated above the ground floor level of building 3B is positioned hard up against residential units, compromising the privacy of bedrooms and living areas.</li> <li>• To realise the design intent outlined on page 30 of the Design Report (Porous and Permeable), the east-west oriented pedestrian path between building 1A and 3A should be extended to provide a direct connection to Port Hacking Road.</li> <li>• The outdoor gym equipment is proposed to be accessible to the public 24 hours a day and would therefore be difficult to manage. Its location within a narrow space between buildings 3A and 3B, and in close proximity to windows of habitable rooms, is likely to result in adverse privacy and amenity impacts for residents. Consideration should be given to relocating the gym to a more appropriate location, such as within the ground floor of a residential building, where access can be controlled and the facility effectively managed. The western edge of building 3 may provide a suitable alternative location.</li> <li>• The pedestrian path located within the landscape setback to Port Hacking Road provides limited amenity value and has the potential to compromise the privacy of adjoining residential units. There is an opportunity to utilise this setback as a landscaped buffer rather than a pedestrian thoroughfare, which would improve residential amenity, enhance visual</li> </ul>	<p>Additional renders are provided in the revised Landscape Report prepared by Turf at Appendix D. The additional renders provide further detail on the design intent of the external spaces, including:</p> <ul style="list-style-type: none"> <li>• Screening planting is proposed to assist in providing privacy screening to ground floor apartments.</li> <li>• Additional direct connection provided to the east-west pedestrian path.</li> <li>• Outdoor gym between building 3A and 3B removed and replaced with east-west pedestrian path and seating areas. Screening plantings to ground floor residents. Potential to provide gym facilities within the buildings.</li> <li>• Informal gravel path and seating nodes within the landscape setback to Port Hacking Road provides additional communal open space for the residents. The path offers informal walking experience through the native forest planting, encouraging passive recreation and discovery within the landscape. Seating nodes are supported by introduction of noise screening walls to improve amenity in proximity to the busy road. Tall shrubs and grasses provide visual screening to ground floor residents.</li> <li>• Tall screening planting proposed for the BBQ area for the social building to assist in providing visual screening to the ground floor apartments.</li> <li>• The suggestion to combine the basement of the social building and Building 3 is not supported as this would significantly impact staging, and the future operation and management of the buildings.</li> </ul>

No.	Issue raised	Response
	<p>screening, and better respond to the interface with Port Hacking Road.</p> <ul style="list-style-type: none"> <li>• The BBQ areas within the communal open space of the social housing building are located in close proximity to ground floor dwellings. This arrangement is likely to adversely impact the amenity of future occupants through noise and smoke associated with the use of these facilities.</li> <li>• Consideration should be given to connecting the basements of the social building and building 3, to reduce the number of driveways and allow the western edge of building 3 to provide a more positive contribution to an active ground plain. Other connections across the basement levels should be explored to further reduce the number of driveways accessed across the site.</li> </ul>	

**7. Acoustic Privacy**

7.1	<p>The site is bound by the Princes Highway and Port Hacking Road, and residential dwellings fronting these roads will be exposed high noise levels. The Noise Impact Assessment prepared by E-Lab Consulting states that noise levels will exceed 70dbL to dwellings fronting these busy roads and building facades must respond to this environment to minimise the impact upon residents. Initiatives to be considered should include the potential to enclose balconies to provide winter gardens, the inclusion of acoustic glazing and the incorporation of vertical acoustic plenums to allow units to be ventilated without compromising acoustic privacy.</p>	<p>The Noise and Vibration Impact Assessment (NVIA) prepared by E-Lab Consulting provides an assessment of busy roads (Princes Highway and Port Hacking Road) and noise impacts to the facades of the buildings in Section 7.3. Included within this assessment are typical glazing arrangements that will be required to achieve acceptable internal noise levels in accordance with Transport and Infrastructure SEPP 2021 criteria.</p> <p>These glazing arrangements range from minimal 6.38mm single laminated glazing to 10.38mm / 12mm airgap /12.38mm double laminated glazing to account for the wide range of expected façade noise levels (including the noisiest &gt;70 dB(A) expected on facades facing Princes Highway). Where the differing glazing arrangements will have to be implemented throughout the development has been displayed within Appendix C of the NVIA.</p> <p>Further, areas of the development which will require alternative method of ventilation to allow for natural ventilation without compromising acoustic privacy have been highlighted within Appendix B of the NVIA and can be developed during detailed design.</p>
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**8. Internal amenity**

No.	Issue raised	Response
8.1	<p>Unit layouts are generally functional and appear to meet ADG design objectives. However, further information is required to confirm compliance with ADG dimensional design criteria for habitable rooms and POS. The following key issues are identified:</p> <ul style="list-style-type: none"> <li>• Several units contain poorly proportioned balconies with narrow frontages, deeply recessed within the building footprint. Further refinement of unit layouts is required to address this issue.</li> <li>• Several buildings contain awkward, narrow dead-end spaces adjacent to ground floor lobbies which raises safety concerns. The recess provided in the façades contribute to articulation at upper levels, but are poorly resolved at ground floor level, further development is required. Potential for antisocial behaviour should be minimized by increasing the extent of passive surveillance, eliminating narrow dead-end spaces accessible at ground floor level and appropriately locating amenities with the development.</li> <li>• Several lobbies (Buildings 1A, 1B, 1C and 3A) contain only a single window located within a deeply recessed slot in the façade. This will result in lobbies being dependent upon artificial lighting 24 hours a day. The south facing lobby of the Social Building (levels 11 and 12) has excellent opportunity for natural light and outlook. However, the spaces currently provided appear to be largely internalised. Further refinement of residential lobbies to increase natural lighting and improved outlook is recommended.</li> <li>• No information has been provided to document adaptable or accessible units. This is an essential design component that is likely to impact on the spatial requirements of all buildings. Further detail information is required.</li> </ul>	<p>This is addressed in the Design Response provided by BVN at Appendix B and revised Architectural Plans at Appendix C.</p> <p>In relation to adaptable apartments, the proposal includes 15% of apartments in Building 1, 2 and 3 being capable of being adaptable. The remaining apartments (85%) are designed to be compliant with Silver level features as defined in the NCC 2022, as set out in the Livable Housing Design Standard 2022 published by the Australian Building Codes Board.</p> <p>The social building provides 20% of apartments as Gold and 80% of apartments as Silver standard apartments. This is consistent with Homes NSW requirements for accessibility for social and affordable housing.</p> <p>Refer to the Design Response prepared by BVN at Appendix B which confirms apartments are capable of achieving accessibility and livable housing requirements.</p>

**9. Urban design**

9.1	<p>The following key issues are raised in regard to the architectural design of the proposal:</p> <ul style="list-style-type: none"> <li>• The proposal addresses two starkly contrasting environments, including the high traffic along Princes Highway and Port Hacking Road and the quieter, low scale residential environment of Florida Street and Pembroke Street. The current proposal currently addresses both these environments with no contextual responsive differences to either facade expression or street level interfaces. Further development should seek</li> </ul>	<p>The Design Report prepared by BVN and submitted as part of the EIS, outlines the façade and materials strategy for the site. As outlined in the Design Report, the facade strategy was considered site-wide to create a series of related and complementary clusters of buildings that break down the scale of the development into smaller villages around a series of connected green spaces. Further detail on the façade strategy is provided in the Design Report as submitted with the EIS.</p>
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No.	Issue raised	Response
	<p>to respond to the specific character / environmental constraints of each street.</p> <ul style="list-style-type: none"> <li>• The material palette is generally appropriate. However, elevational drawings lack sufficient detail to fully document the proposal and ensure the architects design intent is realised. It is suggested that more detailed elevations are provided that clearly show all material finishes. Larger scale (1:20 suggested) detail sections through building facades should also be provided. Sections should document balustrade details (dimensions of metal balustrades and handrails / type of glazed balustrade semi frameless / frameless?) soffit finishes and screen details.</li> <li>• Servicing of the building must be considered at this stage of the design process. The location of service risers, car park exhausts, down pipes, balcony overflows and fire hydrant enclosure should be documented.</li> <li>• The incorporation of pleated metal cladding to the facade is considered a reasonable proposition. However, the extent to which this cladding is used and the detail resolution between horizontal banding and infill panels is questionable. When capping / flashings are applied to the horizontal banding the crisp junction between materials shown in architectural perspectives may not be realised. The detail sections outlined above are necessary to show if / how the design intent shown in the perspectives is realised. Alternatively, the pleated cladding could be used as infill panels located within a solid frame (perhaps concrete or face brick))</li> </ul>	<p>The revised Architectural Plans at Appendix C show the spatial requirements and location of services including hydrants, boosters and tanks.</p> <p>The detailed resolution of materials and cladding will be further developed through the detailed design stage.</p>

**10. Staging of development**

10.1	<p>The submitted EIS outlines the proposed staging of the development. To ensure the orderly development of land, the following staging is recommended:</p> <ol style="list-style-type: none"> <li>1. Consolidation of lots</li> <li>2. Stormwater drainage and associated legal requirements for properties 94 and 92 Princess highway, and 27 Florida Street (3 lots)</li> <li>3. Subdivision works certificate covering the realignment of Council drainage infrastructure and associated deed of agreement and creation expungement of easements</li> <li>4. Subdivision works certificate covering construction of internal roads and installation of required services for all buildings</li> <li>5. Subdivision Certificate</li> <li>6. Construction of social housing building</li> </ol>	<p>The EIS sets out the proposed staging for the proposal. This includes two broad stages of development comprising:</p> <ol style="list-style-type: none"> <li>1. Stage 1 (social lot area) comprises construction of the social housing buildings and communal open space within the proposed social housing lot.</li> <li>2. Stage 2 (market lot area) comprises the remainder of the development being construction of six private market buildings, communal space and new private access road (shared road reserve).</li> </ol> <p>No change to the overall staging for the SSDA is proposed.</p>
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No.	Issue raised	Response
	<p>7. Construction of remaining market buildings</p>	<p>In regard to construction staging, it is envisaged that construction staging will broadly occur as follows:</p> <ol style="list-style-type: none"> <li>1. Consolidation of lots into one lot.</li> <li>2. Demolition of buildings in Stage 1 and construction of social housing building.</li> <li>3. Demolition of buildings in Stage 2, stormwater drainage infrastructure works, construction of internal road and construction of remaining market buildings.</li> <li>4. Subdivision of the site into two lots.</li> </ol>
<b>11. Engineering requirements</b>		
<p>11.1</p>	<p><b>Vehicular Access &amp; Parking</b>            The following matters are required to be addressed regarding vehicle access and parking:</p> <ul style="list-style-type: none"> <li>• The number of parking spaces allocated to the market dwellings exceeds the minimum requirement by 204 spaces. However, the parking spaces allocated to the social housing building is deficient by 7 parking spaces. The allocation of parking between the market and social housing dwellings is not considered equitable to future occupants and compliance is required.</li> <li>• Parking bays associated with liveable and adaptable dwellings should conform with the silver standard and Adaptable Housing AS4299-1995. An alternative arrangement to the before mentioned standards can be considered by providing the required parking in accordance with AS2890.6.</li> <li>• The proposed internal shared road is not supported as it creates conflicts and safety concerns for heavy vehicles. A traditional roadway pavement and separate foot path pavement should be provided. The road pavement width must comply with SSDCP2015 Chapter 36 for the size and scale of the development.</li> <li>• The kerb and gutter within the internal private road must be designed as integral kerb 150mm high with traditional kerb inlet pits with minimum lintel opening of 1.8m.</li> </ul>	<p>As outlined in the Transport Response prepared by JMT Consulting at Appendix L, the Housing SEPP requires a minimum of 83 parking spaces for the 159 social housing units. The proposal provides 92 parking spaces for the social housing building, exceeding the minimum requirements of the SEPP.</p> <p>The design makes suitable provision for parking spaces for adaptable units which comply with the requirements of AS2890.6.</p> <p>The proposed internal road will be a private roadway that provides local access to the respective buildings on the site, with little to no 'through' traffic movements expected. As outlined in the Transport Response from JMT at Appendix L, a shared zone is considered appropriate to accommodate localised traffic movements and promote a safer environment for all road users.</p> <p>A shared zone on the internal roadway will support improved pedestrian movements and complies with the relevant TfNSW requirements for a shared zone given the low traffic flows and minimal number of service vehicle movements.</p>
<p>11.2</p>	<p><b>Stormwater Management</b></p> <ul style="list-style-type: none"> <li>• The proposed connection from the private drainage system into Councils Drainage network at the intersection of Pembroke Street and Florida Street is not supported. OSD 3 &amp; 4 must connect into Council drainage network within the subject property.</li> <li>• The stormwater run-off from No. 92 &amp; 94 Princes Highway &amp; No.27 Florida Street must be addressed at Stage 1 of the proposal.</li> </ul>	<p>This is addressed in the response provided by Mott MacDonald at Appendix F.</p> <p>Mott MacDonald has advised the plans will be updated to suit the connection of OSD 3 and 4 to the drainage network within the subject property.</p> <p>The detailed design of the stormwater infrastructure works will be progressed at the</p>

No.	Issue raised	Response
	<ul style="list-style-type: none"> <li>The proposed reconstruction of Councils Trunk drainage system must be approved by Councils Stormwater &amp; Waterways team.</li> <li>The required reconstructed sections of Council's Trunk drainage system must be designed/consent by Council.</li> <li>Required changes to the associated easement must be undertaken in accordance with Councils Drainage Easement Policy - Drainage-Easements-Policy-ADOPTED-JUNE-2025.pdf.</li> <li>Basement levels will need to consider ground water. A referral will need to be sent to WaterNSW to consider ground water.</li> </ul>	<p>detailed design stage and undertaken in accordance with Council requirements. Council has provided design input to the preliminary concept, and Council's design requirements can be accommodated at the detailed design stage.</p> <p>The proposal has been referred to WaterNSW.</p>
11.3	<p><b>Flooding</b> The following matters are required to be addressed:</p> <ul style="list-style-type: none"> <li>Basement crests are to be individually assessed and provided where required. The crest must achieve the minimum 500mm freeboard.</li> <li>The increase in flood hazard at the intersection of Pembroke Street and the Private Road rating to H5 hazard is not acceptable. Flood mitigation works is required to ensure that the existing rating is not increased.</li> </ul>	<p>This is addressed in the response provided by Mott MacDonald at Appendix F and revised FIRA at Appendix G.</p> <p>All basement entries are above the 1% AEP plus freeboard or PMF (whichever is higher).</p>
11.4	<p><b>Road Reserve</b> The following matters are required to be addressed regarding works within the road reserve:</p> <ul style="list-style-type: none"> <li>Suitable sized driveway laybacks into the private road from Pembroke Street and Florida Street must be provided. The use of traditional kerb returns that resembles a public road is not supported.</li> <li>The subject frontage of Pembroke Street and Florida Street are to be provided with shared footpath/bicycle pavement.</li> <li>Where the private road joins with Pembroke Street, this conflicts with Councils existing Stormwater Infrastructure. This will require a detailed design due to it being a low/sage point within the roadway. This is to be completed prior to completion of the social housing building.</li> <li>A bus stop within the subject frontage of Port Hacking Road should be provided/indented into the subject. The bus hardstand area will be in addition to the Port Hacking Road existing carriageway.</li> </ul>	<p>JMT Consulting has advised:</p> <ul style="list-style-type: none"> <li>Driveway laybacks into the private road from Pembroke Street and Florida Street can be provided, these will be documented as part of the Section 138 package to be issued to Council for approval prior to the commencement of the driveway works.</li> <li>There is no requirement to deliver a shared path along the frontages of the site on Pembroke Street or Florida. Shared pathways (nor any other bicycle facility) are identified along either of these streets in the recently adopted Sutherland Shire Bike Plan. Should Council be of the view to introduce a shared path then this would be at their discretion, with the design not precluding the introduction (by Council) of relevant signage and line-marking on these streets (outside of the site boundary) to facilitate the introduction of shared pathways.</li> <li>There is an existing bus stop on Port Hacking Road south of Pembroke Street which will continue to serve southbound bus routes. There is no requirement for an additional stop on Port Hacking Road</li> </ul>

No.	Issue raised	Response
		<p>along the frontage of the site as requested by Council, nor has this been requested by TfNSW.</p> <p>The design of the private road and stormwater infrastructure will be addressed as part of the detailed design. This will be addressed as part of Stage 2 of the development, which includes the construction of the private road and stormwater works.</p>
<b>12. Landscaping</b>		
12.1	<p>An Arboricultural Impact Assessment prepared by Birds Tree Consultancy accompanies the application which seeks to retain a significant number of existing trees, specifically around the perimeter of the site in Zone 1 – Native Forest. The proposed tree removal is considered acceptable subject to conditions of consent, including a replacement tree planting ratio of 8:1 as per Council’s DCP (excluding dead or exempt trees). The total number of replacement trees have been deducted due to the nature and condition of species removed and as such, a condition of consent has been recommended before the issue of a construction certificate under Attachment A addressing this matter.</p>	Noted.
12.2	<p>A Landscape Report prepared by Turf Design Studio accompanies the application which provides a planting strategy for the site and is broken up into four zones (refer to Figure 10). In principle, the planting schedule outlined in the Design Report is considered appropriate, except for the following:</p> <ul style="list-style-type: none"> <li>• Zone 1 – Native Forest aims to restore Sydney Turpentine Ironbark Forest vegetation community. Most species are appropriate, however the <i>Tristaniopsis laurina</i> (Water Gum) and <i>Cupaniopsis anacardioides</i> (Tuckeroo) are not species of this community. Instead, Our preference is to include species such as <i>Acacia implexa</i> (Hickory) and <i>Allocasuarina torulosa</i> (Forest Oak).</li> <li>• Zone 2 – Rain Garden aims to provide species that have a high water intake. The species recommended in the report are suitable native species for the area and provide adequate canopy. However, these species are not resilient to high water intake. Therefore, our preference is to include species such as <i>Melaleuca styphelioides</i> (Prickly Paperbark) and <i>Melaleuca quinquenervia</i> (Broad Leaf Paperbark) which are more suitable to a raingarden setting</li> </ul>	An updated planting schedule is provided in the revised Landscape Plans at Appendix E.

No.	Issue raised	Response
	<ul style="list-style-type: none"> <li>Zone 4 – Building Interfaces aims to provide landscaping around the building edges. Endemic trees should be selected over deciduous trees within this zone as they will provide greater resilience in high density area and offer similar flowering to deciduous species.</li> </ul>	
<b>13. Waste Management</b>		
13.1	<p>The bin generation rates across the site is considered acceptable. However, the waste facilities on site have been designed to be collected on the street and considering the size of the proposal, this arrangement is not considered acceptable. Waste collection is required via a suitable sized loading dock to facilitate a HRV size truck in accordance with AS2890.2. and should be integrated into the built form. To this end, the following matters are required to be addressed in relation to waste management:</p> <p><b>Social housing building</b></p> <ul style="list-style-type: none"> <li>The distance between the truck and bin rooms needs to be less than 10m to ensure the truck can reverse to the door – the distance seems to be greater and is not supported.</li> <li>The driveway proposed to the waste room fronting Pembroke Street is not long enough to accommodate a parked waste truck. The driveway is required to be lengthened to ensure the public footpath is not obstructed when the truck is parked.</li> <li>The bulky waste room is not large enough to accommodate the number of residents within this building. The bulky waste room also needs to be located at the kerbside with a double door or roller door for ease of access.</li> </ul> <p><b>Buildings 1A, 1B, 1C and 2</b></p> <ul style="list-style-type: none"> <li>The distance between the loading bay and the bin room doors would be greater than 10m and is not supported.</li> <li>The bulky waste rooms are considered a suitable size to service the residents. However, these rooms must be located at the kerbside with a double door or roller door to assist waste collection.</li> <li>The loading bay is located too far from the bin rooms and all bulky waste rooms.</li> </ul> <p><b>Buildings 3A and 3B</b></p> <ul style="list-style-type: none"> <li>The distance between the loading bay and the bin room doors would be greater than 10m is not supported. It seems the bin room doors (which need to be double doors or roller doors) are located along the northern</li> </ul>	<p>The matters raised by Council are addressed in the Waste Response provided by MRA Consulting Group at Appendix N and revised Architectural Plans at Appendix C.</p> <p>As outlined in the advice from MRA, the proposal has been refined to address Council’s the waste management requirements, including:</p> <ul style="list-style-type: none"> <li>Provision of dedicated waste rooms within each building sized to accommodate the required bin generation rates;</li> <li>Waste storage and handling arrangements designed to support independent building operation;</li> <li>Servicing arrangements reviewed to ensure safe and practical collection consistent with the scale and operation of each individual stage; and</li> <li>Integration of waste facilities within the built form appropriate to each building outcome.</li> </ul> <p>MRA have confirmed that the waste management strategy for the proposal is acceptable, and the revised approach ensures each stage achieves a compatible and operationally effective waste management solution.</p> <p><u>Social building</u></p> <ul style="list-style-type: none"> <li>As outlined by MRA at Appendix N, due to the setback of the proposed social housing building and the location of existing high value trees to be retained, the proposed loading zone is sited as close as possible to the building without impacting the trees. It is noted that the travel distance is approximately 12.8m which is a minor exceedance given the constraints.</li> <li>The revised Architectural Plans at Appendix C have been updated to correct a graphical error which showed the waste collection vehicle on the pedestrian pathway.</li> </ul>

No.	Issue raised	Response
	<p>façade and the loading bay is located on the eastern façade of Building 3A. The loading bay is required to be relocated along the northern façade of the building to ensure the distance is less than 10m to the bin room doors.</p> <ul style="list-style-type: none"> <li>Amended plans need to provide a bulky waste room and need to be located at the kerbside to assist with waste removal.</li> </ul>	<ul style="list-style-type: none"> <li>The bulky waste storage area for the social housing building is approximately 22sqm. MRA have advised that this storage area is anticipated to be sufficient for the needs of residents. Relocating the bulky waste room is not possible as this would result in the displacement of bin storage areas. Bulky waste and bins can be rotated prior to scheduled bulky waste collections to ensure bulky waste material is positioned as close to the front of the waste holding areas as possible.</li> </ul> <p><u>Buildings 1A, 1B, 1C and 2</u></p> <ul style="list-style-type: none"> <li>As detailed in the revised Architectural Plans at Appendix X the transfer distance between waste rooms for building 1 and 2 has been reduced to less than 10m.</li> <li>See response above regarding the bulky waste room location.</li> <li>The loading area has been revised to be sited directly in front of the waste holding rooms for Building 1 and 2. Bulky waste storage areas are directly accessible through the main bin holding areas.</li> </ul> <p><u>Building 3</u></p> <ul style="list-style-type: none"> <li>The proposed location of loading is within 10m of the waste holding room for Building 3 and would allow the collection vehicle to continue in a forward direction past each of the buildings.</li> <li>The revised Architectural Plans at Appendix C include a bulky waste storage area located in the basement of building 3. Bulky waste would be transferred to the ground floor via the connected service lift to the waste holding room prior to scheduled bulky waste collection.</li> </ul>

**14. Fire Protection**

14.1	<p>The fire protection strategy has been assessed against Division 4.3 Sections 4.15(1)(c), Section 4.15(1)(e) and Section 4.17 of the Environmental Planning &amp; Assessment Act, AS2419.1:2005, NSWFR document “Access for Fire Brigade Vehicles and Firefighters”, and NSWFR document “Fire hydrants for minor residential development”. The following matters are required to be addressed:</p> <ul style="list-style-type: none"> <li>Fire Hydrant Services Report not provided. This Report should address / provide; associated Sydney Water Statement - Flow &amp; Pressure, confirmation that a “suction”</li> </ul>	<p>A Fire Services Review has been provided by JHA and is provided at Appendix O.</p> <p>The recommendations of the Fire Services Review have been incorporated in the revised Architectural Plans at Appendix C.</p>
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No.	Issue raised	Response
	<p>connection is not required, and the location of the required NSWFR Appliance hardstand area and associated truck swept paths.</p> <ul style="list-style-type: none"> <li>The requirements of fire hydrants and substations must be designed into the development at the proposal stage; this includes any required hard standards that are negotiated with the Fire Service. Hardstands have the ability to impact trees and landscaping.</li> <li>Any road signage changes will need go to the Sutherland Traffic Committee prior to the issue of any Construction Certificate, as “No Standing” will be required for the full frontage of the property.</li> </ul>	

#### 4.4 Response to Public Submissions

Table 5 provides a response to the key issues raised in public submissions.

**Table 5: Response to issues raised in public submissions**

No.	Issue	Submission detail/ summary	Response
<b>1. Transport and access</b>			
1.1	Traffic generation	<ul style="list-style-type: none"> <li>The development will significantly increase the volume of traffic on surrounding roads, including Florida Street, Princes Highway, Yeran Street, and Pembroke Street.</li> <li>Increased traffic from service vehicles and garbage collection.</li> <li>Existing traffic congestion, and potential for increased congestion a concern.</li> </ul>	<p>The revised Transport Impact Assessment (Appendix M) confirms the proposed development will not have any significant impact on the operation of the surrounding road network.</p> <p>The revised Transport Impact Assessment considers loading and servicing requirements for the proposal to ensure adequate loading and servicing areas are provided.</p> <p>Servicing of the social building will occur directly from Pembroke Street while the waste collection and building servicing for the remaining buildings will occur from the internal shared zone with dedicated on-street loading zones.</p> <p>Overall, from a traffic perspective the proposed development would have acceptable traffic impacts.</p>
1.2	Change to access arrangements	<ul style="list-style-type: none"> <li>Proposed change to Florida Street from a two-way road to a one-way road.</li> <li>Proposed change would impact access to intersections including</li> </ul>	<p>No change is proposed to the existing traffic arrangements for Florida Street. Florida Street will remain as a two-way local access road with the same existing access arrangements to and from the Princes Highway.</p>

No.	Issue	Submission detail/ summary	Response
		Princes Highway and Port Hacking Road.	<p>A one-way internal private road is proposed through the site with access from Florida Street and exiting to Pembroke Street.</p> <p>As outlined in the updated Transport Impact Assessment at Appendix M, the traffic modelling confirms that the proposal will not adversely impact the operation of the adjacent road network – with all intersections forecast to retain their current level of service. The Transport Impact Assessment confirms no intersection upgrades are required to support the proposal.</p>
1.3	Proposed access road	<ul style="list-style-type: none"> <li>– Location of proposed driveway adjacent to existing residential property on Florida Street.</li> <li>– Concentration of traffic to a single-entry point may create impacts including vehicle conflicts and sightlines, unsafe conditions for pedestrians, noise and amenity impacts associated with increased traffic.</li> </ul>	<p>Vehicles would access the site via one of a number of driveways either from Pembroke Street or via a new internal shared zone. The proposed access arrangements include direct access to the social building from Pembroke Street and access to the remaining buildings via an internal shared zone, primarily running one-way anti-clockwise with entry from Florida Street and exit via Pembroke Street.</p> <p>The design of the internal road is proposed as low speed shared zone to minimise vehicle speed and noise, reduce vehicle conflicts and ensure a safe and walkable pedestrian environment. Landscaping will further reduce potential amenity impacts to neighbouring properties.</p> <p>The proposed vehicle access points have been designed in accordance with the design requirements set out in the relevant Australian Standard, namely AS2890.1:2004.</p>
1.4	Car parking	<ul style="list-style-type: none"> <li>– The car parking provided is inadequate and will result in increased demand for on-street car parking in surrounding streets.</li> <li>– Existing lack of on-street parking available.</li> </ul>	<p>The proposal provides a total of 731 car parking spaces, comprising 92 spaces for the social dwellings and 639 resident and visitor spaces for the market dwellings.</p> <p>The development is designed in accordance with the rates in the <i>State Environmental Planning Policy (Housing) 2021</i> (Housing SEPP) and Sutherland Shire DCP.</p> <p>The proposed development meets the minimum parking requirements in the Housing SEPP and Sutherland DCP.</p> <p>While the Housing SEPP does not include any requirement for visitor parking, 121</p>

No.	Issue	Submission detail/ summary	Response
			visitor parking spaces are provided in accordance with Councils DCP.
1.5	Pedestrian safety	<ul style="list-style-type: none"> <li>– Lack of safe pedestrian crossing over Port Hacking Road.</li> <li>– There is no safe crossing at the intersection of Princes Highway and Port Hacking Road.</li> </ul>	<p>The proposed development will significantly improve pedestrian access in and around the site with new pedestrian paths on all street frontages – noting there are currently no existing footpaths on the Port Hacking Road, Pembroke Street or Florida Street frontages of the site.</p> <p>The provision of new pedestrian footpaths along the site’s frontages will provide safe and direct pedestrian access to the existing signalised pedestrian crossing of Port Hacking Road at Melrose Avenue approximately 150m to the south of the site.</p> <p>Further, the proposed installation of a signalised crossing at the intersection of Port Hacking Road and Princes Highway will further improve pedestrian access across Port Hacking Road, providing safe and direct access to Southgate Shopping Centre.</p>
1.6	Public transport accessibility	<ul style="list-style-type: none"> <li>– Scale of development is not supported by public transport.</li> <li>– There is no nearby rail access, with the closest train station located more than 3km away, and public transport services are limited.</li> </ul>	<p>The site is well serviced by a network of regular local and regional bus routes with multiple bus routes and stops available within easy walking distance.</p> <p>Key bus routes include:</p> <ul style="list-style-type: none"> <li>• Route 970 (Miranda &lt;&gt; Hurstville)</li> <li>• Route 971 (Cronulla &lt;&gt; Hurstville)</li> <li>• Route 972 (Sylvania &lt;&gt; Miranda via Sylvania Waters).</li> </ul> <p>Bus stops are located within close walking distance of the site on Port Hacking Road and the Princes Highway enabling residents to easily access these good quality public transport services.</p>

## 2. Amenity Impacts

2.1	Amenity impacts to surrounding residential dwellings	<ul style="list-style-type: none"> <li>– Concerns were raised about overlooking to neighbouring properties.</li> <li>– Overshadowing, loss of sunlight and loss of outlook for surrounding properties.</li> <li>– Assessment under-represents the amenity impacts on 27 Florida Street, including loss of solar access, visual dominance, outlook, and privacy.</li> </ul>	<p>The proposal has been designed to minimise overlooking and ensure privacy impacts are mitigated for both future residents of the development and neighbouring properties and achieve the visual privacy requirements in the ADG.</p> <p>The proposal has been carefully designed to minimise overlooking and ensure privacy impacts are mitigated for both future residents of the development and neighbouring properties and achieve the visual privacy requirements in the ADG.</p>
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No.	Issue	Submission detail/ summary	Response
		<ul style="list-style-type: none"> <li>Visual impacts and visual dominance.</li> </ul>	<p>The proposal incorporates substantial setbacks along Florida Street and Pembroke Street frontages (ranging from 9.55m to 11.75m), and when combined with the road reserve and existing dwelling setbacks this provides a separation of well over 20m between proposed buildings and existing properties Florida and Pembroke Streets. The proposal includes ADG complaint separation to adjacent properties.</p> <p>Façade articulation, window placement, landscaping and privacy screening treatments further mitigate visual privacy impacts.</p> <p>As outlined in the street views provided in the Design Report submitted with the EIS, the proposal will not result in significant visual impacts. The street views include the planned 4- 6 storey future context for surrounding areas to more appropriately consider visual impacts for an area planned to transition to a higher density residential area.</p>
2.3	Overshadowing	<ul style="list-style-type: none"> <li>Overshadowing to surrounding properties on Florida Street and Pembroke Street.</li> </ul>	<p>The proposal has been carefully designed to minimise overshadowing to neighbours.</p> <p>As detailed in the solar analysis prepared by BVN submitted as part of the EIS and at Appendix B, the proposal does not result in any additional overshadowing to any properties on Florida Street between 9am and 3pm, mid-winter.</p> <p>As outlined in the EIS, the proposal has been designed to minimise overshadowing to the buildings to the south on Pembroke Street through generous front setbacks and upper level setbacks on the social building.</p> <p>As outlined previously in this Report, the findings of BVN's solar analysis for Pembroke Street at Appendix B conclude:</p> <ul style="list-style-type: none"> <li>There is only a minor increase in the extent of overshadowing of the proposal when compared to a height compliant scheme, and this is limited primarily to the lower façade only.</li> <li>This area is planted landscaping and brick wall façade, with windows not being affected.</li> <li>Affected façades continue to achieve a minimum of 2–4 hours of solar access in mid-winter (this exceeds the minimum requirements).</li> </ul>

No.	Issue	Submission detail/ summary	Response
			<ul style="list-style-type: none"> <li>All windows of the neighbouring facades receive a minimum of 2 hours direct solar access on June 21 between 9am-3pm.</li> </ul> <p>Overall, the overshadowing impact is considered to be acceptable.</p>
<b>3. Character, height and design</b>			
3.1	Building height and density	<ul style="list-style-type: none"> <li>The height and scale of the proposed buildings will impact local character.</li> <li>Proposal does not provide adequate transition in in scale or massing to surrounding lower density areas.</li> <li>Proposal relies on future landscaping to mitigate impacts of height and bulk.</li> <li>Proposal exceeds the height control and FSR control.</li> </ul>	<p>The proposal is in an area identified for increased development and higher density residential development in accordance with the NSW Government’s low and mid rise (LMR) housing reforms. The LMR provisions allow increased density up to 6 storeys in well-located and well-served centres, such as Southgate Shopping Centre. This is a planned and intentional change to the existing character by the NSW Government.</p> <p>The scale of the proposed development is consistent with the planned height and densities for surrounding residential areas under the LMR provisions.</p> <p>While the development is currently a larger scale compared to existing neighbouring buildings, the proposal is consistent with the intended built form outcomes for this area under the LMR controls.</p> <p>The proposal has been carefully designed to maximise the retention of trees on site, with a significant portion of the high value trees being retained within the front setbacks. This ensures the proposal does not rely on future landscaping to minimise visual impacts and bulk and scale. The retention of mature trees will reduce impacts, which will be further mitigated by new tree plantings and landscaping across the site.</p> <p>The proposal complies with the FSR control for the site. The height exceedance is justified in the Clause 4.6 Request submitted with the EIS.</p>
3.2	Communal open space	<ul style="list-style-type: none"> <li>Provision of communal open space not sufficient to meet demand.</li> </ul>	<p>The proposal provides 37% of the site as communal open space which exceeds the requirement of 25% in the ADG.</p> <p>The proposal provides generous communal open space areas which have been carefully planned and designed to meet the needs of residents.</p>

No.	Issue	Submission detail/ summary	Response
<b>4. Local Infrastructure</b>			
4.1	Impacts on local infrastructure	<ul style="list-style-type: none"> <li>– Strain on local infrastructure including local amenities including open space and community facilities.</li> </ul>	<p>The proposed development is within an area planned for renewal and increased housing.</p> <p>Land within 800m of the Southgate Shopping Centre is a LMR housing area – an area identified by the NSW Government to deliver increased housing up to 6-storeys.</p> <p>The NSW Government’s LMR reforms aim to increase housing in well-serviced areas and to build more housing in well-located areas.</p> <p>The proposal is not expected to generate any significant demand for services as it located within an established urban area, identified for renewal and redevelopment and is within walking distance to buses, jobs and local amenities.</p> <p>The site has been deemed suitable for increased housing as established through the LMR housing reforms which allow for increased residential density in walking distance to Southgate Shopping Centre.</p>
<b>5. Affordable housing and social impacts</b>			
5.2	Proposed social housing provision and impacts	<ul style="list-style-type: none"> <li>– Whether the proposal achieves a net increase in social housing.</li> <li>– Reasonable alternatives should be considered such as retention and refurbishment of existing housing stock.</li> <li>– Ensure staged redevelopment that maintains supply of social housing dwellings throughout construction.</li> <li>– Social impacts to existing social residents, including relocations and impacts to supply during construction.</li> </ul>	<p>The proposal provides for 159 social housing dwellings which is a net increase of 79 social housing dwellings on site. This represents a significant uplift from the 83 existing dwellings on the site.</p> <p>The proposed development allows renewal of ageing housing stock, facilitates increased housing in an identified LMR housing area, and assists with meeting LGA housing targets. The adaptation and reuse of the existing buildings on the site is not supported as it would not allow for any increase in housing on the site. The proposal also ensures that housing meets current accessibility and amenity standards, noting the existing housing on site do not meet current NSW LAHC design or accessibility standards.</p> <p>The staging strategy provides for the early delivery of the social building within the first stage of development to minimise impacts to existing tenants. A key objective is to minimise displacement of existing social housing residents on site during the</p>

No.	Issue	Submission detail/ summary	Response
			<p>construction of the new social housing component of the development.</p> <p>The proposed staging provides the opportunity of tenants within the Stage 2 portion of the site to move directly into the social building in the first stage of development, prior to the commencement of construction on the market housing in Stage 2.</p> <p>Relocations would also be managed in accordance with the Homes NSW Strategic Tenant Relocation Policy to ensure that any potential impacts to existing residents are appropriately managed and mitigated.</p>
4.3	Impacts on property values	<ul style="list-style-type: none"> <li>The proposal will impact on property values in the surrounding area.</li> </ul>	<p>There is no evidence to indicate that this development would negatively affect property values, noting that the area is planned for increased density and residential development in accordance with the NSW Government's LMR housing provisions.</p>

**6. Trees and landscape**

5.1	Tree retention and loss of canopy.	<ul style="list-style-type: none"> <li>The proposed development would result in the loss of 127 trees on the site.</li> <li>Loss of tree canopy.</li> <li>Concern about impacts on biodiversity, natural environment and landscape character.</li> </ul>	<p>The proposal has been carefully designed to retain trees, particularly along all frontages, and increase canopy cover and landscaping across the site. The proposal seeks to retain high value trees, where possible, with 58% of high value trees proposed to be retained.</p> <p>It is noted that of the 127 trees to be removed on site, 24 are exempt species which do not require any approval, and 6 are dead trees which also do not require approval. Therefore, the proposal is seeking approval for the removal of 97 trees.</p> <p>The proposal will also deliver 30% tree canopy cover, which significantly exceeds the target of 20% in the <i>Tree Canopy Guide for Low and Mid Rise Housing</i> and ensures a high level of tree canopy across the site.</p> <p>The proposed development includes generous communal space, including more than 37% of the site as communal open space which exceeds the recommended provision of 25% in the ADG.</p> <p>A BDAR Waiver Request prepared by Eco Logical determined that the proposed</p>
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No.	Issue	Submission detail/ summary	Response
			<p>development is not likely to have any significant impact on biodiversity values.</p> <p>A Biodiversity Development Assessment Report (BDAR) Waiver has been granted by the Department of Planning, Housing and Infrastructure (DPHI) and the Department of Climate Change, Energy, the Environment and Water (DCCEEW), issued on the 8 December 2025.</p>
<b>7. Construction impacts</b>			
6.1	Construction impacts	<ul style="list-style-type: none"> <li>- Construction impacts including:               <ul style="list-style-type: none"> <li>- noise and vibration from demolition, excavation, piling, and structural works</li> <li>- dust generation and reduced air quality</li> <li>- increased heavy vehicle movements</li> <li>- changes to local traffic conditions</li> <li>- loss of residential amenity.</li> </ul> </li> <li>- Specific request for construction conditions, including conservative hours, real-time monitoring at the boundary of 27 Florida Street, and clear mechanisms for managing exceedances and complaints.</li> </ul>	<p>NSW LAHC and the Community Housing Provider who is selected to act as delivery partner and property manager will work with local residents, to ensure the safety of the community.</p> <p>If the development proposal is approved, the planning approval will stipulate standard regulatory requirements regarding working hours, traffic management and environmental controls to ensure construction impacts are appropriately managed.</p> <p>Prior to the commencement of construction, A Construction Management Plan will be prepared to address the following:</p> <ul style="list-style-type: none"> <li>- Construction hours</li> <li>- Material management</li> <li>- Construction traffic management</li> <li>- Health and safety</li> <li>- Equipment / materials storage and parking</li> <li>- Dust control measures</li> <li>- Methods for disposal of waste.</li> </ul> <p>During construction, traffic flow, street parking, construction noise and road access will be carefully managed to ensure neighbours experience minimal disruption.</p> <p>Homes NSW and the appointed CHP will continue to communicate with the community throughout the construction period to ensure all concerns are addressed.</p>
<b>8. Procedural matters</b>			
	Information in EIS	<ul style="list-style-type: none"> <li>- Inconsistencies in the stated dwelling yield (Design Report refers to 484 dwellings, while the Waste Management Plan refers to 505 dwellings).</li> </ul>	<p>The project description in the EIS as submitted, sought approval for 484 dwellings.</p> <p>A minor refinement to the ground floor of Building 2 is proposed in response</p>

No.	Issue	Submission detail/ summary	Response
			<p>servicing requirements and relocation of the waste room. This has resulted in the introduction of an additional apartment.</p> <p>The proposal is seeking approval for 485 dwellings.</p>
	<p>Consultation</p>	<ul style="list-style-type: none"> <li>– Failure of notification to immediately adjoining property.</li> <li>– Exhibition timing over Christmas / New Year period</li> </ul>	<p>Notification and exhibition were carried out in accordance with relevant legislation and DPHI policies.</p>

## 5 Conclusion

This Submissions Report has been prepared to respond to matters raised in submissions in response to the exhibition of the SSDA for the construction of eight residential buildings, including 159 affordable housing dwellings at 29 Florida Street, Sylvania.

This Report, in conjunction with the revised Plans and technical advice, responds to and addresses issues raised in submissions, agency advice and the key matters identified by DPHI.

The proposal will facilitate the delivery of housing diversity and choice to help meet the needs of a wide range of households and responds directly to the demand for housing in the local area.

The proposal directly responds to the NSW Government's commitment under the National Housing Accord to deliver approximately 377,000 new well-located dwellings by 2029. It will deliver much needed housing, including affordable housing, in a well-located area serviced by public transport, jobs and services and will support the delivery of the Sutherland LGA Housing Target of 6,000 new homes to be completed by 2029.

The proposal is consistent with the strategic planning context for the site as it will facilitate development consistent with the NSW Government's LMR housing reforms, which seek to increase housing in areas close to identified centres – including Southgate Shopping Centre.

This Report and supporting documentation demonstrate that the proposal has addressed all matters raised by Government agencies, council and the community, and will not result in any unacceptable environmental, social, or economic impacts.

The proposal is supported by detailed Mitigation Measures to ensure that all potential impacts, during both the construction and operational phase, are appropriately managed and mitigated. It is therefore recommended that the application is approved.

## Appendix A: Submissions Register

Submitter	Section issues addressed
<b>Government agencies and authorities</b>	
Department of Planning, Housing and Infrastructure	Section 4.1
NSW Department of Climate Change, Energy, the Environment and Water (Water)	Section 4.2
NSW Department of Climate Change, Energy, the Environment and Water (CPHR)	Section 4.2
Transport for NSW	Section 4.2
NSW State Emergency Service	Section 4.2
Sydney Water	Section 4.2
Sutherland Shire Council	Section 4.3
<b>Public submissions</b>	
Name Withheld	Section 4.4
Daniel Mendes	Section 4.4
Anna Tinkas	Section 4.4
Dawn Baikovas	Section 4.4
Jim Salib	Section 4.4
Amisal Pty Ltd (Drive City)	Section 4.4
Name Withheld	Section 4.4
Bruce Ensor	Section 4.4
Carl Purkis	Section 4.4
Peter Vakas	Section 4.4
John Douglas Petty	Section 4.4
Name Withheld	Section 4.4
Name Withheld	Section 4.4
Name Withheld	Section 4.4
Name Withheld	Section 4.4
Name Withheld	Section 4.4