



planning consultants

18 August 2020  
Our Ref: 20728A.10ER\_RTS letter

Minoshi Weerasinghe  
Planning Officer  
Key Sites Assessments  
Department of Planning, Industry and Environment  
4 Parramatta Square, 12 Darcy Street  
PARRAMATTA NSW 2150

Dear Minoshi

**RE: SSD-10379  
Redevelopment of Sutherland Entertainment Centre and Peace Park**

DFP Planning has been commissioned by Sutherland Shire Council to prepare a response to the issues raised in the public and authority submissions following the notification of SSD 10379 for the proposed redevelopment of Sutherland Entertainment Centre and the adjoining Peace Park.

This letter is to be read in conjunction with the summarised response to each item raised in the authority submissions and the key issues raised in the public submission as detailed in **Attachment 1** of this letter and the responses prepared by McLaren Traffic Engineering in relation to traffic and parking issues - **Attachment 2**.

**1.0 Agency Submissions**

**1.1 Environment Protection Authority (EPA)**

EPA has advised that the development does not require an Environmental Protection Licence however, they have advised that the facility will be required to operate in accordance with the provisions of the *Protection of the Environment Operations Act 1997* (POEO Act) and associated regulations.

Response:

The proponent (Sutherland Council) has no objection to a condition requiring the Sutherland Entertainment Centre (SEC) to operate in accordance with the POEO Act and associated regulations being imposed on the consent.

## 1.2 Transport for NSW (TfNSW)

### Motorcycle Parking

TfNSW has requested that the proponent be requested to address the requirements of Sutherland Shire Council DCP 2015 regarding motorcycle parking, off-street bicycle parking and end of trip facilities.

If the development is approved, TfNSW has suggested that, prior to the issue of the first Construction Certificate, the applicant be conditioned to provide motorcycle parking, off-street bicycle parking spaces and end of trip facilities in line with the Sutherland Shire Council Development Control Plan, 2015 and in accordance with AS2890.3.

#### Response:

The project traffic consultant, McLaren Traffic Engineering (MTE) notes that the existing development provides no bicycle parking and no motorcycle car parking spaces on site. The redevelopment of the SEC will result in a smaller facility with reduced parking demand compared to the existing operation.

Taking this into account and having regard to a 'credit' for the existing SEC development, in order to comply with the DCP, MTE has assessed that a total of 13 motorcycle parking spaces would be required.

There is no feasible location to provide these spaces on site. As an alternative, MTE has recommended that nine (9) motorcycle parking spaces could be provided on Merton Street where parking is proposed to be removed to facilitate waste collection and access for emergency services. MTE has included a mark-up showing the location of these 9 spaces whilst still maintaining access for emergency services and waste collection vehicles – refer **Attachment 2**. The provision of these spaces has been endorsed by Council's Traffic Engineer and would be subject to the approval of the Sutherland Local Traffic Committee.

If this option is acceptable to DPIE, it is requested that a condition of consent be imposed – refer **Section 3** for suggested wording of a condition of consent.

### Bicycle Parking

TfNSW has requested that prior to the issue of the first Construction Certificate, the applicant be required to provide off-street bicycle parking spaces and end of trip facilities in line with the Sutherland Shire Council Development Control Plan, 2015.

#### Response:

Based on the DCP, a total of 30 bicycle spaces would be required for the SEC development.

The proposal provides for 20 bicycle spaces for staff and visitors which has been assessed as exceeding the anticipated bicycle parking demand of the site. MTE considers that the SEC is a use that is highly unlikely to demand bicycle facilities for visitors given the type of events that will be held at the SEC i.e. cocktail parties, functions, and theatre.

Staff travelling to and from the site is the only anticipated bicycle parking demand of the site. The maximum number of staff on-site is expected to be 29, when the Friday outdoor music in Peace Park and indoor function space occur concurrently. In this regard, it is considered that the provision of 20 bicycle spaces will adequately cater for the bicycle parking demands of staff.

Additional bicycle facilities could be provided as a condition of consent however MTE considers that this is unnecessary and will be underutilised even when the Sutherland to Cronulla Active Transport link is considered.

In terms of end of trip facilities, the change room facilities within the SEC are available to both performers and SEC staff. In addition, Sutherland Council has advised that end of trip facilities for SEC staff are available within the Council administration building (which adjoins the SEC/Peace Park site to the north).

## **Green Travel Plan**

TfNSW has requested that prior to the issue of the first Occupation Certificate, the applicant be conditioned to prepare a Framework Travel Plan in consultation with TfNSW for the proposed development. The Framework Travel Plan must be approved by TfNSW.

### Response:

No objection is raised to the imposition of a condition requiring the preparation of a Green Travel Plan/Framework Travel Plan prior to the issue of the first Occupation Certificate. This travel plan will be prepared in consultation with TfNSW.

## **Swept Paths**

TfNSW has requested that, prior to the issue of the first Construction Certificate, swept path design plans of the longest vehicle (including garbage trucks, building maintenance vehicles and removalists) entering and exiting the subject site, be provided to Council for approval.

### Response:

MTE has prepared swept path plans for a 19m length Articulated Vehicle (being the longest vehicle likely to service the site) turning at the intersection of Acacia Road and President Avenue and Flora Street onto Acacia Road. These plans are provided at Annexure B of the supplementary traffic and parking response at **Attachment 2**. These paths demonstrate that the vehicles do not travel onto the kerb and medians.

## **Construction Traffic Management Plan**

TfNSW has requested that a Construction and Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control be prepared and that the CTMP be submitted to the relevant consent authority for approval prior to the issue of a Construction Certificate.

### Response:

The submitted traffic and parking impact assessment noted that a detailed construction traffic management plan is typically required prior to issue of the first Construction Certificate and after the building contractor has been engaged.

No objection is raised to the imposition of a condition of consent requiring the preparation of a CTMP prior to issue of the first Construction Certificate. The preliminary CTMP included in the submitted traffic and parking impact assessment can be used as a guide for the final plan.

## **1.3 School Infrastructure NSW (SINSW)**

### **Construction Impacts**

#### Noise and vibration related construction activities

SINSW raised the following concerns with respect to the potential impacts of noise and vibration related construction activities on the operation of Sutherland Public School:

- Noise and Vibration - SINSW requests that the highest impact construction works should be undertaken outside of school hours and during school holiday periods, where possible.
- Notice of Works - SINSW also requests that Sutherland Public School is notified at least one week in advance of construction works that could cause considerable noise and/or vibration impacts on Sutherland Public School. This will ensure Sutherland Public School can appropriately respond and adjust operational procedures as required.
- Reprieve Periods - SINSW requests that a condition be placed on any consent requiring period of reprieve during noisy activities if they cannot be undertaken outside school hours.

Response:

The noisiest activities relating to the works phase will be during demolition of sections of the SEC building. Where possible, these activities will be scheduled to occur during periods that will result in the least disruption for the school as well as other nearby and adjoining residents and occupants, including the adjoining church.

The concerns raised by SINSW will be addressed as part of a detailed construction management plan (CMP) which will be prepared prior to issue of the first Construction Certificate. No objection is raised to the imposition of a condition requiring the preparation of a CMP prior to the issue of the first Construction Certificate.

Construction Traffic

SINSW also raised the following matters in relation to management of construction traffic:

- Work Zones - SINSW requests that work zones are not proposed in locations that will compromise pedestrian and vehicular access to Sutherland Public School and associated school bus zones and drop-off and pick-up spaces.
- SINSW requests that construction vehicles, including delivery vehicles, do not enter and exit the work site during school drop-off and pick-up periods to ensure that the safety and accessibility of drop-off and pick-up spaces servicing Sutherland Public School, are not compromised as a result of the proposed redevelopment.

Response:

A construction traffic management plan (CTMP) will be prepared prior to issue of the first Construction Certificate. The CTMP will be based on the preliminary CTMP included in the traffic and parking impact assessment which addressed potential conflicts with construction traffic and pedestrian movements.

Work zones will be located to ensure they do not conflict with the school drop off/pick up zones.

Where possible, deliveries will be scheduled to avoid the peak school drop off/pick up times.

These matters will be addressed as part of the CTMP.

No objection is raised to the imposition of a condition of consent requiring the preparation of a CMP and a CTMP prior to the issue of the first Construction Certificate.

**Operational Matters**

Traffic Management

SINSW has requested that existing school bus zones and drop-off and pick-up spaces which service Sutherland Public School are not compromised as a result of the SEC relying on on-street parking.

Response:

The reliance on on-street parking is no different to the current SEC operations. Nevertheless, the operational plan of management for the SEC will include provisions with respect to identifying where patrons attending functions at the SEC should park (if driving to the centre).

The existing bus drop off zone on Eton Street in front of the SEC will be retained once the facility is operational. During the construction period, this bus zone will be converted to a works zone. The bus zone/temporary works zone is immediately adjacent to the SEC and separate from the bus zones servicing Sutherland Public School and the school drop off/pick up zone. Therefore, there is unlikely to be conflict between construction activities and school traffic.

No objection is raised to the imposition of a condition of consent requiring a detailed operational plan of management (OPoM) to be prepared prior to issue of the first Occupation Certificate for the SEC.

### Improved Performance Space

SINSW is supportive of the proposal which will improve the theatre space within the SEC so it can accommodate a variety of performances and groups, including schools and associated school events. SINSW undertakes to work with Sutherland Shire Council to ensure that Sutherland Public School (and other school communities throughout the Sutherland Shire) can use the redeveloped Sutherland Entertainment Centre (as currently occurs).

#### Response:

Sutherland Shire Council undertakes to liaise with schools to ensure equitable access for all users to the redeveloped facility. This consultation will be undertaken as a separate action to this SSDA.

### **1.4 Government Architect of NSW (GANSW)**

GANSW notes that the design of the redeveloped SEC was subject to a competitive design process with follow up review by a Design Integrity Panel and that the final design is consistent with the recommendations of the Design Integrity Panel.

#### Response:

The advice and input of the Design Integrity Panel in guiding the design for the redeveloped SEC has been invaluable in ensuring this building will be architecturally striking as well as functional.

### **1.5 Fire and Rescue NSW (FRNSW)**

FRNSW advised that their review of the development will occur when the fire engineering brief questionnaire (FEBQ) is submitted for comment.

#### Response:

The FEBQ was submitted to FRNSW for their review and comment on 23 July 2020.

### **1.6 Environment, Energy and Science Group (EES)**

EES has acknowledged that a BDAR waiver for the development was issued on 13 May 2020.

In terms of local drainage, EES has also noted that if the on-site detention tank cannot deal with increased flows, it will lead to overflow and flooding of the basement of the SEC.

The EES submission then states that *the mitigation measure is to provide a secondary overflow system, check if systems can manage the increased flows and implement further measures if required.*

In relation to mainstream flooding, EES notes the site it is unlikely to be impacted by overland flooding from trunk drainage as it is at the upper end of the catchment.

#### Response:

The project civil engineer, Jones Nicholson, has reviewed the EES submission and has provided the following comments:

- The OSD has been designed to store and control the release of the additional stormwater flows that are anticipated to result from the development so as to limit the post-development site discharge to the same (or less) than the existing pre-development site discharge into the Council trunk drainage system.

The OSD is located adjacent to the loading dock, which slopes out towards the street. Should the OSD surcharge, water will not run down into the basement, but will instead flow out into the street.

For this reason, the OSD has been located under the loading dock driveway and not the ramp that leads down into the basement.

- The driveway ramp down into the basement will need to be designed to prevent the 100yr flood from entering the basement.

This will require the levels at the boundary to be at least 150mm above the gutter invert level in order to prevent flows in the street from entering the basement.

It is envisaged that any modifications to the current design to ensure compliance will be minimal.

### **1.7 NSW Police**

NSW Police has provided feedback in relation to the draft Operational Plan of Management (OPoM) for the SEC and has identified where additional management measures should be included and where current management measures might need to be strengthened.

#### Response:

Sutherland Shire Council will collaborate with NSW Police (and the Sutherland Local Area Command) to modify the existing OPoM. It is suggested that a condition of consent be imposed requiring the OPoM be prepared in collaboration with NSW Police and that this be completed prior to issue of the first Occupation Certificate for the SEC.

### **2.0 Public Submission**

Only one submission from a member of the public was received in response to the notification of the SSDA for the redevelopment of the SEC and the adjoining Peace Park.

Overall, the submission was supportive of the proposal noting that it will provide significant benefits to the community.

However, the submission noted that the funding for the works the subject of the SSDA should not be at the expense of providing sporting facilities in the western part of the Shire.

#### Response:

The submitter's support for the proposal is noted.

The issue of funding of infrastructure within the Sutherland Shire is a matter separate to this SSDA.

Sutherland Council undertakes to liaise directly with the submitter to discuss how community infrastructure within the Shire is funded and to outline the priorities for the provision and upgrading of facilities.

### **3.0 Conclusion**

Environmental impacts of the proposal have been assessed and are capable of being mitigated to achieve acceptable outcomes subject to a number of measures being adopted, as set out in the assessment material supporting the EIS and this response to submissions.

It is considered that the matters raised in the submissions can be appropriately managed by the imposition of conditions of consent requiring the preparation of management plans to address potential impacts that might arise as a result of the construction works and the ongoing operation of the SEC. The submissions do not warrant any redesign of the proposal as submitted and it is requested that DPIE complete its assessment based on the material submitted with the SSDA.

In summary, no objection is raised to the imposition of conditions as set out below:

- a) Prior to the issue of the first Construction Certificate, a Construction Management Plan and Construction Traffic Management Plan must be prepared.

The Construction Management Plan and Construction Traffic Management Plan must take into consideration the mitigation measures detailed in the EIS prepared by DFP Planning and the recommendations of the Traffic and Parking Impact Assessment



prepared by McLaren Traffic Engineering (Document Reference 190088.01FA, dated 10 March 2020).

The Construction Management Plan and Construction Traffic Management Plan must be approved by the relevant certifying authority prior to issue of the first Construction Certificate.

- b) Prior to the issue of the Construction Certificate relating to works in Merton Street, a plan showing the provision of nine (9) motor cycle parking spaces within Merton Street is to be provided.

The plan must demonstrate that access for emergency vehicles and waste service vehicles will not be impeded by the proposed motor cycle parking.

- c) Prior to the issue of the first Occupation Certificate, a Green Travel Plan/Framework Travel Plan must be prepared. The travel plan must be prepared in consultation with TfNSW and issued to the relevant certifying authority.
- d) Prior to the issue of the first Occupation Certificate, an Operational Plan of Management must be prepared. The Operational Plan of Management must be prepared in consultation with SINSW and NSW Police and/or the Sutherland Local Area Command.

A copy of the endorsed Operational Plan of Management shall be submitted to the relevant certifying authority prior to issue of the first Occupation Certificate for the Sutherland Entertainment Centre.

A copy of the Operational Plan of Management shall be maintained on the premises at all times.

- e) The Sutherland Entertainment Centre (SEC) must operate in accordance with the POEO Act at all times.

We look forward to receiving the determination in relation to this application in due course to enable works on this significant community facility to commence.

Should you have any questions in relation to this response to submissions, please do not hesitate to contact Ellen Robertshaw of DFP on 9980 6933.

Yours faithfully

**DFP PLANNING PTY LTD**

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**ELLEN ROBERTSHAW  
DIRECTOR**

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Reviewed: \_\_\_\_\_

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**Attachments:**

1. Summary of submissions and responses
2. Supplementary traffic and parking advice prepared by MTE