



**EXTRAORDINARY MEETING OF COUNCIL
TO BE HELD ON THURSDAY, 30 NOVEMBER 2006 AT 7.00PM
LEVEL 3, COUNCIL CHAMBERS**

AGENDA

*** **

NOTE: For Full Details, See Council's Website – www.kmc.nsw.gov.au under the link to Business Papers

APOLOGIES

DECLARATIONS OF INTEREST

CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

ADDRESS THE COUNCIL

NOTE: Persons who address the Council should be aware that their address will be tape recorded.

DOCUMENTS CIRCULATED TO COUNCILLORS

GENERAL BUSINESS

- | | | |
|------|--|----------|
| GB.1 | Gordon Centre Draft Local Environmental Plan & Draft Development Control Plan & Reclassification of Council Land - Final Report | 1 |
| | File: S04091 | |

To enable Council to consider the Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 as it applies to Gordon and the Draft Ku-ring-gai Development Control Plan Town Centres (Gordon) 2006, and the outcome of the Public Hearing into Reclassification of Council owned land and other planning matters following the exhibition period.

Recommendation:

That the Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 and the Draft Ku-ring-gai Development Control Plan Town Centres (Gordon) 2006 as amended, be adopted by Council and forwarded to the Department and Minister for Planning with the Section 68 submission with a request that the Plan be made.

** **

GORDON CENTRE DRAFT LOCAL ENVIRONMENTAL PLAN AND DRAFT DEVELOPMENT CONTROL PLAN AND RECLASSIFICATION OF COUNCIL LAND - FINAL REPORT

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To enable Council to consider the Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 as it applies to Gordon and the Draft Ku-ring-gai Development Control Plan Town Centres (Gordon) 2006, and the outcome of the Public Hearing into Reclassification of Council owned land and other planning matters following the exhibition period.

BACKGROUND:

The Minister for Planning has directed Council under Section 55 of the Environmental Planning and Assessment Act to prepare plans for additional housing in and around its key commercial centres and to provide for additional retail and commercial demand to cater for the needs of the local population. Council on the 26 July 2006 resolved to exhibit Draft Plans.

COMMENTS:

Submissions have been received from State Agencies together with 211 public submissions. Key issues have been assessed and recommendations have been made for further amendments to the Draft LEP and Draft DCP. A public hearing was conducted into the reclassification of Council owned land. This report provides a recommendation on the future classification of these sites.

RECOMMENDATION:

That the Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 and the Draft Ku-ring-gai Development Control Plan Town Centres (Gordon) 2006 as amended, be adopted by Council and forwarded to the Department and Minister for Planning with the Section 68 submission with a request that the Plan be made.

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Purpose of Report

To enable Council to consider the Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 as it applies to Gordon and the Draft Ku-ring-gai Development Control Plan Town Centres (Gordon) 2006, and the outcome of the Public Hearing into Reclassification of Council owned land and other planning matters following the exhibition period.

BACKGROUND

On 28 May 2004 the Minister for Planning, directed Council under Section 55 of the Environmental Planning & Assessment Act 1979 to prepare plans for additional housing in and around its key commercial centres including Gordon and to provide for additional retail and commercial demand to cater for the needs of the local population (**Attachment 1a**).

Ku-ring-gai Council is also part of the Sydney North Sub regional plan under the NSW Metropolitan Strategy. Council considered a report on this matter on 27 June, 2006 and accordingly Council will provide 10,000 dwellings to the region over the next 25 year timeframe of the regional plan.

Gordon, in conjunction with Pymble is the third group of the centres to have a new Draft Local Environmental Plan and Development Control Plan prepared- this is known as Amendment No 2. The new plans have been prepared under the Standard Instrument (Local Environmental Plans) Order 2006.

On the 26 July 2006, Council considered a conditional Section 54(4) notification from the NSW Department of Planning (**Attachment 1b**), and resolved to exhibit Draft Ku-ring-gai (Town Centres) Local Environmental Plan 2006 Amendment No 2 and Draft Ku-ring-gai Town Centres Development Control Plan (Gordon) 2006.

The Draft Local Environmental Plan (and Draft DCP and supporting documentation) has been referred to the relevant government authorities as required by Section 62 of the Environmental Planning and Assessment Act (EP&A Act) and has been placed on formal public exhibition in accordance with the Act.

The exhibition period for the Gordon Town centre commenced 25 September and concluded on 24 October 2006. A comprehensive consultation program was conducted throughout the project. An overview and analysis of consultation is dealt with in detail later in the report. In addition a public hearing was conducted into the reclassification of Council owned land in Gordon.

OVERVIEW OF DRAFT KU-RING-GAI LEP 2006 (TOWN CENTRES) AMENDMENT NO 2

Draft Ku-ring-gai LEP 2006 (Town Centres) Amendment No 2 seeks to amend Draft Ku-ring-gai LEP 2006 (Town Centres), which is the principal Draft LEP previously adopted to apply to the St Ives and Turramurra Centres. This amending Draft LEP will bring land in and around the Gordon and Pymble Centres under the principal Draft LEP and introduce appropriate zonings, development standards and additional provisions to implement the overall

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master plan that has been developed for the centres.

The Draft LEP Amendment No 2 only contains the new provisions to be added to the principal Draft LEP. All existing provisions in the principal Draft LEP will also apply. The Draft LEP Amendment No 2 includes amendments to the written LEP instrument and introduces new land application, zoning and development standard maps which cover land to which the Draft LEP is to apply.

The principal Draft Ku-ring-gai LEP 2006 (Town Centres) has been prepared in accordance with the `Standard Instrument (Local Environmental Plan) Order 2006 under section 33A of the EP&A Act. The Standard Instrument LEP mandates provisions that are to be included in all future LEPs and substantially governs the content and operation of the Draft Ku-ring-gai LEP 2006.

The Draft Ku-ring-gai LEP 2006 (Town Centres) consists of a **written instrument** and a series of **maps**. The written instrument contains the detailed planning provisions that will apply to land covered by the LEP. This includes provisions relating to aims, standard zone descriptions and zone objectives, permitted land uses and development standards, subdivision provisions and numerous miscellaneous provisions.

Zoning

The proposed new zones for Gordon Centre are described below. The Land Zoning Map identifies which land each zone applies to.

- *Zone B2- Local Centre*

This zone is generally intended for centres that provide a range of residential, retail, business, entertainment and community functions that typically service a wider catchment than a neighbourhood centre. The majority of the core of Gordon Centre falls within this zone.

- *Zone B4- Mixed use*

This is a new zone introduced by Draft LEP 2006 (Amendment No 2). This zone is intended to integrate a mixture of suitable uses such as business, office, residential, bulky good and other car based retail, which supports and not detracts from the retail functions and viability of the core of the Gordon centre. This zone applies to the land bounded by Merriwa Street, Vale Street, Pacific Highway and Mona Vale Road, which is on the fringe of the commercial centre being less accessible to the railway station and subject to greater access by car.

- *Zone R3- Medium Density Residential*

This zone is generally intended to provide housing choice by catering for a variety of medium density accommodation other than residential flat buildings, including townhouses and villas.

- *Zone R4- High Density Residential*

This zone is generally intended for land where primarily high density housing (such as residential flat buildings) is to be provided. This includes land that was formally zone Residential 2(d3) under LEP 194 or is currently zoned 2(d) under the Ku-ring-gai Planning Scheme

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Ordinance (KPSO). The zone also provides for additional uses that provide facilities or services to residents, including neighbourhood shops and child care centres.

• *Zone REI- Public Recreation*

This zone is intended to provide for a wide range of public recreation areas and activities, including local and regional open space. Council will permit typical public recreation uses in this zone as well as a range of land uses compatible with recreation uses of the land.

Principal development standards

The standard instrument includes development standards for minimum subdivision lot sizes, height of buildings, and floor space ratio as optional clauses. All of the optional development standards are contained within the Draft LEP. Development standard clauses in the Draft LEP include:

- Clause 19 - Minimum subdivision lot size
- Clause 21 - Height of buildings
- Clause 22 - Floor space ratio

These standards may or may not apply to the whole zone, depending on how the map is drawn. Under the Standard Instrument, Council has the ability to identify different standards for different sites in the one zone.

Schedules

The Draft LEP contains five schedules as follows:

Schedule 1– Additional permitted uses (clause 14)

Schedule 1 contains a table which identifies additional permitted uses that are permissible on particular parcels of land that would not otherwise be permitted on that land. The additional permitted uses identified for Gordon relate to allowing the business uses within the ground floor of residential flat buildings in *Henry Street*.

Schedules 2 & 3 – Exempt and Complying Development (clause 16 and 17)

Clauses 16 and 17 of the Standard Instrument requires that all exempt and complying development provisions be listed in schedules under the Draft LEP. This differs from the existing situation where Councils can make DCPs containing exempt and complying development provisions.

Schedule 4 - Classification and reclassification of public land. (clause 27)

Schedule 5 of the Draft LEP includes a list of the Council owned land that is to be considered for reclassification from 'community land' to 'operational land' as part of the LEP making process.

Schedule 5 – Environmental Heritage (clause 35).

Schedule 5 lists sites to be included as heritage items under the Draft LEP. In the case of Gordon there are 11 items being considered for heritage listing. These include items currently listed under the KPSO as well as a number of new items.

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20 November 2006**Dictionary**

The Dictionary defines the terms used in the written instrument. The dictionary comes from the standard LEP template which applies a standard set of definitions state wide. Council is not able to alter the standard definitions or directly add its own definitions to the Dictionary.

Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 - Maps*i) Land Application Map*

This map shows which land will be rezoned by the Draft Ku-ring-gai LEP 2006 (Town Centres) Amendment No 2. The planning controls on all other land will remain unchanged and the KPSO will continue to apply.

ii) Land Zoning Map

This map shows the new zones that will apply to the land covered by Draft Ku-ring-gai LEP 2006 (Town Centres). The zones, zone objectives and permitted land uses in the zones are described in Part 2 of the Draft LEP written instrument.

iii) Minimum Lot Size Map

The minimum lot size map identifies the minimum size of any new lot that will be created through either subdivision or amalgamation of lots. The minimum lot size requirements only apply to the R3- Residential medium density zone and the R4- Residential High density zone and reflect the existing requirements under LEP 194.

iv) Building Height Map

This map shows the maximum height of buildings permitted on any parcel of land. The heights range from 2 up to 9 storeys, which is reflected by the building envelope controls contained in the Draft DCP.

v) Floor Space Ratio Map

This map shows the maximum floor space ratio (FSR) that can be developed on each parcel of land. FSR is the gross floor area of a building as a ratio to the total site area. The FSR controls also specify minimum and maximum amounts of retail and commercial floor space that can be developed on sites where these uses are permitted. The FSR standards have been derived from the detailed building envelopes developed in the Draft DCP, ensuring consistency between the two plans.

COMMENTS

In line with Council's resolution the Draft Local Environmental Plan and Development Control Plan have been exhibited (**Attachment 4 and 5**).

Submissions have been received from the relevant state agencies and 211 submissions have been received from the public in response to the exhibition (a list of persons who made a submission is included in the consultation section).

In addition a public hearing was conducted into the reclassification of Council owned land and a public hearing was conducted. This report provides a recommendation on the future classification of these sites.

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Key issues raised from the submissions have been considered and assessed with additional planning, urban design, traffic and parking, environmental and economic analysis, and where appropriate, recommendations have been made for further amendments to the Draft LEP and Draft DCP.

This section of the report contains the following analysis of submissions received and the proposed changes to the draft plans:

- Section 62 notifications from State Agencies
- Matters of Policy
- Matters of Process
- Matters related to specific precincts and properties
- Matters related to the Draft LEP
- Matters related to the DCP

SECTION 62 CONSULTATION KEY SUBMISSIONS AND RESPONSES

The Plans have been referred to the relevant State Agencies as required under Section 62 of the EP&A Act and a total of 8 submissions have been received from state agencies (**Attachment 2**).

1. NSW Roads and Traffic Authority

Gordon Centre

- *The traffic management scheme as a whole is a vast improvement to the existing situation in Gordon. However the success of the proposed scheme depends on all local new roads being implemented. Council should consider a detailed staged development so that traffic movements on Pacific Highway will not be disadvantaged during the implementation stage.*

Council response

The staging of any works associated with the new access roads will depend on the timing of various developments as the access roads will rely on dedication and developer contributions. Following the construction of the new access roads, negotiations to the changes to the intersections along the Pacific Highway can commence with the RTA to make the appropriate alterations.

- *RTA supports the proposed removal of signals and the pedestrian facility improvements at Park Avenue Junction. However, emergency access to the Pacific Highway by police vehicles. Council should consult with Police to see if this access is required.*

Council response

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Changes to the intersection of the Pacific Highway and Park Avenue will require consultation with the Police if the Police Station is still located in Gordon when it is proposed to undertake any changes. Consultation with the RTA will also be required. Emergency access provisions can be made by line marking for emergency vehicles only.

- *Proposed signals at Moree Street may be too close to St Johns Avenue to operate effectively due to insufficient storage space between the two junctions. The cost of relocation may outweigh any perceived benefits the proposal may have. Council is requested to leave the existing signals at Dumaresq Street, and restrict the movements at Moree Street to left turn only.*

Council response

Current standards show that there is sufficient storage between Moree Street and St Johns Avenue. The pedestrian phase at the Pacific Highway and Dumaresq Street impact on the traffic exiting Dumaresq Street and hence the changes at Moree Street enable traffic to flow freely with pedestrians able to cross and not delay right turning traffic. Traffic modelling showed that Moree Street provides a better level of service. Further consultation with the RTA will be required on this arrangement.

- *On street car parking should be prohibited along Pacific Highway between Dumaresq Street. and Moree Street.*

Council response

On street parking restrictions is only required during peak traffic times and clearways are already in place.

- *No objection the St Johns Ave Intersection Improvements provided a dedicated left turn lane be provided on the eastern approach to St Johns Ave. This can be accommodated in the concept and detailed design.*
- *No Objection to the proposed improvements at Ravenswood Ave signals. The RTA requests Council examine the feasibility of extending the right turn lane to Yarabah Ave. Council should consider requesting dedication of land from Ravenswood School to provide a separate right turn lane on Pacific Highway and allow three lanes through the intersection.*

Council response

There is no provision in the LEP that will allow a dedication of land and any widening of this area should be at the RTA's expense. The proposed arrangement at Ravenswood Avenue is consistent with the current right hand turn movement at St Johns Avenue. Widening to 3 lanes would also require acquisition of land on the departure side of the intersection.

- *Proposals are subject to full funding as part of the development and at no cost to the RTA. The RTA recommends that Council prepare an appropriate Section 94 plan or Planning Agreement to fund the proposed road works in the Town Centre.*

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Council will be preparing appropriate Section 94 plans and the traffic changes will be incorporated into the Section 94 plan. If appropriate voluntary planning agreements can be entered into to fund various changes such as the proposed new access roads.

- *Community support for the proposed traffic management changes, in particular the Pacific Highway is vital. RTA requests that Council include RTA clauses in their LEP which relate to minimisation of direct vehicular access to arterial roads and noise mitigation.*

Council response

Council has consulted extensively on the proposed changes and fully understands that direct access to the Pacific Highway will not be permitted under any new plans. Council's DCP indicates the proposed traffic arrangements.

2. Sydney WaterWater and Water Infrastructure

As rezoning can intensify water usage in a given area any proposed development that results from rezoning may impact upon Sydney Water System and Infrastructure. Amplifications will be required throughout the Gordon precincts;

- *All existing 100mm water mains will be required to be amplified to 150mm mains.*
- *All existing 150mm sewer mains will be required to be amplified to 225mm mains.*
- *A section 73 Compliance Certificate will be required (from Sydney Water) for all future developments within these precincts. This certificate will confirm that the developer has met Sydney Water's detailed requirements.*
- *The developer will be responsible for funding any adjustments to Sydney Water infrastructure resulting from development.*
- *Water conservation standards are encouraged, adoption of ecological sustainable development (ESD) principles is encouraged.*
- *Sydney Water recommends that Council incorporates a water efficiency objective into its LEP to promote and encourage water conservation.*
- *Sydney Water recommends that Council includes a mandatory requirement in the DCP that water saving devices such as AAA- related water efficient shower heads, water tap outlets, front loading washing machine and toilet cisterns are installed in new developments, renovations of existing structures and changes of use.*

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Noted and the NSW Government's building sustainability index (BASIX) applies to residential development under the Gordon plan. The Draft DCP provides guidance for non residential development and the public domain plan will also provide the opportunity for Council to demonstrate and apply Water Sensitive Urban Design principles. At the development application stage a Section 73 Certificate will be required for new developments under the plan.

3. Energy Australia

- *The only issue they wish to raise an issue in regards to the proposed rezoning of Energy Australia 's Land (Lot 2 DP 354472) located in Church Hill Lane, Gordon. The substation that exists on that land currently known as 5113 Church Hill Land and an incorporated Street Lighting Control Point. The substation supplies electricity to the nearby streets. Under the current KPSO the land is zones 5(a) Special uses (Municipal Purposes) and under the Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) – Amendment No 2, it is proposed to zone the land "RE1- Public Recreation".*
- *They believe that both the current zone and the proposed zone are inappropriate for land owned by Energy Australia for the purposes of providing electricity supply to the- community.*
- *They request that the site instead be zoned Special Uses- Infrastructure (Electricity Supply) in order to reflect its intended use for electricity supply.*
- *Council is requested again to zone Lot 2 DP 354472, Special Purposes SP2- Infrastructure (Electricity Supply) under Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) - Draft Amendment No 2. According to the current public exhibition the draft plan has Energy Australia's ' land as zoned REX- Public Recreation.*

Council response

The Energy Australia substation site in Church Hill Lane is approximately 82sgm in area and sits within the Council owned open space known as Heritage Square. The proposed RE1- Public Recreation zone for the site does include Public utility undertakings and utility installations as permitted uses. As such, the zoning will enable the ongoing use of the site "for the purposes of providing electricity supply to the community" as requested by Energy Australia. The SP2-Infrastructure zone is not considered appropriate in this circumstance, due to the small size of the lot and the fragmentation in zoning that this will create. The RE1- Public Recreation zone will facilitate the expressed needs of Energy Australia and should be retained for the site. This matter has been discussed with NSW Department of Planning and no objection to this approach has been raised.

4. Department of Housing

- *It is noted by the Department of Housing that Ku-ring-gai Local Government Area (LGA) is the least affordable market in the Sydney Metropolitan area.*

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- *To promote more affordable housing provision, the Department of Housing recommends that a range of housing sizes and types be encouraged. It is also suggested that objectives relating to the need to provide for affordable housing be included in the draft local environmental plan.*
- *Affordable housing opportunities can also be provided for in other ways, such as development of a wider range of housing stock to increase supply of smaller and more affordable accommodation in the private rental market; and to conduct social impact assessments for major development proposals that can address impacts on the provision of affordable housing and propose steps to offset adverse impacts.*
- *Department of Housing suggests that the development of the draft LEP should include specific provisions to encourage the provision of affordable housing within the Ku-ring-gai LGA.*
- *The Department also recommends Council, if necessary, utilise the service provided by Centre for Affordable Housing, which is a business unit under the Department whose purpose is to facilitate increased affordable housing.*

Examples of objectives for affordable housing include:

'To promote a variety of housing (including affordable housing) to accommodate a range of income groups and increase housing choice.

To facilitate the development of a broader and more appropriate range of affordable housing types in the private sector.

Council's response

The Ku-ring-gai RDS Stage 1 and the Town Centres LEP will provide a wider range of housing stock and increase the opportunity for the supply of smaller and potentially more affordable accommodation in the private rental market.

If Council intends to provide for affordable housing a comprehensive policy needs to be prepared. This would include consideration of appropriate levels of accommodation, relevant standards, funding mechanisms, density bonuses, concessions and incentives and appropriate longer term management for affordable housing. This would most appropriately be considered during the preparation of the Ku-ring-gai Comprehensive LEP.

The issue of affordable housing and an accompanying policy matters can be addressed at the Ku-ring-gai Comprehensive LEP stage.

7. NSW Ministry of Transport

General

- *Suggest inclusion of "road safe bus stop infrastructure" as a form of exempt development in Schedule 2 of draft LEP.*
- *Compliance with the Section 117 direction- integrated land use and transport-*

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- *Bus stop infrastructure more important with the Disability Standards for Accessible Public Transport 2002.*

Council response

Application to the relevant Road Authority under Section 138 of the Roads Act applies in this regard. Development consent is not required under the EP&A Act.

Gordon

- *Strategies 2.2.8 is supported- enhance pedestrian and bicycle linkages. Safe and direct pedestrian access is critical for public transport patronage.*
- *New Bus network proposed 2008.*
- *Interchange Design Guidelines should be considered when developing or redesigning bus/rail interchanges or commuter car parks.*
- *Council should be aware that there is a possibility of 14.5m buses being used in this location. Provision for coaches should be made/ or at least considered.*
- *Loss of Commuter car parking should be addressed with the move of the bus interchange further south.*
- *Draft proposal results in the net loss of 20 car parking spaces.*

Council response

- Support for enhanced pedestrian and bicycle links is noted.
- The redesign of the bus interchange is unlikely to occur before 2007. Therefore, requirements of the new bus networks could be incorporated in the design stage of the bus interchange.
- Interchange Design Guidelines for the bus/rail interchange will be considered during the design stage.
- Application of Austroads swept paths for 14.5m buses (12.5m radius turn) indicates that these buses should be able to manoeuvre and exit the interchange via a left turn.
- The proposal for the bus interchange seeks to minimise the loss of commuter parking spaces by relocating the majority of the affected spaces to other at-grade commuter car parks in Gordon (through redesign). It is considered that commuter parking at such a prominent location as the existing bus interchange site is inappropriate, and that the space would be better utilised to improve the bus interchange and encourage alternative forms of transport to Gordon railway station.
- See response above
- **Comments on GTA Report- Gordon**
- **Section 2.2-** Rail Corp made it clear that the fence to rail property could not be relocated to the east.

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- **Section 2.3-** The costs associated with the realignment of Wade lane includes pavement construction only. It doesn't allow for acquisition of the property on the intersection of St Johns Avenue and Wade lane. Costs of traffic signals at Ravenswood Avenue and Pacific Highway are not included in the costs of the interchange.
- **Section 2.4-** The provision of car parking needs to be carefully assessed. Can result in a change in mode from bus to car traffic generation by the car park and increased congestion and delay in buses.

Council response

- The request not to relocate the fence to rail property further east is noted, and will be considered during the design stage of the bus interchange.
- The land required for the realignment of Wade Lane will be achieved by dedication. The funds for the installation of traffic signals at the intersection of Pacific Highway and Ravenswood Avenue will be obtained through Section 94 contributions from development in the Gordon Centre.
- Gordon has the highest provision of commuter car parking in the Ku-ring-gai area, and under the LEP, it is not proposed to increase the supply of commuter car parking in the Gordon centre.

Appendix A- St John's Avenue one-way westbound

- *Kiss and Ride should be available in the North and southbound direction. The one-way system may result in excessive travel and thus non compliance with parking restrictions and access through the interchange.*
- *Buses must be able to leave the interchange and proceed left onto Henry Street without crossing to the wrong side of the road.*
- *Entry to the interchange must be available without need to move to the wrong side of Henry Street.*
- *Entry width looks inadequate.*
- *Buses departing from layover need to have adequate ability to see entering buses that proceed direct to pickup.*
- *The Provision of a meal room implies that long layovers do or will occur, this need to be discussed with bus operators.*
- *Layovers stands will have to be able to operate independently to cater for long layover.*
- *Buses from layover stand 2 are unlikely to be able to use pickup stands 1 or 2 as they will not be able to get parallel to kerb.*

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- *Front overhang of buses entering the pickup stands should be limited to 300 or 400mm maximum to prevent risk of injury to waiting passengers or damage to bus on street furniture.*
- *Footpath on eastern side of interchange should be fenced to prevent passengers or pedestrians crossing between buses.*
- *Care should be taken to ensure that any upgrading of existing bus stops and other public transport infrastructure complies with Commonwealth's Disability Standards for Accessible Public Transport.*
- *Current levels of commuter car parking should be maintained, and a reduction is likely to result in an increase in kiss and ride or bus use.*

Council response

- A kiss and ride facility is also proposed in Henry Street, approaching St Johns Avenue.
- Application of Austroads swept paths for 14.5m buses (12.5m radius turn) indicates that these buses should be able to manoeuvre and exit the interchange via a left turn.
- Entry to the interchange is proposed from the southern end, where it will not be necessary to cross the wrong side of Henry Street.
- As above
- The plan is a conceptual plan only, and entry widths will be addressed at the design stage.
- Visibility to buses entering the interchange by buses at the layover will be addressed at the design stage.
- In stakeholder meetings, bus operators have indicated that there is need for a meal room and toilets for bus drivers.
- Layover access and manoeuvrability by buses will be addressed at the design stage.
- Access to pick-up stands 1 and 2 by buses in layover stand 2 will be addressed at the design stage.

Front overhang comments are noted, and are issues to be addressed at the design stage.

- Fencing of eastern footpath in interchange area noted. Can be addressed in the design stage.
- Noted. Can be addressed in the design stage.

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- See previous comments concerning commuter parking.

8. Railcorp

Draft Ku-ring-gai LEP 2006 (Town Centres)

- *The zoning table for SP2 should include public administration buildings, car parks and bus interchanges as permitted within the zone (preferably without consent if ancillary to other public utility undertakings such as railway stations).*

Council response

The proposed works described in the submission are considered to be 'public utility undertakings' or are considered ancillary uses which are permissible with the consent within the SP2 zone. It is not desirable to have such uses as exempt development due to the potential extent of off site impacts that need to be considered prior to any consent.

Draft Gordon Town Centre Draft DCP-

Loss of commuter car parking in Gordon Town Centre DCP

- *The removal of commuter car parking spaces of Henry Street at the southern end of the current bus interchange, for the purpose of extending the bus interchange and expanding public open space would occur upon RailCorp property, a formal application would be required by Council.*
- *RailCorp believes there should be no net loss of commuter car parking spaces in the Gordon Town Centre, and therefore encourages Council to consider the replacement of any lost commuter car parking facilities.*

Council response

- Noted.
- See previous comments concerning commuter parking.

Issues common to both the Gordon and Pymble Draft DCPs

Car parking and promotion of public transport

- RailCorp is concerned that existing car parking ratios in the Ku-ring-gai LGA may be excessive considering the high levels of public transport use.
- RailCorp believes there should be no net loss of commuter car parking spaces in the Gordon and Pymble Town Centres as a result of the proposed LEP and DCPs, and therefore encourages Council to consider the replacement of any lost commuter car parking facilities.

Council response

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The car parking rates proposed for the Gordon centre are generally lower than in Council's Car Parking Code and lower than the rates suggested in the RTA Guide to Traffic Generating Developments.

- See previous response concerning commuter car parking.

Future Rail Works

- *RailCorp are in the process of developing proposals for future rail facilities to meet existing and future rail demand. Some of these proposals may impact on developments adjoining the rail corridor.*
- *Council is advised that the proposed development adjacent to the railway corridor is likely to be affected by the proposed North Shore Line quadruplication with regard, but not limited to, rail noise, vibration and visual impacts. RailCorp recommends setbacks or easements should be implemented to accommodate such future rail works.*
- *Council is requested to attach an advisory note on any approval that alerts the Applicant and future occupiers to this proposal. The Applicant is also encouraged to contact RailCorp for further information regarding this proposal.*

Council response

Noted, this matter can be addressed through the development application process and by Section 149 Certificates.

Noise and vibration

- *RailCorp is concerned that residents and businesses will encounter rail-related noise and vibration from the adjacent rail corridor. Rail noise and vibration can seriously affect residential amenity and comfort, and jeopardise the structural safety of buildings. and should be addressed early in the development process. RailCorp have published documents related directly to these issues the document relevant to Council is 'Interim Guidelines for Councils' they are available at:
www.railcorp.info/about/railcorp/environmental_guidelines*
- *In drafting the DCP, Council is encouraged to adopt the recommendations given in Part C-Draft Planning Instruments of the 'Interim Guidelines for Councils'.*

Council response

Noted and the Draft DCP Part 5.7.2 Acoustic Privacy- makes reference to these guidelines.

Stray Currents and Electrolysis from Rail Operations

- *Stray currents as a result of rail operations may impact on the structure of nearby*

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developments. Electric currents on overhead wiring pass through the train's motor and return to the power substation via the rail tracks. Occasionally, these currents may stray from the tracks and into the ground. Depending on the type and condition of the ground, these may be passes to the nearest conductive material (concrete reinforcement, piling, conduits, pipe work and earthing rods) accelerating corrosion of metals and leading to concrete cancer.

- *Council should consider this possible impact, and require developers to engage an expert consultant when designing buildings. It is requested that Council impose a clause requiring Electrolysis Risk reports and mitigation measures on developments adjacent to the railway corridor.*

Council response

Noted these are matters to be considered at the development application stage.

Geotechnical and Structural Stability and Integrity

- *RailCorp needs to be assured that future development adjacent to the rail corridor have no adverse effects on the geotechnical and structural stability and integrity of RailCorp's facilities.*
- *It is requested that Council impose setbacks from the railway corridor for such developments. Alternatively, any adjoining development must submit geotechnical reports to RailCorp indicating what affect, if any, that their proposed development will have on the stability of the embankments, including a list of mitigation measures.*

Council response

Noted these are matters to be considered at the development application stage.

Building Set Backs and Design

The placement of buildings and structures in relation to RailCorp's facilities should enable continued access for maintenance for RailCorp's facilities.

- *To ensure the safety of passenger rail services, balconies and windows in the proposed development, must be designed to prevent objects being thrown onto RailCorp's facilities. Alien objects can damage overhead power lines, cause injury to others and initiate derailment.*
- *In order to maintain the safety of the occupants of the new development, all balcony and window design should meet the relevant BCA standards, and the RailCorp Electrical Standards. These standards will provide appropriate separation of the building and its occupants from the electrified infrastructure.*
- *Balconies overlooking the RailCorp's facilities should not be serviced with outside taps, and rainwater should be piped down the face of the building overlooking the RailCorp's*

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facilities.

Council response

Noted these are matters to be considered at the development application stage.

Drainage

- *RailCorp wishes to advise that run-off or stormwater discharge from any development onto the Rail Corridor is unacceptable, both during and after construction and installation. Any run-off or waster arising from development activities needs to be properly disposed of and must not be allowed to enter onto the rail corridor.*
- *RailCorp looks to Council to ensure that stormwater is not diverted onto the rail corridor as the result of development.*

Council response

Noted this is a matter to be considered at the development application stage.

Fencing, Graffiti, Screening and Landscaping

- *With adjacent developments it is important to carefully consider the options for reducing trespassing, graffiti and vandalism at the design stage, thereby reducing long-term costs and improving the aesthetic appearance of the RailCorp's facilities and the surrounding development. Should enhancements be desired, RailCorp must be contacted to ensure adequate safety measures are taken whilst work is carried out.*

Council response

Noted

Accessibility

- *Large scale developments need to provide safe and convenient access to railway stations for pedestrians. If existing development lacks safe and convenient access to Gordon and Pymble stations, Council needs to ensure that upon completion adequate pedestrian links are established. Council may consider the imposition of developer contributions for the provision of such access.*

Council response

Noted – can be considered in the relevant section 94 plans and contributions strategy.

General access to the RailCorp's Facilitie

- *The on-going ability to access the rail corridor for maintenance and emergency situations is critical to the safety, integrity and operation of the NSW rail network Council needs to ensure that access to the corridor can continue to be easily achieved as a result of development.*

Council response Noted

8. Other State Agency submissions

Section 62 consultation responses were also received from the following organisations that raised no objection or did not request specific amendments to the Draft LEP:

- City of Ryde
- Hornsby Council,
- NSW Fire Brigade Service
- Warringah Council
- State Transit Authority (STA)
- Department of Natural Resources

Note: The NSW Heritage Office were consulted as part of the section 62 process but at the time of the preparation of the report no formal response had been received, however comments may be provided prior to this matter going to Council.

Matters raised by the Department of Planning

Section 54 (4) Authorisation to exhibit Department of Planning

The Department of Planning issued a delegation to exhibit the draft plans under section 54(4) under the Environmental Planning and Assessment Act 1979 (see **Attachment 1b**). The conditional Section 65(2) Certificate was considered by Council on 8 August 2006 and the required amendments were made as part of the exhibition.

Following the exhibition there are further clarifications required for the following matters:

Section 117 Directions

The Department of Planning have also advised that the new Section 117 Directions require Council to make a request to the Director General justifying any inconsistencies with Directions No 3 - Business Zones and No 21 - Residential Zones.

"In both cases the Council needs to justify the inconsistency" having regard to the provisions of section 5 of the EP&A Act", and argue that " the rezoning is in accordance with the relevant Regional Strategy (in this case the Metropolitan Strategy) prepared by the Department."

The Department have advised that only the Director General can make this decision as no delegations have been prepared.

It is considered that the Draft LEP complies with Direction No 21 - Residential Zones, as it provides for either maintained or increased residential densities in all zones. A revised yield table for Gordon to demonstrate this will be submitted to the Director General as part of the

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Section 68 report and provide details on how increased dwelling yields in Gordon will contribute to Ku-ring-gai's housing provision under the Metropolitan Strategy.

Direction No 3 – Business Zones includes the requirements that a Draft LEP shall not:

- (a) alter the location of existing zonings, or*
- (b) alter the area of existing zonings, or*
- (c) create, remove or alter provisions applying to land zoned for Business that will result in a reduction of potential floor space area.*

In relation to requirements a) and b) above, the Draft LEP, as it applies to Gordon, maintains all existing business zoned land within a new business zone and provides for an expansion of the land zoned for business purposes between Moree Street and St Johns Avenue.

In relation to part c) of the direction, it is considered that the Draft LEP is compliant.

- All sites in the existing Business (3(a)-(A1)) zone have had the maximum permissible FSR increased from the current 2:1 to maximums ranging from 2.3:1 to 3.4:1. All sites can be developed for business uses up to the maximum FSR.

It is acknowledged that the maximum retail FSR on sites currently zoned (3(a)-(A1)) are capped at below the existing 2:1 potential. The reason for the capping of retail on these sites is to ensure that the overall future retail provision in Gordon is consistent with Council's adopted retail strategy and Gordon's role as a Town Centre under the Metropolitan Strategy. The Draft LEP provides for a retail yield of about 47,000sqm (NLFA) which is an increase of just over 29,000sqm of retail from the existing 17,760sqm.

- All sites in the existing Business (3(b) – (B1)) zone have had the maximum FSR increased from the existing 1:1 to maximums ranging from 1.3:1 to 3.0:1. All sites can develop for business uses up to the maximum FSR.

There are no recommended amendments to Draft LEP required to ensure compliance with 117 Directions.

Additional comments from the Department of Planning

Council received on 16 November, 2006 advice from the NSW Department of Planning (**see Attachment 13**). This information will be taken into consideration as part of the preparation of this report, where possible, however a supplementary memo will be provided, with a response to the issues raised in the Department's advice.

Amendments to the LEP Resulting from Revised Ku-ring-gai LEP 2006 (Town Centres).

There are a number of amendments that are required to be made to Draft LEP Amendment No 2 as a result of the amendments being made to the principal Ku-ring-gai LEP 2006 (Town Centres) adopted by Council on 8 November 2006. These amendments include:

- Amending the Height of buildings map to identify maximum height of buildings in

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metres rather than storeys.

- In the land use table in the B4 zone, moving the "Public utility undertakings" and "Utility installations" from 'Item 2 Permitted without consent' to 'Item 3 Permitted with consent'.
- Include "Demolition of a building or works" in Item 3 of the land use table for the B4 zones.

Details of revised yields

The proposed amendments to the Draft LEP following the considerations of submissions will result in minor changes to the potential dwelling, retail and commercial yields under the LEP.

A copy of the updated yield table for the Gordon centre is included as **Attachment 10** of this report. The yield table shows potential yields for the Gordon centre under full development of the plan, including dwelling yields from LEP 194 and LEP 200.

COMMUNITY CONSULTATION

Petitions

In addition to the submissions three petitions in relation to the Gordon Town Centre plans were received and talked at Council meetings:

- i) A petition with sixteen signatures from landowners in Mt William Street, Pearson Avenue and Burgoyne Street seeks to increase the permissible floor space ratio for Precinct L to 1.3:1 consistent with the floor space ratio in other R4 zones;
- ii) A petition with 645 signatures which:
 - seeks to maintain the character and heritage of St Johns Avenue as a residential street;
 - opposes unfairness of St Johns Avenue being only residential street to be upzoned to mixed use/highrise;
 - opposes harsher viability returns resulting larger development than on existing commercial land;
 - supports stepped down, 5 storey development in St Johns Avenue not extending beyond the boundary of the cemetery.
- iii) A petition with 168 signatures which deplore the prospect of medium or high density development on 22 St Johns Avenue and urge Council to continue to support the identification of 22 St Johns Avenue, and 3, 5 and 7 Bushlands Avenue for future acquisition for a park.

In addition, a submission from East Gordon Residents Action Group includes 122 signatures in favour of resolutions which oppose:

- 5 storey heights in Precinct L;
- Lack of stepdowns with adjoining low density areas;

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- Removal of heritage listing of 8 Pearson Avenue;
- Lack of direct consultation with affected residents; and seeking meeting with Councillors and planners on site.

The issues raised in these petitions and resolutions have been addressed in detail in the summary of submissions (**Attachment 3**), and are discussed below.

Submissions

The issues raised in the submissions were comprehensively summarised and given detailed consideration by relevant Council staff and consultants where appropriate. The submissions are included as **Attachment 2**. A summary table of the submissions and recommendations is included as **Attachment 3**. Following are the key issues raised in these submissions:

1. MATTERS OF POLICY

The following is a summary of issues raised in submissions that relate to broader policy-related issues. Due to the broad nature of submissions in this category few changes to the Draft LEP and DCP are recommended as a result of the review.

a. Traffic and Access

At Council's meeting of 26 July 2006, Council resolved:

"That Council note the recommended traffic improvements for Gordon outlined in the report and consult with the RTA on what improvements could be carried out by the RTA for the widening of the Pacific Highway to 3 lanes in each direction and dedicated right turn lanes."

The matter was discussed with the RTA as part of the meeting regarding the Section 62 notification when Council staff and the Traffic Consultant submitted the proposed traffic plan for the Gordon Centre. Whilst the RTA did not object to this proposal, it was indicated that they did not have anything proposed for the widening of the Pacific Highway and their position would be for Council to fund these works as part of the development contribution process.

The RTA were advised that it would be difficult for Council to fund any widening work as there would not be sufficient nexus or contributions to fund these works and Council would not have the capacity to pay and that Council would possibly only be able to provide property set backs and dedication to allow for future widening.

Council's Traffic Consultant was engaged to undertake further modelling based on a revised plan that involved widening of the Pacific Highway to six lanes and the following intersection changes:

Pacific Highway/Park Avenue:

- Remove traffic signals.
- Left in only from Pacific Highway, and One Way from Pacific Highway to Wade Lane.

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The preferred option proposed traffic signals at this location, but for pedestrian access only, across Pacific Highway and Park Avenue.

Pacific Highway/Dumaresq Street:

- Retain traffic signals.
- Provide 3 through lanes in each direction of Pacific Highway, and dedicated right turn bay into Dumaresq Street.
- Provide 1 left turn lane and 1 or 2 right turn lanes from Dumaresq Street into Pacific Highway (at least up to the Loading Dock access of the Gordon Centre).
- Pedestrian facilities across Dumaresq Street and at least 1 leg of Pacific Highway. This is different preferred option.

Pacific Highway/Moree Street:

- Maintain existing conditions (left in/left out)

The preferred option included traffic signals at this location, right turn access out of Moree Street, and pedestrian access across Pacific Highway and Moree Street.

Pacific Highway/St Johns Avenue:

- Generally as per the preferred proposal (3 through lanes only on Pacific Highway, one way (westbound) in St Johns Avenue between Wade Lane and Pacific Highway), but with the addition of eastbound flow permitted in St Johns Avenue (on the western approach to Pacific Highway).
- The eastbound flow in St Johns Avenue (on the western approach to Pacific Highway) would be required to turn right only under a filter arrangement, as is currently the case. This would allow the signals still to operate in a 2 phase cycle.
- Eastbound vehicles St Johns Avenue (on the western approach to Pacific Highway) wanting to turn left could do so at Moree Street (**this would require the new road between St Johns Avenue and Moree Street to be constructed**).

Pacific Highway/Ravenswood Avenue:

- New traffic signals
- 3 lanes southbound, 2 lanes northbound + dedicated right turn bay on Pacific Highway.
- Dedicated left and right turn lanes in Ravenswood Avenue.

The analysis indicated that it could not support the development option as proposed. To enable the Pacific Highway to be widened to 6 lanes would involve acquisition of land in

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front of the Optus Building adjacent to Dumaresq Street and also in front of the Gordon Library. A small area of land would be required in front of the Gordon Centre and this could be achieved by dedication.

As indicated above, the RTA does not have any plans for the widening of the Pacific Highway and it is unlikely that sufficient funding would be made available through Section 94 funding to achieve this widening.

While the analysis indicated that access in and out of Dumaresq Street would operate under a satisfactory level of service, it would still be dependent on the link between Moree Street and Dumaresq Street being installed. St Johns Avenue would still need to be one way from the railway station to the new access road.

The revised plan does not achieve any real major benefit compared with exhibited plan and would also result in additional costs to achieve because of the acquisition and public utility relocation works.

A large number of submissions were concerned with traffic, (see **Attachment 9**) particularly in relation to redirection and signage changes which affect local access across the Pacific Highway. Concerns were also raised in regard to traffic provisions, new link roads and impacts on Dumaresq Street, Moree Street, Bushlands Avenue and St Johns Avenue and the area around Precinct L. Submissions also criticised changed traffic provisions in Park Avenue, Wade Lane and Henry Street and Ravenswood Avenue and the functionality of the bus interchange. Individual submissions also supported the left turn slip lane on Mona Vale Road and new link roads between McIntyre Street and St Johns Avenue.

A number of specific suggestions were made, including retention of various existing traffic provisions, a new highway crossing at Moree Street, parking limitations, an undercover transport interchange with residential development above, new pedestrian/cycle routes, underpasses and overpasses across Wade Lane and the highway.

Most of the criticisms and issues raised can be addressed through reference to the traffic modelling and the RTA requirements and therefore generally no major changes have been recommended to the traffic plan. In particular it is noted that the proposed 'G' turn arrangement results in optimum traffic conditions (minimum impacts) in the Town Centre and more efficient flow along the Pacific Highway as right turn bays are eliminated. In addition, feasibility of some suggestions is limited by funding.

Other issues are noted and will be considered in future more detailed design work, including:

- Review of the need for the roundabout on Park Avenue, and monitor crossing during design stage;
- Measures to minimise local impact from new link roads;
- Parking, access and safety measures for Wade Lane, Ravenswood Avenue, Dumaresq Street, Moree Street and St Johns Avenue;
- The maximisation of set down areas on St Johns Avenue;
- Cycling facilities;
- Pedestrian crossing facilities;

In addition the following are recommended:

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- Maintenance of left turn from Moree Street into Pacific Highway, as requested by RTA;
- Maintenance of parking for the pre-school at Park Avenue/Pearson Avenue;
- Lobbying RTA to provide proposed left turn slip lane on Mona Vale Road;
- Further consultation with State Rail regarding commuter parking provisions;
- Continuation of discussions with Department of Transport and bus operators.

b. Parking

Submissions raised a number of concerns regarding parking in and around Gordon Town Centre. Concerns include:

- Inadequate parking for commuters;
- Inadequate parking for the child care centre on Park Avenue;
- Inadequate parking for Precinct H.

Suggestions included short term parking limits/No standing near the station, clearway on the highway and two to four hour limits on Burgoyne Street and St Johns Avenue. Other issues are noted and will be considered in the detailed design stage, including:

- Future parking requirements;
- Parking restrictions, particularly during peak periods.

The proposed improvements in accessibility to public transport, and detailed design of individual developments in regard to parking provision will address other concerns.

In addition the following is recommended:

That Council adopt a policy position that outlines there will be no loss of current publicly owned (available) parking as a result of town centre redevelopment as an absolute minimum.

c. Lack of other infrastructure/services

Submissions noted concern regarding the adequacy of transport infrastructure and services (public transport and roads), water supply, sewerage, stormwater facilities, schools, hospitals, TAPE and library facilities to cater to the increased population.

Council will provide services and infrastructure within its capacity, while some of the above will be addressed at development application stage. However, many of the areas noted are within the responsibility of the state government.

No changes are recommended to the plan.

d. Retail size/configuration

Submissions disagreed about the need for more retail in the Gordon Centre. Many submissions raised concerns regarding the size and location of the second supermarket. Other issues related to street life, connections between shopping precincts.

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The location, size, type, scale and required access were considered in detail as part of the planning process and is consistent with the Ku-ring-gai Retail Strategy and the SGS Economic Review. The car park area of Wade-Lane and the surrounding precinct were considered-in detail but are not suitable to cater for the required increase in retail supermarket facilities for Gordon. The plans will serve mainly existing and future residents of Ku-ring-gai and the workers and will include new areas of street life – away from the highway.

No changes to the plan are recommended.

e. Character and amenity

Submissions raised issues in regard to the loss of the peaceful tree-dominated or period character of streets and the impacts on the health, privacy and amenity of residents from increased densities, heights and traffic. The need for more parks is also raised.

While many of these concerns are valid, Council is acting under a direction from the State Government and has prepared the plans to balance the competing objectives of existing character and future character. Detailed requirements are also included in regard to the provision of reasonable privacy and amenity for residents.

A public domain plan will include best practice design for public open spaces, which will involve further community input.

No changes to the plan are recommended.

f. Heritage

Submissions raised the following issues:

- Impact of redevelopment on heritage significance of the western side of the St Johns Avenue Precinct;
- Impact of high rise development on significance of railway station and East Gordon Urban Conservation Area and other heritage listed sites in the precinct ;
- Impact of high density apartments on existing heritage items 8 Pearson Avenue and 21 Mt William Street, Gordon;
- Objection to proposed heritage listing of 36 Henry Street, Gordon;
- Seeking heritage listing/retention of: No 25 St Johns Avenue and former well in St John's Avenue west precinct.

Historically the early development has occurred along the Highway corridor and around the railway station precincts. The new centres plans are required to cater for new growth in some of these areas. Existing and potential heritage items have been considered in preparing the plans.

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There will be a potential loss of some existing dwellings (including No 25 St Johns Avenue), a federation style dwelling, in the St John Avenue west precinct however, an urban design approach has been taken to minimise the impacts on the retained heritage items. The existing character of the residential areas to the western area of St Johns Avenue will be retained. A relatively small encroachment into St Johns Avenue west is considered reasonable and would not deter the conservation of the remainder of the street in the future if warranted by its significance.

There is potential archaeological significance associated with a former well in Precinct H and further investigation is warranted prior to development on the site. It is recommended the DCP be amended to require an archaeological investigation.

There will be new development near the Gordon station to the west. To protect the eastern precinct, new mixed use developments have been confined to the western side of the station and there will be only limited potential for redevelopment on the eastern side of the railway precinct.

No 21 Mt William Street is an existing heritage item. The heritage significance has been reviewed independently and has it has been reconfirmed as having heritage significance and its retention is warranted. In the case of new apartment development in precinct L several options have been examined to balance the potential impact of new development on the existing item at No 21 Mt William Street. Further heritage impact statements will be required at the development application stage.

No 36 Henry Street is considered suitable for retention and reuse in a new urban setting.

Amendments recommended:

Recommendation that under the Gordon centre DCP section 4.7.7 Block H- A new section be included to require an archaeological assessment of the site in accordance with the requirements of the NSW Heritage Office, prior to any development taking place.

For recommendations see the main body of the report in relation to 21 William Street,

g. Crime and safety

Submissions raised concerns in relation to safety due to increased densities, the creation of a new park, height of new development adjacent to narrow lane (Wade Lane) and new retail resulting in vacant shopping areas. The need for meeting places for young people was also raised.

Increased activity in the area will encourage passive surveillance, reducing opportunities for crime. Development applications are required to address crime prevention in the design stage. A public domain plan will address best practice design for public open spaces.

Recommendation

Crime prevention principles be considered in the public domain plan.

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Submissions raised issues in relation to the impacts of increased fuel use, loss of trees, including Blue Gum High Forest, impact on the Gordon Valley ecosystem, loss of space for community and food gardening, the need for energy and water efficient design and public transport, the loss of family access to railway stations, and the need to limit growth.

The plans are designed to reduce fuel use, by increasing density within close proximity to the railway station and existing and increased future services. The increased retail and commercial area will reduce the need for residents to access major centres outside the LGA and provide local employment opportunities. Provision of improved pedestrian, cycling and bus facilities will also be provided. The Town Centres planning provides clear limits to the growth areas.

The DCP provides extensive controls for maintaining the tree canopy (including any Blue Gum species) within residential areas, and a public domain plan will provide detailed design for open space areas within Gordon. The DCP also provides controls for water and energy efficiency and stormwater management for retail/commercial development, while BASIX provides efficiency controls for residential developments.

No changes to the plan are recommended.

h. Economic issues

Issues raised by submissions related to loss of property value from the proximity of high rise development and a suggestion that Council should impose a betterment tax on rezoned sites.

There is no statutory requirement to provide a basis for compensation for loss of property value. Developers will be required to contribute under Council's Section 94 contributions plan towards infrastructure for the increased demands from the new residents, and commercial / retail development.

No changes to the plan are recommended.

i. Overdevelopment

Submissions raised concerns that the proposal exceeds state government requirements for high density housing and retail/commercial development, that the constraints of the area (especially in relation to the topography and the Pacific Highway) have not been adequately considered and that the plans will result in excessive height, bulk and scale.

It is noted that the plan is consistent with the retail study, the economic feasibility study and the Minister's Direction and requirements of the Department of Planning. Consideration of the constraints and opportunities of sites within this framework has been undertaken. Public open space, amenity and sustainability issues are addressed in detail within the plan.

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No changes are recommended to the plans.

i. Other

Some submissions supported the choice of Gordon as the highest centre in the Ku-ring-gai LGA hierarchy, and the increasing density near the station, while others criticised the policy of urban consolidation. Submissions also raised concerns about the lack of certainty of redevelopment, new roads, or outcomes for the rest of Ku-ring-gai.

The plans are consistent with the Minister's Direction and the requirements of the Department of Planning and provide for increased density near the station and expanded services within Gordon. The plans provide a desired outcome over a 30 year period. Redevelopment, community facilities and road changes may take several years to be provided as funding is dependent on the rate of uptake of development opportunities. Further planning within the LGA will take place as part of the Comprehensive LEP process.

2. MATTERS OF PROCESS

Concerns expressed in the submissions on Gordon town centre planning process included:

- lateness and adequacy of community consultation;
- perceived limitations on the timing of exhibitions;
- inadequate and insufficient information on the planning process;
- inadequacy of staffed displays and presentations that Council mounted to gain feedback from residents and other stakeholders;
- need to involve NSW Government in provision of infrastructure;
- the need for, and adequacy of, models at town centre displays.

The level of community engagement has been broad, open and extensive (as indicated in **(Attachment 6)**). At the outset, Council sought detailed ideas about Gordon centre planning via a large survey sent to all residents in Killara and Gordon area in April 2005.

Subsequent consultations, workshops, email advice and surveys have worked to maintain open, transparent links. Local press, letters, and a staffed preliminary exhibition displayed in Gordon have helped engage and encourage a broad range of feedback from the community to modify and iterate the plans. The exhibition of the Draft LEP and Draft DCP, included staffed displays with virtual 3D television-based modelling of the town centre, information sessions and web-site materials, available to the community, this is well in excess of the statutory requirements.

Precinct L has been included in the draft LEP since 20 April 2006, when council adopted its preferred land use strategy and recommended land use zones. There has been information on Council's web site since that time. Under Section 149 of the EP&A Act, Council is unable to include notification of Draft LEPs on planning certificates until such time that an LEP goes on formal statutory exhibition. The proposed UCA of the National Trust is a non government listing that has no statutory weight.

Council has prepared economic feasibility studies, prepared by an independent consultant using industry accepted methodology. This information is confidential and is provided to the NSW Department of Planning to support the proposed rezonings.

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The reclassification process of Council-owned lands has involved an independent public hearing, as required by statute. The results of consultation with government agencies, in accordance with statutory requirements, have also been taken into consideration in the centre planning.

Town Centre planning has been undertaken specifically within a strategic framework, recognising a specified town centre hierarchy with Gordon as the primary Centre, and integrates broader economic, social and environmental requirements within the local plans.

No changes are recommended to the plan.

3. MATTERS RELATED TO THE DRAFT LOCAL ENVIRONMENT PLAN

Public submissions raised a number of matters relating to the zoning and provisions of the Draft LEP. These related to how the Draft LEP applied to particular sites as well as more general issues. Details of Draft LEP related issues in respect to specific sites are discussed later in this report. A full consideration of all issues relating to the Draft LEP raised in submissions is included in **Attachment 3**. Issues of note or areas where amendments to the Draft LEP are proposed are discussed below.

Many submissions raised issues in regard to the perceived bias in the location of the newly zoned areas to the west of the highway/railway, with minimal provision on the eastern side. Precinct L and the western side of the highway were seen as unsuitable for redevelopment to high rise.

Transitional zones are sought in Precinct L. One submission also suggests that development of key sites should be encouraged through the removal of quantitative height controls.

The initial urban design analysis examined the entire centre and identified opportunities for revitalisation in three zones, with the aim of redeveloping those areas already containing mixed use and areas nearby: the area between the Pacific Highway and the Railway; the western side of the highway where the main commercial zones are located; and the eastern precinct (for some increased residential but not additional retail and commercial land uses partly in recognition of its conservation values). The scale of development to enable viable development to use the airspace over the railway is not compatible with Ku-ring-gai.

The height of buildings has been based on a range of criteria including development potential and economic feasibility, urban design, traffic and parking, topography, heritage, surrounding current and future development. There are adequate incentives for redevelopment and adequate separation/height controls to minimise neighbouring impacts.

No changes are recommended to the plans, other than the detailed amendments specified under the following section.

4. MATTERS RELATED TO SPECIFIC PRECINCTS & PROPERTIES

Community lands

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Submissions raised concerns in regard to the reclassification and rezoning of community land, including car parks and Council Chambers. Fears are expressed that the potential for sale of the land will result in loss of community access. Concern was also raised that proposed development on the Wade Lane site would overshadow the new community space. One submission supported the reclassification of land between Moree Street and St Johns Avenue and offered a land swap to support more orderly development in the area.

The aim of the plan is to provide a suitable location for the future retail, commercial and additional housing for the future. The Ministers Direction covers rezoning of land under the EP&A Act, while reclassification is a decision of Council. The reclassification hearing has been undertaken as an independent process. This is discussed in detail in the section on Reclassification of Council Owned Land.

There are a range of factors in providing open space these include: location, size, aspect, access, safety, slope, redevelopment etc. Consideration of these constraints and opportunities has led to the proposed uses of community lands, for instance the reinforcement of the existing civic role of the Council site, and the new community space at Wade Lane.

Recommendation

See recommendations under the Reclassification of Council Owned land.

Key Precincts and sites

The following discussion addresses the issues raised within the public submissions regarding Key Sites within the precincts of the Draft DCP. The discussion focuses on where the submissions request amendments to the draft LEP and DCP. A comprehensive analysis is undertaken where the issues raised in submissions are complex or may result in significant changes. This applies to Precincts G, H and L. In all other precincts the issues raised are less complex and more easily resolved in this case the discussion and recommendations are in **Attachment 3**. No submissions were received for precinct C.

Precinct G – bounded by Pacific Highway, Park Avenue, the rail corridor and Churchill Lane and incorporating Wade Lane*Existing situation*

The precinct is currently zoned 3(a)-(A1) has a maximum FSR of 2.0:1 and a 3 storey (or 12 metres) height limit allowing retail, commercial and business uses.

The Draft Town Centre LEP proposes to rezone the site B2 – Local Centre allowing a mix of uses including residential, retail and business premises. The planning controls for the site allow for FSRs of between 2.5:1 and 3.0:1 (with minimum retail floor space requirements) and an 8 storey height limit.

The maximum residential yield is approximately 220 dwellings and the retail floor space is up to 16,000sqm.

Summary of submissions

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One submission (Submission No. 97) was received from the land owner of 747-751 Pacific Highway (the Commonwealth Bank and Bunnings known as G5) which forms a small part of Precinct G.

The submissions seek the following amendments to the Draft LEP and DCP:

- increase the exhibited FSR and height limits to allow a 12 storey building; and
- deduct the existing floor space of the CBA building from the calculation of block G5's GFA.

The submission argues that:

The proposed FSR and building height is considered conservative, given the fact that the CBA building (a heritage item) cannot be significantly altered;

- The proposed building height (7 storeys) on the north of G5 will overshadow the possible future open space suggested on the south of the site; and
- Concept plan provided to support the submission.

Analysis and Discussion

Council staff and external consultants have undertaken an analysis of the amendments sought in the submission in terms of traffic impacts, community/public interest, economic issues and urban design among others.

a) Public interest/public space

An area of public space is proposed in the draft DCP for the area behind the Commonwealth Bank building extending through to Wade Lane.

It is noted that a development application (DA) for the Gordon Post office adjoining the site has been approved and has commenced construction. Given that the DA was approved prior to the town centre plans and construction commenced recently the proposed building has not been designed in relation to the public space proposal. The result will be a 3 storey blank wall along the southern side of the proposed space. The submission also notes that the public space is located on the south side of a proposed 7 storey building which may result in significant overshadowing of the space.

For these reasons it is staffs view that this space will not work as a potential public space and it may appropriate to review the built form for G5 accordingly.

b) Economic Feasibility

The Draft LEP document shows an FSR for the subject site of 2.5:1 and a 7 storey height limit above ground. Reference to the Sphere Property Corporation (SPC) report dated July 2006 shows that a higher FSR was recommended to achieve commercial viability.

The submission requests a height to 12 storeys on the subject site on viability grounds however no financial information has been provided to support the claim.

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Sphere Property Corporation has reviewed the submission and modeled the scheme included in the subject submission and concluded that a higher FSR is needed than what is currently provided in the DLEP to make development commercially viable. Sphere note that it may be appropriate to exclude the usable floor area in the refurbished bank building from FSR calculations.

c) Planning/land use

The submission requests an increase in height to 12 storeys which cannot be supported on planning grounds. One of the planning principles is to achieve, as far as is possible, a hierarchy in building heights between the regional centres of Hornsby and Chatswood (typically buildings more than 10 storeys), and within Ku-ring-gai, a centre hierarchy. The town centre plans currently allow the tallest buildings in Gordon (up to 9 storeys), 7 storey buildings in Lindfield and 5 storey buildings in Pymble and Roseville.

d) Urban design

A review of the building envelopes has been undertaken by Council's urban design consultant to test the issues raised above. The review has found that it is possible to achieve a higher FSR while retaining the Bank building and providing a public arcade through the site

The submission proposes a building with a tower form. This is in contrast to the block edge development proposed in the Draft DCP. A tower form in this location would impact on the redevelopment of sites to the north. The block edge form is considered more appropriate in this context as it encourages orderly and equitable site development.

e) Traffic Impacts

An increase in FSR of 0.5:1 on this site would result in an overall increase of about 800sqm of commercial/retail uses which represents less than 2% of the overall commercial yield proposed in Gordon and therefore is unlikely to be a significant change that would warrant further modelling.

f) Heritage

The following is a summary of a response to the heritage issues raised in the submission by Council's heritage consultant identified in the submission prepared on:

- It is considered that the primary significance of the Commonwealth Bank is its aesthetic character and the ability for its architectural form to represent a significant type of bank building.
- These values can be appreciated in the external form and detailing of the bank and the principal spaces of the interior, defined as those under the hipped roof sections.
- The building was never intended to be appreciated from Wade Lane to the rear and therefore it is considered possible to redevelop the rear portion of the site in a sympathetic manner without adverse impact to the places.

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- The loss of the proposed public open space at the rear of the site is not considered to have an adverse impact on the significance of the Bank. In fact it is likely that some development is needed to provide for the conservation of the Bank.
- Council needs to weight the feasibility of conserving the heritage item through additional development against the provision of public open space and the resulting community benefit.
- It is also appropriate for Council to consider the cost of conservation works to the heritage item when assessing the feasibility for redevelopment of the site

Summary and Recommendations

Based on the analysis above the following can be concluded:

- The site requires a minor higher FSR to be feasible for redevelopment;
- The proposed public space in the draft DCP should be reconsidered;
- It appears that achieving both public space and conservation of the heritage item on the one site will require significant increases in building height which is not appropriate; and
- It may be necessary to provide incentive for restoration of the heritage building by excluding the area from FSR calculations.

It is noted that considerable thought has been given to providing additional open space within the town centre in response to community concern. A detailed discussion is provided in this report under the Open Space comments section.

The recommended amendments set out below:

Draft LEP:

- no change to building heights
- increase FSR from 2.5 to 2.7:1 including the CBA bank building

Draft DCP

- Revise building on 747 Pacific Highway to include an additional 2 storey retail component along the southern boundary, from the rear of the heritage building through to Wade Lane.

Precinct H — bounded by Pacific Highway, Moree Street, St Johns Avenue (west) and single residential dwellings

Existing situation

The precinct is currently zoned-as follows:

- The properties along Moree Street and St Johns Avenue are zoned residential 2(c2) allowing dwelling houses (with dual occupancy allowance);
- The shops along the Pacific Highway are zoned Business --- Retail Services 3(a)-(A1) with a maximum FSR of 2.0:1 and a 3 storey (or 12 metres) height limit allowing retail,

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commercial and business uses; and

- The Liberal Catholic Church on St Johns Avenue is zoned Special Uses — Church.

The Draft Town Centre LEP proposes to rezone the precinct to B2 — Local Centre allowing a mix of uses including residential, retail and business premises and including a supermarket. The planning controls for the site allow an FSR of 2.5:1 to the properties along Moree Street and St Johns Avenue and 3.4:1 (with minimum retail floor space requirements) to the shops along the Pacific Highway. The precinct has an 8 storey height limit.

The residential yield is approximately 130 dwellings and the retail floor space is up to 12,000sqm.

Summary of submissions

A large number of submissions were received from residents in relation to this precinct including submissions from individuals, petitions and submissions from groups.

In summary the submissions seek the following amendments to the Draft LEP and Development Control Plan:

- Removal of proposed retail uses from Precinct H;
- Consideration of alternative locations for retail/supermarket; and
- Reduction in building heights to 3-6 storeys and residential uses only.

The submissions object to commercial zoning/ 8 storey height of St John's Ave (west) because of:

- Negative effect on the amenity of the street and on family friendly nature of the locality;
- Adverse impact on streetscape, historic character of the street with heritage sites, zoning is without any prior warning. The heritage of the homes and streetscape has been maintained in this area. It has been classified by the National Trust as part of Ku-ring-gai's Urban Conservation Area;
- St Johns Avenue is the only street in the municipality which has been changed from residential to retail zoning;
- 8 storey buildings will cause problems such as blocked/unsightly/ restricted views towards the horizon (especially west);
- The residential apartments on top of this should be terraced upward towards the Highway starting at one level above the retail centre to a maximum total building height of six floors along the western boundary of the Pacific Highway. This will allow luxury apartments that would appeal to the current population;
- The tower overlooking the church will impact negatively on the historic church via traffic problems, safety issues and parking issues (see submission No. 30);

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- DCP controls inadequate to protect existing character;
- Site unsuitable for supermarket with inadequate shopper parking. To tap into commuter shoppers, an express size supermarket on St Johns Ave (east) would be better. This would allow the reduction on the west side of the highway to single level retail;
- Should not go higher than 5 storeys as per Turramurra, Pymble and St Ives. Development should also not go past the natural boundary created by the cemetery;
- Development should consist of sympathetic 5 storey medium density residential development;
- Should not go higher than 3 storeys, which would still allow for some medium density. The submissions object to retail development in Precinct H because:
- Not consistent with Council and consultant's retail objectives (proximity to station entry, pedestrian links, other options for large supermarket, containment of retail sprawl);
- Not suitable location for the prime retail area in Gordon – lack of convenience-congested traffic, reduced parking, increasing dividing effect of highway, lower parking requirements not valid);
- Provides for 4,000sqm to 5,000sqm supermarket, 60% bigger than largest supermarket in Ku-ring-gai today- at 5,000sqm. No other shops could exist on this floor, making other shops unviable without this proximity. Size exceeds retail caps in other parts of the world. If the supermarket was smaller it could also fit in other (better) locations, closer to station, curbing retail sprawl, improving pedestrian access, and reducing impact on existing residential areas (alternatives,– see submission No. 105);
- Expansion of commercial into residential area overrides state government exemption (as a result of LEP 194) from further planning from SEPP 53 and contradicts its objectives (protection of environment and heritage, regard to impact on heritage items)
- Changes nature of residential historic street;
- Height of building map incorrectly shows St Johns Ave as 3 storeys and Moree as (Submission 105);
- As supported by the submission of a petition with over 600 concerned citizens, we are willing to accept sympathetic stepped back Medium Density Housing up to 5 storeys in area H as an alternative to the proposal;
- Retain residential classification of St Johns Avenue as per LEP 194 which was exempted by the Minister for Planning from Stage 2 planning.

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A number of the submissions recommend alternative sites for retail expansion other than precinct H:

- Reduce the retail development/space in precinct H or move it elsewhere. This could be possible by taking out the 5,000-6,000sqm portion of the total of 46,000sqm and putting it in precincts G, J and perhaps a third floor in precinct F. (see submission No. 183);
- Development precinct H could be further 'slowed down' by combining Precinct H1 and H2;
- Close and build over Moree St linking Precincts F and H, without the need to extend so far to the west;
- The commercial site between the Pacific Highway and the railway should receive more development instead;
- Council should shift the focus of development to the eastern side of the highway between the railway line and the highway. Placing the retail development here would reduce or eliminate other problems such as traffic problems, narrowing of suburban streets, access problems for cars, pedestrians and parking;
- Inequitable that the draft Plan provides 6 and 7 storey developments at G1-5 and only 3 and 4 level developments at G6-8 reference. The height for G6-8 should be increased by 1 or 2 storeys. The number of levels for retail should be increased to 3 storeys;
- G6-8 is the ideal site for a second supermarket given:
 - Its proximity to the station;
 - It is on the other side of the highway to the existing supermarket;
 - Its proximity to the Council car park;
 - The access to those pedestrians that use Wade Lane to get to the north end of town;
 - The plans for Wade Lane car park are unclear. Proper thought hasn't been given to building over Wade Lane. Allow all buildings in precinct G to go up to 8 storeys this will entice developers, or amalgamate G6, G7, G8 and Clipsham Lane. (see submission no. 183) Council should approach the State Government in relation to obtaining railway land, this will help with the development near Wade Lane car park.

Analysis and Discussion

Council staff and external consultants have undertaken an analysis of the amendments sought in the submissions. The issues raised in the submissions break down into five key concerns:

- Proposed building heights;
- Retail and commercial uses on St Johns Avenue/Precinct H;
- The scale of retail uses;
- Consideration of alternative locations for retail;
- Heritage and streetscape impacts;

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These issues are addressed below:

a) Building heights

Council has sought independent urban design review of the proposed building envelopes within Precinct H. The comments are provided in **Attachment 12**.

b) Retail and commercial uses on St Johns Avenue/Precinct H

The key considerations of the decision to locate retail on Precinct H are the Ministers Section 55 Direction and advice from the Department of Planning, the Ku-ring-gai Retail Strategy (2005), SGS Economics Review and the Metropolitan Strategy:

- Council is under a Section 55 Direction from the Minister of Planning to prepare a new town centre plan for Gordon, the planning is to provide additional housing and to provide additional retail and commercial development to cater for the community. The Ministers Direction requires Council to revitalise the town centres and plan for retail expansion as well as additional housing.
- The regional context is set by the Metropolitan Strategy which identifies a hierarchy of centres. Hornsby and Chatswood are the Major Centres for the sub-region and Gordon has been identified as the next down in the hierarchy as it is mid way between the two geographically and as per the Outcomes of the Ku-ring-gai Retail Strategy prepared by Hill PDA (July 2005).
- The Retail Study identifies a significant undersupply of retail in Ku-ring-gai both now and into the future. The study developed a number of options for retail expansion and Council resolved option 3 which was to put the most retail floor space in Gordon (around 55-60,000sqm total), with St Ives the next largest centre, primarily because Gordon is on the train line.
- A second more detailed retail study, by SGS Planning, confirmed the findings of the first study, albeit recommending less retail growth. Accordingly Council resolved on the 20 April 2006 that:

"Gordon will be a town centre comprising...up to 46,000sgm of retail floor space including a second supermarket concentrated in a retail core in the area between St Johns Avenue and Park Avenue"
- Consistent with the State Government's Metropolitan Strategy Gordon is considered a Town Centre. As a Town Centre the area for review and new planning is generally within an 800 metre radius of the rail station.
- Detailed analysis of Gordon by the planning team (comprising staff and economic, traffic and retail consultants) to determining where best to locate the additional retail floor space explored a range of options and these will be discussed further below. SGS provided two basic retail planning principles to guide the process:

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- Retail be generally restricted to two storeys as 3 storeys is only viable in large centres such as Westfield type developments;
- retail must be within a strip no longer than 600 metres for retail viability;

With these principles in mind retail has been maximised within the existing retail commercial areas of Gordon:

- Precinct G (bounded by Pacific Highway, Park Avenue, the rail corridor and Churchill Lane, and incorporating Wade Lane) has up to 2 storeys of retail throughout;
- Precinct F (bounded by Pacific Highway, Dumaresq Street, Moree Street and Residential R4 zone), the Gordon Centre, has 2-3 storeys of retail;
- It was subsequently found that it is not possible to accommodate the total requirement of 46,000sqm of retail within the existing commercially zoned land. Other opportunities were examined including precinct H. Precinct H was selected as the preferred location because it builds on the existing structure of the centre by establishing St Johns Avenue as the main "cross street", it is within close proximity to the rail station and within close proximity to the Gordon Centre and the existing land use does not unduly restrict future retail development
- The detailed planning of precinct H was driven by design related decisions as to how far down St Johns it is considered appropriate to extend the new zone given the character and heritage of the street. The north western corner of the cemetery was identified as the maximum extent of the retail zone as from that point down there is a marked character change with single dwellings on both sides of the street and the street tree canopy is contiguous on both sides and consistent in species.

c) The scale of retail uses

Both retail studies for Gordon identified the potential for either a second supermarket and/or a discount department store (DDS). This demand has been confirmed in a recent submission from the Gordon Centre (refer Precinct F discussion). The industry standard for a supermarket is about 3,500sqm in size with the smaller ones around 2-2500sgm and the larger full-line supermarkets around 5,000sqm, a full-line DDS is up to 8,000sqm in size. This is not, as a submission claims, exceeding world wide standards. Council has planned for the potential for a large supermarket or possibly small DDS which is considered responsible long term planning for a retail centre of the scale of Gordon.

Submissions note concern regarding Council planning for a large supermarket of up to 5,000sqm. It is noted that the retail floor plate without amalgamation of shops on the highway is about 4,500sgm which would accommodate a medium sized supermarket of around 3,500sqm. This is considered a more likely outcome as full amalgamation of the shops is a long term outcome.

d) Alternative locations for retail

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A number of options for locating additional retail, particularly large floor plate uses such as a supermarket or a small DDS, were considered by the planning team:

- The eastern side of Gordon along Werona Street is not supported by the retail and economic specialists because the result would be to split the centre.
- Air rights development was considered over the rail line near Park Avenue and was ruled out because Rail Corp are unwilling to allow development over the rail corridor and the cost of such works generally warrants 12 – 15 storey and taller buildings for viability.
- Precinct G was considered for additional retail above and beyond the 2 storeys currently provided by utilising Wade Lane and linking with the Council car park. A site area of 4,500sqm (which would allow a floor plate of about 3,200sqm) can be achieved however this option was ruled out due to traffic constraints (locating very high trip generator in the most difficult site to access) also next to the Railway Station, economic constraints related to site amalgamations and urban design considerations related to retaining Wade Lane as a public street.

Additionally the submissions raise a number of other alternatives:

- G6, G7, G8 is identified as an alternative location for a supermarket. In response, G6 (former Gordon Post Office) is not available given construction has commenced on a 3 storey retail/commercial development. G7 and G8 combined with Clipsham Lane create a site area about 3,500sqm. While this site would fit a small supermarket (say 2,500sqm allowing for loading docks etc.) the site is not large enough to allow perimeter shops the result would be blank walls along either/or the highway and St Johns Avenue and the streetscape impacts would be unacceptable.
- Precinct J is partly occupied by a heritage listed building. The remainder would allow a site area of about 2,000sqm which is not large enough for a supermarket
- The closure of Moree Street is also noted as an option in the public submissions. This area would provide a continuous floor plate linking the Gordon Centre with Precinct H. It would be necessary to provide this at the first floor level with cars passing underneath along Moree Street (effectively bridged over Moree Street). Noting that closure of Moree Street at ground level is not a possibility because the traffic plan requires Moree Street to link with the Pacific Highway. While this is an option it would only reduce Precinct H by about 1,800sqm and the result would impact on the streetscape of Moree Street that will require substantial works to resolve, Bridging of roads such as this usually accompanied a much larger scale of development such as Chatswood, Hornsby or Parramatta.

e) Heritage, streetscape and building heights

Council's heritage consultant has considered the proposal for Precinct H1 and H2 and finds it will not result in an unreasonable impact to the heritage significance of the area. A summary of the comments made by Council's heritage consultant is provided below and the full report is in **Attachment 11**.

The impact on the character of an historic and heritage street:

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- The proposed built form has responded to the character of the area by retaining the vast majority of the streetscape and establishing a physical and visual buffer so that character may be appreciated.
- The proposal for Precinct H2 has been confined to the eastern end of St Johns Avenue, the existing character of the residential areas to the west will be retained.
- the introduction of New Street and a row of two storey town houses on the western side establishes a strong boundary for the residential areas further west along St Johns Avenue
- The impact will be from the loss of three existing dwellings on St Johns Avenue which will marginally decrease the extent of the area.
- The relatively small encroachment into St Johns Avenue west is considered reasonable and would not deter the conservation of the remainder of the street in the future if warranted by its significance.

The proposed building location and scale is considered appropriate. The residential towers are located a considerable distance from the existing detached dwellings and are unlikely to be appreciated in the same visual context. The two storey podium and two storey town houses along St Johns Avenue also relate sympathetically to the scale of existing development further west.

Loss of buildings and elements of potential significance

- The dwellings at the eastern end of St Johns Avenue were considered in the heritage review of the Town Centre and did not reach the threshold of significance required for conservation.
- The submission notes that a potential 'convict well' was once located within Precinct H1 just to the east of St Johns Lane. Archaeological relics are protected under the Heritage Act 1977. It is recommended that an archaeological assessment is undertaken in association with any development proposal for precinct H1. If the submission is correct in identifying the potential for an archaeological resource it is suggested that appropriate conditions are added to the DCP highlighting the requirement for an archaeological assessment to be undertaken in association with a relevant development application.
- The submission identifies the dense tree canopy and avenue planting of box eucalypt along St Johns Avenue. The trees have a positive visual presence in the streetscape and it is considered appropriate that they are retained. Provided Council requires sufficient measures for the protection of the trees during the redevelopment of the Precinct the street trees should be able to be maintained.

Potential impact upon nearby heritage items

- Given the considerable cartilage of the cemetery and church grounds the tower, although visible from within the grounds, is not considered to be of such bulk and scale that it will adversely enclose the site and adversely affect its outlook.

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Summary and Recommendations In summary:

- Retail and commercial uses are appropriate on St Johns Avenue and Moree Street within the area defined by Precinct H;
- There are no viable alternatives to locate the required demand for retail and Precinct H has been tested and found to be the only site.;
- The scale of retail uses is appropriate for a town centre, it minimises trips out of the area and provides employment;
- The impacts on heritage, streetscape have been minimised;
- building heights are considered appropriate to the scale of the centre. Relevant issues raised in the submissions include:
- the need for greater clarity regarding the extent of the retail area and the location and size of a possible supermarket. This can be achieved through amendments to the LEP and DCP;
- the need for set backs to the proposed retail along St Johns Avenue to accommodate future road widening and protect existing trees/allow for new street trees;
- the need for an archaeological assessment as part of any work in the area;
- more illustrative material to assist with communicating the future character of the area.

The following amendments are recommended:

LEP

- amend zones and FSRs in Precinct H2 to include an R3 zone to the west of the proposed new street (to replace current B2 zone).

DCP

- show location for proposed supermarket of a maximum size of 3,500sqm at the eastern end (towards the Pacific Highway) of H2;
- revise amalgamation lines to reflect B2/R3 zones;
- provide a 2-3 metre setback to the retail development along the full frontage of St Johns Avenue this will allow a widened footpath and landscaping;
- development control is added to the DCP highlighting the requirement for an archaeological assessment to be undertaken in association with a relevant development application Heritage Act 1977;
- within the DCP provide sketches/photo montage of Moree Street and St Johns Avenue and new street to clearly show the intent.

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Other

As a priority prepare a fully rendered Simmersion model for precinct H for future public information.

Precinct L — bounded by the Railway, William Street, Pearson Avenue and Burgoyne Street

Existing situation

The precinct is currently zoned Residential 2(c2) and allows single residential dwellings (with a provision for dual occupancy with conditions).

The Draft Town Centre LEP proposes to rezone the precinct R4 — High Density Residential allowing residential apartment buildings. The planning controls for the site allow an FSR of 1.0:1 and a 5 storey height limit.

The potential residential yield is approximately 105 dwelling units.

Summary of submissions

A large number of submissions have been received for this precinct. The submissions divide into two categories: the land owners within the precinct; and the residents in the surrounding streets.

In summary the submissions seek the following amendments to the Draft LEP and DCP:

- removal of Precinct L from Draft LEP;
- reduction to 2 storeys;
- Make Precinct L open space;
- Inclusion of 21 Mt William Street into rezoning;

The submission from land owners within Precinct L seek either:

- Retention of current 2(c2) zoning or
- Increased FSR to 1.3:1

Submissions that object to the proposed rezoning of Precinct L note the following:

- Impact on community, lifestyle, street and homes.
- Rezoning happened overnight. Previously zoned 2(c2) when resident purchased.
- Should be made open space for the enormous influx of people in Gordon. The area is suitable as it is already surrounded by an Urban Conservation Area which requires that surrounding buildings do not impact on the character of the area.
- Should be zoned the same as it is under LEP 194 as 2(c2) which allows 2 storey development/dual occupancy as stated by council's own consultant.

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- Not sustainable due to cumulative traffic impacts from Council depot rezoning. The rezoning of the Council Depot has already been zoned as high density so the residents of East Gordon have already had their share of traffic and high density.
- Will result in randomly located 5 storey buildings sprinkled in and around one and two storey residential homes.
- The topography of the land is such that the proposed 5 storey development will look (from the residents' point of view) like 7-8 storey buildings/ 10 storey buildings.
- Inconsistent with Council's urban design principles which state: "create built forms which relate consistently to the topography of the place."
- Given topography, new development will intrude significantly into private recreational spaces.
- Lack of interfaces or step down in heights.
- The grade and slope of the land in Pearson Avenue exacerbates the problem of bulky hovering buildings dominating the skyline and threatening the whole area of East Gordon. There is no effort taken to create a step effect to the height of the buildings.
- High-rise development will not step down to residential properties thus residents living directly opposite these sites will be living in the shadows of these buildings after 2pm.
- The heritage home at 8 Pearson Ave should not be surrounded by these monstrosities.
- Site not suitable as Pearson Ave is a very hilly street which makes walking anywhere very difficult.
- No reason to target Precinct L; it is not adjacent to the railway line nor the highway.
- It is commercially separate as it is located in a residential area with no businesses *or* shops.
- Council's use of a cross-sectional drawing of Precinct L taken at the lowest lying points for its exhibitions is disingenuous.
- Suggest two storey buildings for this precinct and extension of the zoning of two storey buildings to include the properties bounded by Mt. William Street, Pearson Avenue and Carlotta Avenue to meet the dwelling targets.
- As part of the Metropolitan Strategy's "vision for housing" it clearly states "as housing density increase in these places, the character of Sydney's suburbs will be protected" thus leave precinct L the way it is.
- The NSW Government Metropolitan Strategy website does not list Gordon as a town centre,

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only Bondi, Auburn, Top Ryde and Cabramatta as examples. These centres are already much more developed than Gordon. The same document lists Bronte, Granville and Oatley as Village Centres. Gordon is much more suited to this.

- Under the directive from the Minister (section 55) council was told to only target areas zoned 2D, 2E, 2F, 2H, 3(a) and 3(b) for high density. There is no reason and clearly no Government directive to rezone 2(c2) for high density, which is what is proposed for St John's Avenue and Precinct L.
- Precinct L is an Urban conservation area and most of the homes are either heritage or built in a style to complement the area.
- It is an ecological conservation area with the beautiful tree canopy which is a haven to many animals.
- Despite Councillors responses that proposed developments planned for Gordon would take 15-30 years so residents are worrying needlessly at this stage, but in actual fact development will happen in 6-18 months in Precinct L because of its profitability.
- The traffic along Pearson Avenue is already problematic and adding 280-300 new dwellings will make traffic worse.
- Should be zoned for open space with the heritage site used for community purposes.
- Residents have had to consider the UCA (albeit ungazetted) in their development application plans.
- There is a need for infrastructure spending in Precinct L, there are broken footpaths, cracked and broken roads, overflowing drains and street lighting inadequacies.

Submissions that seek increased FSR within Precinct L note the following:

- Despite being defined as "High Density", the draft zoning for this precinct is currently proposed to have an FSR of 1:1. This is inconsistent with the other R4 zones under the Draft LEP and is significantly lower than the FSR of 1:3:1 defined as "Medium Density" in areas zoned Residential 2d(3) in LEP 194. This would appear to be inconsistent and contradictory, not in accordance with state government or Council objectives in relation to increasing densities close to the station will reduce the number of dwellings achievable and impact on potential property values.
- Therefore it is requested that the FSR for Precinct L be amended to 1.3:1, consistent with other R4 sites.
- Additional traffic generation from an increased FSR to Precinct L will be minimal and negligible as we are within 450m of the train station and bus stops and shops. Therefore the majority of future residents will be assessing public transport rather than driving cars.

The submission in regard 21 Mt William Street raises the following issues:

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Unjust that other heritage sites had assessments of impacts of high rise development at Council expense, while 21 Mt William St had to provide own assessment;

- Discriminatory to rezone other heritage sites, as they are located between high rise (eg. 8 Burgoyne), but not this site,
- Alternatively, the significance of the site should be protected by providing an interface between the site and 5 storey development;
- Potential adverse impacts on 21 Mt William St include loss of privacy; overshadowing in the morning; visual impacts; loss of extensive views; loss of property value.

Analysis and Discussion

Council staff and external consultants have undertaken an analysis of the amendments sought in the submission in terms of traffic impacts, community/public interest, heritage, economic issues and urban design among others.

g) Public interest/public benefit

Submissions suggest that precinct L should be acquired by council for open space. While this idea would at first appear to have merit close analysis shows that a park in this location would only serve residents to the east of the rail line within a radius of about 200 metres given the major barriers of the highway and the rail line to the west the park has therefore a limited catchment. Open Space planning practice would locate a park which can be accessed from any direction for a distance of at least 200 metres.

h) Planning/land use

Precinct L has been identified as a suitable site for high density residential for the following reasons:

- Council is under a Section 55 Direction and the Section 54(4) advice from the Minister of Planning to prepare a new town centre plan for Gordon, the planning is to provide additional housing (eg apartments) and to provide additional retail and commercial development to cater for the community.
- The Gordon centre is classified as a town centre under the State Government's Metropolitan Strategy and the area for review and new planning is generally within an 800 metre radius of the rail station.
- Precinct L falls within the nominated distance from the station, it is contiguous with existing LEP 194 and LEP 200 zones to the north and south, it adjoins the rail line to the west, and it is bounded by roads on the other two sides.
- The interface impacts are minimal. The building envelope controls in the Draft Gordon DCP provide for a 10 metre landscaped setback to Mt William/Burgoyne/Pearson, this, combined

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with a road reserve of 20 metres and setbacks to existing houses on the other side of the streets of between 5 and 10 metres, creates a separation of between 35 and 40 metres to surrounding dwellings.

One of the issues raised in the submissions is that Precinct L should have a higher FSR similar to all other R4 zones which is 1.3:1. Council's Urban Design consultant has tested the envelopes to determine whether it is possible to achieve a higher FSR and what would be the impacts.

Envelope tests show that 1.3:1 FSR is achievable while maintaining 10-12 metre front setbacks and 12 metre building separation and 5 storey building heights.

The main impact resulting from the test is decreased setbacks from the 21 Mt William Street property. The Draft DCP shows a 16 metre setback while the 1.3:1 scenario shows a 12 metre setback. The lesser setback will impact further on the amenity and privacy of 21 Mt William Street.

j) Economic Feasibility

Council's economic consultant has provided advice that indicates the density proposed in the DLEP would make redevelopment potentially attractive to developers. While an increase in FSR would clearly make the precinct more attractive an increase in FSR does not appear to be necessary from an economic point of view.

k) Heritage

21 Mt William Street is an existing heritage item under the KPSO which is located outside Precinct L on the western boundary. The owners of this property have made a submission in relation to the impacts of Precinct L on the property including engaging a heritage consultant to provide advice. Council's Heritage consultant has reviewed the submission and the recommendations of the review are set out below and the full memorandum is in **Attachment 11**.

Recommendations:

- The impact on the setting and amenity of the heritage item is important for its future conservation, as a disagreeable living environment will potentially reduce the desirability to conserve the residence.
- The increase of the front setback on L1 is not considered to be as crucial to the amenity and conservation of the item as the relocation of building mass and bulk away from the adjoining side boundary; this also assists to reduce potential overlooking of living / recreational areas within the property.
- Where possible development on the individual allotment adjacent to the item should be three storeys.
- It is preferable that the FSR for development on L1 is maintained at the lower ratio of 1.0:1.

1) Traffic Impacts

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An increase from 1.0:1 to 1.3:1 would result in approximately 30 additional dwellings. This is not considered significant in traffic terms and does not warrant further modelling at this stage.

Summary and Recommendations

Taking into account the analysis above the following is noted:

- From a planning point of view Precinct L is considered an appropriate location for R4 High Density Residential zone;
- There is no compelling argument, from an economic point of view, to increase the FSR within Precinct L from 1.0:1 to 1.3:1;
- There are potential heritage impacts as well as issues related to amenity on 21 Mt William Street with further increases in density;
- The area around Precinct L is not considered an optimal location for open space

The main issue to be addressed therefore is the impacts on 21 Mt William Street for which there are 3 options:

Option 1

Retain the current Draft LEP and DCP controls. This provides a setback of 16 metres from the side boundary next to the house and a setback of almost 30 metres from the boundary of the rear garden. These setbacks are very large and provide adequate space for screen planting.

Option 2

Reduce building heights to 3 storeys on the part of the new building closest to 21 Mt William Street. To retain the current FSR and heights on the site this would require reduction of the side setback to around 8-10 metres. This option is considered less preferable than option 1.

Option 3

Incorporate 21 Mt William Street into Precinct L as a heritage item. This would most likely require a 1.3:1 FSR across Precinct L with retention of the heritage item giving an average of around 1.0:1 FSR across the whole precinct. This however would require significant site amalgamations (14 properties in total) and would increase the density of buildings which would impact on surrounding residents.

It is considered that Option 1, which is to retain the current controls for Precinct L, on balance, provides the best outcome.

It is therefore recommended that there be no change to the draft LEP and DCP in relation to Precinct L

SUMMARY OF OTHER SITES**Precinct B -- bounded by Pacific Highway, Ryde Road, Vale Street and Merriwa Street**

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Existing situation

This precinct is currently zoned 3(b)-(B1) and has a maximum FSR of 1.0:1 and a 3 storey (or 12 metres) height limit allowing office services and employment type uses.

The Draft Town Centre LEP proposes to rezone the precinct B4 – Mixed Uses allowing a wide range of uses including residential, retail and business premises and commercial uses. The planning controls for the site allow FSRs of between 1.8:1 and 3.0:1 (with minimum commercial/retail requirements to properties fronting Pacific Highway and Ryde Road) with between 4 and 8 storey height limit.

The principle role of the precinct is to provide support to the core retail area of Gordon between St Johns Avenue and Park Avenue.

Summary of submissions

One submission was received for this precinct from the Alto Group who are the land owners of 880-898 and 870 Pacific Highway.

The submissions seek the following amendments to the Draft LEP and DCP:

- To show 870 Pacific Highway amalgamated with 880 and 898 Pacific Highway;
- - For the new amalgamation-a floor space ratio of 3:1 for consistency purposes;
- Amend the diagram in Section 4.3 of the Draft DCP to acknowledge the existing vehicular access driveways to each of the Alto Group's sites; and
- Allow ingress and egress from both Pacific Highway and Fitzsimons Lane for 880 Pacific Highway.

Summary and Recommendations

The following amendments are recommended for Precinct B

Draft LEP (Precinct B):

- Show 3.0:1 FSR and 8 storey height on 880-898 and 870 Pacific Highway.
- inclusion of bulky goods within precinct B
- strengthen the objectives to clarify definition of permissible retail within precinct B

Draft DCP (Precinct B):

- Amend amalgamation line to include 870, 880 and 898 Pacific Highway as one site;
- Adjust building envelopes to be consistent with LEP and DCP;
- Amend Section 4.3 of the Draft DCP to acknowledge the existing vehicular access driveways to each of the Alto Group's sites; and
- Allow ingress and egress from both Pacific Highway and Fitzsimons Lane for 880 Pacific

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Highway.

Precinct C - bounded by Pacific Highway, Merriwa Street, McIntyre Street and Residential R4 zone

Existing situation

The precinct is currently zoned 3(b)-(B 1) and has a maximum FSR of 1.0:1 and a 3 storey (or 12 metres) height limit allowing office services and employment type uses.

The Draft Town Centre LEP proposes to rezone the site B2 – Local Centre allowing a mix of uses including residential, retail and business premises. The planning controls for the precinct allow an FSR of between 2.0:1 and 2.1:1 (with minimum retail/commercial FSR requirements) and a 4 storey height limit.

Summary of submissions

No submissions were received for this precinct.

Precinct E - bounded by Pacific Highway, Dumaresq, McIntyre Street and Residential R4 zone

Existing situation

The precinct is currently zoned 3(a)-(A1) has a maximum FSR of 2.0:1 and a 3 storey (or 12 metres) height limit allowing retail and business uses. The Council Chambers site occupies the central site within this precinct.

The Draft Town Centre LEP proposes to rezone the site B2 – Local Centre allowing a mix of uses including residential, retail and business premises. The planning controls for the site allow an FSR of 2.3:1 and a 7 storey height limit.

The Council Chamber site is proposed to have a minimum 1.5:1 minimum FSR requirement for community services.

Summary of submissions

One submission received in relation to Precinct C from the owner of 9 Dumaresq Street which directly adjoins a proposed 7 storey residential building on Council's car park off Dumaresq Street (7 Dumaresq Street).

The submission seeks the following amendments:

- A setback for the 7 storey building of 9 metres from the western site boundary; and
- A maximum of 5 storeys for the Council car park site.

Summary and Recommendations

There remains significant work to determine the future direction and planning outcomes for this site, both in respect of community and organisational need and how best to deliver those

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outcomes. Accordingly, no change is recommended to the LEP but deletion of the exhibited building envelope is recommended. Further planning work will also be required prior to any further consideration of reclassification.

Recommended amendments:

Draft LEP (Precinct E)

- No change retain B2 zone and 2.3:1 FSR

Draft DCP (Precinct E)

- Adjust building envelope of community building to be within the footprint of existing Council administration building
- Delete residential building envelope
- Retain general notes in 4.7.4 Block E relevant to the zone

Precinct F - bounded by Pacific Highway, Dumaresq Street, Moree Street and Residential R4 zoneExisting situation

The precinct is currently zoned 3(a)-(A1) has a maximum FSR of 2.0:1 and a 3 storey (or 12 metres) height limit allowing retail, commercial and business uses. The Gordon Centre is the major land use within the precinct.

The Draft Town Centre LEP proposes to rezone the site B2 -- Local Centre allowing a mix of uses including residential, retail and business premises. The planning controls for the site allow an FSR of 3.4:1 (maximum retail of 1.7:1) and an 8 storey height limit.

Summary of submissions

One submission was received from DBB REEF Trust Managers of the Gordon Centre

The submission notes support for the draft LEP and DCP including:

- the Council's proposals for the re-zoning of the Gordon Town Centre Area;
- proposals for facilitating the further development of Gordon as the Town Centre for Kuring-gai;
- support the provision of both public and private open spaces within and close to the Town Centre area; and
- The aims for increased retail floor area within Gordon and the addition of a further supermarket, Discount Department Store and appropriate specialty shopping, together with adequate car parking.

The submission seeks the following amendments to the Draft LEP and Draft DCP:

- More flexible controls including removal of height limits on particular areas including Wade Lane and car park., Pacific Highway East, the Gordon Centre and the adjacent area between Moree Street and St Johns Avenue.

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- Building height restrictions be replaced by more qualitative standards.

Summary and Recommendations

The following amendments are recommended

Draft LEP (Precinct F)

- No change

Draft DCP (Precinct F)

- No change

Precinct I – bounded by St Johns Church and Cemetery, Pacific Highway, Bushlands Avenue and single residential dwellings to the west

Existing situation

The precinct is currently zoned as follows:

- Residential 2(c2) 746A , 746 , 742 Pacific Highway and 1 Bushlands Avenue; and
- Residential 2(d) on 738, 740, 744 and 748 Pacific Highway.

The precinct adjoins the St Johns Church and Cemetery.

The Draft Town Centre LEP proposes to rezone the precinct R4 – High Density Residential allowing residential apartment buildings. The planning controls for the site allow an FSR of 1.0:1 and a 5 storey height limit.

Summary of submissions

Submissions *were* received from residents both within and around precinct I including a petition from 3, 5, 7 & 7A Bushlands Ave and 22 St John's Avenue. The submissions express two contrasting views one objecting to the reduction in size of Precinct I and to the open space proposal; the other submissions support the reduction of Precinct I and the park proposal.

The objectors seek the following amendments to the Draft LEP and DCP:

- Inclusion of 3, 5, 7 & 7A Bushlands Ave and 22 St John's Ave into Precinct I with a 1.3:1 FSR.
- Removal of park land proposal

Summary and Recommendations

Precinct J - St Johns Avenue and Henry Street

Existing Situation

The Draft Town Centre LEP proposes to rezone the precinct R4 – High Density Residential allowing residential apartment buildings with a minimum commercial requirement of 0.25:1. The planning controls for the area allow an FSR of 1.5:1 and a 6 storey height limit. 36 Henry Street is identified as a heritage item within the Draft LEP with a two storey height limit. The sites

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require amalgamation to encourage adaptive re-use of the heritage item and to provide parking for the item.

Summary of Submissions

Two submissions were received from landowners within this precinct. The submissions support the general controls for 30-36 Henry Street.

The submissions seek the following amendments to the Draft LEP and DCP:

- Westward Ho should not be listed as a heritage item;
- The commercial component of the amalgamated lots should be reduced to 0.14:1, with Westward Ho as the only commercial premises on the amalgamated lots;
- Car parking requirements should be reduced.

Summary and Recommendations

The following changes are recommended to the Draft LEP in relation to Precinct L:

- Reduce minimum business FSR to 0.15:1

The following changes are recommended to the Draft DCP in relation to Precinct L:

- Show 36 Henry Street as commercial only building
- Show building envelope on 30-34 Henry Street as residential only
 - Additional notes to support heritage item retention and adaptation

Precinct Q and R -- New Streets between Moree Street, Dumaresq Street and McIntyre Street

Existing situation

The precincts are currently zoned a mix of residential uses. Two properties are zoned Residential 2(c) as they were previously heritage listed, 5 properties are currently zoned Residential 2(c2) and the remainder are zoned Residential 2(d3) for 5 storey apartment buildings

The Draft Town Centre LEP proposes to rezone the precincts R4 – High Density Residential allowing 6 storey residential apartment buildings and 3 storey townhouses.

Summary of submissions

Submissions were received from residents and landowners within and around the precinct. Submissions expressed objections as well as support for proposals. The submissions seek the following amendments to the Draft LEP and DCP:

- Should be restricted to 5 storeys
- Maintain current 2(d3) zone
- Should not be rezoned.
- Whole street down to Vale St should be rezoned for equity.
- Should not include 6 storey development abutting single storey development

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The planning outcome is considered an appropriate response to the conditions and opportunities within the precinct. The proposal for 6 storeys is considered a reasonable balance for the public benefit provided see **Attachment 9**.

There are no changes recommended.

RezoningExisting situation

These sites are not contained within the area to which the Town Centres LEP applies.

Summary of submissions

- Seeks up-zoning of 12 & 14 Cecil Street to R4

Summary and Recommendations

Zonings additional to those resolved by Council are not supported unless they can be looked at in a strategic context and have had adequate opportunity for community consultation. Whether they be considered in the planning for the Comprehensive LEP due by 2011 should be a matter for future consideration.

No change is recommended.

5. MATTERS RELATED TO THE DRAFT DEVELOPMENT CONTROL PLAN

Public submissions raised a number of matters relating to the objectives, strategies and controls within the Draft DCP. These related how the Draft DCP applied to particular sites as well as more general issues. Details of Draft DCP related issues in respect to specific sites are discussed later in this report. A full consideration of all issues relating to the Draft DCP *raised in* submissions is included in **Attachment 3**. A summary of issues of note and areas where amendments to the Draft DCP are proposed are outlined below.

a. Draft DCP Part 2 - Vision, Objectives and Strategies

Submissions raised concerns in regard to the following:

- Ability to achieve the objectives in relation to historic links between the church, cemetery and rail, and the character of Wade Lane;
- Loss of Annie Forsyth Wyatt Garden and loss of significant tree;
- Extension of park in Dumaresq Street;
- New parks too small;
- Palm on corner of Dumaresq Street and Pacific Highway;
- Practicality of Park Ave/Pearson Street site for playground;
- Designation of area containing preschool equipment as public open space.

Amendments recommended

- Refer to main body of report for recommendations relating to Open Space.

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- For the open space/playground at Park Ave/Pearson Ave further consideration of play space, noise and pollution, and safe pedestrian access are required at design stage.
- Add to DCP s3.2 Design Guidelines Point 6:
 - Conserve and protect significant *Corymbia* in Annie Forsyth Wyatt Garden
 - Seek expert arboricultural advice in review of concept plan prior to detailed designs.

b. Draft DCP Part 3 - Public domain controls

The predominant issues raised in submissions included the following:

- Insufficient provision of public open space including green space;
- Loss of significant tree (*Corymbia citriodora*) in Annie Wyatt Garden as a result of changes around it;
- Opportunity for new park using railway gardens on Werona Avenue;
- Parks shown as Site 6 (s3.2) beside interchange, and Site 2 (s3.1) Park/Pearson Avenue too small to be useable;
- St Johns Avenue and Wade Lane unsuitable for outdoor dining, artist's drawing misleading;
- New park should be in the middle of the highrise to the west of the highway, rather than on Bushlands Avenue;
- Open space uses on the old Depot site;
- Need for strategic public open space zoning and stronger controls on private landscaping to retain natural vegetation to the west of the highway;
- Need for street enhancement works on Moree Street.

Amendments recommended

- Add to DCP s3.1 Design guidelines:
- Improve useability and amenity of "park" on east side of railway line.
- Refer to main body of report for recommendations relating to Open Space.
- Ensure s.2.2.6 and s.3.1 of the DCP show location of existing heritage building.
- Amend DC s.3.1 to include street tree planting further into residential areas of the centre including Moree, Dumaresq and McIntyre streets where opportunities allow.

6. OPEN SPACE PROVISION

A number of submissions relating to the Gordon Centre draft LEP and DCP have raised concerns with open space provision within the plan and the Gordon catchment generally. The main points raised in the submissions refer to:

1. the lack of overall provision of open space within Gordon generally and within the centre specifically
2. Issues relating to the merit of proposed public domain areas and urban spaces within the

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Draft DCP

3. Lack of planning for future open space given significant population increases that are to occur around Gordon

Analysis and discussion*a) Lack of overall provision of open space*

Open space provision within Gordon is far from ideal. The current level of provision of 0.44Ha/1000 people is the second lowest in the LGA. Over 60% of properties are outside park service zones (within 500 metres walking distance)

Council's Open Space Strategy and Section 94 Plans clearly support many of the submissions relating to Gordon. That is Council's existing local parks are not (in terms of both quantity and quality) fully meeting the recreation needs of the existing population and do not have the capacity to absorb the recreation needs and demands of new population.

Zoning for open space within this plan is not favoured by the Department of Planning and their proposal to rezone Council owned land on the corner of Pearson, Burgoyne and Park Crescent to RE 1 has not been supported by the Department.

Additionally proposed public spaces within the core of the centre have received mixed feedback, many indicating they are too small to provide adequate area for effective open space.

b) Merit of proposed public domain and urban spaces

The Gordon Town Centre Draft DCP Part 1 1 Public Domain Master Plan shows a number of proposals for improving the public domain within the central urban area of the town centre, these include:

- Streetscape improvements to Wade Lane, St Johns Avenue and Moree Street which would include footpath widening and street tree planting
- A new bus interchange and green space associated with the entry of the rail station
- Improvements to the existing Civic Square at the library forecourt
- A new public space on Wade Lane behind the Commonwealth Bank on Wade Lane

The relative merits of these have been partly discussed throughout this report. From the submissions it is apparent that what is proposed is considered neither adequate size nor of an adequate quality. Many comments focus on the overshadowing of the proposed spaces, the impacts of traffic movements and also the likelihood of such spaces or places being achieved due to vagaries related to acquisition, cost etc. While there are valid planning reasons for the proposals within the Draft DCP the overall issue remains for Gordon which is that a central public space, that will form the community meeting place for Gordon, is not evident in the plans. This is a fundamental planning principle that has been applied to all centres and has been achieved in Turrumurra, Pymble (which already has Robert Pymble Park), Lindfield, Roseville and St Ives. In Gordon the task has been more difficult due to a combination of factors including

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land values, the location of Council land holdings. Given that there is now strong public support for the provision of a central urban space it is worth examining a number of options.

Key criteria for assessment of suitability would include:

- Proximity to the rail station

- Accessible by pedestrians from all sides
- Open and visible, easily accessible
- Shop frontage on at least two sides, preferred three sides
- Relatively level

Possible options for consideration are identified below:

Option 1 – exhibited proposal

Public space adjoining Wade Lane at the entrance to the station, largely on public land requires acquisition of a commercial property and realignment of Wade Lane

Option 2 – Wade Lane car park

Wade Lane car park could be re-located underground and used as a public space.

Option 3 – Pacific Highway

Acquisition of at least 4-5 properties along the eastern side of the Pacific Highway to create a public space extending from the highway back to Wade Lane

Option 4 – Clipsham Lane

Acquisition of 5 properties in the island of land bounded by Clipsham Lane, St Johns Avenue and Wade lane. This option could be combined with option 1

Option 5 -- Heritage Square extension

Extension of Heritage Square through acquisition of commercial properties along St Johns Avenue.

Based on the above as preliminary identification it is recommended that a detailed study be undertaken to identify the preferred location for a significant public square in Gordon Town Centre.

c) Lack of Planning for open space

Some submissions have outlined that insufficient attention has been given to the future planning of open space.

Planning for Open Space within the context of the Minister's Direction and the Department of Planning resistance to open space planning prior to the Comprehensive LEP provides a challenge for Council.

Our current Section 94 plan outlines a requirement of approximately 3,600sqm of open space by 2009. A potential future open space acquisition has been identified within the plan between Bushlands Avenue and St Johns Avenue. This would form satisfactory open space, close to the highway and reasonably accessible.

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Additional open space planning needs to occur and rates of acquisition will need to take into account likely population growth, staging and equitable distribution

Summary - Open Space Comments and Recommendations

Should Council's current Section 94 approach in terms of open space acquisition be continued funds for the acquisition of up to 20,000sqm of open space could be sought over the life of the plan based on 65% take up of development potential. That will represent an additional 16,400sqm of open space for the suburb of Gordon from the existing Section 94 Plan.

The Draft Open Space Acquisition Strategy which is shortly to be presented to Council identifies both prioritisation of area and a qualification assessment process through which particular proposed acquisitions can be assessed.

Some of the specific factors that will need to be addressed in identifying priorities within Gordon should include:

- i. Reduction in percentage of population that remain outside of park service zones as result of acquisition (ie. measured by number of dwellings able to access quality open space that is over 3,000sqm and within 400 metres walking distance).
- ii. Opportunities for open space to provide meaningful interface between single dwelling residential and multi unit development.
- iii. Additional recreational benefits such as encouraging walking, cycling and improved permeability within the centre.
- iv. The creation of a significant public space within the centre of Gordon.

Accordingly the following recommendations are made:

1. That a further study be undertaken into opportunities to establish a significant public space within the *core* of the Gordon Centre. This study should consider the appropriate location, financial implication and realistic timeframes to achieve.
2. That the Section 94 strategy consider at least maintaining the current rates of open space acquisition for new populations arising from this plan.
3. That following the adoption of a Draft Open Space Acquisition Strategy for exhibition proposals for future open space acquisition within Gordon be reported to Council for consideration.

7. DEVELOPMENT CONTRIBUTIONS STRATEGY – SECTION 94

A development contributions strategy (including Section 94 Plans) and an accompanying financial strategy are being prepared on the basis of Council's exhibited Draft LEP and Draft DCP.

A report on the development contributions strategy will be provided to Council with a Draft Plan

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for exhibition prior-to the gazettal of the Draft LEP.

8. RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY TO OPERATIONAL

Council sought in the draft LEP, the reclassification of parcels of Public Land identified within the plan to "operational" from their current classification as "community".

The Local Government Act (Section 29) and Section 68 of the Environmental Planning & Assessment Act 1979 provides the process through which Council owned community land classification can be changed to operational. Aside from identification of such land within the draft LEP, a public hearing, independent of Council must be held to consider submissions. Council in making its final decision must consider the findings of the hearing.

In relation to the draft LEP the following sites are proposed for reclassification.

- 818 Pacific Highway – Lot 2 DP 786550 – Council Chambers and car park
- 2 Moree Street — Lot 4 DP 3965 — Council car park
- 4 Moree Street — Lot 5 DP 3965 — vacant land
- 1 Wade Lane — Lot 1 DP 233688 and old system land part of land in Conveyance No 483 Book 2027 - Wade Lane car park

Public notification of the hearing and of the closing date for those wishing to provide a submission on the matter was provided to the community as prescribed in the Environmental Planning & Assessment Act.

In total twenty written submissions were received covering the proposed reclassification of Council's land and eight people addressed the hearing which was held at Council Chambers on Thursday 25 October 2006. The hearing was chaired by Peter Walsh.

The report provided from the independent consultant (Mr Walsh) must be released, without alteration, within 4 days of its receipt by Council.

The report was received by Council on Wednesday 15 November 2006 (**Attachment 7**). The report has been released via Council's website on Friday 17 November and all those who made submissions or spoke at the hearing have been informed of its release and advised how to access the report.

The report provides commentary and analysis of key issues raised at the public hearing including specific commentary on individual sites.

In summary the report recommends that the proposed reclassification of the subject lands be supported, subject to a number of conditions. The conclusions and recommendations outlined in the report are reproduced below.

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Conclusions and recommendations from the Public Hearing "Proposed Land Reclassification – Gordon Town Centre" of the appointed chairperson Mr Peter Walsh.

"Gordon Centre will be subject to considerable development and population growth over the forthcoming years as a likely consequence of existing and proposed housing and commercial / retail density changes. A draft LEP and DCP have been prepared to guide the future development, with the subject reclassification an element of the proposals.

In times of substantive changes to planning controls, it seems to me prudent for a council to consider its own land assets in the mix. That certainly does not mean that all the council land should be up "for grabs". However, land that may have a higher strategic value, and upon which there is no hard-to-replace community benefit enjoyed, should be considered for inclusion in redevelopment plans. In general it appears that a reasoned course of action has occurred in regard to this matter at Gordon. In this instance, for example, there are considerable amounts of community land retained in Gordon Centre.

Based on the information before me, I believe that reclassification of the subject community land, which as I understand it, can help find community improvements, would be reasonably expected to have an overall positive effect in regard to the public and community interest. One matter of particular public interest in my view relates to public open space, and there is a particular point which warrants mention here. DDCP 2006 indicates a "potential new local park" of significant size at the southern end of the Town Centre (maps clearly show the land between St Johns Avenue and Bushland Avenue, in the vicinity and associated with the cemetery). The park is referenced in some documents but not in others. Given the acknowledged deficiency of open

space in the locality, and the likely additional demand, it seems to me that provision of open space of this scale is a key requirement in establishing the overall community benefits from the land reclassification.

Should reclassification go ahead, there would be a need for safeguards from a commercial viewpoint and for ongoing focus on the delivery of the required community outcomes as the commercial aspects of the project come into play. Council may already have such plans in place, or under preparation, but it is appropriate in my view, that they be appropriately communicated to the public.

Up to the present, there has been self-evident security of the community land as a community asset. However, land classification is seen as a clumsy device as the negotiations are undertaken for the future development of Gordon. As detailed planning and development occur in Gordon, it would be Council's stated financial and risk management plans, along with the community services provisions plans, and associated commitments to ongoing public interest evaluation, which replace the land classification in providing security for the community interest.

The strategic intent and series of actions proposed in regard to community facilities can be lost in the DCP, a document not necessarily suited for this purpose. The key principles and relevant particulars of the community facilities arrangements should be clearly documented as a succinct statement of Council policy"

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With only a limited period of time between receipt of the report and completion of this business paper, a brief analysis of the recommendations only has been undertaken. Similar to previous centres considered by Council, this report does not provide a final recommendation on the proposed reclassification and recommends that this be considered in a separate detailed report.

From a brief analysis of the report however it is acknowledged that subject to satisfying the conditions outlined in the Chairperson's recommendations, Sites 2, 3 and 4 will be assessed with a view to proceeding with reclassification.

This report separately considers planning issues relating to Precinct E and provides recommendations as to DCP amendments. It is apparent that considerable work remains to finalise uses and building envelopes and controls for this site. Further reporting on the reclassification of this site will need to be aware of the status and direction of planning for this precinct.

CONSULTATION

The recent extensive work to source and include a broad range of ideas and opinion during the formal exhibition stage is summarised below. **Attachment 6** includes summaries of earlier consultation and advice to interested stakeholders about Gordon Centre planning since some 8,000 resident surveys were posted in April 2005.

Recent Consultation

1. Formal exhibition of the plans and supporting information was completed from 25 September to 24 October 2006 at the Gordon Library and the Council Chambers Level 4, Gordon. CDs of exhibition materials were available to interested persons, and were delivered to resident group representatives and businesses, on request.
2. Some 8000 letters to property-owners, occupiers and businesses in the Gordon & Killara postcode areas were posted advising about the about formal exhibition, and detailing web-access, displays and other sessions for planning Gordon town centre. These letters provided advice to all property-owners affected by the draft local environmental plan, or to property-owners located within the study area, or to remaining properties within the Gordon/Killara postcode areas.
3. On-going email advice including exhibition, display times and public hearing web-links were sent to some 800 householders, resident group representatives, businesses and others who have expressed interest in being kept informed of planning progress for Gordon.
4. The Gordon page of Council's web-site was updated with all materials on exhibition – including the draft DCP, draft LEP and supporting documents.
5. An extensive schedule of local displays in the Gordon town centre, approaching 100 hours of planning staff display time – with staff attending to assist interested householders, businesses and others, in their understanding of the draft proposals. Afternoon and evening information presentations by senior planning staff were held in Gordon to provide information that would assist people interested in Gordon town centre planning to better prepare their responses to the planning proposals.

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A large range of telephone calls were fielded, together with office appointments between key planning staff and interested persons, and property-owners, to discuss detailed issues about the plans.

7. Local paper advertisement in the North Shore Times of 22 September gave detailed prior advice of the exhibition period to promote awareness, interest and feedback from the Gordon community.

A chronology of Gordon centre surveys and consultations is at **Attachment 6**.

Consultation has involved working extensively to establish and develop contact with interested stakeholders including:

- Householders from Gordon
- Interested business-owners/ retailers in Gordon
- Shoppers at Gordon through kind assistance of local businesses
- Established local resident groups
- Ravenswood College for Girls
- Persons in retirement villages using Gordon centre
- Owners of commercial land in the town centre.

Throughout the exhibition, Council has received correspondence/submissions as letters and e-mails, on the planning for the Gordon town centre. This information has been registered, acknowledged and passed to on staff and relevant consultants for detailed consideration and evaluation in the planning process. The correspondence has indicated a mixture of support and objection, and its evaluation is shown elsewhere in this report.

A public hearing before an independent arbiter to determine the reclassification of community lands to operational lands, indicated by the draft plans, was convened on 25 October 2006, during the exhibition period. This included prior statutory public notification, as well as email advice to those above who had expressed interest in being kept informed about Gordon town centre planning.

Council applied and exhibited the Best Practice Guidelines - Exhibition in respect of the draft LEP for Gordon during the exhibition process.

All properties in the Gordon town centre study area have been advised by letter of this report going to Council -- together with some 800 people via email who have expressed on-going interest in being kept informed about Gordon town centre planning.

Community Consultation

The plans and accompanying documentation were exhibited publicly 25 September to 24 October 2006. In response, 211 submissions have been received. Submissions were received from the following:

NAME	SUBURB
Ms L Spielman	GORDON
Ms N Abouaf	Email supplied
Mr D Vautin	Email supplied

NAME	SUBURB
Ms J Heasman	GORDON
Mr T & Mrs S Quan	GORDON
Mr R Heal	Email supplied

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NAME	SUBURB
Mr D Sneddon	LISAROW
Ms A Jackson	GORDON
Mrs S Curtin	GORDON
Mr B & Mrs L Badham	PYMBLE
Mr J Ward	GORDON
Ms A Walker	Email supplied
Mr M Moore	GORDON
Ms M Lions	GORDON
Mr B & Mrs L Badham	PYMBLE
Mr D & Mrs S Leong	GORDON
Mr J Ramsay	GORDON
Mr P C & Mrs L Holdsworth	GORDON
Mr R H Friend	GORDON
Dr G Chong & Dr S Van de Water	Email supplied
Mr P Coon	Email supplied
Mr R & Mrs E Young	GORDON
Dr K P Lai	GORDON
Mr C & Mrs A Chappel	GORDON
Ms J Lian	GORDON
Ms J Lipski	GORDON
Ms A Lewis	GORDON
Ms R Coucouviuis	GORDON
Ms B Priddle	GORDON
Ms N Howe	Email supplied
Mr W Howe	Email supplied
Mr V Marrant	Email supplied
The Reverend	GORDON
Mrs L Seifert	GORDON
Ms S Davies	GORDON
Mr W Lee	GORDON
Mr S, & Mrs J Jodeikin	GORDON
Mr T & Mrs W Addison	GORDON
Ms L Low	GORDON
E.L.S Barnes	PYMBLE
Ms J Cairns	ST IVES
Mr S & Mrs D Murphy	GORDON
Ms V Moore	GORDON
Ms S Lenehan	GORDON
Mr R & Mrs S Salter	Email supplied
Mr B J Barnes	PYMBLE
Mr P & Mrs J Thornton	Email supplied
Ms M Burton	Email supplied
Dr T McClaughlin	Email supplied
Mr J & Mrs E Wilkinson	GORDON
Dr R L Thomson	GORDON

NAME	SUBURB
Dr H Selvadurai	Email supplied
Mr D Hale	GORDON
Mr K Daniel	GORDON
Dr N Selvadurai	Email supplied
Dr P B Hall	GORDON
Ms J Handel	GORDON
Mr R & Mrs N Ramazani	Email supplied
Ms S Young	Email supplied
Mr K Robinson	Email supplied
Ms E Lavender	GORDON
Lady J Fairlie-Cuninghame	Email supplied
Mr K & Mrs T Oakey	GORDON
Mr B & Mrs R Watson	GORDON
Mr B & Mrs L Jammal	GORDON
Mr M Ryan	RYDE
Mr J S & Mrs P E Webster	GORDON
Mr D & Mrs E Spielman	GORDON
Mr D & Mrs E Mackay	GORDON
E Gah	GORDON
Ms E Bergin	Email supplied
Mr M & Mrs P Rooney	Email supplied
S Tseng	GORDON
Mr M Vla	GORDON
Mrs J Bergin	GORDON
Mrs Hallyman & Mr J Man	GORDON
Ms T Coster	GORDON
F Shelled	GORDON
Mrs E van Veen	GORDON
C Lore	GORDON
Mr C Ahadzadeh	GORDON
Mr D & Mrs P Gibbons	GORDON
The Resident	GORDON
F Spessot	GORDON
Wilkinson	GORDON
Mr & Mrs C Bilan	GORDON
Mr G & Mrs B McGann	GORDON
W & S Wilson	GORDON
Mr B & Mrs L Wilson	GORDON
The Resident	GORDON
Mr A Fuller	GORDON
Ms M Fischer	GORDON
Mr I & Mrs J Bishop	GORDON
Mr I P King	GORDON
Mrs D Warner	KILLARA
Mr J & Mrs E Deaker	GORDON

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NAME	SUBURB
Mr E & Mrs E Dracakis	GORDON
Mr N Smith	GORDON
Ms C S Bean	GORDON
Mr R & Mrs K Elsworth	GORDON
Dr D & Ms L Spielman	GORDON
Mr M & Mrs F Maingard	GORDON
Mr G & Mrs HRousseau	GORDON
Ms J Wang	GORDON
Mr J Stuart	CHATS WOOD
Mr R & Mrs N Garwood	GORDON
Mr G Priddle	GORDON
Mr J Burke	TURRAMURRA
Dr M Sender	GORDON
Mrs E Allen	GORDON
Ms C Cooper	GORDON
C Darby	GORDON
Mr P Fisher	Email supplied
Miss A Farleigh	GORDON
Ms M Joppich	GORDON
Mr R & Mrs M Kama	GORDON
Ms B Morrison	GORDON
Mrs M Downer	GORDON
Ms A Elayda	GORDON
Miss F Di Benedetto	GORDON
Mrs M Emery	GORDON
D M Thornton	GORDON
Mr S Wu	GORDON
Mr M & Mrs F Maingard	GORDON
Mr G & Mrs H Rousseau	GORDON
Ms J Wang	GORDON
Mr I & Mrs J Hong	GORDON
Mr C Joachim	GORDON
Mr D Vautin	GORDON
Mr D Haskell	Email supplied
Mr M & Mrs D Walker	Email supplied
Mr M Nakhla	GORDON
Angela	Email supplied
Ms D Haskell	GORDON
Ms S Nevison	Email supplied
Mr C Young	Email supplied
Mr P Tuft	Email supplied
Mr J Fullagar	GORDON
Ms S Pegg	Email supplied
Mrs J Baker	Email supplied
Mr R & Mrs B Elmourngged	GORDON
Mr I Shepherd	STANMORE

NAME	SUBURB
Mr J & Mrs J Johnston	GORDON
Mr M Burdajewicz	GORDON
Ms S Nipper	GORDON
The Resident	GORDON
F & H Wells	GORDON
N Finkelde	GORDON
Mr S Rowe	GORDON
P Tang & A Yeun	GORDON
J Clarke	GORDON
Y T Wong	GORDON
R Goh	GORDON
The Resident	GORDON
Mr P Sinclair	GORDON
The Resident	GORDON
Mr C & Mrs J Kwan	GORDON
Mr S & Mrs E Potiris	PYMBLE
Mrs B Flower	GORDON
Mr R & Mrs A Turner	GORDON
Mr G Mason	GORDON
Mr V & Dr C Morgan	GORDON
Mr M Raphael	GORDON
Mr C & Mrs P Loh	GORDON
Ms M Rowe	GORDON
Ms J Tseng	GORDON
T G Wood	KILLARA
Mr J Murray	GORDON
Ms L Geiger	KILLARA
Mr P Ng	GORDON
Ms S Fisher	GORDON
Mrs K Godfrey	GORDON
Mr T Bishop	GORDON
A & N Hodges	PYMBLE
Mr D Philipp	KILLARA
Mr J Nakhla	GORDON
Mr R & Mrs J Brennan-Horley	GORDON
Mr A & Mrs R Hobbes	GORDON
Ms H Whitsed	GORDON
Mr S & Mrs R Zerbo	GORDON
Mr P Whipp	TERREY HILLS
Mr P Lawrence	GORDON
Ms V Steer	GORDON
Mr P Charley	GORDON
Mr R Jensen	ST LEONARDS
Mrs L J Jemison	GORDON
Mr D & Mrs J Schenk	GORDON
Mr B & Mrs V Mayhew	GORDON

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NAME	SUBURB
Ms G Cattell	GORDON
Mr W Parker	GORDON
E Parker	Email supplied
M Eastment	KILLARA
Ms A Lynch	NORTH SYDNEY
Mr G & Mrs M Hayres	GORDON
Mr G Rousseau	Email supplied
Mr G & Mrs J Steward	Email supplied
Ms C Brown	GORDON
Dr S Van de Water	GORDON
Mrs M Stafford	GORDON
Mr R Bergin	Email supplied
Mr R Magee	GORDON
Ms L Magee	Email supplied

NAME	SUBURB
Mr M & Mrs M O'Brien	GORDON
Mr D Ramsay	GORDON
Ms E Chung	GORDON
Ms J Tsoulos	WEST PYMBLE
Mr T Cressey	Email supplied
Mr J & Mrs M Woof	KILLARA
Mrs A Carroll	KILLARA
Ms S Ferguson	GORDON
Mr J & Mrs R Leonard	GORDON
Mr J Filippopoulos	GORDON

* Consultant submissions, generally on behalf of owners in the town centre.

FINANCIAL CONSIDERATIONS

Costs were covered by the Department of Open Space and Planning budget and part funding from the NSW Department of Planning.

In relation to financial considerations relating to Council owned land a detailed financial analysis and summary will be provided to accompany Council's Section 94 Strategy and in relation to any future matters originating from Council's final position on land reclassification.

CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Integrated planning approach involving all Departments- detailed input throughout the project.

SUMMARY

Gordon is the third group of the centres to have new Draft Local Environmental Plan and Draft Development Control Plan prepared. The new plans have been prepared under the Standard Local Environmental Plan 2006 template. Following the consideration of a Section 54(4) notification from the NSW Department of Planning, Council on 26 July 2006 resolved to exhibit Draft Ku-ring-gai Local Environmental Plan Town Centres (Gordon) 2006 Amendment No 2 and the Draft Ku-ring-gai Town Centres Development Control Plan (Gordon) 2006.

The Plans have been referred to the relevant State Agencies as required under Section 62 of the Environmental Planning & Assessment Act and have been on formal public exhibition in accordance with the Act. The exhibition period commenced 25 September 2006 and finished on 24 October

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2006. A comprehensive consultation program was conducted throughout the project. Council prepared and exhibited a Draft local Environmental Plan and Draft Development Control Plan. Submissions have been received from the relevant state agencies and 211 submissions have been received from the public in response to the exhibition.

Key issues raised from the submissions have been considered and assessed with additional planning, urban design, traffic, parking, environmental and economic analysis and, where appropriate, recommendations have been made for further amendments to the Draft LEP and Draft DCP.

In addition a public hearing was conducted into the reclassification of Council owned land and a public hearing was conducted. This report provides a recommendation on the future classification of these sites.

This section provides a comprehensive final list of the key summary recommendations for the Draft Local Environmental Plan and Draft Development Control Plan resulting from the formal exhibition process.

General Recommendations

Open Space

1. That a further study be undertaken into opportunities to establish a significant public space within the Gordon Centre. This study should consider the appropriate location, financial implication and realistic timeframes to achieve.
2. That the Section 94 strategy consider at least maintaining the current rates of open space acquisition for new populations arising from this plan.
3. That following the adoption of a Draft Open Space Acquisition Strategy for exhibition proposals for future open space acquisition within Gordon be reported to Council for consideration.

Traffic and Parking

1. Maintenance of left turn from Moree St into Pacific Highway, as requested by RTA;
2. Maintenance of parking for the pre-school at Park Avenue/Pearson Avenue;
3. Lobbying RTA to provide proposed left turn slip lane on Mona Vale Rd;
4. Further consultation with State Rail regarding commuter parking provisions;
5. Continuation of discussions with Department of Transport and bus operators

Recommended Amendments to the Draft LEP.

There have been a number of amendments that are recommended to be made to the Draft LEP following consideration of submissions from the Department of Planning, public submissions and further considerations from Council officers and consultants. An amended Draft LEP is contained in Attachment 4 to this report, which includes the amendments detailed below:

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1. Amending the Height of buildings map to identify maximum height of buildings in metres rather than storeys.
2. In the land use table in the B4 zone, moving the "Public utility undertakings" and "Utility installations" from 'Item 2 Permitted without consent' to 'Item 3 Permitted with consent'.
3. Include "Demolition of a building or work" under Item 3 of the land use table for the B4 zone.
4. In relation to Precinct B – bounded by Pacific Highway, Ryde Road, Vale Street and Merriwa Street:
 - i) Show 3.0:1 FSR and 8 storey height on 880-898 and 870 Pacific Highway.
 - ii) include "Bulky goods premises" in the land use table for the B4 Zone under Item 3- Permissible with consent.
 - iii) Amend the 3rd objective under the B4 Mixed use to the following:

To support the integrity and viability of adjoining local centres by providing for a range of 'out-of-centre' retail uses such as bulky goods premises and compatible business activities.

5. In relation to Precinct G – bounded by Pacific Highway, Park Avenue, the rail corridor and Churchill Lane and incorporating Wade Lane:
 - i) Increase site FSR from 2.5 to 2.7:1 on 747 – 751 Pacific Highway.
6. In relation to Precinct H – bounded by Pacific Highway, Moree Street, St Johns Avenue (west) and single residential dwellings:
 - i) Replace the B2 zone with an R3 zone to apply to 29 St Johns Avenue and 10 – 12 Moree Street, with an FSR of 0.8:1 and a maximum height of 12 metres
7. In relation to 30 to 36 -Henry Street in Precinct J:
 - i) i) Reduce minimum business FSR to 0.15:1

Recommended Amendments to Draft DCP

There have been a number of amendments that are recommended to be made to the Draft DCP following consideration of submissions from public submissions and further considerations from Council officers and consultants. These are as follows, and if adopted will be incorporated into the final Draft DCP:

1. In relation to Precinct B – bounded by Pacific Highway, Ryde Road, Vale Street and Merriwa Street:
 - i) Amend amalgamation line to include 870, 880 and 898 Pacific Highway as one site
 - ii) Adjust building envelopes to be consistent with LEP and DCP

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- iii) Amend Section 4.3 of the Draft DCP to acknowledge the existing vehicular access driveways to each of the Alto Group's sites; and
 - iv) Allow ingress and egress from both Pacific Highway and Fitzsimons Lane for 880 Pacific Highway.
2. In relation to the Council Chambers site in Precinct E:
- i) Adjust building envelope of community building to be within the footprint of existing Council administration building
 - ii) Delete residential building envelope
 - iii) Retain general notes in 4.7.4 Block E relevant to the zone
3. In relation to Precinct G – bounded by Pacific Highway, Park Avenue, the rail corridor and Churchill Lane and incorporating Wade Lane:
- i) Revise building envelopes on 747 Pacific Highway to include an additional 2 storey retail component along the southern boundary, from the rear of the heritage building through to Wade Lane.
4. In relation to Precinct H – bounded by Pacific Highway, Moree Street, St Johns Avenue (west) :
- i) Show location for proposed supermarket of a maximum size of 3,500sqm at the eastern end (towards the Pacific Highway) of H2.
 - ii) Revise amalgamation lines to reflect B2/R3 zones.
 - iii) Provide a 2-3 metre setback to the retail development along the full frontage of St Johns Avenue.
 - iv) Development control is added to the DCP requiring an archaeological assessment of the site in accordance with the requirements of the NSW Heritage Office, prior to any development taking place.
 - v) Within the DCP provide sketches/photo montage of Moree Street and St Johns Avenue and new street to clearly show the intent.
 - vi) As a priority prepare a fully rendered Simmersion model for precinct H
 - vii) for public information.
5. In relation to 30 to 36 Henry Street in Precinct J
- i.) Show 36 Henry Street as commercial only building.
 - ii) Show building envelope on 30-34 Henry Street as residential only.
 - iii) Additional notes to support heritage item retention and adaptation.
6. In the Draft DCP Part 3 - Public domain controls
- i) Add to DCP s3.1 Design guidelines:
 - Improve useability and amenity of "park" on east side of railway line.
 - ii) Amend DCP s.3.1 to include street tree planting further into residential areas of the centre including Moree, Dumaresq and McIntyre streets where opportunities allow
 - iii) Add to DCP s3.2 Design Guidelines Point 6:
 - Conserve and protect significant Corymbia in Annie Forsyth Wyatt Garden
 - Seek expert arboricultural advice in review of concept plan prior to detailed designs

7. Refer to main body of report for recommendations relating to Open Space

RECOMMENDATION

- A. That Council adopt the Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 as it applies to Gordon as **attached** to this report including amendments as outlined in this report.
- B. That Council submit a copy of the draft Local Environmental Plan to the Director General of the Department of Planning in accordance with Section 68 of the Environmental Planning and Assessment Act, requesting that the Plan be made.
- C. That Council adopt the amendments to Draft Ku-ring-gai (Town centres) Development Control Plan (DCP) as they apply to the Gordon Centre, including amendments as outlined in this report.
- D. That further corrections to the Draft DCP *for* drafting inconsistencies, or minor amendments as necessary to ensure consistency with Council's adopted Local Environmental Plan be completed.
- E. That a public notice of Council's decision to adopt the Development Control Plan be placed in the North Shore Times and that the notice identifies that the plan will come into effect from the date of gazettal of Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2
- F. That in accordance with Section 25AB of the Environmental Planning and Assessment Regulation 2000, Council submit a copy of the Plan to the Director-General of the Department of Planning.
- G. That a development contributions strategy (including Section 94 Plans) and an accompanying financial strategy are being prepared on the basis of Council's exhibited Draft Local Environmental Plan and Draft Development Control Plan.
- H. That report on the development contributions strategy will be provided to Council with a Draft Plan for exhibition prior to the gazettal of the Draft Local Environmental Plan.
- I. That a further study be undertaken into opportunities to establish a significant public space within the Gordon Centre. This study should consider the appropriate location, financial implication and realistic timeframes to achieve.
- J. That the Section 94 strategy consider at least maintaining the current rates of open space acquisition for new populations arising from this plan.

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- K. That following the adoption of a Draft Open Space Acquisition Strategy for exhibition proposals for future open space acquisition within Gordon be reported to Council for consideration.
- L. That Council continue to seek support from the State Government for infrastructure investment.
- M. That in accordance with section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer the items contained in Schedule 4 of the draft LEP that seeks to reclassify public land in Gordon to operational land pending a further report to Council investigating the matters raised in the recommendations of the public hearing.
- N. That in accordance with section 68(5) of the Environmental Planning and Assessment Act, Council resolve to defer the items contained in Schedule 4 of the draft LEP that seeks to reclassify public land in Gordon to operational land pending a further report to Council investigating the matters raised in the recommendations of the public hearing.

Terri Southwell
Urban Planner

Craige Wyse
Senior Urban Planner

Bill Royal
Senior Urban Planner

Antony Fabbro
Manager Urban Planning

Greg Piconi
Director
Technical Services

Steven Head
Director
Open Space and Planning

Attachments: Attachment 1a - Section 55 Direction - 696168
Attachment 1b - Copy of Conditional Section 54(4) Notification from the Department of Planning - Gordon Centre - 696163
Attachment 2 - Booklet of submissions received - circulated separately
-Copy of general public submissions
- Section 62 State Agency summary table
- Section 62 copies of State Agency submissions
Attachment 3 - Copy of Summary Issues Tables - 696366, 696365, 696364, 696363
Attachment 4 - Final Draft Ku-ring-gai Local Environmental Plan (Town Centres) - Amendment No 2 (Gordon and Pymble Centres) - circulated separately
Attachment 5 - Exhibition copy of Draft Ku-ring-gai Development Control Plan Town Centres (Gordon) 2006
Attachment 6 - Summary of Consultation Program for overall Gordon Centre project - 695875

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Attachment 7 - Copy of Public Hearing Report - Reclassification of Council land - Independent Report - 696106

Attachment 8 - Confidential Economic Review from Sphere Properties Corporation

Attachment 9 - GTA response to Summary of Submissions - 696420

Attachment 10 - Revised Yields Table, Gordon - circulated separately

Attachment 11 - Heritage Advice - 696269, 696270, 696271

Attachment 12 - Independent Urban Design Review 3 for Precinct H - circulated separately

Attachment 13 - Advice from Department of Planning, 16 November 2006 - 696133

DIRECTION UNDER SECTION 55

I the Minister Assisting the Minister for Infrastructure and Planning, in pursuance of section 55(1) of the Environmental Planning and Assessment Act 1979 (the 'Act'), direct Ku-ring-gai Council:

- (a) to perform all of its functions under Division 4, Part 3 of the Act, to prepare a draft local environmental plan for areas in close proximity to the railway line and Pacific Highway and the St Ives Centre which are zoned Residential "D", "E" "F" and "H" and 3(a) and 3(b) under Ku-ring-gai Planning Scheme Ordinance.
- (b) to exercise its functions under Division 4, Part 3 of the Act, in relation to the preparation of the draft local environmental plan, in accordance with the principles set out in Schedule A;
- (c) to include in the draft local environmental plan provisions which achieve or give effect to the principles specified in Schedule A; and
- (d) to submit the draft local environmental plan to the Director-General of the Department of Infrastructure, Planning and Natural Resources under section 68 of the Act within 12 months of the date of this Direction

Dated at Sydney this 27 day of May 2004



Diane Beamer
Minister Assisting the Minister
for Infrastructure and Planning

Schedule A

Principles

1. To encourage the provision of housing that will broaden the choice of building types and locations available in the housing market and to make more efficient use of existing infrastructure and services.
2. To revitalise the existing retail/commercial areas.

Aims

1. To rezone land to facilitate the development of multi-unit housing and increase housing choice particularly in the form of "shop-top" housing
2. To improve the development standards so as to encourage the redevelopment of land in the existing multi-unit housing zones

Objectives

1. To include provisions which allow for the redevelopment of land for multi-unit housing consistent with the development standards contained in LEP 194
2. To provide for retail and commercial activities to cater for the local community and to implement housing density standards which compliment those contained in LEP 194



NSW GOVERNMENT
Department of Planning

Office of the Director General

Mr John McKee
General Manager
Ku-ring-gai Municipal Council
PO Box 15
Gordon NSW 2072



Contact: P Adrian
Phone: (02) 8374 5926
Fax: (02) 83745991
Email: peter.adrian@planning.nsw.gov.au
Postal: Locked Bag 8, Redfern

Our ref: 9043258;9043170
Your ref: s04019; s04365; s04350

Dear Mr McKee

Re: Section 54(4) Notification – Draft Amendment to Ku-ring-gai Town Centres LEP

I am writing in response to Council's letters advising of the Council's decision to prepare draft local environmental plans ('LEP'), under section 54(4) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act') for Gordon, Pymble, Roseville and Lindfield,

You will be aware that an instrument of delegation in respect of my LEP making functions was executed on 16 February 2006 ('**delegation**'). Use of the delegation in respect of a draft LEP is conditional on receipt by Council of a Written Authorisation to Exercise Delegation ('**Authorisation**'). An Authorisation is being issued on this occasion subject to the attached schedules. Council is required to submit the draft LEP to the Department prior to a section 65 certificate being issued and to provide a copy of the certificate and accompanying instrument and maps when the LEP is exhibited.

Consultation with the Heritage Office within the Department under section 62 of the Act is required in this instance.

Should you have any queries in regard to this matter please contact the Regional Office of the Department.

Yours sincerely

per Sam Haddad
Director General

30.6.06



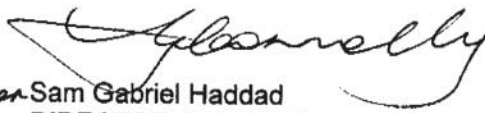
WRITTEN AUTHORISATION TO EXERCISE DELEGATION

This is a Written Authorisation to Exercise Delegation ('**Authorisation**') pursuant to the instrument of delegation executed by the Director General of the Department of Planning ('**Director General**') on 16 February 2006 ('**Delegation**').

Subject to the Delegation and the terms and conditions specified in Schedules 1 to 5 inclusive to this Authorisation, the following functions are delegated to **Ku-ring-gai** Council ('**Council**') with respect to the draft local environmental plan the subject of notification by Council to the Director General under section 54(4) of the *Environmental Planning and Assessment Act 1979* ('**EP&A Act**') on resolution by Council for Pymble and Gordon dated 23 May 2006 and on resolution by Council for Lindfield and Roseville dated 29 May 2006 ('**Draft Ku-ring-gai (Town Centres) LEP 2006 (Draft Amendments)**')

Section 65(1)

Dated *30th* day of June 2006


per Sam Gabriel Haddad
DIRECTOR GENERAL
Department of Planning

Schedule 1

The exercise of the function(s) under the Delegation is subject to:

1. Prior to exhibition and before a section 65 certificate is issued, Council submitting the draft LEP amendments to the Department.
2. the Draft LEP being consistent with any relevant Ministerial Direction issued pursuant to section 117 of the EP&A Act; and
3. the Draft LEP not containing provisions suspending laws pursuant to section 28 of the EP&A Act; and
4. compliance with the Best Practice Guideline published by the Department of Urban Affairs and Planning in January 1997 entitled, '*LEPs and Council Land - Guideline for Councils using delegated powers to prepare LEPs involving land that is or was previously owner or controlled by Council*'; and
5. matters set out in the following schedules (Schedules 2,3,4,5) for each town centre.

SCHEDULE No 2 - GORDON TOWN CENTRE

- There are sites within the 800m radius of the centre which are zoned either Residential 2(d), 2(e), 2(f), or 2(h), that have not been rezoned in the DLEP as per the Minister's Directions. These sites are to be included in the DLEP and zoned appropriately. Council established a study boundary for the centre, using that boundary would help overcome this issue.
- All sites included are to provide an improved yield and no downzoning is to occur.
- Sites designated for further investigation are to be resolved and nominated with a specific zoning. They should not be downzoned.
- Council is to consider the capacity currently provided in the centre in relation to its R4 zone and demonstrate that capacity provided by the R4 zone will deliver additional dwellings sufficient to meet Council's Metropolitan Strategy targets. Yield tables for all rezoned areas are to be provided to indicate the expected increases being achieved.

Alternatively, Council could consider other, if not all, of the areas within an 800m radius of the train station in which residential uses are proposed to ensure maximum yields are achieved in line with the Metropolitan Strategy and supportive of the Minister's s.55 Directions.

- Under the current proposal, which converts existing commercial and retail space to mixed commercial, retail and residential) unless significant additional FSR is provided on the remaining sites. Council needs to demonstrate that its proposed approach will facilitate business development and provide for including additional commercial space.
- The Special Purposes (SP2 Infrastructure) zone in the draft Plan are not be used for car park area, community facilities, churches or schools. These areas are to be zoned according to the adjoining land use zoning (i.e. the relevant residential or commercial zone).
- The B2 Local Centre zone are to be used instead of the B4 Mixed Use zone with the exception of Area "B" (adjacent to Ryde Road) that should remain zoned B4 Mixed Use as proposed.
- The relevant uses from previous instruments that will not lead to down-zoning are to be transferred to the draft LEP.

Traffic and access

Issue

Comment

Recommendation

Key matters raised in submissions- Gordon Town Centre

Attachment 3

Matters of policy related to the introduction of increased density	Issue	Comment	Recommendation
Traffic and access	Cumulative impacts of all town centres and LEP 194 will result in unacceptable congestion on the highway, despite new local traffic routes. This will include impacts on commuters from the Central Coast. The Pacific Highway is already at capacity and is a major hazard for pedestrians, especially accessing the eastern side or the railway station. Such traffic needs to have a by-pass offering free-flowing motorway conditions. Resident realises by-pass is RTA matter but it should be shown as a proposal in Ku-ring-gai planning.	This study considers impacts of changes proposed. Council cannot be held responsible for changes in other, remote locations. However, traffic growth rates were included in the modelling. Any bypass to Gordon would be an RTA initiative. This would be a very costly project and would require State and Federal funding.	No change recommended to the town centre proposal.
	Accessing Pacific Highway from the west is complicated due to traffic lights and road re-directions. Gordon is already a bottle neck at peak periods- traffic is already banked up past Killara and Lindfield in peak periods. Current width of streets and street connections cannot accommodate proposed additional development.	Impact of proposed changes has been modelled. Modelling minimises impacts on the Pacific Highway as required by the RTA. The new roads provide circulation around the town centre.	No change recommended.
	Agree with memo from Director Technical Services, that Council should lobby RTA to widen the Pacific Highway to avoid the local traffic redirections.	Widening would be beneficial, but is reliant on the RTA funding the works and is not proposed by Council as Council will not be able to raise sufficient funding through developer contributions because the major causes of congestion are through traffic. Right turn bay eliminated at Dumaresq St would provide additional through capacity.	No change recommended.

Traffic and access	Issue	Comment	Recommendation
	A way needs to be planned for local residents to drive easily (in both directions) between the east and west side of the Highway – a tunnel under the Highway would be an ideal solution.	Cross Highway movement is proposed. A tunnel under the Highway is not considered feasible for Council to provide.	No change recommended.
	<p>Objection to the Council's proposed G-turn proposals routing traffic around the back streets of Gordon and will create bottleneck.</p> <ul style="list-style-type: none"> Impact is increased when the additional development to the north of Dumaresq is considered. (see Submission No. 131) 	The proposed 'G' turn arrangement results in optimum traffic conditions (minimum impacts) in the Town Centre and more efficient flow along the Pacific Highway as right turn bays are eliminated.	No change recommended.
	Traffic access is currently adequate, no need to re-route.	Comment noted and modelling indicates that it is not currently adequate and with the proposed increases in use there is a need for better traffic management.	Noted.
	Many of Ku-ring-gai streets are in poor condition and this situation will be exacerbated by increased traffic flow.	Road condition is a maintenance issue. Increased traffic flows will be accommodated in the proposal and allowing better flow along the Pacific Highway will assist in keeping through traffic off local roads..	No change recommended.
	<p>The congestion on the highway, redirected access and new roads will force more traffic via Vale St and Dumaresq St.</p> <ul style="list-style-type: none"> Dumaresq St is already seeing increases in early morning and late evening heavy vehicle use for deliveries to Gordon Centre, and this will only get worse with this plan. Traffic conditions on Dumaresq are already unsafe due to gradient, curve in the road (32-46) and excessive speeds, despite humps. Objection to the proposed removal of two right turns into Pacific Highway from Dumaresq St and St John's Ave, and replacing them with One Right 	<ul style="list-style-type: none"> The proposed changes are intended to balance out the traffic in the local roads and the changes to the pedestrian movements are intended to allow traffic out of the area to flow more freely. Curves and gradients are not proposed to be altered. Humps reduce speeds. Removal of signals at Dumaresq St will reduce volumes. Two right turn lanes are 	No change recommended.

Traffic and access	Issue	Comment	Recommendation
	<p>Turn from Moree St. (see submission no. 131) There should be at least two south or city bound feeders (excluding Cecil St) instead of one proposed (at Moree St) to distribute the traffic load.</p> <ul style="list-style-type: none"> • Resident suggests Council spend the money to design the intersection properly so that the Dumaresq RH turn from the Pacific Highway is maintained. (see submission no. 131) • Resident requests that both right turns from Dumaresq St and St John's Ave (west) to Pacific Highway should be maintained. • The new streets at Dumaresq Street connecting Moree Street and McIntyre Street combining with the proposed high density buildings could significantly raise the possibility of pollution/ fine particular matter hovering at the bottom of the street due to the topography. In addition, health risks (ie asthma) would increase for elderly and young children evident in literature findings. 	<p>proposed from Moree St to provide a better access to the Pacific Highway and less delays in the side streets.</p> <ul style="list-style-type: none"> • The removal of signals at Dumaresq Street is to improve the flow through Park Avenue and Dumaresq Street and relocate access to a more efficient operation at Moree Street. • Modelling results show maintaining right turn into Dumaresq St cannot be maintained. Alternative access to west of Highway to be provided. • These right turns will be transferred to Moree St. • Air quality is beyond this study, but depends also on weather and type and condition of vehicles. 	
	For improved safety and reduce noise, Vale St should have road narrowing to single lane in current traffic calming locations, to slow vehicles, including trucks.	Changes in Vale St are not proposed, but could be considered during the detailed design phase.	No change recommended.
	The traffic lights at the intersection of Cecil Ave and Pacific Highway are already under stress and are dangerous, and additional traffic flows further exacerbates the situation.	Changes are not proposed at this intersection. Traffic to be directed to Ravenswood Avenue.	No change recommended.
	Access to Bushlands Ave from the Pacific Highway is only available from the northbound lanes of the Highway which would then cause traffic to find other routes to go south along the Pacific Highway. The new development in this area will increase the traffic in Bushlands Ave. Resident requests that if development	It is expected that there will be minimal impact on Bushlands Avenue and the left in left out arrangement is considered sufficient for this road.	No change recommended.

Traffic and access	Issue	Comment	Recommendation
	was to happen between Bushlands Ave and St Johns Ave that these developments should not be allowed to have any vehicular access direct into Bushlands Ave. This would minimise the increase in traffic in Bushlands Ave.	Access to individual developments will be considered when proposals are submitted to Council. Council cannot deny access to existing streets.	
	Directing traffic down Bushlands Ave and Henry St will only make traffic congestion worse. The “Gordon Town Centre Traffic and Car Parking Study” also noted that Henry St was not functioning well with approx. 10,000 cars per day, the current proposal will only add to this.	It is expected that there will be minimal impact on Bushlands Ave. Changes are proposed in Henry St and adjacent roads to accommodate proposed changes to traffic flows. This was considered in the traffic modelling.	No change recommended.
	Traffic problems will be unbearable and reversing out of the resident’s driveway (in Precinct L) would be difficult.	Traffic and access will be subject to DA conditions. Access will be maintained for residents. Reversing out can be overcome by reversing in.	No change recommended.
	The road will not buffer increased visual, air and noise pollution. Construction vehicles will almost close the road for years while the building takes place (Precinct L)	Road closures are not normally permitted for construction of developments. Developments are subject to DA conditions, including construction management.	No change recommended.
	The extra traffic from Precinct L development and rezoning of Council depot (extra 400 people) will place a huge burden on Pearson/Carlotta Ave/Highlands Ave with no traffic solution proposed. Traffic and congestion problems are already severe. Carlotta Ave and Pearson Ave should be slow streets with speed bumps and narrowing of traffic to slow traffic down and force commuters to use the Pacific Highway The pedestrian crossing and stop signs should stay at the top of Pearson Avenue.	Development conditions and their enforcement should minimise impacts on residents and road users. Additional left turning lane on Mona Vale Road at Pacific Highway, should encourage motorists to remain on Mona Vale Rd. Treatment in Pearson Ave proposed.	No change recommended. Lobby RTA to provide proposed left turn slip lane on Mona Vale Rd.
	Council should plan access to the Town Centre through the creation of an internal road network within the high density zone running from Merriwa Street (already a	Improved permeability is proposed, by the creation of additional new access roads.	No change recommended.

Traffic and access	Issue	Comment	Recommendation
	commercial zone) allowing adjacent residential zones be protected from increase in traffic. Traffic calming measures, such as chicanes, as used in Chatswood should be implemented in local residential streets to protect residential amenity.	Traffic calming measures could be considered in the detailed during the design phase.	
	Resident suggests that Council implement new traffic patterns on weekdays during peak periods only, so that at other times, residents are not unnecessarily inconvenienced.	Measures to minimise impacts on residents would be proposed in the detailed design stage.	No change recommended.
	Objects to proposed round-about for Park Road and Werona Ave. In the morning peak, until school begins traffic in Park Ave can be banked up well past the intersection of Park Ave and Werona Ave.	This roundabout is not critical to the traffic arrangements proposed for Gordon Town Centre but modelling indicates that it will improve traffic flow around the intersection.	No change recommended.
	The traffic travelling both east and west along Park Avenue can reach very high speeds. Resident suggests the speed be reduced to 40kph. This may deter people exiting from Rosedale Road along Park Avenue.	Measures could be considered in the design stage for Park Avenue. However, it is unlikely that the RTA and Police would support reduction to 40kph in local streets.	No change recommended.
	The pedestrian crossing and stop sign should stay at the top of Werona Ave. Could some extra signage be placed at the intersection for traffic planning a left hand turn into Park Avenue? Too often traffic fails to stop at the stop sign and nearly knocks people over on the Park Avenue crossing.	This could be considered during the design stage.	No change recommended, but consider during the design stage.
	It is an essential link for access from Gordon east side onto the Pacific Highway. It is the only practical link from Gordon east side onto the Pacific Highway northbound and to Ryde Road. Keep Park Avenue open to exit Gordon.	Access to Pacific Highway from Gordon east side would be transferred from Park Ave to St Johns Ave. Keeping Park Avenue open to through traffic will impact on the traffic flow along the Pacific Highway.	No change recommended.
	There appears to be no local provision for a right turn off the Highway for northbound traffic. Thought should be given to allowing right turns from the Highway into Park Avenue.	Right turn provision is made for north bound Highway traffic at Ravenswood Ave rather than St Johns Avenue.	No change recommended.

Traffic and access	Issue	Comment	Recommendation
	<p>Support Council's proposal to extend the left turn slip lane south bound in Mona Vale Road at the intersection with the Highway. The left turn only slip lane should be extended back towards Carlotta Avenue and separated from the right lane by an unbroken line. The right lane should be reserved for and marked for right turn and straight ahead traffic.</p>	<p>Left turn slip lane is proposed, but the actual lane configuration is subject to detailed RTA design and funding by the RTA.</p>	<p>No change recommended.</p>
	<p>Council's proposals for new roads between McIntyre, Dumaresq and Moree Streets are an unacceptable response to the expected increase in traffic that will be generated by Council's plan. There will be significant increase in traffic using the Lane Cove Rd/Vale St to access the Town Centre via Dumaresq St. Unsafe traffic conditions already exist in Dumaresq St as a result of the gradient, the unusual curve in the road and the excessive speeds. The new roundabout at Vale St will facilitate flow, rather than calm it, and can only be achieved with loss of natural habitat.</p> <ul style="list-style-type: none"> • Location of new streets shifts impacts of high rise to low density zones. The new streets should be between high rise developments. • Objection to the new link roads between Dumaresq St and Moree St. (see submission no. 131) • Council should align the new streets between Dumaresq and St Johns Ave to reduce the number of traffic movements. These streets should be planned, rather than dependent on private development. • There is no need for the proposed link road- traffic study is inconsistent with the section 4.4 in the DCP (option 2B Revision 3 of the traffic study)- no indication of likely traffic on these roads; 	<p>The new roads will improve circulation and local access. Traffic is intended to be contained in the town centre zone and not permeate into the low rise residential zone.</p> <p>The roundabout at Dumaresq St will encourage slower traffic speeds on Vale St, and could provide a safe pedestrian crossing location.</p> <ul style="list-style-type: none"> • The new streets will provide access to and from the new developments. • This link road will provide access to/from the signals at Pacific Highway and is considered necessary. • Streets are being planned to improve local access. • Road links improve access and permeability for local traffic. 	<p>No change recommended. Further assessment of traffic impacts will be required at detailed design stage. Consideration may need to be given to traffic calming and slow points at the single density residential zone.</p>

Traffic and access

Issue

Comment

Recommendation

	<ul style="list-style-type: none"> • The lack of suitability of the proposed link road in its proposed location. Will have the effect of severing the lots so that it makes it narrow and make it more difficult to build on, not to mention it would create a more cumbersome building. • The need to utilise Section 94 if the link road is to be provided at all with compensation being based on the current development potential of the land. The proposed amalgamation pattern does not allow for flexibility and choice, rather it creates the opportunity for overly large development. • Problems will occur due to the complicated amalgamation patterns in the DCP which will result in developer challenging Councils DCP in court, given the inconsistency with the Residential Flat Design Code, such a challenge may well be successful, resulting in a more piecemeal development process which will result in the link road being abandoned or not recognised. (see submission No. 198 for details) • Council should consider lobbying the State Government for funding assistance since the link roads apparently benefit an arterial road. This will alleviate the Section 94 contributions. • Investigate the Smart Growth principals employed by Liverpool and Campbelltown Councils for Edmondson Park, where the majority of the reservation is funded by Section 94 and a relatively small portion dedicated. (see submission No. 198) • The only function of the new link roads is to provide a circulation route around the shopping centre, there is no logical purpose for the shopping 	<ul style="list-style-type: none"> • Links are proposed to complement development opportunities with consolidated lots. New access roads will be created by dedication and planning agreements. • Council will rely on S94 and developer agreements to achieve many of the improvements proposed. • State Government is unlikely to recognise any link for funding purposes, between the new local link roads and traffic on the Highway. • The function of the new link roads is to improve local access and improve flow on the Pacific Highway. However, the 	
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Traffic and access	Issue	Comment	Recommendation
	centre traffic to be forced to travel half the length of the otherwise residential street before having opportunity to re-circulate.	local roads have to operate to local constraints, as identified in the study.	
	<p>Problems with the following issues in the Traffic report:</p> <ul style="list-style-type: none"> • Traffic generation rates in the traffic study are incorrectly calculated using a lower occupancy rate for dwellings than what is proposed in the plans. (see submission No. 198) • No indication of reason why Option 2B Rev 3 is the most favourable, except for “SCATES indicated the option as the most favourable”; • The economic performance indicators in the SCATES Criteria section of the traffic report is not appropriate because of the additional costs that occur simply due to additional vehicles not necessarily from additional delay and where trips are diverted out of the signal controlled system costs which are substantially reduced. (see submission No. 198) • Left-turn to Park Avenue (960vph turning left from the highway into Park Avenue very difficult). Discrepancy between this left-turn volume and the volume that travels along Wade Lane (some 350vph seem to disappear) • Left-turn from Dumaresq Street to Pacific Highway- no analysis as to how 334vph will be able to egress into the highway in the afternoon peak without traffic signal control. • Mid-Block pedestrian signals north of Park 	<p>Traffic generation rates are based on the RTA’s figures for medium density apartments and are considered appropriate for apartments expected in the Gordon Centre.</p> <ul style="list-style-type: none"> • SCATES identifies lower delays in the system – therefore the option operates most favourably. • The economic performance indicators are based on standard costs. These are used for comparison purposes between options. This is the information the RTA use to assess the benefits when using the SCATES modelling. • The balance would mostly be traffic entering the Wade Lane car park from Park Avenue and other land uses in the vicinity. • Upstream traffic signals on Pacific Highway create gaps in traffic allowing some traffic to turn left. However, RTA has requested left turn be maintained from Moree St to Pacific Highway, which is under traffic signal control. • The mid block pedestrian signals are not considered to be intersection signals. Despite the crossing across Park Ave, 	No change recommended. Left turn from Pacific Highway to be maintained.

Traffic and access	Issue	Comment	Recommendation
	<p>Avenue- If the crossing across Park Avenue is incorporated then these are in fact intersection signals and a crossing across the Highway on the southern side should be incorporated as per RTA policy.</p> <ul style="list-style-type: none"> • Left-turn from Moree Street to Pacific Highway- it is not clear why or how this left-turn is to be prohibited. • Access to the East- The only way for vehicles to egress from the Gordon Centre to travel easterly is to turn right out of Moree St, travel southwards along the Highway to Ravenswood Avenue then left into Henry St and then use the underpass. The projected volumes for the turn from the Highway into Ravenswood Avenue do not appear to reflect the demand for this movement (or the existing left-turn into St Johns Road) • St John's Avenue and Wade Lane- There appears to be a major disparity between the approach volumes in St Johns Road (Option 2B Rev 3) and the volumes shown turning at Wade Lane (AM peak- 500 vph). The direction of significant volumes along Wade Lane past the railway station and bus interchange, conflicting with pedestrians and negotiating the 'offset' intersection does not appear to have been addressed. 	<p>traffic in Park Ave is not affected by the pedestrian signals.</p> <ul style="list-style-type: none"> • Left turn from Moree St into Pacific Highway will be maintained, as requested by RTA. • It is understood that the traffic proposal will create some amenity issues but in order to improve traffic flow along the Pacific Highway, it will be necessary to provide circulation around the town centre that will create some issues for local access. The projected volumes for the left turn from Pacific Highway into Ravenswood Ave were added to the existing left turn volumes, which are currently low. The existing left turn into St Johns Ave would mostly be redirected into Park Ave/Wade Lane. • The balance would be vehicle mps accessing the developments between Pacific Highway and Wade Lane/Henry St. Wade Lane is proposed to be realigned with Henry St to remove the 'offset' effect. The bus interchange is intended to operate with minimal involvement at St Johns Ave, reducing vehicle/bus conflicts. Adequate pedestrian facilities will be provided in the railway station/bus interchange area during detailed design stage. 	

Traffic and access	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> The new link roads- The positions of these links are indicated on the Draft DCP are substantially different to those indicated in the traffic study. They should be located much closer to the highway to serve a better, more useful function. Traffic light sequences -Have the assumptions been tested by the RTA? More detailed micro simulation needed- should be funded by RTA as the process is state driven. RTA should also upgrade highway and compensate owners. <p>Overall all potential options have not been addressed. (see submission No. 198)</p>	<ul style="list-style-type: none"> The traffic study looks at conceptual locations for link roads. The road locations in the draft DCP are based on further analysis and investigations of the preferred locations in terms of interface issues. The locations as shown in the DCP will take precedence and the traffic concept plan will be amended to be consistent with the DCP. Traffic modelling details have been submitted to the RTA for approval. RTA have assessed the SCATES modelling. SCATES modelling is adequate for analysis at traffic impacts and for RTA scrutiny. Micro simulation is an over complex analysis for this type of study. 	
	Traffic plans attached to Council's rezoning of the depot site were not included in the Gordon Town Centre Plan. They are essential to managing traffic generated by Precinct L.	Precinct L is not within the Town Centre. Proposals for the area are not included in the Centre proposals. Council still has a resolution relating to the depot site and the proposed traffic calming devices.	No changes recommended.
	Precinct L is already a nightmare for traffic and there are no remedies suggested in the traffic reports. It is requested that traffic simulation studies be carried out similar to those carried out by Baulkham Hills Shire Council before adoption of the traffic plan. (Sub 154)	Precinct L is not within the Town Centre. Proposals for the area are not included in the Centre proposals. Council still has a resolution relating to the depot site and the proposed traffic calming devices.	No changes recommended.
	<p>Moree Street:</p> <p>The increased flow of traffic generated in Moree St is excessive with the repositioning of traffic lights from Dumaresq St and redirection of St. Johns Ave.</p> <p>Changing the traffic signals to Moree Street, with only</p>	Alterations on Pacific Highway at Dumaresq St, Moree St and St Johns Ave will change traffic patterns in each street. The local roads will be able to handle the redistribution of traffic.	No changes recommended, design issues will need to be considered in the design stage.

Traffic and access	Issue	Comment	Recommendation
	<p>right turn on to the highway will mean increased cars, noise and congestion.</p> <ul style="list-style-type: none"> • Right turn out of Moree St onto the Highway will adversely affect all the traffic along the Highway. • Objects to the new set of lights on the highway at Moree St- will contribute to more stop-start traffic on the highway, and increase bottleneck on St John's Ave, with 3 sets of lights within 200m. • Steepness of Moree St will result in accidents due to hill starts on each light change. • Proposed traffic changes will make Moree Street a major traffic thoroughfare. • The new streets linking St Johns Ave and McIntyre St will increase volumes of traffic which will be redirected off the Pacific Highway and into Moree Street. • Direct, disproportionate and inequitable impacts on Moree St residents –all traffic from the west will use Moree St as well as redirected traffic from the eastern side of the highway – ie will take all the redirected traffic from 10 streets. • With the new roads, the number of congestion points on Moree St will be increased from 0 to 4. • In the event of Precinct R not proceeding with the proposed development, what further strategies in respect to road access between Moree Street and Dumaresq Street will be provided? • A 40kph speed limit/traffic calming measures should be imposed to minimise impact on residents • Pacific Highway should remain the main traffic 	<ul style="list-style-type: none"> • RTA is considering the impacts on Pacific Highway and would have to agree to Council's proposal. • RTA would have to agree to the changes proposed on the Highway. • There are also uphill grades on Dumaresq St and St Johns Ave when approaching signals. These sites do not have high accident histories. • Traffic will be redistributed between Dumaresq St, Moree St and St Johns Ave. • The new link roads will improve local access and won't require local movement via Vale St. • Moree St will not be the only street with access to/from Pacific Highway. • The new link roads will result in new intersections. • The alternative link road, nearer to the Highway will be available. • Detailed designs will examine ways to minimise through traffic impacts. Pacific 	

Traffic and access	Issue	Comment	Recommendation
	<p>route and Council should leave Moree St the way it is. Arterial roads should take traffic, not residential streets. (see submission no. 128)</p> <p>Alternate suggestions include:</p> <ul style="list-style-type: none"> • Retain right hand turn at Dumaresq. • Widen top of St John's Ave west with clearway, and provide right and left turns onto highway • No parking on the western approach to the highway. • Reduce speed limit on Moree St to 40kph and add other effective safety measures. • If the traffic lights remained at Dumaresq St and synchronised with Moree St and St Johns Ave then the traffic on the highway would be restricted for half the time for local traffic turning right (see submission No. 8). • Make Moree Street a Highway crossing. This provides an opportunity to alleviate some of the problems of the G-turn. Moree St could be extended across the Highway and through what is currently Bunnings to Wade Lane. 	<p>Highway will remain a State arterial road.</p> <ul style="list-style-type: none"> • Right turn would not be possible unless signals are retained. • St Johns Ave will provide two lanes of traffic across Pacific Highway. The number of phases at this intersection need to be reduced due to current delays. • Moree St approaching Pacific Hwy is likely to need 'No Parking' or 'No Stopping' restrictions. • Safety measures can be considered in the design stage. • RTA is unlikely to approve additional signals on the Highway. Highway needs to provide through as well as local access. • There would be limited benefit from extending Moree St to Wade Lane. The 'G' turn would still be required. This would be costly to introduce and not create any major benefit. 	
	<p>People are not going to want to live in Gordon along the Pacific Highway or any of the major roads in Ku-ring-gai i.e. F2, Ring road 3 and the M2, Mowbray Road and the City motorway. Resident can foresee the major benefit from the proposed new roads between McIntyre St and St John's Ave will be to relieve the pressure off</p>	<p>Other major town centres already developed have residential development close to the main roads and are occupied.</p>	<p>No change recommended.</p>

Traffic and access	Issue	Comment	Recommendation
	Vale St and St John's Ave, however cannot imagine how one right hand turn onto the Pacific Highway (from Moree St) will adequately replace the current two right hand turns (from Dumaresq and St John's).	Two right turn lanes are proposed from Moree St to Pacific Highway.	
	The proposed new road between St Johns Ave and Moree St must be finished before precinct H construction commences so as not to destroy all amenity for the Gordon valley residents.	It is expected that the provision of this link will be a priority.	No change recommended.
	<p>St John's Avenue: Objects to the turning of St John's Ave into a one way street from the highway to the new proposed road which links St John's Ave with Moree St and eliminating the right turn for northerly traffic at St Johns Ave.</p> <ul style="list-style-type: none"> Will adversely impact on the resident's who attend church. This makes access both dangerous (because parishioners have to enter only from Pacific Highway), difficult, circuitous and almost impossible. It will result in residents not attending church and other activities (classes, Op shop). Church suggests other traffic options. (see submission No. 30 for details) Will make it hard to conduct ceremonies such as funeral and weddings due to non- regular attendees getting lost and not knowing how to get to the church. This also impacts on the church's ability to attract more people. Changing St John's Ave to one way will make it hard to use the car park on church grounds, which are currently leased to local businesses and will therefore reduce income to church. Will encourage users to exit to the highway 	<p>The one way proposal provides access to the western side of the Highway for southbound traffic on the Highway. Two traffic lanes are required.</p> <ul style="list-style-type: none"> Access to the church will not be as direct for residents in St Johns Ave. Access to the church from the north will be from the 'G' turn. There is currently no direct access from the north, which is even longer in distance. The proposed changes will allow access to the church. Eastbound access on St Johns Ave will not be available to the Highway. 	No change recommended, but design issues will need to be considered in the design stage.

Traffic and access	Issue	Comment	Recommendation
	<p>between the church and the rectory resulting in safety issues with small children.</p> <ul style="list-style-type: none"> • St. Johns Ave should remain as is – already equipped with traffic lights at the Highway and is capable of safely carrying buses. • Will reduce connectivity across the highway; • Changing Wade Lane flow is logical but East St Johns Ave should remain two-way with traffic flowing around a central island in the bus turning circle where you have plenty of space to manage traffic effectively; • The traffic planning appears to underestimate the level of congestion that will be created around Wade Lane, Park Avenue and St Johns Ave. These are narrow streets in an area already very congested. If a large shopping centre and other retail totalling 12,000m² are factored in as the preferred option, then the traffic concentration would be astronomical at the top of St John's Ave and would cause grid-lock. The proposed traffic changes (making Wade Lane one-way south rather than north) will not alleviate this problem. • St John's Ave West is too narrow (6 metres with no run off verge) for the additional traffic that will be generated by the density increases and changed traffic conditions- only suitable as "local road". It effectively operates as a single land road when parked cars are taken into account, this will cause traffic chaos, congestion, noise and safety issues. Exiting driveways is also already difficult. Safety 	<ul style="list-style-type: none"> • Pacific Highway at St Johns Ave is already a critical intersection in Gordon. Changes are necessary to improve local access. • Connectivity across the Highway will be maintained. • St Johns Ave (east) will need to be one-way to facilitate the proposed traffic movement. • Modelling supports the proposed traffic changes which are needed for local access. There will be changes to lane widths and parking arrangements when these new roads are constructed. This is similar to the road networks around other town centres. The RTA have indicated their support for the proposal and stated that it is an improvement on the current network. • Two traffic lanes are proposed from Pacific Highway down almost to the proposed new link road. Most of the additional traffic is expected to use the 	

Traffic and access	Issue	Comment	Recommendation
	<p>of the 37 children in the street will be compromised.</p> <ul style="list-style-type: none"> • Speed should be limited to 40kph with slow points (single lane constrictors) as a disincentive to short cuts via St Johns Ave)- should be placed at top eastern end of St Johns Ave just after start of new road and the Vale St entry to St Johns Ave east bound. • Southbound traffic should not be permitted to turn right into the new road from St Johns Ave; • St John's Ave is already excessively noisy due to concrete surface. Noise proofing required; • Could convert St Johns Ave to one way between Pacific Highway and Vale St roundabout, so that half the through traffic is encouraged to take an alternate route; • With St John's Ave becoming one-way and the direction of Wade Lane reversed, residents from the western side of the Pacific Highway will never be able to use the Wade Lane carpark or drop off/pick up people at station. • Widening is not suitable due to significant trees and drainage. • Construction traffic may damage the historic cement surface and historic box trees. • It is suggested that St Johns Ave east be closed to traffic to create an open town centre with provision for outdoor dining/civic activities. This would eliminate the right turn at the top of St Johns West. 	<p>new link road.</p> <ul style="list-style-type: none"> • Detailed designs will have examine ways to minimise through traffic impacts. • The new road would be provided to improve local access. • Most of the additional traffic would use the section between Pacific Highway and the new road. • This possibility could be considered in future. This, however, would impact on access for residents. • Access to east of Pacific Highway will be mainly from Ravenswood Ave. • Concrete roads are unlikely to be damaged due to their strength. Traffic Management Plans will be developed to direct traffic to use the Pacific Highway. • This section of St Johns Avenue will be required for access to the west side of Gordon and cannot be closed. One way 	

Traffic and access	Issue	Comment	Recommendation
		traffic will make more pedestrian friendly.	
	<p>Ravenswood Ave: Traffic proposals involving Ravenswood Ave will:</p> <ul style="list-style-type: none"> • force traffic down Ravenswood Ave to Henry St, in a direction that is counter to the traffic flows recommended by that school • cause Ravenswood Ave to become a main link road through Gordon (for commuters and locals) • dramatically increase traffic to and from Pacific Highway into Ravenswood Ave, past school, an aged care facility and residential units, where existing volumes of traffic are already an issue due to the Council car park and station • increase noise levels including braking of heavy vehicles at lights • cause safety problems for those attending and accessing Ravenswood School for Girls • affect the quality of life of the residents, especially at night and on the weekends • shift the congestion and problems of St John's Ave, which is currently a commercial area, into Ravenswood Ave, which is mainly a residential and school zone. • will cause more congestion on highway as traffic builds up at the lights to allow right turning traffic into Ravenswood Ave • decrease property values in the street. • create problems for the delivery of goods to Twilights Aged Care • likely use of Cecil St to access the station from the south side of the highway will force even more 	<ul style="list-style-type: none"> • Traffic in Ravenswood Ave does not have to conflict with school related traffic in Cecil St. • Traffic increases could be expected in Ravenswood Ave. • Pacific Highway is already subject to relatively high level of traffic noise. • Does not have to cause safety problems to the school. • The proposal would impact on Ravenswood Avenue but traffic signals will improve the safety at the intersection and provide a better access to and from the school. • Traffic increases could be expected in Ravenswood Ave. • Modelling indicates that the proposed signals could be accommodated at this intersection. • Access to this property will be 	<p>No change recommended but design issues will need to be considered in the design stage.</p>

Traffic and access	Issue	Comment	Recommendation
	<p>traffic around the school.</p> <ul style="list-style-type: none"> the pedestrian crossing at Ravenswood School for girls also adds to traffic congestion. Ravenswood Ave is too narrow and small to cope with this increased level of traffic. Cars park on both sides of the road making it very narrow and difficult for cars to pass and with buses using the street as a major thoroughfare it would be impossible. Compromise the safety of residents at Horton House, visitors and staff attempting to enter the premises by car, or for delivery of goods Council should be directing traffic away from this area not increasing it. <p>Principal of Ravenswood School for Girls is concerned about the following issues:</p> <ul style="list-style-type: none"> The impact increased housing, retail and commercial development will have on the safety of the students coming to and from school (as pedestrians, via car or public transport) Keen to ensure that there is a smooth flow of traffic around the school especially during drop off (8-9am) and pick up (3-4pm). Advice was sought from an independent traffic consultant (see submission No. 195). Some comments include the substantial increase in traffic along Ravenswood Avenue. Very concerned over the two way bus movements along Ravenswood. They would prefer that buses travel one way and be allowed only to enter 	<p>maintained.</p> <ul style="list-style-type: none"> There is no indication that traffic volumes would increase in Cecil St. The pedestrian crossing in Henry St should not be affected by traffic in Ravenswood Ave. Ravenswood Ave would be redesigned to handle the changes to traffic flows. Access to this site will be maintained. Ravenswood Ave is within the town centre area, and is included in the proposed traffic changes. <p>Consultation will be undertaken with Ravenswood School during the design stage to minimise impacts on the school, so that safe access for students is maintained.</p> <p>Specific school concerns can be addressed during the design stage, within the overall proposal for the Town Centre.</p>	

Traffic and access	Issue	Comment	Recommendation
	<p>Ravenswood Avenue from the Highway.</p> <ul style="list-style-type: none"> • The discussed left Turn on Red facility at the Ravenswood approach to the planned Pacific Highway traffic signals is encouraged by the school as any improvements in traffic conditions (in this area) is supported. • Due to the increases in traffic along Ravenswood and at the T junction at Henry St, the school requests the installation of a small roundabout at the junction of Henry/Ravenswood to allow for improved operational performance of the “T” junction. This would help to maintain access to the school. The schools traffic consultant suggests a 16m diameter roundabout with a mountable centre island for buses. (see submission no. 195) • The proposed traffic improvement measures do not indicate the intentions for the traffic signals at Cecil Street. They seek assurance from Council that the traffic signals at Pacific Highway/Cecil Street are retained with no restrictions on the existing right turn exit ability from Cecil Street to Pacific Highway northbound. 	<ul style="list-style-type: none"> • There is no Council proposal to alter the signals at Cecil St. Council will work with the school to maintain access and safety. 	
	<p>Wade Lane:</p> <ul style="list-style-type: none"> • It is felt that the heavy use of Wade Lane (due to the proposed development), will create conflict between pedestrians and cars because of increases in traffic levels. • Conflict will be increased due to pedestrian traffic crossing from carpark to arcades. • With the proposed width and setbacks, it will not accommodate an additional lane of traffic and may 	<ul style="list-style-type: none"> • The provision of pedestrian facilities, including a path and road crossing, will be considered during the design stage. • Adequate pedestrian facilities and access will be provided. • Wade Lane will remain a public thoroughfare. 	<p>No change recommended but design issues will need to be considered in the design stage.</p>

Traffic and access	Issue	Comment	Recommendation
	<p>not even be accessible to the public as they will be contained in private property.</p> <ul style="list-style-type: none"> It will be a traffic nightmare created by buses and cars wanting to access the bus terminal and the station or to get to the western side of the highway and also those trying to exit the car park. 	<ul style="list-style-type: none"> Wade Lane is not proposed to be used as a bus route. It will provide access to St Johns Ave/Henry St. 	
	Objects to the aligning of Wade Lane and Henry Street. Are there other ways that the 'meeting point' could be achieved other than aligning of Wade Lane and Henry Street? (submission no. 183)	This realignment will assist traffic flows and provide an additional landscaped area.	No change recommended.
	Plans unclear as to whether it will be possible to stop and drop off children at Gordon Station having come south along Henry St or do a U-turn at Gordon station to go back the way they came. This issue is not addressed and it was a problem identified in the "Gordon Town Centre traffic and Car Parking study" which identified the need for "kiss and ride" areas for cars at Gordon station.	Setting down is proposed in St Johns Ave as well as on the eastern side of the station.	No change recommended, but consider maximising set down areas during the design stage.
	<p>Merriwa Street:</p> <ul style="list-style-type: none"> If banning right hand turn from the Pacific Highway into Merriwa Street, it would be difficult for residents who reside in Ridge Street to get home when there is an accident at Ryde Road which closed off the access from there. 	The Ryde Rd on ramp will remain the primary access, but Merriwa St and St Johns Ave will remain as alternatives.	No change recommended.
	<p>Burgoyne Street:</p> <ul style="list-style-type: none"> Burgoyne Street can not cope with the commuter traffic at present and the situation is making it difficult to get in and out of properties. (Submission 135) 	The proposed slip lane from Mona Vale Rd to Pacific Highway is expected to encourage through traffic to remain on the State road system. Traffic treatments are proposed in Pearson Ave.	No change recommended.
	<p>Henry Street:</p> <ul style="list-style-type: none"> The section of Henry Street near St Johns Avenue is being shown as closed to vehicles except buses and 	Henry St will remain a public road. The bus interchange is expected to exclude existing parking, so will not need to be used by private	No change recommended.

Traffic and access	Issue	Comment	Recommendation
	taxis. Needs clarification. (Submission 109)	vehicles.	
	As far as bus company is concerned no conclusions had been reached in relation to the upgrading of the transport interchange. We do not support the plan as posted on Council's website as this would result in additional running times, additional kilometres travelled and no net benefit to passengers in relation to vehicle access. (Submission 193)	Further consultations are proposed with bus operators to discuss improvements proposed.	No change recommended, but continue discussions, particularly in the design stage, with bus operators and Ministry of Transport.
	Suggest undercover transport interchange at the station with any amount of residential accommodation on top.	Interchange details to be further considered in the design stage.	No change recommended, but consider in the design stage.
	A new bicycle link is shown up the steep slope of Dumaresq Street that is impractical and improbable.	Further consideration of cycling needs proposed during the design stage.	No change recommended, but consider in the design stage.
	<p>The plans are seriously deficient in their consideration of facilities for bicycling.</p> <ul style="list-style-type: none"> • There has been no attempt to consult local cycling representatives as to what the need for cycling facilities may be. • Little evidence of integration with local or regional cycling infrastructure. <p>Plan acknowledges local recreational cycling but fails to recognise needs of commuter and long-distance cyclists. (sub. 87)</p>	Further consideration of cycling needs proposed during the design stage.	No change recommended, but consider in the design stage.
	Council should determine whether access can exist for pedestrians and bicycles from the east end of Carlotta Street to the south end of Kulgoa Road. This would provide a better walking and cycling route from Gordon to St Ives. (Submission 109)	This area is not within the Town Centre study area. However, nearby facilities are expected to be considered by Council during the development of the Centre.	No change recommended.
	Pedestrian connections are proposed through existing privately owned land in an area where existing zonings are not proposed to be changed on the western side of the Pacific Highway. This may not be achievable.	Pedestrian links are proposed between development sites and better than current links.	No change recommended.

Traffic and access	Issue	Comment	Recommendation
	Underground or above ground connections across the Pacific Highway and Wade Lane are required to provide good pedestrian access, and access to carpark, and could be provided through developer contributions if development potential near the centre is considerably less restricted. (Submission No. 205)	Signalised pedestrian facilities are proposed across Pacific Highway near Park Ave, Moree St, St Johns Ave and Ravenswood Ave. Pedestrian crossing facilities will also be provided across Wade Lane.	No change recommended, but consider in the design stage.
	Pedestrian tunnel should be provided.	Surface crossing facilities, but no pedestrian tunnels are proposed.	No change recommended.
	No solution has been provided for the safe transit of pedestrians across the Werona, Park and Pearson Avenues intersection walking to and from Gordon station, when the roundabout is constructed. At present there is a pedestrian crossing at each of these three roads. Resident suggests new pedestrian walkways, especially in Moree St.	It is proposed that pedestrian crossing facilities will continue to be provided at Park Ave/Werona Ave. Crossing facilities are also proposed in the Moree St area, but will need further consideration in the design stage.	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
Parking	<p>There is not enough commuter parking:</p> <ul style="list-style-type: none"> • Additional parking station is needed near Gordon Station for commuters that park there all day and that use the station. • Livingstone and Pymble Avenues and Avon Rd are impassable without great caution now. • Pearson Ave and Burgoyne St are already congested with over parking due to the lack of commuter car parking. • Council should put pressure on the SRA to provide more parking for commuters and have residents only parking in Pearson Ave and Burgoyne St; • Addition of 5 storey development in Precinct L will further increase on-street parking difficulties. 	<ul style="list-style-type: none"> • Gordon already has a high number of commuter parking spaces provided by State Rail. This information will be included in the Parking Management study. • Future needs will be considered in the design stage. 	No change recommended.
	It is unclear if it is intended to remove the parking area that runs along Wade Lane in Gordon. If so, there will not be adequate parking. It is unclear if parking in a possible multi storey carpark will be charged.	Wade Lane parking spaces are proposed to be provided underground, including under Wade Lane. It is intended that there will be no net loss of parking in the centre.	No change recommended.
	Underground car parking such as that proposed for Wade Lane is inappropriate for a local shopping centre.	Underground parking can be provided successfully, such as in St Ives.	No change recommended.
	Council should ban parking along St John's Avenue between the highway and the new road between St John's and Moree St. This would relieve pressure on traffic.	Parking restrictions, particularly during peak periods, may be considered during the design stage.	No change recommended, but consider during the design stage.
	The 15 minute parking at the turnaround section at the end of St Johns (outside the station) should be made "No Standing" immediately and both sides of the street should be made "No Standing". This will ease conflict and congestion that occurs now. Only 15 carparking spaces are lost under this arrangement. Further review of the carparking arrangements on St Johns and Ridge St may also improve the current situation. Reduce parking to a 4 hour limit now and shorter limit once retail centre opened (Submission 106).	The existing restrictions in St Johns Ave (east) are considered appropriate and to suit the needs of the community.	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
	There should be an expansion in 5/10 minute “standing only” at the Station.	Future needs to be considered at that time.	No change recommended.
	<p>Gordon Preschool centre is concerned that the Draft DCP and Draft LEP propose converting the current council car park, used by the preschool parents and staff, into open space. The board of management of Gordon Preschool Centre urges Ku-ring-gai Council to:</p> <ul style="list-style-type: none"> Note that provision of car parking is essential to the planned retention of Gordon Preschool Centre. Revise the Draft DCP to specify that the current Council car park behind the preschool will be retained for the preschool’s usage. 	It is not intended to remove the parking needs of the pre-school.	Parking for the pre-school is proposed to be maintained.
	If the proposed open space (corner of Park Rd and Pearson Ave) in Gordon is kept, then consideration needs to be made for the loss of car parking for those residents who will need to drop their preschool children off and pick them up. Parents will have to park in the Gordon Centre car park and walk their young children over Park Ave (where there are no traffic lights) to get to the childcare centre.	It is not intended to remove the parking needs of the pre-school.	Parking for the pre-school is proposed to be maintained.
	<p>Inadequate parking for mega mart. People will not shop at such a centre and then catch the train/walk. Will result in extension of current lack of parking on St Johns Ave for residents and friends to 24/7, and will impact on other roads as well.</p> <ul style="list-style-type: none"> Shopper parking is required on both sides of the highway. 4 hour parking limit should be imposed on St Johns Ave. 	<p>Developments will be required to provide for their own parking needs.</p> <p>Future town centre restrictions will be considered at the time.</p>	No change recommended.
	If Council is concerned about traffic congestion they should not permit parking along the Highway at Gordon.	Parking on Pacific Highway is controlled by the RTA. This parking serves a current need. Restrictions will only apply during peak traffic times such as clearways.	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
	Making one side of the road at Burgoyne Street 2 hour parking would improve the present traffic situation but more thought would need to be put into the future difficulties.	Future needs to restrict parking will be considered at the time.	No change recommended.
	Council should formally approach the SRA via the State government to build an underground carpark beneath existing ground level car park in Werona Ave [running east from Park Ave], thus releasing a significant area of usable open space.	Further consultation will be undertaken with State Rail regarding commuter parking provisions.	Further consultation with State Rail.
	Gordon Centre traffic will have to climb up 6 parking levels in the Gordon Centre car park before arriving at a floor with lift access to the centre shops. This could be alleviated by a ramp in Moree Street, over the footpath to directly access higher levels of the Gordon Centre car park.	It is expected that this development will continue to provide for the needs of all its customers.	No change recommended.
Lack of other infrastructure/ services	Drainage problems especially on the western side of the ridge (St John's Ave) have been a problem in this area for years. Infrastructure in these old streets is inadequate now. It is unclear how this would be addressed.	New drainage systems will be incorporated in the design for any new roads.	No change recommended.
	There are no stormwater facilities to 5/7 Moree Street as the compliance certificate was issued on the knowledge that the stormwater be directed to the creek behind the resident's property. In the mean time the Gordon Centre was built on top of the creek. Part of the requirement to develop the adjoining property in Dumaresq St could be made to incorporate a stormwater main which would collect the water from the new road and 5/7 Moree St, Section 94 Contribution suggested as a solution (see submission No. 8 for details).	New drainage systems will be incorporated in the design for any new roads.	No change recommended.
	The documents refer to new bus routes planned for the Metroad 3 corridor will also visit Gordon town centre. Long distance bus services are unpopular because, they are slow. (Submission 109)	Gordon is on the Government's strategic bus corridor (Mona Vale Rd/Ryde Rd).	No change recommended.
	Concentration of development on the western side of the highway is unsustainable for road and utility infrastructure and will affect the liveability of this area.	The needs of the area are being addressed in the DCP.	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
	There is no indication on the capacity of current infrastructure – water (including pressure), sewerage, electricity, drainage, roads to cope with the additional load. These facilities have not had a significant upgrade for more than 50 years. Infrastructure such as roads and footpaths ageing. Nor is there any comment on the capacity of the trains to cope with the increase in the population.	Many of these infrastructure areas are State responsibilities. Development is required by the State Government, which must be aware of any constraints, and which must approve the plans.	No change recommended.
	Increase in population means increased demand for facilities such as support services for emergency food, shelter and clothing. Church wants LEP to include the requirement for a developer to provide a shop of at least 100sq which can be used as an Outreach Centre and other professional services such as legal services. (see submission No. 30 for more details)	Not a Council responsibility	No change recommended
	Hospitals are already understaffed and would not be able to handle an increase in population as they already have bed shortages. There are shortages in childcare, preschools, high schools, TAFE and libraries.	Council is providing what facilities and infrastructure it can. The State, which is requiring development, is responsible for many other areas.	No change recommended.
	Infrastructure should precede not follow development.	Council does not have sufficient resources to provide all necessary infrastructure prior to development.	No change recommended.
Retail size/configuration	Gordon doesn't need more retail. It is adequately provided in Hornsby, Chatswood, Macquarie Centre and Ryde. Shopping centre at Gordon is already convenient, with adequate existing shops; it is also quiet and uncrowded. We don't need another Chatswood. If it grows, locals will drive elsewhere (as happened in Brookvale): Will increase impacts from cars, and reduce viability of shops.	The Ku-ring-gai Retail Strategy (2005) adopted by Council sets the current and future retail requirements. The amount of retail growth apportioned to Gordon is consistent with the strategy and takes into account regional shopping centres. Gordon will provide local jobs and services for the residents and the increase in growth will assist in reducing shopping trips outside the local government area.	Noted, no change recommended

Matters of Policy	Issue	Comment	Recommendation
	<p>Supermarket:</p> <ul style="list-style-type: none"> The size of the planned supermarket is much bigger than anybody needs or wants and will surely become a 'white elephant'. If a smaller supermarket was planned, it could be placed across the highway and closer to the railway where there are no historic houses to pull down. The carpark area in Wade Lane could be extended to include the shops along the Pacific Highway thereby creating enough space for a new supermarket and retail area. 4000 and 5000 sq. metres mart will impact local small business diversity, reduce competition and exacerbate the sprawl and traffic congestion. Gordon especially doesn't need a mega mart (like the U.S.A). To be successful it would require major road systems with overpasses, widening of roads and expansion of car parks. A second supermarket is proposed on a scale that has been banned in other parts of the developed world. A more moderate sized supermarket could be accommodated in Wade lane car park. Ageing residents don't shop by train because they cannot carry their shopping. People avoid large shopping centres. (See submission No. 11 for more detail). Gordon should not be "set up" to be a mega retail centre failure in competition with Hornsby and Chatswood. The Gordon Village Centre has a terrifying turnover of tenants. It is difficult to believe that an additional number of merchants would prosper enough to warrant the expense to the environment to residents' quality of life and security and to the value of their investment in their homes. 	<p>The proposed growth in retail including the supermarket is consistent with the Ku-ring-gai Retail Strategy. The location, size, scale and required access were considered in detail as part of the planning process. The car park area of Wade Lane and the surrounding precinct were considered in detail but not suitable to cater for the required increase in retail supermarket for Gordon.</p> <p>The Gordon Centre will provide a mix of retail, commercial space, services (eg. medical), entertainment, cultural and civic services. A range of shops will be able to cater for local needs. Gordon is within a Town Centre setting and is not considered a USA style Mega Mart. Parking provision takes into account the location of Gordon on the station.</p> <p>The proposed retail growth is over 23-30 year period and is consistent with the current un-met retail demand and the retail requirements of the future population.</p>	<p>No change recommended. For detailed discussion see Precinct H.</p>

Matters of Policy	Issue	Comment	Recommendation
	A retail centre split in half by a busy six-lane road will not be successful. By focussing most of the enhanced retail activity on the west side of the highway while all the bus, train and half the car access is from the east side is a recipe for dysfunctional disaster. The major new developments and retail space would make much more sense if focussed on the east side of the highway down to the railway including Wade Lane.	See comments above	No change recommended.
	The level of retail development planned for Gordon is inappropriate. A consolidation of commercial space, although costly, is far more desirable than the sprawl that Council has proposed. Increasing the level of retail space by well over 300% on the Pacific Highway is inappropriate. The level of retail proposed for Gordon is now just under the size of Chatswood chase shopping centre which is very large and is not located on the Pacific Highway. (see submission no. 131)	The proposed growth in retail including the supermarket is consistent with the Ku-ring-gai Retail Strategy and a subsequent review by SGS Economics and will reinforce Gordon's role as a town centre under the Metropolitan Strategy. The draft LEP/DCP seeks to structure the centre better by confining core retail uses between St Johns Avenue and Park Avenue and 'out of centre' retail and business uses towards Ryde Road.	No change recommended.
	Retail complexes on the western side of the Pacific Highway should be linked, creating a single large shopping centre capable of attracting and retaining patronage. Shoppers will be able to move freely throughout the retail centre. Council should create a one-way counter clockwise traffic flow around this new enlarged retail centre, retaining but linking Dumaresq and St Johns Avenue traffic lights.	Noted – part of the public domain planning will link the sites through improved pedestrian and vehicular access. Built form links such as arcades across the roadway are usually only suitable in centres of a regional or city scale eg. Chatswood and Hornsby.	No change recommended.
	Gordon will have two main shopping areas in the town and both will struggle because the population is not there and the hassles of getting to and from these shopping centres will be more difficult than the surrounding shopping centres of St Ives, Chatswood, Macquarie and Hornsby.	The location and type of retail provided is consistent with the Ku-ring-gai Retail Strategy and the SGS Economic Review.	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
	No point in trying to improve street life – not possible on the highway.	The plans provided for new areas of street life – away from the highway (eg. Wade Lane, Moree Street St Johns Avenue East).	No change recommended.
	Support provision in Wade Lane area, Precinct H and the Gordon Centre area, including the encouragement of large format shopping through site amalgamations. Bold plans are needed to ensure that Gordon does not stagnate further.	Noted. The plans are based on revitalisation of the existing centre and promoting Gordon as the main centre of Ku-ring-gai.	No change recommended.
	Plans should provide for a shopping mall, for more outdoor dining and a natural community centre.	The Draft LEP/DCP seeks to cater for a range of retail types including internal shopping spaces anchored by a supermarket, strip retail and improved public domain to encourage outdoor dining and community activity.	No change recommended.
	Gordon shopping centre is inadequate, and a shopping mall, competing with Chatswood, will not solve the problem. We need high quality street front shopping, outdoor restaurant and recreational areas.	The design and retail capacity of Gordon will not lead it to compete with Chatswood. Gordon will have its own retail character and shopping. It will serve mainly existing and future residents of Ku-ring-gai and the workers providing local services.	No change recommended.
	Gordon area will always be dissected by the Pacific Highway and will only ever provide a fragmented commercial zone and it can never compete with larger areas containing Department Stores.	Noted. Gordon will provide a retail/commercial/civic functions for the Ku-ring-gai local government area.	No change recommended.
	There is evidence that some existing properties facing along the Pacific Highway are commercially marginal and would be better off amalgamated and redeveloped. However, the appalling ‘back of house’ aesthetics that currently exists could be remedied (eg St Johns and Wade Lane). In these existing zonings, FSRs and building heights could be rationalised to enhance their potential for amalgamation and redevelopment.	The draft plans provide for the longer term development of properties along the Pacific Highway.	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
Character and amenity	Privacy will be compromised due to the height of the high-rise buildings being so close to residential properties.	The DCP provides for 2 and 3 storey development adjacent to single residential areas on the western side of the shopping centre to minimise impacts, including privacy impacts on these sites. In other areas the higher development is separated from low density areas by a road or park. Detailed consideration of privacy impacts will be required at development application stage.	No amendment required.
	The tree canopy in St John's Ave is consistently the densest; it would be sacrilege to interfere with the character and charm of the street.	The significant trees on the southern side of St Johns Avenue will remain as no development is proposed on the Church/cemetery site. The DCP provides for the retention and enhancement of trees and vegetation.	No amendment required.
	Street character (McIntyre, Dumaresq, Moree) is poorly considered.	The desired future character of these streets is outlined in the Draft DCP, and controls are included to protect the landscaped character, including site coverage, setback and deep soil controls.	No amendment required.
	Object to high-density in Wade Lane, current pedestrian thoroughfare and carpark are convenient.	Council is under a Section 55 direction for Gordon Centre. The proximity to the railway station makes this site ideal for redevelopment. Pedestrian access will be improved along Wade Lane, and carparking will be provided within the locality.	No amendment required.
	Increased air, noise, solids pollution due to the huge increase in traffic and people will cause further damage to the environment in St John's Ave and the whole of Gordon including its creeks. Not only during the construction but on an	The plans and policies already in place address the potential pollution issues during construction. The Draft LEP & DCP incorporate energy and water	No amendment required.

Matters of Policy	Issue	Comment	Recommendation
	on-going basis as new areas are serviced daily. This would make St John's Avenue a less desirable place to live.	management policies to reduce consumption and manage off site impacts on the local catchments.	
	In keeping with and enhancing the existing character of St Johns Ave, it would be recommended that Council to rezone the Council's car park in Moree Street to "open space" as a green transition from more modest retail/commercial development along the Pacific Highway and residential to the west of it.	The small car parks in Moree Street are not considered suitable for a park – given their size and location and the overall Masterplan for Gordon. Section 4.7 of the built form masterplan indicates the potential location of larger more effective open spaces in Gordon.	No amendment required.
	<p>Too many new residents will change the ambience of Gordon and the character. They will not want to live in apartments due to noise problems. Gordon should retain quirky and marvellous character. If development must occur, it should be sympathetic with the existing period streetscape.</p> <p>Development along the Highway should be restricted to 4 or 5 levels. 8-9 storey buildings will also create wind tunnels.</p>	<p>Council is under a Section 55 direction from the Minister of Planning, requiring a significant increase in residential density. The location of Gordon, relative to rail, major roads and existing facilities, makes this a logical place to locate both increased residential and retail development. The desired future character of these streets is outlined in the Draft DCP, and controls are included to protect the landscaped character of the residential areas, including site coverage, setback and deep soil controls, which will minimise the impact on the streetscape.</p> <p>Given that Gordon will become the highest order town centre within Ku-ring-gai, as recommended in the independent retail study, it is appropriate that development along the highway be higher than in other areas. Wind and noise impacts will need to be considered at the development application stage.</p>	No amendment required.

Matters of Policy	Issue	Comment	Recommendation
	New development needs to have interesting architecture and create a place where people want to live.	The DCP provides extensive guidance on built form, materials, height and design.	No amendment required.
	Character of Moree St and health and amenity of residents will be adversely impacted by changing it to a busy road. Traffic changes to Moree St unfair, as residents bought into this area with Council information showing low density and no major through traffic. Impacts include noise, air quality and safety, lower property values. Compensation should be paid for loss of property values, double glazing against noise and unforeseen impacts (eg infrastructure failures, extended commuting time). (Details eg. submission No. 128)	Council is under a directive from the Minister to provide increased density in the area. Planning for the centre includes the desired future character for this area. Traffic will be redistributed between Dumaresq St, Moree St and St Johns Avenue, minimising impacts on the residents of Moree St. The planning for increased growth has taken into account the needs of residents. There are no statutory requirements to provide a basis for compensation.	No amendment required.
	Plans do not address the impact that high rise development, with hardly any parks, will have on the health of the residents in Gordon both mentally and physically (i.e. increase diabetes, obesity).	The plans provide for additional open space and pedestrian paths and a cycle route through the Gordon Centre, which currently has little provision of these facilities. The increased density within proximity of rail and other services, will allow many residents to access these services without the need to use a car, which is expected to help reduce problems related to obesity. There is no evidence that high rise development results in mental health problems.	No amendment required.
	Gordon already experiences appropriate population densities.	Council is required to increase its population under the Section 55 direction and the Metropolitan Strategy.	No amendment required.
	The proposed residential units above the present car park at Wade Lane would be unattractive for living due to the constant activities at the train station.	Consideration of noise impacts from the proximity to rail will be required at DA stage. Guidelines for development are	No amendment required.

Matters of Policy	Issue	Comment	Recommendation
		provided by the SRA.	
	The peace and pleasant atmosphere and tree dominated character presently existing will quite obviously be disturbed by the overcrowding and overdevelopment, and the enjoyment of our lifestyle will be significantly reduced. Poor amenity for future residents and shoppers in the centre due to noise, safety and air quality impacts of the highway. Traffic congestion will result in such poor access and liveability that the plans will not work- no-one will want to come to Gordon.	Gordon Centre will have a new character over the next 25 year period. The planning for increased growth has taken into account the needs of residents and shoppers.	No amendment required.
	Visual impacts are exacerbated on the ridgeline- inadequate consideration of impact on sites to the west, due to the sloping western topography.	The historical location of existing Centres along the ridgeline, has meant that new development close to railway stations will have some effect on visual impacts. The design of buildings and adequate deep soil plantings will assist in minimising the impacts.	No amendment required.
Heritage	St John's Avenue is a very historic street –Part of National Trust UCA 15, among the top 5 heritage streets in Ku-ring-gai; resident concerned that property owners would lose interest in maintaining historic character of their homes. Ku-ring-gai LGA has so little of historic merit, in terms of entire streetscapes that we should protect what's left. The zoning for St John's should not change and the "heritage" character of the street (including trees) should remain intact. The western side (where all the heritage houses are) of St John's should not be redeveloped. KMC should defend the historic nature of St Johns Avenue through ensuring a scaled back development is built in sympathy with the 100 year old street.	This precinct has been reviewed By Council's heritage consultant the detailed comments are included in Attachment 11 to this report. The Town centre plan is required to meet the future needs of the community over the 20-30 year period and part of St John's Ave west is included in the plan. The majority of St john Ave will not be directly affected by the new plan.	No amendment required.
	Historic School, "Rosny" at No. 25 should be heritage listed and retained: <ul style="list-style-type: none"> • Early infant school in district 	Heritage has been considered in preparing the plans. There will be a potential loss of some existing dwellings within the upper	No amendment required.

Matters of Policy	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> One of the first federation houses in street Same family 1916-1996 Faithfully restored in last 10 years outward bound view of one of the finest houses “Oberon” at 24 St Johns Ave change would be totally unsympathetic to St Johns Church, the Rectory and the Cemetery 	<p>part of St Johns Ave. No. 24 St Johns Ave is not part of the new plan and will remain a heritage item under the KPSO.</p> <p>No. 25 St John’s Ave is proposed to be rezoned to cater for the new residential, retail and commercial growth of the Gordon centre.</p>	
	<p>Object to loss of cultural heritage- building over the well in St Johns Ave:</p> <ul style="list-style-type: none"> Claimed to be excavated by convicts for water for travelling the Pacific Highway to Peat’s Ferry Well head moved to St Johns Church grounds, with plaque on original location and convict heritage 	<p>Noted and this matter has been referred to Council’s heritage consultant see attachment 11. Whilst the existence and location of a well cannot be verified, as a precautionary measure and archaeological assessment can be requested to prior to any works in this precinct.</p>	<p>Recommendation that under the Gordon centre DCP section 4.7.7 Block H- A new section be included to require an archaeological assessment of the site in accordance with the requirements of the NSW Heritage Office, prior to nay development taking place.</p>
	<p>Having 5 blocks of 5 storey buildings next to heritage homes is unfair and unsightly and will devalue the area. Heritage buildings will be overwhelmed by the high rise buildings. Council has even talked about declassifying heritage homes to make way for high-density housing.</p>	<p>The plans cater for new growth required by the state government, heritage has been a matter for consideration in the urban design process.</p>	<p>No amendment required.</p>
	<p>Removal of heritage listing to make way for 5 storey development and old growth eucalyptus is against National Trust recommendations. It is a disgrace for Council to override existing heritage orders and shows a lack of regard for residents, culture and the preservation of local history.</p>	<p>The plans have taken into account the existing and potential heritage items of the precinct. New development is required to take into account existing significant vegetation (Tree preservation order) and the potential impact on the existing heritage items.</p>	<p>No amendment required.</p>
	<p>36 Henry Street objects to the property being nominated for potential heritage listing under the new Town Centres LEP 2006, when it is not included in the list by consultant Perumal</p>	<p>No. 36 Henry street was assessed in the initial planning for the centre and considered suitable for retention. This</p>	<p>No amendment required.</p>

Matters of Policy	Issue	Comment	Recommendation
	Murphy of 154 heritage properties. (for details see submission No. 14)	process is entirely separate from the Perumal Murphy Alessi 2005 potential heritage item study.	
	Precinct L is situated in an area with many older style buildings and heritage listed homes, two of which are 8 Pearson Ave and 21 Mt William St. These buildings define the streetscape and the proposed development will be unsympathetic to these heritage homes and place these homes out of context. The DCP should allow for more sympathetic integration between heritage buildings and new buildings. These heritage homes will be dwarfed and lose their heritage significance if the 5 storey development was to be built. Under no circumstances should 8 Pearson Ave be removed from heritage listing.	Noted. In developing the plans for the centre an urban design approach has been taken to minimise the impacts on the existing heritage items. The DCP controls include specific design controls eg setbacks, landscaping and the location of new buildings. No. 8 Pearson is identified as heritage item under the new plan.	No amendment required.
	Rezoning along Werona Ave will effectively destroy the proposed East Gordon Urban Conservation Area as adopted by Council in 2001, but not yet gazetted. A feature of the local heritage walks is the view from the railway steps to the dominant trees. The rezoning of the interwar flats and corner shop will destroy this and is inconsistent with the recommendations of the Godden Mackay Logan study.	The Minister's Direction applies to the eastern side of the Gordon precinct. The existing apartments are of good quality and in strata ownership. It is not likely that these sites will be developed in the 10-15 year period. The yields have not been included on this basis.	No amendment required.
	Public views of the state heritage listed railway station will be compromised by the 5 and 9 storey apartment blocks near it. These views and vistas were an important consideration in its listing.	The Minister's Direction and the core plans of Gordon require additional development near the station.	No amendment required.
	Scale, height and bulk of proposed buildings will have adverse impact on the significance of the numerous heritage items and contributory items in Gordon, including Tulkiyan, St Johns Church and cemetery, Westward Ho, Gordon Railway Station, Council Chambers, old Gordon Public School, St Johns streetscape, East Gordon corner shops, Werona Ave interwar flats, Gordon Recreational Park and Eryldene. Thorough	It is noted there will be significant change in Gordon over the life of the Plan. Heritage has been one consideration amongst many other competing demands. The Plans have identified the heritage items and building envelopes developed to try to retain their significance. At the	No amendment required.

Matters of Policy	Issue	Comment	Recommendation
	heritage impact statements need to be done for these.	development application stage additional heritage impact statements will be required.	
	6 storeys adjacent to Westward Ho will dwarf the building, impacting on significance of the site.	The plans have taken into account the potential impacts on Westward Ho.	No amendment required.
	Traffic problems on St Johns Ave risk widening the road resulting in the removal of its heritage street trees.	Any road widening will be undertaken to minimise the potential impact on the existing street trees. In addition new plantings area proposed within the public domain and streetspace areas	No amendment required.
	<p>21 Mt William St</p> <ul style="list-style-type: none"> Unjust that other heritage sites had assessments of impacts of high rise development at Council expense, while 21 Mt William St had to provide own assessment Discriminatory to rezone other heritage sites, as they are located between high rise (eg. 8 Burgoyne), but not this site, Alternately, the significance of the site should be protected by providing an interface between the site and 5 storey development. <p>Adverse impacts on 21 Mt William St if retains 2c zoning and heritage listing with surrounding high rise:</p> <ul style="list-style-type: none"> Loss of privacy Increased traffic in narrow street and resultant noise Overshadowing in the morning Increased crime Emotional and psychological effects Visual impact Loss of street parking Loss of extensive views due to 45 degree angle of property to the proposed development; 	<p>In response to this submission, Council's heritage consultant inspected the site again with the owners present and reviewed the proposed controls and has made the following comments (see attachment 11 for full details).</p> <p>Council's urban design consultants have provided an amended envelope proposal which also increases the FSR of the site from 1.0:1 to 1.3:1. This envelope has considerable impact as a 5 storey wing is located 3m from the boundary of the heritage item. This portion of the item is the main private open space and the impact to the amenity of the place would therefore be considerable. This envelope could be amended by:</p> <ul style="list-style-type: none"> Relocating floor space to the front of L1 and decreasing the front setback from 16m to 10m; Increasing the setback of the western 	See main body of report for recommendations.

Matters of Policy	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> Loss of property value. Photos and heritage report provided with recommendations and alternatives (see submission 200). 	<p>wing from 3m to at least 9m as this is comparable to the floor space relocated to the front of the building;</p> <ul style="list-style-type: none"> Reduce the height of the western wing to 3 storeys; this would result in some loss of floor space but would reduce the impact on the setting of the heritage item. The heritage consultants recommendations are outlined below (these are considered in detail in the main part of the report). The impact on the setting and amenity of the heritage item is important for its future conservation as a disagreeable living environment will potentially reduce the desirability to conserve the place. The increase of the front setback on L1 is not considered to be as crucial to the amenity and conservation of the item as the relocation of building mass and bulk away from the adjoining side boundary. Where possible development on the individual allotment adjacent to the item should be 3 storeys. It is preferable that the FSR for development on L1 is maintained at the lower ration of 1.0:1. 	
Crime and safety	Concerned about increased crime in the area as a result of over development. With a larger number of unit and townhouse dwellings, many of which will be unoccupied during the day,	Noted. Council has no evidence of this.	No change recommended

Matters of Policy	Issue	Comment	Recommendation
	the area is more inviting to thieves. Will the state government willing to increase policing in the area?	Gordon already has a Police Station of adequate size and location in the Town Centre.	
	A park at Bushlands Ave may attract undesirable characters, with impacts on the occupants of Ravenswood College boarding house.	Crime Prevention (CPTED) principles will be considered the public domain plan.	Crime prevention principles be considered in the public domain plan.
	Increase in crime as nowhere for youths to meet safely and let off steam, such as a park.	No evidence of this. Council undertook a young person's survey to determine the issues that are most important to them in terms of the town centre plans. The plans provide for new parks which can be accessed by youth and other community members.	No change recommended
	The height of the buildings on either side of Wade Lane will create a street which will see little sun and could be a dark alley at night for possible nefarious activity.	The shadow diagrams show that Wade Lane will have adequate solar access for most of the year and the end of the lane will have good access. The lane will be overlooked by shops and apartments reducing the potential for crime.	No change recommended
	Already we have empty or marginal shops along the Pacific Highway and in the Gordon Centre which creates an atmosphere of dereliction inviting vandalism and crime. Further retail/commercial development in those areas would worsen the current situation.	Noted. Council has no evidence of this. To the contrary it has been proven through crime prevention principles (CPTED) that encouraging higher populations (more people) and more business into the area can actually decrease crime levels and the opportunity of crime because people do not tend to commit crimes in places where they know they are being watched and can be seen by people (called natural surveillance)	No change recommended
Sustainability	Plan fails to meet expectations of sustainable urban design.	Water and energy efficiency measures for residential development must be considered under BASIX. The DCP	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
		includes extensive controls in regard to sustainability both for private development and the public domain.	
	Council should look at taking an audit of its trees and selling carbon trading rights so we might be able to protect the unique character of Ku-ring-gai from turning into the disaster that is happening in Western Sydney. Commonwealth Law on such matters overrides the State. Only then should it have imposed rezoning on residential land.	The DCP provides controls to maintain the tree canopy in residential areas, including site coverage, setback and tree replenishment controls. The public domain plans will include maintenance and enhancement of the tree canopy in the public domain.	No change recommended.
	<p>Resident suggests keeping low density housing and retrofitting for sustainability, by:</p> <ul style="list-style-type: none"> • Reclaiming the streets • Improved use of existing properties • Improving public transport <ul style="list-style-type: none"> • Incorporating water harvesting • Passive solar and energy efficient design. <ul style="list-style-type: none"> • Including community gardens • Growing food <p>Apartments need to be low scale surrounded by gardens with the opportunity of permaculture practices.</p>	<p>Council is under the Minister's directive to increase density in the town centre. Streets are still needed for vehicular use, however, the plans include new pedestrian and cycle facilities. A new strategic bus corridor is planned to go through Gordon and upgrades to the bus interchange are included in the plans.</p> <p>Stormwater management for individual developments will be addressed at the DA stage. The DCP provides controls for water and energy efficiency for retail/commercial development, while BASIX provides such controls for residential developments. Council will be preparing an open space acquisition plan, and community gardens will be considered in this context. The DCP provides for deep soil areas adequate to provide opportunities for a variety of garden types.</p>	No change recommended.
	The new plan will cause more environmental damage – increased population will consume more fuel, add to C02	The plans are designed to reduce fuel use, by increasing density within close	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
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	emissions and further damage the ozone layer.	proximity to the railway station and existing and increased future services. The increased retail and commercial area will reduce the need for residents to access major centres outside the LGA. Provision of improved pedestrian, cycling and bus facilities will also be provided.	
	There is no discussion of the impacts of the impending oil crisis, with increasing petrol prices.	The plans provide for increased density within proximity of civic and retail services, the railway station and bus interchange, and improve pedestrian and cycle access within the centre. The increased services within Gordon will also reduce the need for residents to travel outside the LGA. These measures will help to reduce reliance on the car.	No change recommended.
	Council's plans have been drawn up without consideration of the most important criterion: that of the limits to growth.	The plans provide very prescriptive limits to growth and seek the retention and conservation of natural assets in a manner not provided for in current planning documents.	No change recommended.
	We have lost all but a tiny fraction of the original Blue Gum High Forest and remnants at 1228 Pacific Highway are now all but certain to be lost. By such processes all the natural assets that we now have will be lost over time unless growth is limited.	1228 Pacific Highway is not within the Gordon Town Centre. There is no Blue Gum High Forest in the town centre area.	No change recommended.
	The delicate ecosystem of the Gordon Valley, which is already severely compromised, will be irreparably damaged by increased run-off of polluted water from the paved surfaces surrounding the planned units. This will lead to the loss of a valuable educational and recreational resource which is also part of the Middle Harbour Catchment.	Extensive controls on stormwater management in the DCP are designed to ensure that the impacts of stormwater runoff from new developments, including their new paved surfaces, are managed to minimise the impacts on downstream	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
		ecosystems.	
	Residential flat buildings are overused- discriminates against families and is unsustainable. School children will no longer have access to railway station, and families will need 2 cars.	The plans provide for shop top housing, residential flat buildings and townhouse style development within a limited area around the station. This will increase the number of residents living in close proximity to the railway station. However, some areas within reasonable distance of the station are retained at the current zoning, particularly on the eastern side. Overall, housing choice and sustainability outcomes are improved.	No change recommended.
Economic	Inequitable - Loss of property values for low density zones in proximity of high rise, reducing opportunities to move to somewhere more amenable, while high density zones gain in property value.	Noted. There are no statutory requirements that provide a basis for compensation if there is any loss of property values proven.	No change recommended.
	If an outcome of the Plan is that certain properties are increased in value as a result of rezoning, then Council should capture part of this increase in value and use the funds to retain and enhance the existing Ku-ring-gai environment, eg. Vendor contribution at the time of sale.	Council is to develop a section 94 Strategy for the Gordon centre which will set monetary and non-monetary contributions to be paid by developers for the provision of physical and social infrastructure to service populations.	No change recommended.
Overdevelopment	Doesn't make sense to put development of enormous proportions and on a site alongside the already overloaded Pacific Highway.	Council is under a direction from the Planning Minister to provide increased housing, retail and commercial development within its 6 main centres.	No change recommended.
	There is unused potential in the other 5 centres, especially St Ives.	Council has appropriately apportioned the required densities across the 6 centres. Gordon is the main commercial/retail centre of Ku-ring-gai.	No change recommended.
	Re-development of Town Centres is inappropriate and excessive and the planning for Gordon far exceeds State	In determining the scale of development a range of detailed factors have been	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
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	<p>Government requirements, fails to meet state objectives and cannot be justified.</p> <ul style="list-style-type: none"> • The bulk and scale of the development is too much for the area. Gordon needs redevelopment not overdevelopment. • Excessive amount of retail and commercial space are far in excess of the needs of the community within Kuring-gai. • Council has over planned by rezoning much more land than is necessary. • Will diminish efficient use of infrastructure - Pacific Highway and surrounding roads. • Does not provide housing choice- excessive apartments- town houses and cluster development increase density with more appeal to young families, and older people; • The argument that increased medium density in the form of more unit and town house development increases choice is flawed. The so-called “luxury” town house and units are usually more expensive than the older homes in the area and have high ongoing strata fees. • Excessive provision of retail and commercial is not equivalent to revitalisation, strip shopping on highway 	<p>considered including traffic, urban design, appropriate dwelling yield and retail/commercial growth over the next 25 year period.</p> <p>The retail/commercial floor space are consistent with a range of studies including the Retail Strategy and SGS Economics Review.</p> <p>The Plans cater for development in the short, medium and longer term and are consistent with the metropolitan strategy.</p> <p>Proposed traffic management is designed to maintain efficiency of these roads.</p> <p>Plans provide for more housing choice this includes apartments and townhouses.</p> <p>The future sale prices of developments is a matter that is market driven and cannot be controlled by the planning process.</p> <p>Proposed growth has taken into account local and regional retail demand. No</p>	
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Matters of Policy	Issue	Comment	Recommendation
	<p>will not work (empty strip shops in Crows Nest)</p> <ul style="list-style-type: none"> Inconsistent with controls of LEP 194 -5 storey height limit increased to 9 storeys. Caters to more than local community. Excessive change to Gordon compared to previous versions. Gordon is taking the burden at the expense of other town centres in Ku-ring-gai. Mixed use retail/residential developments of up to 7-8 storey, fronting the Pacific Highway at Gordon should be sufficient to accommodate the number of people likely to not want to live in homes surrounded by gardens. Scale down the redevelopment. To propose an 8 storey building with 6 storey designed for residential is an extreme overdevelopment of a small village type community. The commercial viability starts at 3 storeys. <p>Plans exceed capability of the site: constraints not adequately considered:</p> <ul style="list-style-type: none"> Pacific Highway and railway so close (not the case in other areas of Sydney), 	<p>evidence that there will be an excessive amount of vacant shops.</p> <p>LEP 194 relates to residential only development. The heights of up to 9 storeys in the core of the centre are for mixed use retail/business/residential dwellings and are in response to economic viability requirements.</p> <p>Gordon is a town centre and will cater for the residents of Ku-ring-gai.</p> <p>See above</p> <p>The proposed scale has been assessed in developing the plans and is consistent with Gordon as the main town centre in Ku-ring-gai and the North Shore.</p> <p>Council has undertaken detailed economic viability studies for each centre. The proposed plans are consistent with this.</p> <p>The plans have been developed, taking into account and balancing the range of issues mentioned in this submission. In meeting the requirements for growth in this centre</p>	

Matters of Policy	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> local, regional and national demands on the highway, restricted land between the highway and railway, ridgeline location, west sloping land, valued tree canopy, existing paucity of open space. Overdevelopment of western side is unnecessary and unbalanced in proportion to the other centres. The highway should not be the main street. 	<p>and the requirements of the Department of Planning, the existing retail/commercial areas and the adjoining residential areas will need to accommodate increased growth, which historically were developed first as being easily accessed, along the ridgeline and on the railway/roadway corridor.</p> <p>Land on the western side was rezoned for medium density residential development under LEP 194 in 2004.</p> <p>The existing structure and topography constraints provide little opportunity to provide an alternative main street for Gordon.</p>	
	Precinct L and 8 storeys in St Johns are not required in order to comply with State Government directives.	The proposed plans are consistent with the Minister's Direction. Section 54(5) notification and requirements of the NSW Metropolitan Strategy.	No change recommended.
	<p>The Minister for Planning exempted St John's Ave from Stage 2 planning after upgrading in LEP 194 to dual occupancy, thereby agreeing to retain the residential classification for St John's Ave.</p> <p>It is suggested that the development for St Johns Avenue should be reduced to 4 storeys consisting of 1 storey retail and 3 stories of residential. This would enable St Johns Avenue to at least maintain some heritage value to KMC, whilst fulfilling State Government's requirements.</p>	The scale of development in the St Johns precinct has taken into account the potential impacts on surrounding areas. A detailed economic viability study has been undertaken as part of the planning for this precinct in addition the requirements of the Minister to provide new housing and retail/commercial facilities. It would not be feasible to reduce the scale to 4 storeys.	No change recommended.

Matters of Policy	Issue	Comment	Recommendation
	Shop top housing not suitable due to impacts from the proximity of the major road and railway- does not lend itself to enjoyable strolls – other centres in Sydney are not imposing high rise (eg eastern suburbs, where low density and strip shops prevail).	NSW State Planning and the Minister’s Direction require shop top housing. Good design takes into account the impacts of noise through construction methods and internal layout of sleeping, living and service areas.	No change recommended.
	East Gordon has already accepted our burden on the high-rise with the redevelopment of the Depot site.	Noted – see Minister’s Direction.	No change recommended.
	There seems to be an overwhelming number of units being built or already built and not selling. Will there really be sufficient demand for high density living in Gordon? Staged rezoning over longer period of time would have been better.	Council provides the local plans for future development. It is a market decision on the construction of new apartments.	No change recommended.
	Use of community land results in overprovision of retail, commercial and residential development.	The plans have been prepared to provide adequate retail, residential and commercial growth over the life of the plan.	No change recommended.
Other	What we want for our town centre is not a shopping mall development but high quality street front shopping for goods and services as well as attractive outdoor restaurant and recreational areas.	The Gordon Centre plans propose for a variety of shopping areas with well located areas for outdoor dining.	No change recommended.
	Support increase of housing around existing social and transport infrastructure.	Support noted.	No amendment required.
	Support choice of Gordon as main centre –logical choice due to location of major roads and rail and existing services.	Support noted.	No amendment required.
	Support provision of public and private open space, but note difficulty of providing this where little exists now.	Comments noted.	No amendment required.
	Zoning is meant to provide certainty: <ul style="list-style-type: none"> Overzoning on the assumption that some sites will not be redeveloped, will not provide this certainty. 	It is a commercial and historical reality that all sites zoned will not be developed to their full potential in the next 25-30 years. The take up rate of development is market driven and beyond the control of Council. Council needs to ensure sufficient zoning capacity to achieve metropolitan strategy	No amendment required.

Matters of Policy	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> No certainty regarding new roads, which are dependent on development. While the need to provide for population growth in Sydney is understood, there is no indication that acceptance of these plans will provide certainty for Council Planning Instruments affecting the rest of Ku-ring-gai (submission No.66). 	<p>housing targets.</p> <p>Acknowledged.</p> <p>Comment noted. Matter beyond the control of Council.</p>	
	The alleged benefits of urban consolidation were disproved years ago and have been abandoned in Europe and England. Why aren't we able to retain our heritage, bushland and village atmosphere? Look at Mosman, Marrickville, Dulwich Hill etc.	The plans have been developed under State Government urban consolidation planning policies.	No amendment required.
	It is important to ensure that abrasive materials are not permitted to be dumped where they will end up in stormwater from the new major development sites.	These issues are addressed through the development assessment process.	No amendment required.

Process

Issue

Comment

Recommendation

Submissions on process matters – Gordon Town Centre

Attachment 3

Process	Issue	Comment	Recommendation
	Resident notified late. Notification should have been notified earlier in the planning process. Letter of notification was inadequate content wise and the timeframe given for resident's turnaround has been too short. (see submission no. 131) No response to resident's emails (see Submission No. 15)	Initial advice to all households in Gordon & Killara was in April 2005 – seeking survey feedback on planning for Gordon centre. Preliminary exhibition allowed early resident/business feedback to Council from which changes to draft plans were made; formal exhibition timeframes are prescribed by the EPA Act and these have been complied with. Also some 800 interested residents & businesses have been kept informed by email of progress on the plans.	No change recommended.
	Has the NSW Government set any time limits on when any particular development must be completed? It is understood that the plans are for the next 30 years not the next 30 months.	Council has agreed with NSW Government to complete planning for Gordon by the end of 2006. The rate of development will depend on economic conditions in the period ahead the land zoned caters for the needs of a 20-30 year time frame.	No change recommended.
	The proposed development in Precinct L was not communicated to new residents in Pearson Avenue when they where purchasing properties. One resident had to complete a \$3000 heritage survey to find out a few months later that a high density development was proposed opposite and the survey was not needed. <ul style="list-style-type: none"> The proposed rezoning of Precinct L was not on the website until mid-August despite Council's claims of listing it on 26th July. This did not give residents sufficient time to lodge their complaints. Well over 100 residents signed a petition opposing the proposed rezoning of Precinct L and this was 	Council has advertised widely, and worked to keep interested persons informed by letter, public media and email. Council's Customer Service staff has been kept informed and can give initial advice, if requested. Precinct L has been included in the draft LEP since 20 April 2006, when council adopted its preferred land use strategy and recommended land use zones. There has been information on Council's web site	No change recommended.

Process

Issue

Comment

Recommendation

Process	Issue	Comment	Recommendation
	<p>never tabled at a council meeting. (submission No. 126)</p> <ul style="list-style-type: none"> Misleading and inequitable that Council enforces UCA on private landholders in Precinct L, and then ignores it in these plans. In Precinct L- Council has stated that the reason for 5 storeys is to ensure the block's economic viability. However because of supposed 'commercial confidentially' it will not share this date with its residents. This goes against Council's transparency objective and it undermines the confidence of its residents. Council should appoint a qualified 3rd party to validate the economic viability of its date, enhance credibility of the process and assure residents of its even-handedness (submission No. 174) Resident was not notified that Precinct L would be considered under new plan until mid-August 2006 despite council working on the plans for 20 months. High density proposed developments were not communicated to new residents in Pearsons Ave when they were purchasing properties recently, this costs them money. The plans for Gordon and in particular for Precinct L have been developed in order for Council to retain planning powers. Precinct L is already a nightmare for traffic and there are no remedies suggested in the traffic 	<p>since that time. The non-tabling of the petition is noted.</p> <p>The proposed UCA of the National Trust is a non government listing that has no statutory weight.</p> <p>Noted: Council has prepared economic feasibility studies, prepared by an independent consultant using industry accepted methodology. This information is confidential and is provided to the NSW Department of Planning to support the proposed rezonings.</p> <p>Council's decision to included precinct L was made on 20 April 2006. Since that time, Council has advertised widely, and worked to keep interested persons informed by letter, public media and email. Council's Customer Service staff has been kept informed and can give initial advice, if requested. Under S149 of the EP&A Act, Council is unable to included notification of Draft LEPs on planning certificates until such time that an LEP goes on statutory exhibition. Council's planning powers for Precinct L are similar to other similar areas.</p>	

Process	Issue	Comment	Recommendation
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Process	Issue	Comment	Recommendation
	reports. It is requested that traffic simulation studies be carried out similar to those carried out by Baulkham Hills Shire Council before adoption of the traffic plan. (Sub 154)	Refer to comments in relation to Traffic issues.	
	Stage 2 Residential Strategy fails to include cumulative impacts of Stage 1 (LEP 194) or of the centres combined.	Stage 2 of the RDS addresses specific targets set with the NSW Government for Gordon centre, following earlier adoption of Stage 1. The cumulative impacts have been considered in urban design, planning, open space and traffic modelling.	No change recommended.
	Duplicitous of Council to indicate that no development is likely to occur on Werona Ave but to rezone it anyway.	This land is covered by the Ministers Direction. Werona Avenue is located very close to the town centre and has had some medium and high density rezoning along it, consistent with its town centre location.	No change recommended.
	Consultation has been non-existent to appalling with council taking a tick-the-box approach. Questions are not encouraged and rarely answered openly and fully. Information is kept secret. Complaints prior to exhibition were not taken seriously and answered with form letters. The resident's concerns were not listened prior to public exhibition (see submission no. 20) Meeting times are sometimes wrong (planning meeting listed at 4.30pm instead of 6.30pm) and the site is difficult to navigate. The consultation was inadequate and did not inform residents of the true extent of the plans.	Initial notification to all households in Gordon & Killara was in April 2005 – seeking survey feedback on planning for Gordon centre. Preliminary exhibition allowed early resident/business feedback to Council from which changes to draft plans were made; formal exhibition times are prescribed by statute. Some 800 interested residents & businesses have been kept informed by email. Consultations have been extensive and on-going – please see attachment 6	No change recommended.
	Exhibition period was in the school holidays this limits the response time for residents and is unfair. The consultations were based on sketchy, sparse and sometimes inconsistent information which was not made “readily available”.	Allowance was made for late submissions on Gordon planning to be included, given the possible impact of school holidays. Consultations and information have been	No change recommended.

Process

Issue

Comment

Recommendation

Process	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> • Yes information was available on the website and was displayed at Gordon Library but not everyone in the area can be expected to have internet access, email communications or is internet literate. (see submission no. 131) The Website is not up- dated regularly. • Information not readily available to those who do not use internet, work late, or do not speak English. • Due to the high proportion of migrants in the area, notification and general communication should be translated into Greek and Mandarin.(see submission no. 131) 	extensive, open and inclusive. Library information has been complemented with local media advertising and editorial, and letters to householders from Council – the latter inviting contact with the Telephone Interpreter Services for NESB persons.	
	Plans are inadequate. Plans have been drawn up without consideration of the feeling and needs of neighbouring residents. Plan makers are short-sighted insensitive people with small minds and ideas to satisfy greedy developers.	Planning has been based on extensive consultation, careful development of issues across a range of planning and related disciplines, and further iteration through preliminary and formal exhibitions and feedback.	No change recommended.
	Consultation inadequate and did not inform residents of the true extent of the plans. There has been insufficient explanation to the public about the proposals and its consequences. Council has been providing conflicting verbal and written information to the community. Communication from Council has been insufficient and inadequate up to now.	Initial notification to all households in Gordon & Killara was in April 2005 – seeking survey feedback on planning for Gordon centre. Preliminary exhibition allowed early resident/business feedback to Council from which changes to draft plans were made; formal exhibition times are prescribed by statute. Some 800 interested residents & businesses have been kept informed by email. Press material and letters to residents have maintained information flow about preliminary and statutory exhibitions. Consultations have been extensive and on-going – please see	No change recommended.

Process	Issue	Comment	Recommendation
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Process	Issue	Comment	Recommendation
		attachment 6.	
	A community impact review by an independent consultant should have been conducted before draft plans were released.	Consultation and information from the early stages of the planning process ensured that community-sourced information provided the basis for development and iteration of the plans.	No change recommended.
	Resident could not find confirmation of the proposed park (between St Johns and Bushlands Ave) on the website.	The proposed park was identified in the draft development control plan on exhibition. The land is not being rezoned as open space – these sites are not in the Gordon Centre plan and therefore are not included in the DLEP.	No change recommended.
	Breach of procedure – no prior notification prior to council meeting of proposal to acquire part of Bushlands Ave for a park. This is beyond Council powers and is a denial of natural justice. The proposed “potential acquisition” is designed to frustrate the state government’s policy of urban consolidation, and to avoid down zoning in opposition to state government requirements.	<p>The decision to identify the land in Bushland Avenue for potential future acquisition for park land was made by Council at the meeting. As the matter was not on the agenda prior to the meeting, no notification of residents was possible.</p> <p>The land identified for potential future acquisition for park land is currently zoned 2(c2) and is not subject to the Minister’s directive for increased densities.</p> <p>Location of new park and street space will help ensure amenity of the locality given the increased intensity of land use in the centre.</p>	No change recommended.
	It appears that residents in the area immediately adjacent to the Town Centre zone were not considered to have an interest in the proposals and were not notified until just recently.	<p>Initial advice to all households in Gordon & Killara was in April 2005 – seeking survey feedback on planning for Gordon centre.</p> <p>Preliminary exhibition allowed early</p>	No change recommended.

Process

Issue

Comment

Recommendation

Process	Issue	Comment	Recommendation
		resident/business feedback to Council from which changes to draft plans were made; formal exhibition times are prescribed by statute. Some 800 interested residents & businesses have been kept informed by email. Press material and letters to residents have maintained information flow about preliminary and statutory exhibitions. Consultations have been extensive and on-going – please see attachment 6.	
	Council has failed to come up with a way to manage the State Government's demand on housing.	The proposed plans address the NSW Government directive, matched to the character issues developed at Gordon centre through extensive resident consultation.	No change recommended.
	The RTA, Railcorp and Sydney Water need to be more than consulted as to services. They need to have studied the consequences/feasibility of the proposed development and advise how their services will cope.	It is a planning requirement that these and related government agencies be consulted and agree to servicing capacities, before formal exhibition takes place. This has been done. (See Section 62 Submissions- from Government Agencies in this report)	Note consultations with NSW Government agencies.
	Whilst Council is constrained by the Environmental Planning and Assessment Act, Council should nevertheless express the views of your residents regarding inadequacies in the Act and the planning process that produced it.	This has been done by elected Councillors at their meetings with the NSW Planning Ministers and other State representatives, on an on-going basis.	No change recommended.
	Displays for the exhibition were inaccessible and	Gordon displays were held at the Gordon	No change recommended.

Process	Issue	Comment	Recommendation
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Process	Issue	Comment	Recommendation
	cramped and staff could not give sufficient insight. Full extent only understood at a community event providing scale models, and in discussion with more informed residents.	retail centre – adjacent to Woolworths, and not considered inaccessible, nor cramped. These included a large-screen TV with a virtual 3D model of the building envelopes proposed in the context of a Gordon aerial photomontage.	
	<p>Process unfair - residents who bought south of Moree St were told by Council in 1998, that there would be no rezoning in St John's Avenue.</p> <ul style="list-style-type: none"> • Objection to the inadequate communication to Moree St Residents. (see submission no. 131) • Lack of opportunity for early input and inadequate communication for Moree and Dumaresq St residents. Notification inadequate in content. On the other hand why should Ravenswood students' opinions be considered, as appears to be the case? 	<p>Residents throughout the area were sent letters notifying of the Preliminary Exhibition and current exhibition, and local papers also included editorial and advertising on planning in Gordon.</p> <p>Consultation with young people, and with other groups, is considered to be a vital part of town centre planning – gleaning ideas, perspectives and improvements for the future.</p>	No change recommended.
	There has been little or no attempt to present evidence to residents that establishes that the proposed changes will benefit existing residents in any way.	The recent exhibition, staffed displays and information sessions by planning staff all helped explain the planning issues for Gordon centre, including intended improvements to the town centre.	No change recommended.
	Lack of consultation with non-resident landowners. Request for appropriate information package on the DCP, and further time to provide detailed feedback before Council makes any decisions on the proposal.	Non-resident landowners were advised of planning for Gordon, during the process, at the same time as residents, at preliminary exhibition stage. Detailed information of Gordon planning documents and supporting materials has been available on CD from Council, at no charge.	No change recommended.
	<p>It appears that this proposal is an attempt to over-develop the Council car park site at Dumaresq Street. Note that:</p> <ul style="list-style-type: none"> • Supporting documents are almost non-existent. 	This site has been further reviewed and only matters relating to the LEP will be included. In relation to the proposed DCP controls, these will need further	No change recommended (see also Precinct E).

Process

Issue

Comment

Recommendation

Process	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> No shadow diagrams are available for the proposed structures In the available documents there is an inappropriate separation from other properties and future residential development. There appears to have been no consideration of existing blue gum trees or the impact on existing landscaped buffer zones. 	comprehensive review, following Council's final decision on this site. Also refer to the main report and Precinct E in this table.	
	The community wishes have been ignored – there was extensive community consultation which overwhelmingly said that huge shopping centres were not required – so why bother to consult if outcomes of the consultation are totally disregarded?	Community consultation indicated that Gordon shopping centre did not meet all expected needs, and could expand to become Ku-ring-gai's principal centre. Councils adopted retail strategy (July 2005) is the guide for retail growth in the future.	No change recommended.
	The extent of the development has been "hidden" from the community in a myriad of large separate pdf files to be downloaded from the Council webpage; the Council displays do not include 3-D models	Planning materials are also accessible at the Council chambers and Gordon Library; 3D virtual models of the proposed plans were accessible at the advertised staffed displays during the recent exhibition period.	No change recommended.
	The Council's publicity shows piazza-type scenarios with alfresco dining in sunny, tree-studded surroundings – reality is car-choked streets, lined by 6 to 9 storey buildings, blocking sunlight, sustaining no more than pot plants – is this artistic licence or deliberate misrepresentation?	Careful design within the building envelopes indicated, should allow a friendly, human-scale centre to be developed, consistent the constraints of the highway and benefits of the location.	No change recommended.
	Council staff are not residents of the area and are therefore unaware of current traffic flows and their suggestions are theoretical and not practical.	Traffic study and modelling is prepared using data and a methodology accepted by the Council and used by consultants across Sydney.	No change recommended.
	Council should have provided residents with scale models of the massive proposed developments and road/traffic changes.	3D virtual models of the proposed plans were accessible at the staffed displays during the recent exhibition period.	No change recommended.

Process

Issue

Comment

Recommendation

Process	Issue	Comment	Recommendation
	Council will only have a few weeks to review the submissions from Gordon and the other town centres to make appropriate changes to the draft plans; this cannot result in good planning.	Feedback from residents has been carefully examined by staff and changes to plans recommended – at the Preliminary and Statutory Exhibition stages.	No change recommended.
	Problems with the traffic survey statistics (Submission 109).	See traffic comment section.	No change recommended.
	Resident appreciates access Council has afforded to residents, both through the frequent emails regarding the plan, and the opportunity to speak with Council staff at meetings and displays outside normal working hours.	Noted.	No change recommended.
	The video display used by Council was misleading in that it showed the development envisaged by the LEP only, and not the total development which could occur if all land zoned for higher densities is developed.	The 3D video display showed the building envelopes for the Gordon town centre, set against recent aerial photomontage of the town centre area.	No change recommended.

Submissions Part 3 – Gordon Town Centre

Matters related generally to the DLEP	Issue	Comment	Recommendation
Location of re-zoning generally	<ul style="list-style-type: none"> The changes to zoning were to permit a closer residential density that would concentrate on the areas around the railway and highway and yet the current proposals do not seem to reflect this. Why hasn't the eastern side been looked at for redevelopment? There should be more commercial zoning in the retail section closer to the station and be more transit oriented. Suggest the Wade lane carpark and Henry St be redeveloped, expanded and incorporated into the east side redevelopment; Include access to airspace over the railway line (up to 15 storeys), thus providing more space for residential development, taking advantage of north/east facing views. This would help provide better linkages between Werona Ave and proposed major shopping and public domain areas. Rezone the neighbouring properties as 2 storey apartments to create a buffer zone. Open up the central space in Wade Lane so that a central plaza can be built with restaurants, cafes facing north and east receiving maximum sun. This creates a desirable amenity while allowing integrated access to parking and pedestrian areas within the existing Council carpark. (See also Submission 172) Shift the focus of development to the eastern side of the highway between the railway line and the highway. Placing the retail 	<p>As part of the initial urban design analysis the entire centre was examined. The area between the Pacific Highway and the Railway was one zone identified for revitalisation. The western side of the highway where the main commercial zones are located were also included. The eastern precinct was identified for some increased residential but not additional retail and commercial land uses. The aim of the retail and revitalisation was to redevelop those areas already containing mixed use or areas near – eg. St Johns Avenue West. Wade Lane and Henry Street are included in the redevelopment Plans for mixed use and more apartments. Rail Corp has indicated it is not promoting air space development. Development over the railway is very expensive and 15 storeys may not be adequate to cover the costs of redevelopment. The scale is not compatible with Ku-ring-gai. The R3 zone up to 2-3 levels provides a buffer zone. Noted. Activity along Wade Lane will be improved with increased public domain and improved streetscapes.</p>	No changes recommended.

Matters related to DLEP	Issue	Comment	Recommendation
	development here would reduce or eliminate other problems such as traffic problems, narrowing of suburban streets, access problems for cars, pedestrians and parking.	This was investigated in the initial planning stage but ruled out on the basis of land area, access, parking constraints of the railway and Pacific Highway and the level of development required to make such development viable.	
	Council should have, as a first priority, ensured that all State Government owned and controlled land was zoned for development particularly airspace land at stations, and forced the State to confront this issue.	See comments above Rail Corp is not interested in airspace development.	No changes recommended.
	Resident requests you consider extending the rezoning into the areas adjacent to the high density areas down to Vale Street.	Development for additional medium R3 and R4 high density is focused on accessibility and proximity to the town centres and station.	No changes recommended.
	There should be no extension of high density zones to the west of the highway, as the topography is unsuitable. 5 to 6 storey developments in the majority of each of the three streets (Moree, Dumaresq and McIntyre) – will create a “Gordon Ghetto”. This will create traffic chaos, unhealthy levels of pollution and noise and the proposed height should be scaled down. In particular, a 6 storey building on Dumaresq Street is outrageous given the topography of the land.	A substantial area of the west side of the highway is already 2(d3) LEP 194 – 5 storey apartments zoned in 2004 and this area also contains the Minister’s targeted site at McIntyre Street.. Buildings can be stepped down in line with the topography. Landscaping also includes deep soil planting.	No changes recommended.
	The proposed 3 storey zone west of the highway should be extended slightly to the west so that current single dwellings are not so close to the new roads.	A 3 storey interface and a roadway are considered suitable in providing appropriate transition.	No changes recommended.
	Extend the B2 zone to Werona Avenue. The B2 zone would then be built over the Pacific Highway and the railway.	The east side of the Railway line was not considered suitable for mixed use development – see comments above.	No changes recommended.
	Precinct L should be deleted from the Town Centre zoning back to 2(c2) as established by LEP 194 back in 2004 – allowing a 2 storey development.	This site has been included and exhibited on the basis of its proximity to the centre, current and surrounding 2(d3) zoning.	No changes recommended.
	The rezoning along Werona Avenue will effectively destroy the proposed East Gordon Conservation Area.	The east side of the Railway line has not been identified for substantial growth partially in acknowledgement of the conservation value of the area.	No changes recommended.

Matters related to DLEP	Issue	Comment	Recommendation
	Resident supports the proposed rezoning of single residential properties, currently adjoining 2(d3) to R4.	Noted. This is a requirement to meet the residential, retail and commercial growth of Gordon.	No changes recommended.
Height	There should be transitional zones between high and low density development. Council neglects to introduce such a zone along Mt William Street as it borders the proposed high rise flats at the depot. An exception to this applies to a KMC staff member's residence. (see submission No. 3)	Noted. In general planning terms a roadway (20m reserve width) is adequate separation between higher density and lower density housing. Council planning staff are not aware of any Ku-ring-gai Council staff residing in this precinct nor would this affect any planning decision.	No changes recommended.
	The main centre areas containing retail/commercial uses should have unlimited heights. Given the difficulties of amalgamation, in the face of "superannuation holdings", holdings by corporations such as banks, as well as uncertainties of the market, the cost of temporary closure, and the need to provide links across (or under) the highway and Wade Lane, costs will be extremely large. Therefore every incentive should be provided to encourage redevelopment, including the replacement of height limits with qualitative controls. (For details, see Submission No 205)	The height of buildings has been based on a range of criteria including development potential and economic feasibility, urban design, traffic and parking, topography, heritage, surrounding current and future development. There is adequate incentive to develop over the short – to longer term of the Plan.	No changes recommended.

Matters related to specific areas & properties	Issue	Comment	Recommendation
Community lands	Community titled open space is not an acceptable substitute for public open space. It is provided on private land with no guarantee that public access will be maintained in perpetuity. The premise that this community land will be reclassified "operational" calls into doubt the value of the independent consultative procedure of the Reclassification Hearing.	Noted. Community classified land is more flexible in how it may be used by Council for the community benefit. In certain circumstances it might be sold in favour of putting the funds to better community facilities or leased on longer term basis. It is an independent Public Hearing process which considers proposed reclassification by providing an independent appraisal of such proposal to the Council and Minister.	No action required.

Specific areas and properties	Issue	Comment	Recommendation
	Support reclassification of land between Moree St and St Johns Ave, which will assist in assembling suitably sized parcels for large format retail uses. Would consider a land swap or other transaction to facilitate the closure of the upper end of Moree St and provide an alternative access route between St Johns Ave, Moree and Dumaresq. (Submission No. 205)	Noted. The aim of the plan is to provide a suitable location for the future retail, commercial and additional housing for the future.	No change recommended.
	Minister's directive does not include reclassification of lands.	The Ministers direction covers rezoning of land under the EPA Act. Reclassification is a decision of Council, to assist the realisation of the LEP and Ministers directive.	No action required.
	Council Chambers and car park site should be retained as one large lot with commensurate potential for future Council/community use. Making it operational will disrupt the integrity of the large landholding in the prime location within the civic precinct.	The plans cater for reinforcing the existing civic role of this precinct including retention of Council Chambers heritage building, future community uses in the building behind.	No change recommended.
	Council owned vacant land (Site 3). Given paucity of open space and social and economic value of open space, These sites should be amalgamated and used for public open space- a place to relax without having to buy a coffee, for children in the nearby apartments to play.	There are a range of factors in providing open space these include: location, size, aspect, access, slope, redevelopment etc. This site was not considered suitable for open space or amalgamation.	No change recommended.
	Wade Lane carpark (Site 4): Proposed bulky buildings which will act as a solar and visual barrier to buildings and spaces to the west and south west. Deduction from shadow diagrams show that the upper levels of the buildings will have adverse solar impacts on Wade Lane, which is designed to be a community space.	Noted. The existing car park at Wade Lane provides limited visual amenity and creates impacts on Wade Lane. A revitalisation of this Precinct will assist in providing more atmosphere and life in the centre. Overshadowing impacts are noted however, a reasonable portion of Wade Lane will have solar access for more than 2 hours midwinter, and 3 hours at 21 March and September. The end of Wade Lane where the new park is proposed will have excellent solar access.	No change recommended.

Specific areas and properties	Issue	Comment	Recommendation
Private lands			
Precinct B – bounded by Pacific Highway, Lane Cove Road, Vale Street and Merriwa Street	<p>Alto Group objects to the proposed lot amalgamation of 870 Pacific Highway with 854 and 860 Pacific Highway and requests 870 Pacific Highway be amalgamated with 880 and 898 Pacific Highway.</p> <ul style="list-style-type: none"> No. 870 is under the same ownership as 880 and 898. No. 870 forms an important part of Alto Group's landholdings in Gordon having been purchased and consolidated over the past 50 years with specific purpose of future development. No. 870 is integral to redeveloping 880 and 898. It is understood the main purpose of the proposed amalgamations is to encourage and achieve a workable building footprint and built form controls, this can still be achieved without having to amalgamate No.870 with 854 and 860. <p>Should Council support this amalgamation request, it is also requested that the corresponding floor space ratio be amended from 2.5:1 to 3:1 for consistency purposes. Request to amend the diagram in Section 4.3 of the Draft DCP to acknowledge the existing vehicular access driveways to each of the Alto Group's sites. No. 880 Pacific Highway has ingress and egress from both Pacific Highway and Fitzsimons Lane.</p>	<p>One submission was received for precinct B from the Alto Group who are the land owners of 880-898 and 870 Pacific Highway.</p> <p>The submission makes the point that the main purpose of the proposed amalgamations is to encourage and achieve a workable building footprint and built form controls. It is acknowledged that 854 and 860 Pacific Highway can still be developed separately. The site is a corner site and achieves a high FSR with two road frontages.</p> <p>Envelope tests have shown that it is possible to achieve a 3:1 FSR on the enlarged site by extending the residential component across onto 870 Pacific Highway.</p> <p>Sphere Property Corporation undertook an economic analysis in July 2006 and confirmed that the provisions within the Draft LEP allow a feasible development.</p> <p>Only a very minor increase in residential dwellings would result. No comment is required from the traffic consultant.</p> <p>The issues related to vehicular site access are noted and will be amended.</p> <p>Staff note: During the exhibition period two other issues have arisen namely:</p> <ul style="list-style-type: none"> That the inclusion of bulky goods 	<p>Recommended amendments: Draft LEP</p> <ul style="list-style-type: none"> Show 3.0:1 FSR and 8 storey height on 880-898 and 870 Pacific Highway. inclusion of bulky goods within precinct B strengthen the objectives to clarify definition of permissible retail within precinct B <p>Draft DCP</p> <ul style="list-style-type: none"> Amend amalgamation line to include 870, 880 and 898 Pacific Highway as one site Adjust building envelopes to be consistent with LEP and DCP Amend Section 4.3 of the Draft DCP to acknowledge the existing vehicular

Specific areas and properties	Issue	Comment	Recommendation
		<p>within the draft LEP should be considered to allow uses such as a large white goods retailer or similar to establish within Precinct B</p> <ul style="list-style-type: none"> • That the Draft LEP objectives for precinct B require strengthening regarding the definition of the type of retailing that is permissible within this area which is “peripheral” or “out of centre” retail that provides support to the retail core rather than competition. This would exclude a supermarket or Discount department store for example. <p>These issues must be addressed within the draft LEP.</p>	<p>access driveways to each of the Alto Group’s sites; and</p> <ul style="list-style-type: none"> • Allow ingress and egress from both Pacific Highway and Fitzsimons Lane for 880 Pacific Highway.
Precinct C - bounded by Pacific Highway, Merriwa Street, McIntyre Street and Residential R4 zone	No submissions received	The Draft Town Centre LEP proposes to rezone the site B2 – Local Centre allowing a mix of uses including residential, retail and business premises. The planning controls for the precinct allow an FSR of between 2.0:1 and 2.1:1 (with minimum retail/commercial FSR requirements) and a 4 storey height limit	No change recommended

Specific areas and properties	Issue	Comment	Recommendation
<p>Precinct E - bounded by Pacific Highway, Dumaresq, McIntyre Street and Residential R4 zone</p>	<p>The proposed setback for the 7 storey building of only 6 metres from the boundary with 9 Dumaresq Street would result in a building separation on only 12 metres between the 7 storey building and a future 5 storey construction as zoned for 9 Dumaresq Street. Under SEPP 65 the required separation for 5 to 8 storey buildings is 18 metres. Thus the setback for the 7 storey building should be increased to 9 metres.</p> <p>There is an existing 7-8 metre planted buffer strip between 7 and 9 Dumaresq Street as a result of an earlier agreement when the car park was first developed. Building to within the 6 metres of this boundary would inevitably result in loss of shrubs and trees which currently act as a screen for privacy between two sites.</p> <p>The section to the rear of the council building where the second building would be located has a large number of blue gum trees and any development there would inevitably require their removal which is contrary to Council tree policy.</p> <p>It is notable that no shadow studies have been carried out for the 7 storey building. A rough estimate shows that the shadow will delay sunlight access to several of the blocks down the street until well after 9am for more than half the year.</p> <p>The height proposed for these buildings does not provide an effective transition between the town centre and the future residential development that is envisaged for Dumaresq Street.</p> <p>The Council car park site should be zoned for 5 storeys to integrate it with adjacent sites in Dumaresq Street.</p>	<p>The Draft Town Centre LEP proposes to rezone the site B2 – Local Centre allowing a mix of uses including residential, retail and business premises. The planning controls for the site allow an FSR of 2.3:1 and a 7 storey height limit.</p> <p>The Council Chamber site is proposed to have a minimum 1.5:1 minimum FSR requirement for community services.</p> <p>One submission received in relation to Precinct C from the owner of 9 Dumaresq Street which directly adjoins a proposed 7 storey residential building on Council’s car park off Dumaresq Street (7 Dumaresq Street).</p> <p>The submission seeks the following amendments:</p> <ul style="list-style-type: none"> • A setback for the 7 storey building of 9 metres from the western site boundary; and • A maximum of 5 storeys for the Council car park site. <p>The submission makes a relevant pointing regard to building separation. The draft DCP currently does not comply with SEPP 65. It is therefore necessary to review the proposed setbacks.</p> <p>The submission also raises a relevant issue in relation to existing trees. Site inspection shows that at least a 9 metre setback is required to protect an existing Blue Gum.</p>	<p>Recommended amendments:</p> <p>Draft LEP (Precinct E)</p> <ul style="list-style-type: none"> • No change retain B2 zone and 2.3:1 FSR <p>Draft DCP (Precinct E)</p> <ul style="list-style-type: none"> • Adjust building envelope of community building to be within the footprint of existing Council administration building • Delete residential building envelope • Retain general notes in 4.7.4 Block E relevant to the zone

Specific areas and properties	Issue	Comment	Recommendation
	There is considerable uncertainty as how the block is defined, whether the site area allows for a stand alone building as indicated in draft plans.	<p>Also the proposed community facilities building should be modified to stay within the existing footprint of the Administration building to protect trees on the western side.</p> <p>The proposed building height of 7 storeys on the site is appropriate as it allows a stepping down in height from the existing office building on the corner of the Pacific Highway which is currently in excess of 8 storeys to 7 storeys on the Council site (7 Dumaresq) and then 5 storeys on the adjoining site (9 Dumaresq).</p> <p>However when the constraints of existing trees; community facilities requirement; and the requirement for a 6 metre setback for the first 4 storeys and then a 9 metre setback for the top 3 floors it is no longer possible to achieve a viable residential building envelope on the site.</p>	
Precinct F - bounded by Pacific Highway, Dumaresq Street, Moree Street and Residential R4 zone	<p>One submission was received from DBB REEF Trust Managers of the Gordon Centre</p> <p>The submission notes support for the draft LEP and DCP including:</p> <ul style="list-style-type: none"> the Council's proposals for the re-zoning of the Gordon Town Centre Area; proposals for facilitating the further development of Gordon as the Town Centre for Ku-ring-gai; support the provision of both public and private open spaces within and close to the Town Centre area; and The aims for increased retail floor area within Gordon and the addition of a further 	<p>The Draft Town Centre LEP proposes to rezone the site B2 – Local Centre allowing a mix of uses including residential, retail and business premises. The planning controls for the site allow an FSR of 3.4:1 (maximum retail of 1.7:1) and an 8 storey height limit.</p> <p>Considering the level of community concern regarding the level of development and proposed building heights for Gordon the option put forward in the submission of providing no building height controls cannot be supported.</p> <p>The current plan has been developed to provide</p>	<p>The following amendments are recommended</p> <p>Draft LEP</p> <ul style="list-style-type: none"> No change <p>Draft DCP</p> <ul style="list-style-type: none"> No change

Specific areas and properties	Issue	Comment	Recommendation
	<p>supermarket, Discount Department Store and appropriate specialty shopping, together with adequate car parking.</p> <p>The submission seeks the following amendments to the Draft LEP and DCP:</p> <ul style="list-style-type: none"> • More flexible controls including removal of height limits on particular areas including Wade Lane and car park., Pacific Highway East, the Gordon Centre and the adjacent area between Moree Street and St Johns Avenue. • Building height restrictions be replaced by more qualitative standards. <p>The submission also notes a number of alternatives or options for locations to achieve sufficient land (in addition to that already proposed for zoning) and to provide sufficient space to accommodate the required retail formats (up to 8,000m2 for a full-line DDS) together with efficient access, circulation, servicing and car parking facilities:</p> <ul style="list-style-type: none"> • The Wade Lane car park and the row of properties fronting the Eastern side of the Pacific Highway are both relatively long and narrow strips of land, making it difficult to create suitable retail formats without physically joining the two sites. • This could be done by either bridging over or tunnelling under Wade Lane, both of which options we believe should not be excluded from Council's thinking. • It should also be kept in mind that one solution to creating an integrated and safe retail environment in Gordon would be to build upon the proven concept of bridging across the 	<p>a level of certainty to the community and height plans are a reasonable expectation.</p> <p>With regard to the option of building over Wade Lane there are a number of points that can be made:</p> <p>Firstly Council has made a clear policy decision to retain Wade Lane as a public street open to the sky. In each of the Town Centres a key objective has been to achieve shops facing away from the highway.</p> <p>The amount of retail space in Gordon is based on retail analysis and projections. It was found that a maximum of 46,000sqm of retail will be required in Gordon over the next 20-30 years. This amount of retail has been carefully balanced across the centre. Building over Wade Lane for retail would impact on the balance and is not seen as necessary within the life of the plan.</p> <p>This would require up to 3 levels of retail which is considered not to be viable in Gordon</p> <p>The concept of Tunnelling under Wade Lane is proposed in the DCP to allow car parking on the Council car park site to link with future redevelopment of sites fronting the highway. Equally service access could be provided underground.</p> <p>The submissions raise the concepts of bridging over the Pacific Highway to link the (new and</p>	

Specific areas and properties	Issue	Comment	Recommendation
	<p>Pacific Highway to link the (new and improved) retail areas on each side with all available car-parking and, of course, the railway station.</p> <ul style="list-style-type: none"> This could be done by constructing a much more substantial bridge, incorporating retail space over the Highway and/or by tunnelling under the Highway to provide both a pedestrian and vehicular link. This would assist in the cross-flow of traffic, both generally and between parking areas. 	<p>improved) retail areas or tunnelling under the Highway to provide both a pedestrian and vehicular link. Both these concepts are possible and are not excluded from the plan.</p> <p>The idea of constructing a much more substantial bridge, incorporating retail space over the Highway is not supported for similar reasons to that of bridging Wade Lane.</p> <p>Sphere Property Corporation undertook an economic feasibility analysis of the Gordon Centre in July 2006 as part of their report to Council. The report found the current level of development in the Draft LEP allows the extension and remodelling of the Gordon Centre to be viable.</p> <p>Sphere note that a total demolition and “ground-up” redevelopment would be unlikely to occur in the medium term given the investment structure and quality of the asset. It is also acknowledged that a significantly higher FSR than what is currently available in the DLEP would be required to make such a redevelopment feasible.</p>	

Specific areas and properties	Issue	Comment	Recommendation
Precinct G – bounded by Pacific Highway, Park Avenue, the rail corridor and Churchill Lane and incorporating Wade Lane	<p>One submission (Submission No. 97) was received from the land owner of 747 and 751 Pacific Highway (the Commonwealth Bank and Bunnings known as G5) which forms a small part of Precinct G.</p> <p>The submissions seek the following amendments to the Draft LEP and DCP:</p> <ul style="list-style-type: none"> • increase the exhibited FSR and height limits to allow a 12 storey building; and • deduct the existing floor space of the CBA building from the calculation of block G5's GFA • The proposed FSR and building height is considered conservative, given the fact that the CBA building (a heritage item) cannot be significantly altered. • It is suggested that Council increase the exhibited FSR and height limits (to allow a 12 storey building) and also deduct the existing floor space of the CBA building from the calculation of block G5's GFA. See attached concept plan (Submission No. 97) • The proposed building height (7 storey) on the north of G5 will overshadow the possible future open space suggested on the south of the site. 	Refer discussion in body of report under 4. Matters related to specific precincts & properties	Refer recommendations in body of report under 4. Matters related to specific precincts & properties
	The proposed nine storey buildings on Wade Lane will be a barrier to the north and north-eastern parts of Gordon. It will create poor solar access and destroy the opportunity of excellent open space in this location.	<p>There are already significant physical barriers in Gordon including the highway and the railway. In terms of a visual barrier the building is broken into three parts with view corridors between.</p> <p>Reference to the shadow diagrams (refer KMC website – Planning Our Town Centres - Gordon</p>	Refer discussion on open space in body of report

Specific areas and properties	Issue	Comment	Recommendation
		<p>Town Centre) for the area show that the area will receive sunlight throughout the year at various times. It is acknowledged that if full build out of precinct G occurs then morning and afternoon sun will be lost however midday solar access is still achieved. shadow diagrams breaks in buildings</p> <p>With regard open space refer discussion in the body of the report on OPEN SPACE</p>	
Precinct H – bounded by Pacific Highway, Moree Street, St Johns Avenue (west) and single residential dwellings	<p>Object to commercial zoning/ 8 storey height of St John's Ave (west):</p> <ul style="list-style-type: none"> Negative effect on the amenity of the street and on family friendly nature of the locality; Adverse impact on streetscape, historic character of the street with heritage sites, including “Rosny”; zoning is without any prior warning. The heritage of the homes and street scape has been maintained in 	Refer discussion in body of report under 4. Matters related to specific precincts & properties	Refer recommendations in body of report under 4. Matters related to specific precincts & properties

Specific areas and properties	Issue	Comment	Recommendation
	<p>this area. It has been classified by the National Trust as part of Ku-ring-gai's Urban Conservation Area.</p> <ul style="list-style-type: none"> • The only street in the municipality which has been changed from residential to retail zoning; • 8 storey height will cause problems such as blocked/unsightly/ restricted views towards the horizon (especially west). • Should only be a maximum of 6 storeys. The residential apartments on top of this should be terraced upward towards the Highway starting at one level above the retail centre to a maximum total building height of six floors along the western boundary of the Pacific Highway. This will allow luxury apartments that would appeal to the current population. • Should have a maximum height of 4 storeys. • Council should revisit the design criteria so that any building constructed will be more sympathetic to the historic nature of the street and Council's LGA. • The tower overlooking the church will impact negatively on the historic church via traffic problems, safety issues and parking issues (see submission No. 30). • DCP controls inadequate to protect existing character; • Site unsuitable for supermarket with inadequate shopper parking. To tap into commuter shoppers, an express size supermarket on St Johns Ave (east) would be better. This would allow the reduction on the west side of the highway to single level retail. • Should not go higher than 5 storeys as per Turramurra, Pymble and St Ives. Development should also not go past the natural boundary created by the cemetery. Development should consist of sympathetic 5 storey medium density residential 		

Specific areas and properties	Issue	Comment	Recommendation
Precinct I – bounded by St Johns Church and Cemetery, Pacific Highway, Bushlands Avenue and single residential dwellings to the west	<p>development.</p> <ul style="list-style-type: none"> Should not go higher than 3 storeys, which would still allow for some medium density <p>The commercial site between the Pacific Highway and the railway should receive more development instead. Retail development in Precinct H:</p> <ul style="list-style-type: none"> Not consistent with Council and consultant's retail objectives (proximity to station entry, pedestrian links, other options for large supermarket, containment of retail sprawl) 	<p>The Draft Town Centre LEP proposes to rezone the precinct R4 – High Density Residential allowing residential apartment buildings. The planning controls for the site allow an FSR of 1.0:1 and a 5 storey height limit.</p> <p>Submissions were received from residents both within and around precinct I including a petition from 3, 5, 7 & 7A Bushlands Ave and 22 St John's Ave. The submissions express two contrasting views one objecting to the reduction</p>	No change recommended

Specific areas and properties	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> Not suitable location for the prime retail area in Gordon – lack of convenience-congested traffic, reduced parking, increasing dividing effect of highway, lower parking requirements not valid) One alternative- close and build over Moree St linking Precincts F and H, without the need to extend so far to the west; Provides for 4,000 m² to 5,000 m² supermarket, 60% bigger than largest supermarket in Ku-ring-gai today- at 5,000 m² no other shops could exist on this floor, making other shops unviable without this proximity. Size exceeds retail caps in other parts of the world. Were the supermarket smaller it could also fit in other (better) locations, closer to station, curbing retail sprawl, improving pedestrian access, and reducing impact on existing residential areas (alternatives,– see submission No. 105). Put extra retail in precincts G,J and perhaps a third floor in precinct F. (see submission No. 183). Develop in this precinct could be further slowed, by combining Precinct H1 and H2. Less constraints (eg ownership patterns) will ensure that this site is developed first. Expansion of commercial into residential area overrides state government exemption (as a result of LEP 194) from further planning from SEPP 53 and contradicts its objectives (protection of environment and heritage, regard to impact on heritage items) Changes nature of residential historic street Height of building map incorrectly shows St Johns Ave as 3 storeys and Moree as 2 storeys of retail. (Submission 105) <p>As supported by the submission of a petition with over 600 concerned citizens, we are willing to accept sympathetic stepped back Medium Density Housing up</p>	<p>in size of Precinct I and to the open space proposal; the other submissions support the reduction of Precinct I and the park proposal.</p> <p>The submissions seek the following amendments to the Draft LEP and DCP:</p> <ul style="list-style-type: none"> Inclusion of 3, 5, 7 & 7A Bushlands Ave and 22 St John's Ave into Precinct I with a 1.3:1 FSR. Removal of park land proposal <p>The inclusion of the above properties within precinct L was during the preliminary exhibition phase which had no statutory status. Council resolved to exclude the properties 3, 5, 7 & 7A Bushlands Ave and 22 St John's from the draft LEP prior to formal exhibition of the draft LEP.</p> <p>These sites are currently not contained within the area to which the Town Centres LEP applies. Zonings additional to those resolved by Council are not supported. Particularly given the community support for the proposed park.</p> <p>The proposed park is an appropriate response to community concerns regarding a lack of open space in Gordon. The park is located within easy walking distance of the centre; relates to the historic cemetery and church; is relatively level; and is of a good size.</p>	

Specific areas and properties	Issue	Comment	Recommendation
	<p>to 5 stories in area H as an alternative to the proposal</p> <p>Inequitable that the draft Plan provides 6 and 7 storey developments at G1-5 and only 3 and 4 level developments at G6-8. The height for G6-8 should be increased by 1 or 2 storeys. The number of levels for retail should be increased to 3 storeys.</p> <p>G6-8 is the ideal site for a second supermarket. Given:</p> <ul style="list-style-type: none"> • Its proximity to the station; • It is on the other side of the highway to the existing supermarket; • Its proximity to the Council car park. • The access to those pedestrians that use Wade Lane to get to the north end of town. <p>The plans for Wade Lane car park are unclear. Proper thought hasn't been given to building over Wade Lane. Allow all buildings in precinct G to go up to 8 storeys this will entice developers, or amalgamate G6, G7, G8 and Clipsham Lane. (see submission no. 183) Council should approach the State Government in relation to obtaining railway land, this will help with the development near Wade Lane car park.</p> <p>The draft plan recommends that Wade Lane would be ideal for outdoor dining and for pedestrians walking to the north end of town. I can't imagine diners being attracted to an outdoor venue with little or no sunshine, where they would breathe exhaust fumes, be surrounded by tall buildings and in the background the noise of passing trains.</p> <p>Object to exclusion of 3, 5, 7 & 7A Bushlands Ave and 22 St John's Ave from R4 High Density Residential zoning, reserving them instead for open space</p>		

Specific areas and properties	Issue	Comment	Recommendation
	<p>acquisition:</p> <ul style="list-style-type: none"> • Reduces size of Precinct I by 50% • Remaining area not likely to be economically viable • Original proposed by professionals, as opposed to new ad hoc proposal on basis of single resident objection to development • Original proposal to include area as R4 included sufficient green buffer to adjacent residential development • Proximity to cemetery and single poorly visible access make the site unsafe as a passive recreational park • Too distant from the main areas of increased density • Existing residences in Bushlands Ave have large backyards and “Gordon Glen” - don’t need park here • Topography unsuitable for playing fields • Boundary streets too narrow for resultant parking needs, • Park likely to attract undesirable characters adjacent to Ravenswood boarding college. • Inequity, immediate loss of land value, in publicising future acquisition for public open space- virtual caveat- lack of clarity on 149 Certificate. • Gordon business area already has green spaces nearby which should be upgraded. (see submission no.54) • Site unlikely to be ever acquired by KMC given the costs involved. • There are better alternative open space sites (eg. Tulkiyan, paved area in front of library, corner of St John’s Ave and Pacific Highway, Council car park in Moree St, parking lot at Bushlands/Lynn Ridge Ave. 		

Specific areas and properties	Issue	Comment	Recommendation
	<p>(Includes petition from 4 sites- Submissions 74-77. Support the proposal of a parkland between the cemetery and Bushlands Ave (although this is not shown in the LEP only the DCP)</p> <p>Urge Council to acquire these properties in the future and proceed with the park for the benefit of the community.</p> <p>Resident pleased draft DCP has excised from Precinct I some adjacent properties for housing redevelopment. The proposed open space would have many community benefits:</p> <ul style="list-style-type: none"> • Facilitate pedestrian movement between St Johns Ave and Bushlands Ave. • Add heritage significance to the church and graveyard. • Ensure an adequate environmental buffer is maintained between proposed redevelopment sites and existing residences to the west. • Provide an additional open space resource in an area which would be under supplied for the future additional residential unit population and retail services in Gordon. <p>In order to ensure that the open space area can be implemented, Council is urged to consider follow-up strategies:</p> <ul style="list-style-type: none"> • Give consideration to a low rise high coverage form of redevelopment such as townhouses with a maximum rise of three storeys. • Hold meeting with affected owners with a view to acquiring their properties. • Ensure alternative sites for redevelopment can be found elsewhere. 		

Specific areas and properties	Issue	Comment	Recommendation
Precinct J – properties 30 – 36 Henry Street	<p>Support general controls for 30-36 Henry St with the following exceptions:</p> <ul style="list-style-type: none"> • Westward Ho should not be listed as a heritage item, but will guarantee that the external will remain the same; • If Westward Ho is to be retained as a heritage item, it should be the externals only, to allow for internal reuse as commercial/professional; • Retaining Westward Ho as residential would be uneconomical to maintain in a good state of repair. • Westward Ho is better suited to commercial/professional than residential due to its location adjacent to the centre, and a separator of uses. The commercial component of the amalgamated lots should be reduced to 0.14:1, with Westward Ho as the only commercial premises on the amalgamated lots; • Envelope/setback controls too restrictive to achieve BASIX and SEPP 65 objectives, due to the orientation of the site- should be parallel to boundary; • Car parking requirements should be reduced due to proximity with station and to retain Westward Ho built form. See Submission No. 202 and 114 	<p>The Draft Town Centre LEP proposes to rezone the precinct R4 – High Density Residential allowing residential apartment buildings with a minimum commercial requirement of 0.25:1. The planning controls for the area allow an FSR of 1.5:1 and a 6 storey height limit. 36 Henry Street is identified as a heritage item within the Draft LEP with a two storey height limit. The sites require amalgamation to encourage adaptive re-use the heritage item and to provide parking for the item.</p> <p>Two submissions were received from landowners within this precinct. The submissions support the general controls for 30-36 Henry Street.</p> <p>The submissions seek the following amendments to the Draft LEP and DCP:</p> <ul style="list-style-type: none"> • Westward Ho should not be listed as a heritage item • The commercial component of the amalgamated lots should be reduced to 0.14:1, with Westward Ho as the only commercial premises on the amalgamated lots; • Car parking requirements should be reduced <p>The submission seeks a change to the DCP which would allow the adaptive re-use of the heritage item at 36 Henry Street for commercial uses rather than residential uses. This is supported from a planning point of view for the following reasons:</p>	<p>The following changes are recommended to the Draft LEP in relation to Precinct L:</p> <ul style="list-style-type: none"> • Reduce minimum business FSR to 0.15:1 <p>The following changes are recommended to the Draft DCP in relation to Precinct L:</p> <ul style="list-style-type: none"> • Show 36 Henry Street as commercial only building • Show building envelope on 30-34 Henry Street as residential only • Additional notes to support heritage item retention and adaptation

Specific areas and properties	Issue	Comment	Recommendation
		<ul style="list-style-type: none"> • 36 Henry Street adjoins the existing commercial zone fronting St Johns Avenue and therefore continues the uses around the corner • Commercial uses are likely to be less intrusive on the heritage fabric of the building than residential uses <p>Listing of Westward Ho as a heritage item was a resolution of Council. If Council were to regard the objection as a request to delete a draft heritage item, then it would need to be properly assessed. The usual process should be a submission from the applicant, which includes a heritage assessment. The submission has presented no heritage assessment to support a de-listing</p> <p>Reduction of car parking requirements may be appropriate on this site as an additional incentive to restore Westward Ho. This would need to be negotiated at the DA stage.</p>	
Precinct L – bounded by the railway, William Street, Pearson Avenue and Burgoyne Street	<p>Object to rezoning of Precinct L:</p> <ul style="list-style-type: none"> • Impact on community, lifestyle, street and homes. • Rezoning happened overnight. Previously zoned 2(c2) when resident bought. • Should be made open space for the enormous influx of people in Gordon. The area is suitable as it is already surrounded by an Urban Conservation Area which requires that surrounding buildings do not impact on the character of the area. • Should be zoned the same as it is under LEP 194 as 2(c2) which allows 2 storey development/dual occupancy as stated by council's own consultant. 	Refer discussion in body of report under 4. Matters related to specific precincts & properties	Refer recommendations in body of report under 4. Matters related to specific precincts & properties

Specific areas and properties	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> • Not sustainable due to cumulative traffic impacts from Council depot rezoning. The rezoning of the Council Depot has already been zoned as high density so the residents of East Gordon have already had their share of traffic and high density. • Will result in randomly located 5 storey buildings sprinkled in and around one and two storey residential homes. • The topography of the land is such that the proposed 5 storey development will look (from the residents' point of view) like 7-8 storey buildings/10 storey buildings. • Inconsistent with Council's urban design principles which state: "create built forms which relate consistently to the topography of the place"? • Given topography, new development will intrude significantly into private recreational spaces. • Lack of interfaces or step down in heights • The grade and slope of the land in Pearson Avenue exacerbates the problem of bulky hovering buildings dominating the skyline and threatening the whole area of East Gordon. There is no effort taken to create a step effect to the height of the buildings. • High-rise development will not step down to residential properties thus residents living directly opposite these sites will be living in the shadows of these buildings after 2pm. • The heritage home at 8 Pearson Ave should not be surrounded by these monstrosities. • Site not suitable as Pearson Ave is a very hilly street which makes walking anywhere very difficult. • No reason to target Precinct L; it is not adjacent to the railway line nor the highway. • It is commercially separate as it is located in a 		

Specific areas and properties	Issue	Comment	Recommendation
	<p>residential area with no businesses or shops.</p> <ul style="list-style-type: none"> • Council's use of a cross-sectional drawing of Precinct L taken at the lowest lying points for its exhibitions is disingenuous. • Suggest two storey buildings for this precinct and extension of the zoning of two storey buildings to include the properties bounded by Mt. William St, Pearson Ave and Carlotta Ave to meet the dwelling targets. • As part of the Metropolitan Strategy's "vision for housing" it clearly states "as housing density increase in these places, the character of Sydney's suburbs will be protected" thus leave precinct L the way it is. • The NSW Government Metropolitan Strategy website does not list Gordon as a town centre, only Bondi, Auburn, Top Ryde and Cabramatta as examples. These centres are already much more developed than Gordon. The same document lists Bronte, Granville and Oatley as Village Centres. Gordon is much more suited to this. • Under the directive from the Minister (section 55) council was told to only target areas zoned 2D, 2E, 2F, 2H, 3(a) and 3(b) for high density. There is no reason and clearly no Government directive to rezone 2(c2) for high density, which is what is proposed for St John's Avenue and Precinct L. • Precinct L is an Urban conservation area and most of the homes are either heritage or built in a style to complement the area. • It is an ecological conservation area with the beautiful tree canopy which is a haven to many animals. • Despite Councillors responses that proposed developments planned for Gordon would take 15-30 		

Specific areas and properties	Issue	Comment	Recommendation
	<p>years so residents are worrying needlessly at this stage, but in actual fact development will happen in 6-18 months in Precinct L because of its profitability.</p> <ul style="list-style-type: none"> The traffic along Pearson Avenue is already problematic and adding 280-300 new dwellings will make traffic worse. 		
	<p>Precinct L</p> <ul style="list-style-type: none"> Should be zoned for open space with the heritage site used for community purposes. Residents have had to consider the UCA (albeit ungazetted) in their DA plans. <p>There is a need for infrastructure spending in Precinct L, there are broken footpaths, cracked and broken roads, overflowing drains and street lighting inadequacies. Despite being defined as “High Density”, the draft zoning for this precinct is currently proposed to have an FSR of 1:1. This is inconsistent with the other R4 zones under the Draft LEP and is significantly lower than the FSR of 1:3:1 defined as “Medium Density” in areas zoned Residential 2d(3) in LEP 194. This would appear to be inconsistent and contradictory, not in accordance with state government or Council objectives in relation to increasing densities close to the station, will reduce the number of dwellings achievable and impact on potential property values.</p> <p>Therefore it is requested that the FSR for Precinct L be amended to 1.3:1, consistent with other R4 sites. Additional traffic generation from an increased FSR to Precinct L will be minimal and negligible as we are within 450m of the train station and bus stops and shops. Therefore the majority of future residents will be assessing public transport rather than driving cars.</p>		

Specific areas and properties	Issue	Comment	Recommendation
	Various versions of the diagrams show different areas being developed. Some of the plans show the development between the preschool site and Burgoyne Street and some don't. Some include the council depot site which is already rezoned and some don't. (Submission 109)	<p>The DCP does not show building envelopes for the Carlotta Street area currently zoned Residential 2(d3) as these are addressed in DCP 55 and is not rezoned under the Town Centre Draft LEP.</p> <p>However it is noted that the R4 zone defined by Burgoyne Street and Pearson Avenue and the Gordon preschool does not have building envelopes. Given that this area also has a new heritage item (10 Pearson Avenue) it would be logical to provide building envelopes within the DCP.</p>	<p>Recommended change to the Draft DCP:</p> <ul style="list-style-type: none"> Provide building envelopes for R4 zone defined by Pearson Avenue and Burgoyne Street.
Precinct Q and R – New Streets between Moree Street, Dumaresq Street and McIntyre Street	<p>Transition to low density not consistent with vision (DCP 2.2.1). 3 storey transition to 5 storey development is, at best 35 metres, at worst, over fence. This would allow the development to tower 10-15 m above the roofline of the single dwellings. Need larger transitional 2-3 storey zonings.</p> <p>Lack of adequate transitions will also reduce legibility of street and adversely impact on the character of the street and the local area.</p> <p>Six storey heights, to allow street connections between Moree and McIntyre Streets, not appropriate in low density area. Impacts will be exacerbated by the topography, which will result in an impact equivalent to that of an 8-9 storey building, without the ability to adequately soften it with vegetation. Will have a negative impact on the dwellings nearby, particularly those down the slope. Will result in visual intrusion, loss of privacy, loss of vegetation, and a massive reduction in solar access in the morning.</p> <ul style="list-style-type: none"> Should be restricted to 5 storeys 	<p>The precincts are currently zoned a mix of residential uses. Two properties are zoned Residential 2(c) as they were previously heritage listed, 5 properties are currently zoned Residential 2(c2) and the remainder are zoned Residential 2(d3) for 5 storey apartment buildings.</p> <p>The Draft Town Centre LEP proposes to rezone the precincts R4 – High Density Residential allowing 5-6 storey residential apartment buildings and 3 storey townhouses. The Draft DCP requires the provision of new public streets as part of site redevelopment</p> <p>Submissions were received from residents and landowners who both objected and supported the proposals.</p> <p>The Draft DCP proposes new road links connecting St Johns Avenue, Moree Street, Dumaresq Street and McIntyre Street. These</p>	<p>The planning outcome is considered an appropriate response to the conditions and opportunities within the precinct. The proposal for 6 storeys is considered a reasonable balance for the public benefit provided.</p> <p>There are no changes recommended.</p>

Specific areas and properties	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> Should not be rezoned. Whole street, down to Vale St should be rezoned for equity. Should not include 6 storey development abutting single storey development. <p>Objection to the 6 storey units and R4 zoning in Moree Street. The further away from the shopping centre and highway, the lower the units should be to lessen the impact on residential housing.</p> <ul style="list-style-type: none"> High rise on Moree St not the same as Dumaresq, as it is faced by single residential on the other side of the street. Low density development is being used as a buffer. South side of Moree has shallow blocks. Development should be staged down from Dumaresq to Moree. <p>17-35 Moree should be reduced to 3 storey designed to complement/blend in with the street and include sufficient semi-mature landscaping and tall trees.</p> <p>Development should be reduced to no more than 2 storeys above street level and a buffer be placed between residences. Retain the beautifully renovated house at number 35. If this is not possible then this space should be replaced with a park to act as a buffer zone between the developments and single residences on the North side. (see submission no. 131)</p> <p>Objection to the rezoning of No. 21-27 (Eden Terraces) and No. 29-35 (single dwellings) to R4- High Density. (see also submission no. 131)</p> <p>Objection to current proposal to increase the maximum</p>	<p>new streets are provided approximately half way along the blocks between the Pacific Highway and Vale Street. Such new streets would significantly improve the local vehicle circulation around the centre and minimise traffic impacts on residents further down the blocks near Vale Street. The new streets also provide new pedestrian and cycle routes that will provide an alternative east west route away from the highway. It is considered that the proposal for 6 storeys within the precinct is a reasonable balance for the public benefit provided.</p> <p>The submissions criticise the planning process for precincts Q and R for the lack of adequate transition and the 6 storey building heights. In response it is worth noting some of the background to the process of planning for the interface areas on the western side of Gordon.</p> <p>The area is currently zoned 2(d3) with a fixed FSR</p> <p>Council had identified a number of interface sites within the Gordon Town Centre study area where single dwellings directly adjoin high density residential zones 2(d3). Council had resolved a 3 storey height for the following properties within Precincts Q and R:</p> <ul style="list-style-type: none"> 36 McIntyre Street, Gordon 33 Moree Street, Gordon 41 and 43 Dumaresq Street, Gordon 34 and 36 Dumaresq Street, Gordon 	

Specific areas and properties	Issue	Comment	Recommendation
	<p>height of residential dwellings on No. 7-19 Moree St from 2 storeys to 5 storeys. The maximum height should be set at 2 stories. (submission No. 136)</p> <p>Support for inclusion of 33 and 35 Moree St in the new R4 zone as it will create a smooth transition between 5 storey buildings and single storey dwellings. Resident suggests an alternative building footprint where instead of townhouses an additional 3 storey section is added to the apartment. The benefit is single storey dwelling have more privacy and there is potential for tree planting along the road. (Sub 95)</p> <p>Objection to rezoning, forced amalgamation and new road through 24 to 34 Dumaesq Street and 29 to 35 Moree Street. Wants council to maintain current 2(d3) zoning for these blocks and avoid costly construction and acquisition costs for this land for the purposes of the new road.</p> <p>Is there a Section 94 Contribution Plan applicable to Precinct R? If not, what is the risk to developers, residents and council in proceeding further without this plan and when will such a plan be available?</p> <p>Under what conditions will council permit members of Precinct R to develop their property on the basis of their previously held zoning?</p> <p>Can Council confirm whether the remaining members of Precinct R will revert to their previously held zoning if a member of that precinct obtained development approval under the old zoning?</p>	<p>Two of these properties (36 McIntyre Street, 33 Moree Street) were also identified by Council for review in terms of their current heritage listings. Council's heritage consultants undertook a heritage review of the above properties and recommended that the heritage listing be removed on both properties.</p> <p>There are also a number of existing DA approvals and strata title developments adjoining these precincts which limit the opportunities for addressing the interface</p> <p>The traffic study prepared by Council's traffic consultant, GTA Traffic and Transport, identified the opportunity for new streets on the western side of Gordon to improve the long term functioning of Gordon Town Centre.</p> <p>The planning outcome is considered an appropriate response to these conditions and opportunities within the precinct. The alternative which is to retain the five storey zone and provide a 3 storey interface zone will still mean that single dwellings will adjoin 3 storey buildings however there will be no public benefit.</p> <p>Submissions object to the large amalgamation requirements and the costs associated with the proposed road. These concerns are noted however they are not necessarily supported.</p> <p>Precinct Q and R are in a good location away from the highway and a large amalgamation in this location is not considered unlikely although</p>	

Specific areas and properties	Issue	Comment	Recommendation
		<p>it is acknowledged it will require a larger developer to put the site together.</p> <p>Additionally new roads while they have a cost in land take (which is balanced with increased density on the remainder of the site) are not necessarily a negative in terms of site development as roads allow more efficient development as well as ensuring an outlook and providing a street address.</p> <p>A section 94 Plan will be prepared for Gordon before the plans are gazetted the plan will include all costs associated with the construction of the new roads.</p>	
Rezoning	<p>Seeks up-zoning of 12 & 14 Cecil St:</p> <ul style="list-style-type: none"> • Due to heritage listing was not zoned 2(d3), though surrounded by 2(d3) – zoning anomaly; • Heritage listing originally based on assumption of 2-3 storey surrounding development • Adverse impact on property value and heritage significance from surrounding development (potentially 5 storeys) • Within 450-500m of station • Large sites (approx 2000m²) • Precedent at heritage listed 11 Woniora Ave • Sites included in consideration of interface LEP • Sites can accommodate additional development (Council's heritage study) • Section 54(4) notification allows consideration of sites outside the study boundary but within 800m of the station • Rezoning could be included and deferred for 	<p>These sites are not contained within the area to which the Town Centres LEP applies. Zonings additional to those resolved by Council are not supported unless they can be looked at in a strategic context and have had adequate opportunity for community consultation. They will be considered in the planning for the Comprehensive LEP due by 2011.</p>	No amendment recommended.

Specific areas and properties	Issue	Comment	Recommendation
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	exhibition, during finalisation of the LEP. (Submission No. 86)		
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Draft Development Control Plan	Issue	Comment	Recommendation
Vision, objectives & strategies	Part 2 p2-7 – 35% deep soil is inadequate to encourage tree planting. Large trees should be located a minimum of 5m from any building. Retention and detention areas also compromise the retention of existing trees.	There is no reference to 35% deep soil in this section. The required landscaping in the central town centre area is appropriate. Under Part 5 of the DCP apartments in the R4 zone will be in a landscaping setting with 40-50% deep soil area.	No change recommended.
	<p>Credibility gap between the aims and objectives and what is proposed, eg:</p> <ul style="list-style-type: none"> s.2.2.3 states “Enhance the historic link between St Johns Church, cemetery and the rail station”. This is not consistent with increasing building heights from 2 storeys to 4-5 storeys along St Johns Ave. s2.1 states that Wade Lane is to “create a quiet retail street away from the highway”. This is inconsistent with the amount of traffic, which will be directed through Wade Lane, even if it is widened. 	<p>The eastern side of St Johns will have some redevelopment with buildings ranging from 3 storeys – this scale is considered consistent with the station precinct, and are amongst the lowest in the centre. Building heights of 3 storeys already exist in this street. The Southern (west) side of St Johns opposite the church and cemetery will have a higher degree of redevelopment. There is no change to the St Johns Church and Cemetery precinct – they will remain as heritage items in a landscape setting.</p> <p>The nature and scale of Wade Lane will change with mixed use retail and residential and will provide for improved traffic management. See comments on traffic and Wade Lane – under “Traffic and Access”.</p>	No change recommended.
	<p>2.2.3 Street Character</p> <ul style="list-style-type: none"> Support the enhancement of the historic link between St Johns Church and the station. However, the DCP has failed to recognise the 	Noted. The primary link is through St Johns Ave. Church Hill Lane will remain as a link to the railway but its primary purpose will also be to provide service	No change recommended.

DCP	Issue	Comment	Recommendation
	<p>importance of Church Hill Lane south of St Johns Avenue. This link has an opportunity to be better developed to express its original purpose of linking St Johns Church and the railway station.</p> <p>2.2.4 Public Domain</p> <ul style="list-style-type: none"> A small urban park at the station entrance cannot be supported as it will mean loss of small but significant urban park existing opposite the station entrance at Annie Forsyth Wyatt Garden. The proposed park outside the station will have little value as a recreation space due to its small size, high level of vehicular activities and will require hard surfaces. <ul style="list-style-type: none"> The proposal to extend the parkland in Dumaresq Street is unnecessary to encompass stands of trees to the north and these trees are already classified as Open Space Community Land and categorised as Natural Area. Recreation development other than passive bushland activities could not be supported under the adopted Plan of Management for Kuring-gai Bushland Reserves for this site. 	<p>vehicle access to the development on the south side of St Johns Ave. there are opportunities for this to be reviewed later. Footpath treatments are identified within the strategic section of the DCP.</p> <p>The public domain plans cater both for a new entrance forecourt urban park for the station and the proposed interchange will incorporate the existing Annie Wyatt Gardens – into a new interchange configuration that will cater better for pedestrian, rail commuters and bus/taxi users – with improved access, services, amenity and safety. This space is an urban space and will provide an outdoor seating/eating area and also serve as a landscaped entry into the station area. It is not intended primarily to be a recreation area.</p> <p>The proposal to extend the parcel to the north refers to privately owned land facing McIntyre Street. A specific aim of the Bushland Plan of Management is to provide appropriate recreation opportunities. The proposal seeks an opportunity to increase the tree stand within this piece of open space and provide improved access to the park for a larger catchment by creating a connection to McIntyre Street, (that is a more linear open space, an idea supported by the Open Space Strategy).</p>	<p>No change recommended. Refer to main body of the report for additional recommendations relating to open space.</p> <p>Refer to main body of report for recommendations relating to Open Space.</p>

DCP	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> The proposed new local parks at Gordon Railway Station, Park Avenue/Pearson Street Corner and Mt William Street will be very small to provide any useful recreation space. <p>2.2.5 Landscape</p> <ul style="list-style-type: none"> The proposed DCP fails to support its own strategy by proposing works that will be severely detrimental to Gordon's most significant tree in Annie Forsyth Wyatt Garden. This significant tree must be protected and retained. <p>2.2.6 Community Services and Facilities</p> <ul style="list-style-type: none"> The <i>Phoenix canariensis</i> (palm) should be retained on the potential new civic space (Dumaresq/Pacific Highway). Little ground for deep soil. Noise issues limit uses. Consideration of site at Park Ave/Pearson St for children's playground must consider the criteria for consideration in selecting a playground in AS/NZS 4486.1:1991. Small site provides little opportunity for running space, traffic noise and air pollution and safe pedestrian access also require consideration. 	<p>It is acknowledged that these parks will provide a small, yet very useful addition to open space public domain within the centre. The areas will assist to satisfy the needs of the local workforce, shoppers and to some extent, residents. More open space, particularly a significant public domain focal point within the centre will be required as will additional local open space.</p> <p>The works recommended should not decrease protection of this tree. The further detailing of design for this area should include referral and consultation with an expert arborist to review plans and ensure that any activity does not impact adversely on this tree.</p> <p>Retention of the Phoenix palm should be considered in future design phases. Uses will be limited but improvements to important civic space can be made.</p> <p>Reconfiguration of the overall site will be required. This site will provide enhanced opportunities for local shoppers, workforce, users of the kindergarten and local residents within constraints of the site.</p>	<p>Refer to main body of report for recommendations relating to open space.</p> <p>Add to DCP s3.2 Design Guidelines Point 6:</p> <ul style="list-style-type: none"> Conserve and protect significant <i>Corymbia</i> in Annie Forsyth Wyatt Garden Seek expert arboricultural advice in review of concept plan prior to detailed designs. <p>No change recommended.</p> <p>Further consideration of these aspects required at design stage.</p>

DCP	Issue	Comment	Recommendation
	<ul style="list-style-type: none"> Parkland in 2.2.6 and 3.3 support retention of preschool, but show equipment used by the preschool as part of the park. Equipment must be retained as private playspace for licence to operate. (Submission 9) 	Comments are supported. Additional “play” or leisure opportunities within the proposed open space are important aspects for consideration.	As above.
Public domain controls			
Public domain	<ul style="list-style-type: none"> s.3.1 Support town park near station, but should be further north closer to Wade Lane entry to avoid impact on Annie Forsyth Wyatt Garden or its significant tree. s.3.2 Object to realignment of Wade Lane, removal of turning circle and loss of Annie Forsyth Wyatt Garden, which will mean the decline and death of Gordon’s most significant <i>Corymbia citriodora</i> due to the impact on the critical root zone. Tree also has historic significance (Details Submission No 9) s.3.1 Potential to open up railway garden on Werona Ave to create a park/meeting place on east side of line. s.3.2 Area 6, local park to replace car park – too small for recreational needs or for needs of teenagers. As it is railway land it cannot be dedicated as open space and may attract annual costs to Council to lease and maintain. 	<p>Works have been outlined so as to not impact on Annie Forsyth Wyatt Garden or its significant tree and amendment to s3.2 have been recommended to further strengthen this aspect. The plan is still concept only and will be subject to further review and analysis.</p> <p>Comments supported and recommend inclusion into public domain section of the DCP.</p> <p>Council currently leases many State Rail Gardens and provide resources for their maintenance and management.</p>	<p>Changes to s.3.2 as above.</p> <p>Add to DCP s3.1 Design guidelines Improve useability and amenity of “park” on east side of railway line.</p> <p>No changes recommended.</p>
	Gordon has the least amount of green space of all suburbs in Ku-ring-gai Shire. No increased green space in these plans. Green space should be rezoned within shopping areas (as for Mosman). Turn part of Precinct L into a sport and recreation park.	The public domain strategy 2.2.4 shows the existing and potential new local parks with public domain (landscaped urban spaces).	Refer to general recommendations concerning Open Space within the main body of the report.
	Gordon has totally inadequate open space ratios (lowest per head of population in Ku-ring-gai). There is not enough open space for the existing residents let alone to	Comments regarding lack of open space provision within Gordon are supported. Within the context of the Minister’s	Refer to general recommendations relating to Open Space within the body of

	<p>accommodate 1,600 additional dwellings (and likely 3,360 new residents). The loss of open space will give a closed in overcrowded feeling. Where will the children play? Safe playground provisions must be made. There will be no retreats for teenagers and no passive recreation space or cycling and walking tracks (especially to reduce obesity). New high quality spaces are required.</p> <p>New pedestrian links between Moree and Merriwa Streets (via community title) inadequate. Public open space should be zoned as such and on public land.</p>	<p>direction opportunities have been sought to improve opportunities for useable open space. The Open Space Acquisition Strategy, the first stage of which will be reported to Council prior to Xmas, will assist in prioritising and assessing opportunities.</p> <p>Pedestrian links are not proposed instead of open space, but are to facilitate access through the centre. Public open space is still required within and accessible to the Gordon Centre.</p>	the report.
	St Johns Ave (east) and Wade Lane unlikely to accommodate outdoor dining, due to slope, width and traffic.	Widening the footpath will create opportunities for levelling to facilitate outdoor dining. Traffic levels will be acceptable for outdoor dining.	No change recommended.
	Astonished that the proposal provides a park in Bushlands Avenue, rather than for Moree, Dumaresq and McIntyre Streets. These street and lifestyles are to be ravaged and destroyed and Council should provide parks in those three streets at least.	Comments regarding the need for Open Space in Moree, Dumaresq and McIntyre Streets are supported, as is the need for Open Space as close to the highway as it can be provided. This land is zoned 2c and acquisition would provide good value for money. Section 2 Public Domain does outline proposals to extend the existing open space in Dumaresq through to McIntyre Street to preserve existing stands of trees and provide greater access to the park here.	No change recommended.
	<p>The proposed open space in the Depot redevelopment site:</p> <ul style="list-style-type: none"> • is not accessible to the rest of the suburb and will only advantage those living within the complex • should include some play area for children and 	There are limitations to the value of the open space proposed at the depot site, mostly related to its location. It does however, assist with the provision of local open space in an area of significant	No change recommended. General recommendations relating to Open Space provision are outlined in the report.

	swimming pool or sporting fields.	deficiency and is not specifically identified in this Gordon Plan. This open space has been specifically designed to be open to the existing residences of the precinct and will provide for local resident recreation.	
	Existing landscaped character, including riparian zones and blue-gum high forest, comes from the private domain. The 'bushland' area to the west of the Pacific Highway exists almost entirely on private land. The future of this landscape under the new planning strategy is very bleak. Substitution with street tree planting is not adequate to retain this character. Proposed bio-links and protection of riparian corridors will be extremely difficult with the extent of proposed development. Need strategic public open space zonings, and stronger controls on private landscaping for high density development.	These comments are generally supported although street tree planting proposed biolinks and protection of riparian areas are strongly supported. The need for strategic open space acquisition is supported, as are the retention of landscaping controls within developments despite previous Department of Planning advice regarding their inclusion.	Refer to general open space recommendation with the report.
	The designated open-space at the corner of Park and Pearson Ave is public land but in no way provides opportunity to exercise for health and will not provide for useable open space.	This area could provide for recreation – including a children's playground, an area for outdoor eating for local workers.	No change recommended.
	The proposed open space associated with Gordon Preschool at Park Avenue is a dishonest. Zoning a piece of land "green" does not make it useable open space and the delivery of this will never be achieved when considering the existing uses and heritage significance of the site.	It is intended to retain the existing heritage building that provides the space for the Gordon preschool. The remainder could serve as a local park for residents, lunch area for local workers, and child play area.	No change recommended.
	Artist's impression of St Johns Ave at s. 3.2 misleading: Appears as wide piazza with only one car shown on major traffic thoroughfare, (travelling in the wrong direction).	Noted. This is an artist impression designed to provide a visual representation of the new scale of buildings, proposed landscaping and public domain. Section 3.2.2 outlines more detailed measurements for public domain within this area.	No change recommended.
	Note that Gordon preschool playground will need to be	Noted. In the future a detailed public	

DCP	Issue	Comment	Recommendation
	<p>maintained and fenced as a separate space to the public park and will not be accessible to the public (at any time)</p> <p>Amend the diagram in the Draft DCP to show the Gordon Preschool Centre grounds as separate from the new park.</p>	<p>domain plan would be prepared. This plan will consider the issues of access, amenity, safety etc.</p> <p>Noted. Amend plan to show location of existing Heritage Building.</p>	<p>Ensure s.2.2.6 and s.3.1 of the DCP show location of existing Heritage Building.</p>
Streets & public access	<p>Moree St should have street enhancement works:</p> <ul style="list-style-type: none"> street planting to provide a visual buffer from the high rise footpath improvements for improved pedestrian access (now narrow and uneven). <p>This would also enhance the appeal of the street and marketability of the units.</p>	<p>Comments supported, particularly in relation to pedestrian grades and planting. S.3.1 of the DCP outlines new paving and streetscape elements on both sides of Moree Street and s2.2.5 outlines supplementary planting within all streets on the western side the highway.</p>	<p>Amend DCP s.3.1 to include street tree planting further into residential areas of the centre including Moree, Dumaresq and McIntyre streets where opportunities allow.</p>

**Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres)
Amendment No 2**

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the
Environmental Planning and Assessment Act 1979.

Minister for Planning

Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.2

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) - Amendment No.2*.

2 Aims of plan

The aim of this plan is to make local environmental planning provisions for land in Gordon and Pymble in accordance with the relevant standard environmental planning instrument under section 33A of the Act.

3 Land to which plan applies

This plan applies to the land identified on the map marked “Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No 2 Land Application Map” deposited in the office of Ku-ring-gai Council.

4 Amendment of Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres)

Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 7 Maps

Insert the following after point (v) in the note at the end of clause 7(3):

- xi) 'Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.1 Land Application Map
- xii) Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.1 Land Zoning Map
- xiii) Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.1 Lot Size Map
- xiv) Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.1 Height of Buildings Map
- xv) Ku-ring-gai Local Environmental Plan 2006 (Town Centres) Amendment No.1 Floor Space Ratio Map '

[2] Clause 10 Land use zones

Insert the following additional zones following the zone "B2 Local centre":

"Zone B4 Mixed Use"

"Zone B5 Business Development"

[3] Land Use Table

In the 'Land Use' table insert the following additional zones after 'Zone B2 Local Centre':

"Zone B4 Mixed Use

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To support the integrity and viability of adjoining local centres by providing for a range of 'out-of-centre' retail uses such as bulky goods premises and compatible business activities.
- To ensure that development contributes to efficient traffic and transport network.

- To provide a vibrant and pleasant environment for residents.

2 Permitted without consent

Exempt development

3 Permitted with consent

Advertising structures; Amusement centres; Backpackers' accommodation; Bed and breakfast accommodation; [Boarding houses](#); Bulky goods premises; Business premises; Car parks; [Child care centres](#); [Community facilities](#); Demolition of building or works; Drainage; Earthworks; [Educational establishments](#); [Entertainment facilities](#); Environmental facilities; Environmental protection works; Filming; [Function centres](#); Group homes; Home-based child care or family day care home; Home businesses; Hospitals; [Hotel accommodation](#); [Information and education facilities](#); Light industries; Medical centres; Mixed use development; [Multi dwelling housing](#); Neighbourhood shops; [Office premises](#); [Passenger transport facilities](#); Places of public worship; Pub; Public administration buildings; Public hall; Public utility undertakings; Recreation areas; [Recreation facilities \(indoor\)](#); [Registered clubs](#); Residential care facilities; [Residential flat buildings](#); Restaurants; [Retail premises](#); Roads; [Seniors housing](#); Serviced apartment; Service stations; Sex service premises; Shop top housing; Signage; Spa pools; Swimming pools; Telecommunications facilities; Temporary structures; Utility installations; Vehicle body repair workshops; Vehicle showrooms; Vehicle repair stations; Veterinary hospitals; warehouse and distribution centres

4 Prohibited

Any use not otherwise permitted with or without consent.'

Zone B5 Business Development

1 Objectives of zone

- To enable a mix of office, retail and warehouse uses in locations which are close to, and which support the viability of centres.
- To provide a range of community facilities, recreation and services industries to meet the needs and demands of employees within centres.

2 Permitted without consent

Exempt development

3 Permitted with consent

Advertising structures; Business premises; Car parks; [Child care centres](#); Community facilities; Demolition of building or works; Drainage; Earthworks; Educational establishments; Entertainment facilities; Filming; Function centres; Hospitals; Hotel accommodation; Information and education facilities; Light industry; Medical centres; [Office premises](#); [Passenger transport facilities](#); Places of public worship; Pub; Public administration buildings; Public hall; Public utility undertakings; Recreation areas; Recreation facilities (indoor); Registered clubs; [Retail premises](#); Roads; Service stations; Sex service premises; Signage; Spa pools; Swimming pools; Telecommunications facilities; Temporary structures; Utility installations; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; [Warehouse or distribution centres](#)

4 Prohibited

Any use not otherwise permitted with or without consent.”

[4] Schedule 1 Additional permitted uses

Insert in the table under Schedule 1 the following:

Lot Description	Address	Additional Permitted Uses
Lot B DP 945897 Lot 1 DP 940309 Lot 1 DP 178704 Lot 8 DP 15724	30, 32, 34, 36 Henry Street, Gordon	Business premises; Office premises.
Lot 3 DP 655549	1047 Pacific Highway, Pymble	Office premises and Restaurants to a maximum 1:1 FSR
Lot 12 DP 706021, SP 22387	1051 Pacific Highway, Pymble	Business premises and Retail to a maximum 1:1 FSR
Lot A DP 101723 , Lot C DP 101724 , SP 11535	1083 Pacific Highway, Pymble	Business Premises and Retail to a maximum 1:1 FSR
Pt. Lot 1 DP 3085	1116 Pacific Highway, Pymble	Business Premises to a maximum 1:1 FSR
Lot 1 DP 86583	1186 Pacific Highway, Pymble	Business Premises; Entertainment facility, Function centre, Office premises; Retail

Lot DP 951518	4 Station Street, Pymble	Car park
Lot A and B DP359335, Lot C and D DP391729, Lot 1 and 2 DP540437	6, 8 Pymble Avenue, 7, 9, 11, 11A Livingston Avenue, Pymble	Residential flat building

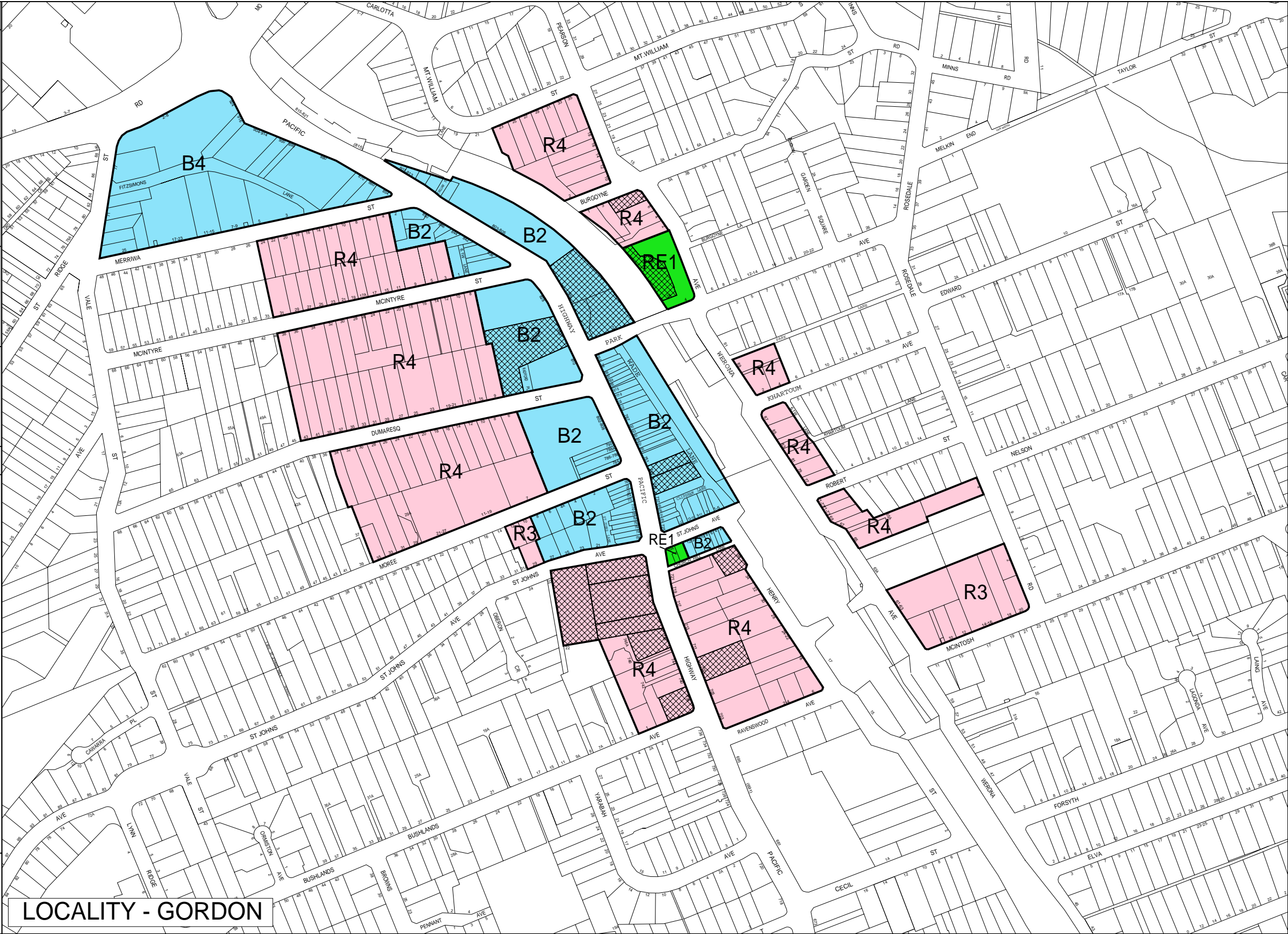
[5] Schedule 5 Environmental Heritage

Insert in the table under Schedule 5 the following:

Suburb	Item Name	Address	Property Description	Significance
Gordon	'Tulkiyan'	707 Pacific Highway,	Lot 3 Sec 1 DP 3267	State
Gordon	Dwelling-house	738 Pacific Highway,	Lot A DP337904	Local
Gordon	Former Gordon Post Office	741 Pacific highway,	Lot 1 DP120856	Local
Gordon	Commonwealth Bank	747 Pacific Highway,	Lot 1 DP 668842 , Lot 4 DP 222415	Local
Gordon		748 Pacific Highway,	Lot A DP 350224	Local
Gordon	St Johns Church and Cemetery	750-754 Pacific Highway	Lot 3 DP 449441 , Lot 2 DP 449441 , Lot 1 DP 449441 , Lot 853 DP 752031	Local
Gordon	Old Gordon Primary School	799 Pacific Highway,	Lot 5 DP 825602 , Lot 4 DP 825602 , Lot SP 49925 , Lot 3 DP 825602	Local
Gordon	Ku-ring-gai Council Chamber	818 Pacific Highway,	Lot 2 DP 786550	Local
Gordon	Westward-Ho	36 Henry Street,	Lot 8 DP 15724	Local
Gordon		2A Park Avenue;	Lot 12 DP 852087	Local
Gordon		8 Pearson Avenue,	Lot A DP 316799	Local
Pymble		1 Clydesdale (also 1202 Pacific Highway)	Lot 1 DP 30236	Local
Pymble	Uniting Church	1 Livingstone Ave	Lot 100 DP 1003889	Local
Pymble	Former Police Station	1116 Pacific Highway	Pt. Lot 1 DP 3085	Local
Pymble	Ku-ring-gai Town Hall	1186-1188 Pacific Highway	Lot 1 DP 86583	Local
Pymble	Pymble Hotel	1134 Pacific Highway	Pt. Lot 8 DP 83967	Local

Suburb	Item Name	Address	Property Description	Significance
Pymble	Grandview	1178 Pacific Highway	Lot 101 DP 1075407	Local
Pymble		4a Park Crescent	Lot 22 DP 7427 , Lot 21 DP 7427	Local

Zone Description	
Residential Zones	<div></div>
Zone R3 - Medium Density Residential	
Zone R4 - High Density Residential	
Business Zones	<div></div>
Zone B2 - Local Centre	
Zone B4 - Mixed Use	
Recreation Zones	<div></div>
RE1 - Public Recreation	
Item	
Heritage Item	<div></div>
<div><div></div><div>North</div></div> <div>SCALE:1:5000</div> <div><div>0</div><div>50</div><div>100</div><div>150</div><div>200</div><div>250</div></div> <div>Metres</div>	
DRAWN BY: COUNCIL,S LAND INFORMATION DIVISION	
PLANNING OFFICER : ANTONY FABBRO	
COUNCIL FILE NO.	
DEPT. FILE NO.	
CERTIFICATE ISSUED	DATE
UNDER SEC.65 E.P.A.ACT	
GOVT. GAZETTE NO.	DATE



<div>ENVIRONMENTAL PLANNING & ASSESSMENT ACT,1979</div> <div>KU-RING-GAI COUNCIL</div> <div>DRAFT KU-RING-GAI LOCAL ENVIRONMENTAL PLAN 2006 - (TOWN CENTRES)</div> <div>AMENDMENT NO.2</div> <div>Land Zone Map (clause 11)</div> <div>SHEET 3</div>	STATEMENT OF RELATIONSHIP WITH OTHER PLANS
	Amends Ku-ring-gai Local Environmental Plan 2006 - (Town Centres)
	CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979, AND REGULATIONS.
	GENERAL MANAGER DATE 24 November 2006



NORTH

SCALE:1:5000

LOCALITY - GORDON

Minimum Lot Size 1200 sqm

DRAWN BY: COUNCILS LAND INFORMATION DIVISION

PLANNING OFFICER : ANTONY FABBRO

COUNCIL FILE NO.

DEPT. FILE NO.

CERTIFICATE ISSUED
UNDER SEC.65 E.P.A.ACT

GOVT. GAZETTE NO. DATE

ENVIRONMENTAL PLANNING & ASSESSMENT ACT,1979

KU-RING-GAI COUNCIL

DRAFT KU-RING-GAI LOCAL ENVIRONMENTAL PLAN 2006 - (TOWN CENTRES)

AMENDMENT NO.2

Lot Size Map (clause 19)

SHEET 3

STATEMENT OF RELATIONSHIP WITH OTHER PLANS

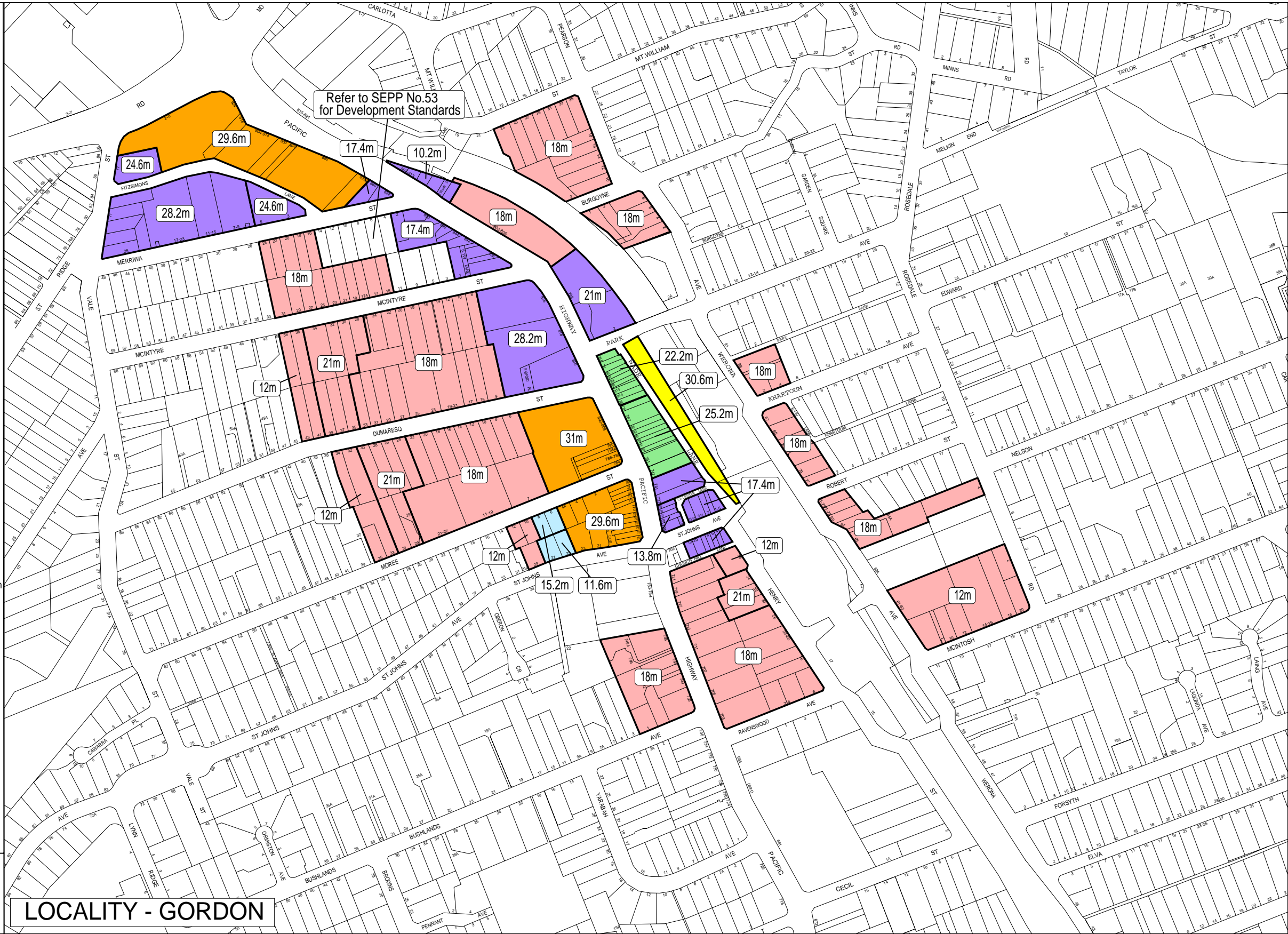
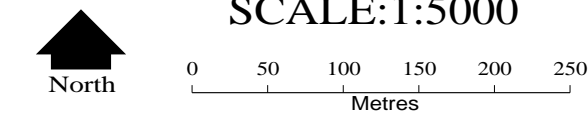
Amends Ku-ring-gai Local Environmental Plan 2006 - (Town Centres)

CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL
PLANNING & ASSESSMENT ACT 1979, AND REGULATIONS.

GENERAL MANAGER

DATE 24 November 2006

- Residential only
6 storeys residential
(6 x 3m) + 2m (lift over run) + 1m (parking*) = 21m
5 storeys residential
(5 x 3m) + 2m (lift over run) + 1m (parking*) = 18m
3 storeys residential
(3 x 3m) + 2m (lift over run) + 1m (parking*) = 12m
- Business/Retail only
7 storeys business/retail
(7 x 3.6m) + 2m (lift over run) + 1m (parking*) = 28.2m
6 storeys business/retail
(6 x 3.6m) + 2m (lift over run) + 1m (parking*) = 24.6m
5 storeys business/retail
(5 x 3.6m) + 2m (lift over run) + 1m (parking*) = 21.0m
4 storeys business/retail
(4 x 3.6m) + 2m (lift over run) + 1m (parking*) = 17.4m
3 storeys business/retail
(3 x 3.6m) + 2m (lift over run) + 1m (parking*) = 13.8m
2 storeys business/retail
(2 x 3.6m) + 2m (lift over run) + 1m (parking*) = 10.2m
- 2 storeys business/retail + 5 storeys residential
(2 x 3.6m) + (5 x 3m) + 2m (lift over run) + 1m (parking*) = 25.2m
2 storeys business/retail + 4 storeys residential
(2 x 3.6m) + (4 x 3m) + 2m (lift over run) + 1m (parking*) = 22.2m
- 1 storey business/retail + 2 parking (above ground) + 6 storeys residential
(1 x 3.6m) + (2 x 3m) + (6 x 3m) + 2m (lift over run) + 1m (parking*) = 30.6m
- 2 storeys retail + 6 storeys residential
(2 x 5m) + (6 x 3m) + 2m (lift over run) + 1m (parking*) = 31.0m
1 storey Retail + 1 storey business/retail + 6 storeys residential
(1 x 5m) + (1 x 3.6) + (6 x 3m) + 2m (lift over run) + 1m (parking*) = 29.6m
- 1 storey retail + 2 storeys business/retail
(1 x 5m) + (2 x 3.6) + 2m (lift over run) + 1m (parking*) = 15.2m
1 storey retail + 1 storey business/retail
(1 x 5m) + (1 x 3.6) + 2m (lift over run) + 1m (parking*) = 11.6m
- * plus 1m for potential basement parking projecting out of the ground



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PLANNING OFFICER : ANTONY FABBRO		Amends Ku-ring-gai Local Environmental Plan 2006 - (Town Centres)	
COUNCIL FILE NO.			
DEPT. FILE NO.			
CERTIFICATE ISSUED UNDER SEC.65 E.P.A.ACT		DATE	CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979, AND REGULATIONS.
GOVT. GAZETTE NO.		DATE	
		GENERAL MANAGER DATE 24 November 2006	

Surveys, Consultations, Displays, emails & Mailouts

- Gordon Survey – mail out incl Killara sent: **7500** 4 April 2005
- Friends of Ku-ring-gai Env – Gordon consult **9** 5 July
- Northaven Pymble – retirement village consult **14** 13 July
- Lourdes Village – Killara retirement consult **10** 14 July
- Gowrie Retirement village Gordon consultations 20 19 July
- Gordon Business Feedback session (incl feedback to Gordon RAGs) 10 1 Aug 05
- Youth Shopper Survey - Ravenswood 300 November
- Email update to StIves Turra Gordon & Pymble Residents 2500 10 Feb 06
- Gordon Planning Consultative workshop 55 5 Apr
- Email update to Gordon Stakeholders 800 14 Jul
- Email update to Gordon Stakeholders 800 21 Jul
- Ku-ring-gai Business Forum 70 28 Aug|
- Email update to Gordon Stakeholders exhibition/display/ session updates 800 x 4 21, 25, 26 Sep 06
- Email update to Public Hearing Gordon 800 27 Sep
- Email update on Town centre planning 800 6 Oct

Gordon Planning Exhibition – staffed displays - September / October:

- Tue 26 Sep 10am - 2pm
- Thu 28 Sep 10am - 2pm
- Public Information Sessions - Thu 28 Sep: 2.30pm to 3.30pm & 7pm to 8pm
- Thu 28 Sep 6pm-8pm
- Sat 30 Sept 10am- 2pm
- Tue 3 Oct 10am - 2pm
- Thu 5 Oct 10am - 2pm
- Thu 5 Oct 6pm - 8pm

- Sat 7 Oct 10am - 2pm
- Tue 10 Oct 10am - 2pm
- Thu 12 Oct 10am - 2pm
- Thu 12 Oct 6pm - 8pm
- Sat 14 Oct 10am - 2pm
- Tue 17 Oct 10am - 2pm
- Thu 19 Oct 10am - 2pm
- Thu 19 Oct 6pm - 8pm
- Sat 21 Oct 10am - 2pm.

Mailouts

- Initial advice on town centre planning was included with some 32,000 survey instruments sent to all householders in each of the 6 town centres seeking their experience and ideas on future local planning.
- Some 32,000 colour brochures were included in all above towns' rate notices from July 2006, providing an update on progress for 6 town centres, and inviting email or phone contact with Council on their planning.
- DLEP DDCP exhibition Sept06 Gordon - **7,500**
- Planning for Gordon Centre re RTC Jul06 - 1200
- Planning for Pymble Centre re RTC Jul06 - 800
- Lindfield Centre Draft Land Use Plans Jun06 - 1300
- Planning for Gordon - landowners - 160
- Gordon town centre recommended draft land use plan Apr06 - 1,100
- Total letters issued on town centre planning ... **some 46,500**
- In October / November, some further 5000 letters will have been sent about planning for the 6 town centres.

REPORT TO KU-RING-GAI COUNCIL

PROPOSED LAND RECLASSIFICATION

GORDON TOWN CENTRE

Report on a Public Hearing Held in Accordance with the Provisions of
Section 29 of the Local Government Act 1993 &
Section 68 of the Environmental Planning and Assessment Act 1979

Prepared by

Peter Walsh
Appointed Chairperson

NOVEMBER 2006

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ABBREVIATIONS

Council	Ku-ring-gai Council
DCP	Development Control Plan
DDCP 2006	Draft Ku-ring-gai Town Centres Development Control Plan 2006 – Gordon Centre
DLEP 2006	Draft Ku-ring-gai (Town Centres) Local Environmental Plan 2006.
EP&A Act	Environmental Planning and Assessment Act 1979
LG Act	Local Government Act 1993
Design Code	NSW Residential Flat Design Code.

1. INTRODUCTION

1.1 Context

There is a proposal before Ku-ring-gai Council (Council) to change the classification of certain land located in the vicinity of Gordon town centre. A number of parcels are involved, as described below. The instrument for this proposal is draft Ku-ring-gai (Town Centres) Local Environmental Plan 2006 (Amendment No. 2). If approved, the proposal would provide for the reclassification of land currently classified as “community” land to “operational” land.

Under the regime for the classification of public land introduced with the Local Government Act 1993 (LG Act), all public land must be classified as either community or operational land. Public land comprises all land “vested in or under the control of the council”¹. As such, both land which a council may have under its control for use by the community, and land which a council may hold, say, for investment purposes or for storage of plant and equipment, are all designated as public land.

The principal effect of the classification of public land is to “restrict the alienation and use of the land”².

Operational land has no special restrictions other than those that may apply to any piece of land.

Community land is different. Classification as community land reflects the importance of the land to the community because of its use or special features. Generally it is land intended for public access and use.... This gives rise to the restrictions on the LG Act, intended to preserve the qualities of the land. Community land:

- *Cannot be sold*
- *Cannot be leased, licensed or any other estate granted over the land for more than 21 years*
- *Must have a plan of management prepared for it.*

(Department of Local Government)³

1.2 The Proposal

The Council describes the proposal as comprising four separate “sites” within Gordon, some of which comprise a number of separate allotments. The sites are indicated in the maps which accompanied the exhibition material and are described briefly below.

Site	Brief Description
Site 1	Council Chambers and Car Park, 818 Pacific Highway
Site 2	Moree Street Car Park – 2 Moree Street
Site 3	Moree Street vacant land – 4 Moree Street
Site 4	Wade Lane Car Park – 1 Wade Lane

The plan overpage shows the subject land.

¹ There are some exceptions noted in the Dictionary to the LG Act. For example a public road, and land to which the Crown Lands Act applies.

² Department of Local Government, *Public Land Management – Practice Note 1 Revised May 2000*, ISSN 1320-6788.

³ Ibid.

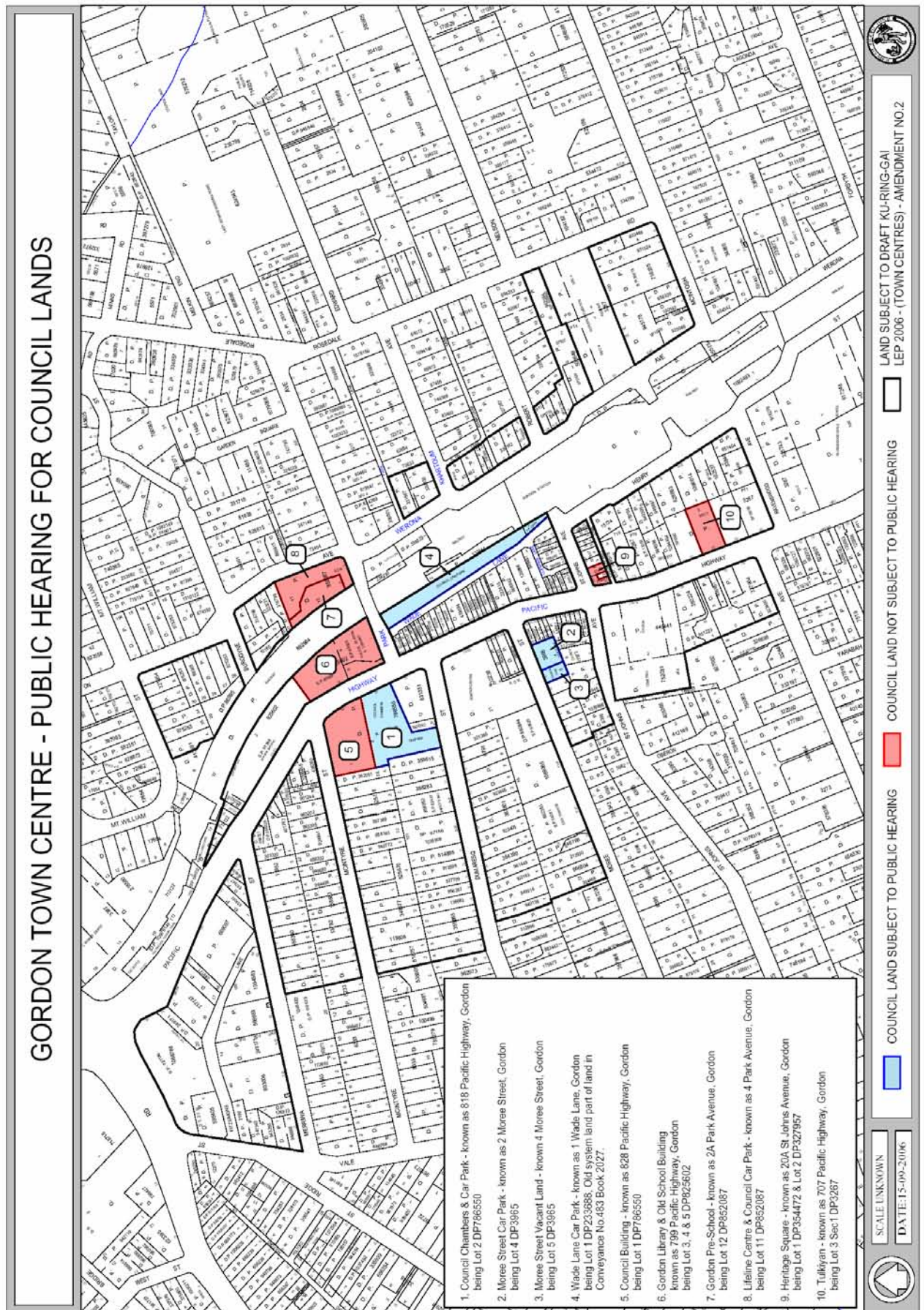


Figure 1: Lands Subject to Reclassification Proposals

1.3 Public Hearing and this Report

Where there is a proposal to reclassify community land to operational land, section (s) 29 of the LG Act provides that Council must arrange a public hearing in accordance with the provisions of s68 of the Environmental Planning and Assessment Act 1979 (EPA Act). Section 68(2) of the EPA Act provides that at the conclusion of a public hearing:

... (a) report of the public hearing shall be furnished to the council and the council shall make public the report.

Section 47G(2) of the LG Act provides as follows:

The person presiding at a public hearing must not be:

- a) a councillor or employee of that council holding the public hearing, or*
- b) a person who has been a councillor or employee of that council at any time during the 5 years before the date of his or her appointment.*

In accordance with the above provisions I was appointed to preside over the hearing and prepare a report. This document is intended to comprise the report of the public hearing in accordance with the requirements of s68(2) of the EPA Act.

The general administration of the public hearing was undertaken by Council officers. I understand that notice of the public hearing was given in a local newspaper in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.

The hearing itself was conducted on the evening of 25 October 2006 at Council's Administrative Centre in Gordon.

The proceedings generally followed the following program:

1. Welcome and introduction to hearing process from chairperson
2. Submission from Council staff
3. Public submissions
4. Concluding remarks and comments on next steps from chairperson.

With the appointment of an independent chairperson/report author, a public hearing provides the opportunity for a party at "arms length" from a council to consider the submissions and provide an independent report for due consideration by that council.

This report focuses on the proposed reclassification and is concerned with the other matters so far as they are of relevance to the proposed reclassification. In this case the Gordon Centre masterplanning work has had some relevance and has been reviewed to the extent necessary to inform this report.

The body of this report examines the proposal and provides conclusions and recommendations. These conclusions and recommendations are based on the oral and written submissions to the public hearing itself, my review of the documentation provided to me by Council officers, and consequent analysis.

1.4 Next Steps

As s68(3) of the EPA Act provides:

The council shall consider the submissions and the (public hearing report) and make any alterations it considers are necessary to the draft local environmental plan arising from its consideration of submissions or matters raised at any public hearing.

Mindful of s68(3) and informed of public submissions and the findings of this report, Council would now be expected to make the decision it feels is appropriate with regard to alterations to land classification in relation to this matter.

2. SUBMISSIONS

A total of eight oral submissions (including that of Council) and a further twenty written submissions were made to the hearing. A list of members of the public making submissions is provided at **Annexure A**. Below a summary of submissions is provided.

2.1 Council's Submission

Mr Steven Head provided an oral and written submission on behalf of the Council administration. The key points from this submission are summarised below

On the background to proposal

The State government has formally directed Council to prepare plans for additional housing and commercial development in and around main centres. This will create additional pressure on existing services. Council has been reviewing facilities and how they might be upgraded to cater for community demand into the future. A vision for Gordon Centre over the next 30 years had been prepared, with the DLEP for Gordon Centre (DLEP 2006) and the draft Ku-ring-gai Town Centres Development Control Plan 2006 – Gordon Centre (DDCP 2006) representing this vision. The plans indicate opportunities for investment in public infrastructure for Gordon. According to Mr Head, initiatives which have been identified include:

- Public transport facilities and services.
- Creation of new urban spaces for outdoor dining and new public domain areas.
- Changes to the road network and redesign of car parking layout and locations.
- Streetscape redesign and embellishment including new street trees, undergrounding of power lines, new footpaths and cycleways.
- Masterplans for existing parks and identification of potential future open space acquisitions.
- New and refurbished community facilities including expansion of the Gordon Library and civic precinct.
- Protection of and addition to the native tree canopy and other environmental improvements.

On Council's Role

Council is landowner of some of the key sites in Gordon. Thus Council has both a particular responsibility, and as a key landowner, a particular capacity to modernise and improve services, and relocate them to better places. Reclassification of public land, which permits its sale, provides a mechanism to assist and fund new and improved service planning and delivery. As such the proposed reclassification is part of the wider planning for Gordon and can assist in achieving the vision. Mr Head suggests that “reclassification is of itself only an enabling process”:

Decisions by Council to enter into Planning Agreements, or decisions to enter into long term leases or sale of land are subject to their own distinct processes which involve community input and evaluation by Council prior to decision making. In particular the next stages of planning will require significant attention to the detailed aspects of these proposals including financial and risk management strategies, options for delivery, transparency and probity, in addition to extensive community input into implementation of specific proposals currently outlined as concepts within the draft Development Control Plan.

As details are resolved Council still may retain an interest in some of the lands, or even reclassify some back to community classification, according to Mr Head.

On public parking generally:

Council has clearly undertaken throughout the planning process to retain at least existing levels of publicly owned car parking within the plan.

On Individual Sites

Council's submission then provided background details on each of the sites, including basis of original acquisition. This detail can be viewed in the exhibition material. Particularly pertinent factors on individual sites are outlined below.

Site 1 Council Chambers and Carpark Area

The chambers and carpark allotments total some 5160m². DLEP 2006/ DDCP 2006 would permit a greater range of uses and increase the permissible FSR from 2:1 to 2.3:1, however there is also a requirement that a minimum of 1.5:1 is required to be used for community uses.

The integrated Masterplan for this site contained (in) the draft Development Control Plan outlines retention of the existing heritage building for future and ongoing community uses. On the remainder of the site, two building envelopes have been provided indicatively as residential developments.

Reclassification of this area provides Council with options for investigation of our future office and administration needs together with potential community and / or civic uses within the heritage building facing Pacific Highway.

Site 2 and 3: Moree Street Car Park and adjacent land

The total site area of the combined site is 1484m² (approx). Plans would permit a greater range of uses and increase the permissible FSR from 2:1 to 2.5:1. The plans indicate that these sites:

... are targeted to facilitate the growth of Gordon Centre as indicated by the hierarchy of centres and Council's retail strategy. Retention of existing on site public car parking within any future development is proposed and would be retained as a stratum within any development.

Site 4: Wade Lane

Site area is some 3885m²⁴. Plans would permit a greater range of uses and increase the permissible FSR from 2:1 to 3:1. It was indicated that:

The integrated Masterplan for this site which is contained in the Draft Development Control Plan outlines proposals for a mixed use development containing retail, commercial and residential development. Existing publicly provided car parking is proposed to be retained on site.

Council's desired outcome is to encourage retail development which turns away from the highway into an area with enhanced pedestrian and shopper amenity within the Wade Lane precinct. Operational classification of this land will assist Council to achieve a key strategy for the retail precinct.

⁴ It is indicated that a small parcel of some 284m² indicated on the maps accompanying the exhibition at the southern end of site 4 is in fact in railway ownership and is not a part of the reclassification process.

2.2 Public Submissions

Mrs Jan Langley

Mrs Langley believed that the fundamental need for the proposed reclassification was unclear. Ground level (at-grade) parking was favoured in the local area (seen as “refreshing”) and seemed to be no justifiable reason that it be lost.

It was indicated that the Council Chambers building, on a historical site, should not be subject to what was indicated to be a nine-storey residential development creating an unpleasant “cheek by jowl” effect. Keeping the ground level carparking could also provide some “breathing space and a few trees”. Mr Langley believed provision of additional office space was short sighted in that “nanotechnology” and technology change would one day reduce the need for office space.

It was seen that the Moree Street proposal would cause the loss of community accessible land with a suggested proposal of commercial development and a residential tower above. Rather than this development it was suggested that the site remain for the community as an open area: “A bit of open space provides solar access and (we hope) a sense of connection with the land”.

Mrs Langley attended several community workshops where ideas on Gordon “as a pleasant place to be” were discussed but there was no discussion on future housing development in the Wade Lane Carpark area. Mrs Langley expressed her opposition to tall residential towers in this site, and outlined an alternative scheme with pathways and open space, glazed atriums and perhaps netball courts on rooftop areas with roof gardens. It was Mrs Langley’s view that there had not been enough creative thinking so far on the Gordon project in general and Wade Lane Carpark in particular.

Mrs Langley indicated that academic research was no longer supportive of “urban consolidation”.

Ross Magee

Mr Magee’s submission sought reconsideration of reclassification of Sites 2 and 3 (No. 2 and 4 Moree Street). The following particular points were made of relevance to the reclassification:

- Incomplete communication to the public, including incomplete information available for scrutiny during stages of the public exhibition process. This was seen to be inconsistent with the State government guidelines on the for LEP’s on Council owned land.
- Gordon unfairly targeted for dwelling increase and an inappropriate dwelling mix which was facilitated by the reclassification. It was suggested the character of Gordon will change from that of a single dwelling family suburb to a “predominant apartment suburb”.
- 2 and 4 Moree Street seen as an inappropriate location for retailing, as proposed, and inconsistent with specialist advice on retail development principles in Gordon. There was concern about the possibility of up to 5000m² of supermarket on the site which was seen to be overly large, with potential to adversely impact on local business diversity.
- Lack of disclosure of financial implications of reclassification and sale of 2 and 4 Moree Street, including what was seen as understating of the increased land value
- Inappropriate height of proposed development at 2 and 4 Moree Street, and notwithstanding the significant heights proposed, buildings will appear even higher

depending on where one lives as the land slopes away from the ridgeline near the Pacific Highway alignment

- Reclassification and proposed development exceeds the development requirements of the State government
- Reclassification and proposed development would have an adverse impact on the character of a historic street with heritage values, and this despite stated aims in LEP 194 to encourage the protection of heritage qualities, and ensure that development has regard to its impact on heritage items. Mr Magee indicates that the proposed development on a reclassified site would impact on three heritage sites nearby (church, cemetery, 24 Oberon Street), but also the impact on the highly valued St Johns Avenue, a street which has been recognised in a number of specialist studies.

Anne Carroll

Ms Carroll emphasised the Ku-ring-gai and Gordon context in her submission, indicating acknowledgement from NSW Heritage Office through its awarding first place to Ku-ring-gai in a cultural heritage award in 2000. Reclassification of the subject land was seen as contributing to inappropriate overdevelopment within the local area which was out of context. General comments included: concern about loss of the finite and scarce community land resource, perceived prohibitive cost of any future resumption of land, the subject land is not needed to meet State government targets as these targets can otherwise be met, lack of transparency in the process, with the community not well informed on the matter, and lack of information on what might be provided to make good of community land which is “beyond price”. The possible additional open space proposed is seen to be distant from the town centre.

Ms Carroll also had comments on specific sites which can be summarised as follows:

- Site 1 – this large site has potential as a future Council/community use in the proposed civic precinct and any reclassification has the potential to disrupt the integrity of this site as a civic area.
- Sites 2 and 3 – these adjacent sites could be amalgamated to become a pocket park and “open air space” amidst the more concentrated development which will now likely occur in Gordon. The increased apartment living is seen to have the potential to increase the sense of loneliness. Small public spaces will have an important role in creating places to sit, and enjoy the company of others. Children in particular are seen to have a need for open space.
- Site 4 – redevelopment of this site is seen to bring a poor planning outcome with the proposals for tall development on this site potentially casting shadow on Wade Lane a public thoroughfare.

Ms Carroll also requested that consideration be given to the points raised in the submission of Kevin Callinan to the St Ives public hearing held on 11 September 2006.

Helen Whitsed

Ms Whitsed believed it was the “wrong time” for Council to consider reclassification of the subject land directly due to the fact that a “great many more residents are expected to come into Gordon” and it follows that there will be a greater need for the provision of amenities for this future population. If the sale were to create funding for community benefit as had been indicated by Council there was a need for more information on specifically what benefits were proposed.

Comments were made in regard to the particular sites as well which can be summarised as follows:

- Site 1 – would be sad thing to contemplate – if rear of the site needs to be redeveloped for residential then the Council chambers should be subdivide off first and retain a community classification.
- Site 2 and 3 – Reclassification of these lands facilitates development responding to the “massive zoning increase” in this block. Also concerned about where convenient public parking would be provided to replace this area.
- Site 4 – Concerned about where convenient public parking would be provided to replace this area.

Ms Whitsed suggests that no reclassification at all should proceed under the circumstances.

Judy Bishop

Ms Bishop was concerned about detailed development provisions relating to Site 1 and in particular development of the carpark area at 7 Dumaresq Street and its setback to 9 Dumaresq Street. It was suggested that buildings of 7 storeys required side setback of 18m according to State policy documents. However the current plans only provided a 6m setback rather than 9m which would be half of the required 18m setback.

Other detailed development concerns associated with the development of Site 1 included: potential loss of vegetation (eg blue gum trees) , poor transition between high level development 7 storey and the lower level apartment area (5 storey), poor planning analysis and lack of documentation (eg shadow diagrams).

Morris Nakhla

Mr Nakhla had a general objection to the proposed development at Sites 2 and 3. He was concerned that St Johns Avenue would become unreasonably busy and for no real benefits as there was already sufficient shopping opportunities at Gordon, and extensive shopping in the nearby centres, all within 10 minutes drive. Mr Nakhla suggested that there should be compensation to nearby development which may be impacted by the proposed development (eg double glazing).

Janet Howard

Ms Howard expressed her concerns about the principal of selling off public assets to private interests and that there was a need to look more deeply at the background to what was seen as something of a recent phenomenon. There was a concern that “almost every single strategic piece of publicly owned land and asset in town centres was being sold off” in the Ku-ring-gai area. A series of questions as to the purpose, risks and beneficiaries of the sell-off were raised, and that a public enquiry may be needed.

It is my appreciation that Ms Howard saw the background and history to this perceived “sell-off” as including:

- A malign fixation on the concept of “title” or ownership to land , and the associated capacity to dispose of such land assets for gain (which contrasted with what was seen, I believe, as the thoughtful “indigenous understanding that we cannot own land”, with land and the trees that go with it, critical elements to human survival).

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- Complementary lack of appreciation of the public good which comes from the community's retention of public land and in particular open space
 - A perception that a possibly recent phenomenon described as "55 year old white male thinking", was influential in public policy decision-making nowadays, which was seen to be characterised by an overabundance of "growth and greed", but which was destructive and lacked the vision to see the inappropriateness of selling off public land.

Ms Howard believed that mindful of the precautionary principle we should be classifying more not less community land for future generations.

While Council may have indicated that the reclassification does not result in the sale of the land, in Ms Howard's view it does open the land up for sale at an "individual's whim and fancy". Ms Howard tabled a lengthy petition with many hundreds of signatories opposing classification of community land in Ku-ring-gai, and supporting the view that there had been inadequate information to the community on the issue.

Written Submissions

Attachment A provides brief summaries of additional individual written submissions.

3. KEY ISSUES

3.1 This Report in the Context of Plans for Significant Change in Gordon

Many submissions expressed fundamental opposition to the plans for change in Gordon. Particular concerns included:

- Quantum of proposed housing, retail and commercial development is perceived to be out of scale with the local context and will change the local village centre character
- “Urban consolidation” perceived as a failed policy and selling off of Council land, contributing to future poor planning outcomes
- Building mass and height will have substantive adverse amenity and heritage impacts
- Parking and traffic implications, including loss of what is seen to reasonable accessibility now.

Comment

It can be expected that there will be significant change in Gordon with the proposed new development controls for a range of types of development. The State government has been involved in the determination of these new controls as a component of its strategy for the management of Sydney’s growth. Council’s plans were prepared in response to a Direction from the Minister for Planning under s55 of the Environmental Planning and Assessment Act.

The introduction of such controls seem to be intended to increase housing development density in the Gordon area (along with other areas of Ku-ring-gai LGA), with a view optimising the good accessibility to services which is available. Increased retail and commercial development were also nominated as requirements in the ministerial Direction. It can be expected that indeed there will be some significant changes to the local character as a consequence of the new development control regime.

The scope of this report is limited to the question of reclassification of public lands. This scope cannot include the substantive questioning of current State government policy in regard to increasing development in Gordon centre. Nor should it revisit what seems to be the fundamental development principles which have been adopted in the Gordon masterplan. However, it is reasonable to consider the rationale and reasonableness of a decision to reclassify public land in the context of the major growth which is planned. It is also reasonable to consider some issues of detail where they directly involve the individual community land sites. These matters are addressed below.

3.2 Loss of Community Land in the Context of Plans for Significant Change in Gordon

There was some concern that the amount of land proposed for reclassification, and the timing of reclassification were both fundamentally wrong. Some felt that “almost every piece” of community land would be “sold off”, at a time when if anything the quantum of community land should be increasing to accommodate needs of the growing population.

Comment

Planning response to increased development densities

The anticipated housing and commercial growth in Gordon warrants a well considered planning response, mindful of existing problems and opportunities, and those likely in the future. It is apparent that DDCP 2006 provides the outline of Council's planning response. Along with the fundamental changes to density and height controls, these plans indicate:

- Major upgrade to bus-rail interchange
- Significant changes to traffic management arrangements including new road links and parking changes
- Significant works in streetscapes within the town centre area (eg more street trees, widening of some footpaths, undergrounding of powerlines, cycle ways)
- Significant expansion to community facilities and civic centre near Park Avenue intersection
- Nominated environmental improvements.

Facilities and services such as those nominated above can be reasonably expected in response to the forthcoming development anticipated for Gordon. Much of the works would be expected to be funded through statutory developer contributions under s94 of the EPA Act, or through voluntary developer agreements.

What is an appropriate rationale for the reclassification of community land in this context?

The question may be asked as to why the need for reclassification of community land if such works would be expected to be principally funded through contributions from future development which would occur.

In my view, it is reasonable for a planning authority to look to contribute to improvements to the Gordon Centre in the context of the expected new development. A council acting reasonably within the Council Charter under s8 of the LG Act⁵, would consider better use of

⁵ Under Section 8 of the LG Act, a council has the following charter:

- to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively
- to exercise community leadership
- to exercise its functions in a manner that is consistent with and actively promotes the principles of multiculturalism
- to promote and to provide and plan for the needs of children
- to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible, in a manner that is consistent with and promotes the principles of ecologically sustainable development
- to have regard to the long term and cumulative effects of its decisions
- to bear in mind that it is the custodian and trustee of public assets and to effectively account for and manage the assets for which it is responsible
- to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government
- to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowings and grants
- to keep the local community and the State government (and through it, the wider community) informed about its activities

its existing land assets, including community land, in seeking out a desired future. In my own view the expected additional activity in Gordon makes the time right to get the best outcomes from Council's land assets, in particular the carparking areas. The proviso is that there be a beneficial outcome for the community. According to the submissions, some in the community are not convinced that there will be a beneficial outcome, or that it is clear how the realisation of the income from any future disposal of the existing community land would be directed towards the community benefits.

Is too much community land being lost in this reclassification exercise, and is this land of particular value to the community?

It is my understanding that the existing community land in the Gordon Centre vicinity is indicated in the map at **Figure 1** (p2). I am advised that the only parcel which is not currently classified as community land is that nominated as Site 5 (828 Pacific Highway Gordon). So there would be considerable community land remaining in Gordon Centre even if all of the subject land were to be reclassified. These lands include:

- Gordon Library site and environs
- Gordon Preschool off Park Avenue
- Lifeline Centre and carpark off Park Avenue
- Heritage Square known as 20A St Johns Avenue
- Tulkiyan known as 707 Pacific Highway.

However, the four parcels proposed to be reclassified could still be "too much". The sites warrant individual examination as to their community value and the potential for this value to substituted and and/or enhanced.

Sites 2 and 3 – the Moree Street sites constitute a carpark and adjacent vacant land which had been acquired to extend this carpark. The existing accessible parking does provide community value. However, this parking is readily replaceable with a well conceived new development concept.

Site 4 – The Wade Lane Carpark is again of high community value – but this essentially as a carparking area. It is noted that as far as commuter parking is concerned, the specialist studies indicate that there is a shortage at present, and it would be important that new development address this and the future demand for commuter parking. But generally the reclassification of this land is not seen to cause an irreplaceable loss. It is more a matter of ensuring that there is clear community benefit from any change to the status quo.

Site 1 – the Council administration site and carpark is in my view the most complex site in this particular analysis. The site accommodates the local council administration and chambers and parking areas. According to submissions, there is also significant existing vegetation. In principal there does not seem to me to be a clear need for a government authority office to occupy community land. In practice it is often the case that government agencies occupy leased premises. However, a "civic" area which provides the hub of local community activity, would in my view, be expected to sit upon community land. DDCP

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- to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected
 - to be a responsible employer.

2006 in part addresses this issue with the overall plans for a “civic precinct” near the intersection of Park Avenue and the Pacific Highway.

In conclusion on this point it seems to me that there would remain significant areas of community land within Gordon, even were the subject lands be subject to reclassification. Further, there is not seen to be particular immediate community value associated with the current uses of the subject lands which is not readily replaceable.

However, any decision to reclassify the lands to operational land needs to also consider:

- Whether there is a preferred community use for these lands which might warrant their retention as community lands at this point
- Whether there is a sense in retaining the community land to allow flexibility in the future.

These points are considered below.

3.3 Alternative Community Use of the Subject Land

The Question of Open Space

A number of submissions cited loss of open space as a key reason to not proceed with the reclassification of the subject lands. It needs to be noted that the subject lands themselves do not constitute open space or parklands at present. On this point however, background reports to the hearing indicate that Gordon Centre environs has been recognised as having a significant shortage of open space⁶. The question then must be raised as to whether these subject lands should be re-allocated for open space purposes.

A preferred approach, to simply reacting to the location of existing land assets in the determination of open space locations, is through contextual analysis, building on existing open space areas or capitalising on locational advantages. It seems to me that Council has adopted this approach in the DDCP for Gordon. While there is some uncertainty (discussed below), DDCP 2006 presents a particular strategy for the response to the existing open space deficiencies in the Gordon Centre. The plans propose:

- New park area near the station entrance at Wade Lane
- Additional public space including parklands in the Civic Precinct surrounds at Park Avenue termination
- Potential new small parks near Mt William Street to the north of the Centre
- Future park of considerable size between St Johns Avenue and Bushlands Avenue close to the town centre.

The latter park seems to me to be a significant matter in presenting Council’s response to the existing, and obvious future open space shortage, exacerbated by planned population increases. The scale of this park and its contributory association with the adjacent cemetery lands can make for an important and effective community resource in the changing local setting. However, Council’s commitment to this park is not clear in the documents provided to me.

⁶ Parsonson, Rob, *Ku-ring-gai Open Space Distribution & Needs Study*, 2000, p44.

Information Sheet – *Parks, Public Domain & Streetscape*, on public exhibition at Council during notification period of hearing.

Other Community Uses and Flexibility into the Future

As indicated in submissions, it is also reasonable to consider whether the subject lands should be set aside for community purposes, other than open space, this considering current and future needs. Again the plans before Council seem to provide a strategic response to the expected future needs for community space in Gordon Centre. It is suggested that the proposed Civic Precinct would accommodate such facilities, including what is proposed to be a new purpose built cultural centre.⁷ It is noteworthy that the proposed cultural facility may be located on carpark area of the current Council Chambers site (Site 1). However, the plans for this site suggest a multi-level building which may also appropriately accommodate other non-community use, mindful of considerations like opportunities to defray recurrent costs of community facilities and services.

3.4 Traffic/Parking

Submissions raised concerns about parking and traffic implications, and in essence whether the proposed reclassification was contributing to overdevelopment. The traffic analysis exhibited with the reclassification proposal indicates significant traffic works for the Gordon Centre⁸. These appear to have been translated into the DDCP controls. It is noted that the RTA response to the traffic strategy is generally supportive with a comment including: “vast improvement to existing situation”⁹. In general it seems that there is a strategy for traffic management which has considerable technical support.

There are significant costs associated with the proposed improvements, and there is a need for a clear delivery strategy, including the ways and means of acquiring lands for new link roads, which appear fundamental to the proposed scheme. It is understood that s94 contributions would be allocated to these works.

A number of submissions raised concerns about potential loss of convenient parking (Wade Lane, Moree Avenue and Council Admin site). The scale of development predicted for Gordon can be expected, over time, to decrease the availability of these small at-grade car parking areas. This is likely to cause some local inconvenience. It will be a matter for Council to make good as far as possible for this through detailed parking plans for the Centre.

Total parking provision is not clear to me in my overview of DDCP 2006. Section 2.2.10 of DDCP 2006 indicates an objective to “retain all existing public parking spaces” and “improve parking ... access”. However the details of a strategy to deliver on this appear to be contingent on development of parking in new development sites. The proposed growth suggests a need for a substantial increase to carparking numbers in Gordon. Detailed parking development controls for sites (cl5.14 of DDCP 2006) may direct the achievement of the objective.

A commitment to “retain at least existing levels of publicly owned car parking within the plan”¹⁰ is seen to be insufficient in the face of substantial residential and commercial growth.

⁷ The need for this facility was identified in the following report: Australia Street Company, *Cultural Centre Feasibility Study*, prepared for Ku-ring-gai Council, May 2005.

⁸ GTA, *Gordon Town Centre Traffic and Parking Study*, 2005 – a number of volumes were included in the exhibition material for the public hearing.

⁹ RTA letter dated 3/10/06 included in exhibition material.

¹⁰ Council submission to hearing.

While important, the tenure of the car parking may be less significant than the quantum of spaces and controls on pay parking, any use restrictions and the like. A policy statement can be made to detail the performance requirements to ensure that the public interest issues relating to parking can be addressed as commercial negotiations are undertaken.

3.5 Other Comments on Individual Sites

Site 1 – In regard to the western boundary treatment of the Council administration building/carpark site, it was suggested in a submission that DDCP 2006 overrides the controls contained in the NSW Residential Flat Design Code¹¹ (Design Code). It was suggested that the Design Code required an 18m building separation whereas DDCP 2006 only provides a 6m side setback (rather than 9m which would constitute 50% of an 18m setback).

Comment

It seems reasonable for the reclassification of community land to have a mind to consistency with planning norms in regard to managing potential impacts on nearby amenity. DDCP 2006 provisions applying to Block E which include the subject area do indicate a side setback of 6m.¹² I have reviewed the provisions of the Design Code with respect to building separation, and the following numerical standards are nominated for buildings five to eight storeys.

Up to four storeys/12 metres	Five to eight storeys/up to 25 metres
<ul style="list-style-type: none">12 metres between habitable rooms/balconies9 metres between habitable/balconies and non-habitable rooms6 metres between non-habitable rooms	<ul style="list-style-type: none">18 metres between habitable rooms/balconies13 metres between habitable rooms/balconies and non-habitable rooms9 metres between non-habitable rooms

Table: Building Separation Controls – Excerpt from NSW Residential Flat Design Code.

In fact at p5-3 of DDCP 2006, Council nominates these standards for building separation. Figure 01.62C in the Design Code does indicate a stepping of the side setback areas, with increasing setbacks as building height increases. This may be Council's intent with regard to Block E. That is, that a minimum side setback of 6m at the lower levels (up to level 4) with a greater setback at the upper levels. Council needs to ensure that any future development on the site accommodates reasonable design standards. Residential development would be expected to respond to the SEPP 65 guidelines.

3.6 Procedural & Administrative Considerations

How is the proposed delivery of community benefits explained to the community?

Comment

While there is a considerable list of proposed improvements, in my own opinion, there are limitations in the use of a Development Control Plan (DCP), a statutory instrument of development control, as a device to satisfactorily explain the strategy for achieving planning

¹¹ NSW Residential Flat Design Code was prepared to support the design quality principles identified in *State Environmental Planning Policy No. 65 — Design Quality of Residential Flat Development*.

¹² DDCP 2006, p4-12.

outcomes for the Gordon Centre. A DCP brings detailed content requirements in regard to the control of the many development issues facing the Centre, some issues are major others less so. The DCP can describe the vision for the future and detail relevant development control strategies. However, the achievement of a planning vision for Gordon Centre will require other devices (eg administrative, financial, strategic incentives, developer contribution arrangements and the like). Other documents currently supplement DDCCP 2006 in the public advice of Council's plans. These documents include the series of display posters and Council's own submission to the public hearing. In my view there is a need to consolidate the various undertakings in a distinct policy statement.

Procedures and Administration to ensure fiscal responsibility and optimise opportunities to deliver community benefits

Comment

As indicated above, it seems to me that a council acting reasonably would not commit to reclassify community land to operational land unless there was clear evidence that community benefits were likely to occur. However, this is different from a guarantee. What would be reasonably expected is a sound plan on the intended physical and spatial provision, and a suitably rigorous financial and risk management strategy to safeguard community assets. It can also be reasonable, in my view, to put in place contingency arrangements such that if the achievement of the outcome becomes unlikely or impossible, the land remain or revert back to community land status.¹³ In my view there is substantive evidence before the hearing to suggest a cohesive plan for improved outcomes in Gordon is well advanced. However I believe further commitments in regard to the procedural and administrative processes to optimise the successful achievement of the proposed on the ground outcomes is needed before Council supports reclassification. This was touched on in Council's submission to the hearing when it was indicated that:

Decisions by Council to enter into Planning Agreements, or decisions to enter into long term leases or sale of land are subject to their own distinct processes which involve community input and evaluation by Council prior to decision making. In particular the next stages of planning will require significant attention to the detailed aspects of these proposals including financial and risk management strategies, options for delivery, transparency and probity, in addition to extensive community input into implementation of specific proposals currently outlined as concepts within the draft Development Control Plan.

It seems to me that Council needs to be clear and committed in regard to financial and risk management strategies, and its systems in regard to transparency and probity before land reclassification occurs.

It would be reasonable to expect that Council ensures it can provide high levels of professionalism in the negotiations which will necessarily be involved in this project. Commercial negotiations around this issue would be expected to be complex and in this case there is a further overlay in that the planning outcome is not just related to highest economic use, but to successful integration of community facilities with the commercial uses. Appropriate expertise (and experts) would be reasonably expected to be involved to ensure maximisation of financial advantage, while ensuring achievement of goals for improved community facilities and services.

¹³ This can literally involve a Council, at the same meeting in which it supports an LEP for reclassification, formally resolving to move to revert back to the community land classification if success criteria are not achievable at a nominated review point.

The Local Government Amendment (Public Private Partnerships) Act 2004 and related changes to regulations, introduce guidelines on procedures and processes for public-private partnerships. Elements of the subject proposal may be affected by these requirements.¹⁴

Other procedural and administrative issues

One submission referenced a submission made by Mr Kevin Callinan to the St Ives public hearing, and requested that it be considered here. Mr Callinan's submission went to a number of detailed procedural and legal issues. My comments on Mr Callinan's points can be found in the Report into the St Ives Land Reclassification Public Hearing¹⁵.

4. CONCLUSIONS AND RECOMMENDATIONS

Gordon Centre will be subject to considerable development and population growth over the forthcoming years as a likely consequence of existing and proposed housing and commercial/retail density changes. A draft LEP and DCP have been prepared to guide the future development, with the subject reclassification an element of the proposals.

In times of substantive changes to planning controls, it seems to me prudent for a council to consider its own land assets in the mix. That certainly does not mean that all the council land should be up "for grabs". However, land that may have a higher strategic value, and upon which there is no hard-to-replace community benefit enjoyed, should be considered for inclusion in redevelopment plans. In general it appears that a reasoned course of action has occurred in regard to this matter at Gordon. In this instance, for example, there is considerable amounts of community land retained in Gordon Centre.

Based on the information before me, I believe that reclassification of the subject community land, which as I understand it, can help fund community improvements, would be reasonably expected to have an overall positive effect in regard to the public and community interest. One matter of particular public interest in my view relates to public open space, and there is a particular point which warrants mention here. DDCP 2006 indicates a "potential new local park" of significant size at the southern end of the Town Centre (maps clearly show the land between St Johns Avenue and Bushland Avenue, in the vicinity and associated with the cemetery. The park is referenced in some documents but not in others. Given the acknowledged deficiency of open space in the locality, and the likely additional demand, it seems to me that provision of open space of this scale is a key requirement in establishing the overall community benefits from the land reclassification¹⁶.

Should reclassification go ahead, there would be a need for safeguards from a commercial viewpoint and for an ongoing focus on the delivery of the required community outcomes as the commercial aspects of the project come into play. Council may already have such plans in place, or under preparation, but it is appropriate in my view, that they be appropriately communicated to the public.

¹⁴ As noted in the circular from the Director General of the DLG dated 2 September 2005, the requirements established in the guidelines are not intended to be particularly onerous but simply represent work which would be undertaken by a prudent organisation entering a complex partnership arrangement such as that which can be evident in PPPs.

¹⁵ Walsh, P, *Report to Ku-ring-gai Council – Proposed Land Reclassification St Ives Centre*, October 2006.

¹⁶ It is also noted that s94 contributions would be expected to be allocated to support land acquisition of open space in Gordon Centre.

Up to the present, there has been self-evident security of the community land as a community asset. However, land classification is seen as a clumsy device as the negotiations are undertaken for the future development of Gordon. As detailed planning and development occur in Gordon, it would be Council's stated financial and risk management plans, along with the community services provisions plans, and associated commitments to ongoing public interest evaluation, which replace the land classification in providing security for the community interest.

The strategic intent and series of actions proposed in regard to community facilities can be lost in the DCP, a document not necessarily suited for this purpose. The key principles and relevant particulars of the community facilities arrangements should be clearly documented as a succinct statement of Council policy.

Recommendation

It is recommended that the proposed reclassification of the subject lands be supported subject to the following conditions:

1. Preparation of a consolidated statement of Council policy (distinct from DDCP 2006) with regard to:
 - (a) traffic management and parking arrangements (including proposed minimum totals of public parking and general principles of free parking access)
 - (b) public domain and open space (including commitment to the proposed major park within Centre perimeter or equivalent alternative)
 - (c) community facilities provisions and civic centre.
2. Preparation of a consolidated statement of Council policy on the financial management strategy including:
 - (a) relevant cost planning including relationship to Council's broader strategic and management plan,
 - (b) risk management (including involvement of independent commercial expertise in commercial negotiations)
 - (c) proposed s94 strategy
 - (d) arrangements for review and scrutiny at key stages of the project, including need for independent analysis of public interest and probity arrangements.
3. Review of DDCP 2006 provisions in relation to Precinct E, to ensure that setbacks equitably address the building separation requirements of the NSW Residential Flat Design Code.

Annexure A

Summary of Written Submission to the Hearing

No.	Name	Submission Summary
1	Mr J and Mrs J Johnson	No justification provided for change from community ownership. Believes that land is largely open space and sorely needed, particular in this area of Gordon which has little open space. More will be needed with redevelopment not less
2	Mr K Robinson and Ms D Haskell	This land must not be included in “already gross overdevelopment” proposed. Preference for use as parks and gardens.
3	Mr J and Mrs H Mitchell	Believes community land should be retained and not on sold to developers.
4	Mrs J Langley	
5	Mr R and Mrs M R Kanga	Objects to reclassification as it will facilitate inappropriate development in Gordon. Need to keep land for future redevelopment for community uses, eg community centres, especially for senior citizens as population ages. Council chambers has heritage values and its loss would be significant to the community. Wade Lane redevelopment will create traffic problems
6	Mr R Magee	Also made oral submission. See body of report.
7	Mrs A Carroll	Also made oral submission. See body of report.
8	Prof C Field	Particular concern about 818 Pacific Highway and Wade Lane sites. Sees proposal for Gordon as gross overdevelopment and reclassification of Council chambers site would lead to further overdevelopment of Gordon. Concerned that with reclassification “in the future public will have no voice in the use of the land”. Wade Lane concept for 9 storeys could result in “enormous strain” on traffic and dissatisfied with traffic strategy. Nine Storey and associated development could transform Gordon from a “pleasant town centre to a metropolitan nightmare”. No statement of sustainability within documentation.
9	Mrs K Godfrey	Concerned about Pacific Highway and Wade Lane should be kept in Council control for future “planning uses”. Development of Moree Lane conditional on it “suiing the community”.
10	Mr and Mrs M O’Brien	Need “good and compelling reasons” to reclassification community land and such reasons have not been demonstrated: <ul style="list-style-type: none"> - Minister has not requested this reclassification – these proposals go further - Loss of opportunity/flexibility into the future including provision of services to meet future needs - - Small marginal increase in floor space for large relative loss to community - Lack of trust in council to deliver promised improvements – no binding plans - Poorly explained community documentation/explanation on proposal.
11	Mrs T Wood	Objects in principal to reclassification of any council land, but also Gordon land. Reasons include: insufficient explanation of reasons or communication generally with community, financial gain not seen as any justification, land once lost is irreplaceable. Believes free parking will be lost and Council has misled on negatives. Believes cultural and historical significance of Gordon land not considered.
12	Ms H Witsed	Also made oral submission. See body of report.
13	Mr S and Mrs E Potiris	Believes Gordon has least amount of open space in Ku-ring-gai, and land should be kept and if possible kept as open space. Heritage studies ignored. Insufficient public explanation . Community land once lost is irreplaceable. Difficult to make submissions.
14	Ms J Bishop	Also made oral submission. See body of report.
15	Mrs D Warner	Evident lack of open space in Gordon and community land should remain for existing population. This and more land should be available to future generations with population growth, residents as well as shoppers and business people. Sufficient land already for development. Council chambers has heritage

No.	Name	Submission Summary
		significance and should remain in public hands. No acknowledgement of local cultural/architectural/historical significance or that of environment/trees/landscape. Unclear information to public.
16	Dr T Wong	Concerned about traffic congestion, overcrowding, incapacity of public transport to cope as is, and by implication into the future.
17	Ms G Cattell	With additional population there is a need for additional open space, especially given the insufficiently low levels of existing open space. Believes land should be kept in public hands. No financial justification.
18	Ms D Walker	No need to sell off land as State government targets met without this land. Generally community land should remain in public ownership.
19	No submission	
20	Ms L Geiger	Better serves community to retain these lands – where is the justification for reclassifying land. Gordon has least amount of open space in locality and land should stay with the people of Gordon.
21	No submission	
22	Mrs D Warner	Lack of open space, Council should purchase more land for future generations. Sufficient land for housing and retail without community land. Gordon plans don't take account of local context.
23	Mrs E Phillip	No financial justification for reclassifying community land. Council has not sufficiently considered the cultural and historic values of the community land, including Council Chambers.
24	Ms J Mortimer	Objects to redevelopment plans for Gordon for a number of reasons. Objects to reclassification on Moree Street, and not providing adequate parks and community areas for new residents.
25	Janet Harwood	Also made oral submission. See body of report.
26	Morris Nakhala	Made oral submission. See body of report.
27	Ms E van Veen	Council has already zoned enough land. No need to sell community land. If land sold it will never be able to be replaced.
28	Mrs L Rosalind Hobbes	Keep community land for people. Insufficient information to public. Council is proposing more development than was required by State government. Not enough open space, "whole environment will be abysmal".
29	Mr J and Mrs M Woof	Protesting at haste of decision. Gordon needs all the open space and community land it has and more. There seems to be no space to smell the roses or no heart.
30	Ku-ring-gai Council	See body of report.



CONSULTANTS

Attachment 9

GORDON TOWN CENTRE TRAFFIC AND PARKING STUDY – GTA RESPONSE TO SUBMISSIONS (13 November 2006)

No	Submission Details	Key Issues	GTA Comment/Discussion	Recommendations
1.	Forest Coach Lines (Bus Operator) Mr Philip Whipp, Business Manager	1. Further consultation be undertaken when finalising the preliminary designs for the bus interchange.	As far as we understand it no conclusions have been reached in relation to the final bus interchange design, although the option adopted would need to be consistent with the preferred traffic design plans proposed for Gordon Town Centre.	Consult further with Forest Coach Lines in relation to finalising the preliminary designs for the bus interchange.
		2. Current traffic proposals will result in additional running times and additional kilometers traveled for buses.	It is our view that these proposals would result in quicker running times for buses as they avoid the congestion experienced in St Johns Avenue. There will be additional travel distance under these proposals but this should be discussed further with MOT.	Consult with MOT regarding additional travel distance and implication to bus contracts which will be necessary to some degree.
2.	Ravenswood School (Ms Vicki Steer, Principle)	1. Retain Cecil Street/Pacific Highway traffic signals	There has never been any indication that these lights would require modification/removal etc within our study. In fact it is essential to retain these to ensure that this intersection continues to act as the main access to and from the School.	Traffic lights will be retained under the Town Centre proposals.
		2. Ravenswood Avenue/Pacific Highway proposed traffic signals. Additional measures to improve performance.	Scates analysis of this intersection indicates that it would operate satisfactorily overall. However like other local roads within this study there will be delays experienced on the Ravenswood Avenue approach during the peaks, particularly during the PM peak period. As such the suggestion of LTOR is sensible if it can be accommodated safely.	Investigate further and incorporate if possible.
		3. Ravenswood Avenue – Two way bus movements	Two way bus movements in Ravenswood Avenue was the preferred arrangement proposed by GTA Consultants to illuminate any conflict within St Johns Avenue given the forecast increase in traffic levels on this road. It is not completely out of the question to retain northbound bus movement via St Johns Avenue but this could be at the expense of delays to buses and increased bus/car/pedestrian conflict.	That two way bus movement be retained via Ravenswood Avenue but subject to agreement from Bus Operators and MOT.
		4. Intersection of Henry Street/Ravenswood Avenue – Need for traffic management measures i.e. R/A	A roundabout has already been proposed for the intersection of Henry Street and the Underpass Road. It is not unreasonable to expect to have a similar treatment at the Ravenswood Ave/Henry y Street intersection. GTA did not assess this intersection as this was not included in our original scope. (i.e. No counts were taken here)	That traffic counts be undertaken and this intersection be assessed to determine whether or not a roundabout treatment is required in view of future traffic volumes.
3	Traffic and Transport Planning Associates c/o Mrs L.J.Jemison	1. St Johns Avenue/Wade Lane intersection	The urban design changes proposed for this intersection remove the staggered configuration of this intersection (through land use changes) and provide a safer layout overall for vehicles and pedestrians. Priority would be given to the St Johns Avenue/Wade lane route at this intersection.	That the traffic detail at this intersection be considered at a more detailed level
		2. New Link Roads (Position & Traffic Modelling Consideration)	The position of the new link roads were only ever provided indicatively which is why there are some differences between the GTA study and the Urban Design Study. (Physical position was not included within our	These new link roads are essential for Traffic Option 2B-Revision 3 and need to be retained. The intersection of St. Johns Avenue/Pacific Highway is

			study scope.) There are benefits of providing these link roads both in terms of traffic impact and convenience and the traffic modelling has considered the affects of these. For example an assumption was made that all traffic previously turning left from St Johns Avenue onto the Pacific Highway would travel along the new link road between St Johns Avenue and Moree Street and turn left at Moree Street onto the Pacific Highway.	the most constrained currently on the Arterial Road network and needs measures to improve capacity, which these new link roads achieve in part. The physical position of the new link roads could be refined at a more detailed stage but they should be as close as possible to the Pacific Highway to provide maximum effect as suggested.
		3. Access to the East of Gordon via Ravenswood Avenue. (Traffic Volumes)	It is acknowledged that access to the east of the Gordon Town Centre from the west would be via Moree Street, Pacific Highway, Ravenswood Avenue and through the underpass in the traffic proposal. The modelling undertaken for the Gordon Town Centre used assumptions that the majority of traffic generated by the development proposals would either travel north and south on the Pacific Highway and that east/west traffic would continue to be of a local level. The left turn flows were increased to reflect this.	Even if the traffic volumes for the left turn into Ravenswood Avenue were increased this would not have a major affect on the outcome of the operation of this intersection which indicates good levels of service.
		4. Banned Left Turn from Moree Street onto Pacific Highway & Midblock pedestrian crossing north of Park Avenue on Pacific Highway.	Both of these issues have been discussed with the RTA with outcomes as follows:- Moree Street:- re-instate the left turn from Moree Street into the Pacific Highway. (Not RTA policy to ban turns etc) Pedestrian Crossing (Midblock):- RTA satisfied that this is all that is necessary at this location given that it is proposed that the only movement into Park Avenue would be the left turn from the Pacific Highway. Pedestrians would be able to cross Park Avenue at the Pacific Highway safely when the lights are on red.	Implement RTA requests.
		5. Left Turn from Pacific Highway into Park Avenue – High Volume & Discrepancy	This traffic volume is high but this is due to the fact that all traffic previously turning left into St Johns Avenue has been redistributed to Park Avenue and that this will be the route for traffic travelling from the North wishing to access the west of Gordon Town Centre and for residential traffic accessing the east side of Gordon. The discrepancy, which was purely graphical, has been rectified with traffic volumes on Wade Lane indicating higher volumes than originally shown. (Refer attached Link/Flow Diagram) This however does not affect the overall modelling which incorporated the correct flows.	Pedestrian and Traffic Safety would have to be managed throughout to accommodate the development growth proposed for the Gordon Town Centre.

GTA Consultants

Sydney Office
244-813 Pacific Highway
Chatswood NSW 2067
ph: 02 8448 1800
fax: 02 8448 1810

Melbourne Office
87 High St
Kew Vic 3101
ph: 03 9851 9600
fax: 03 9851 9610

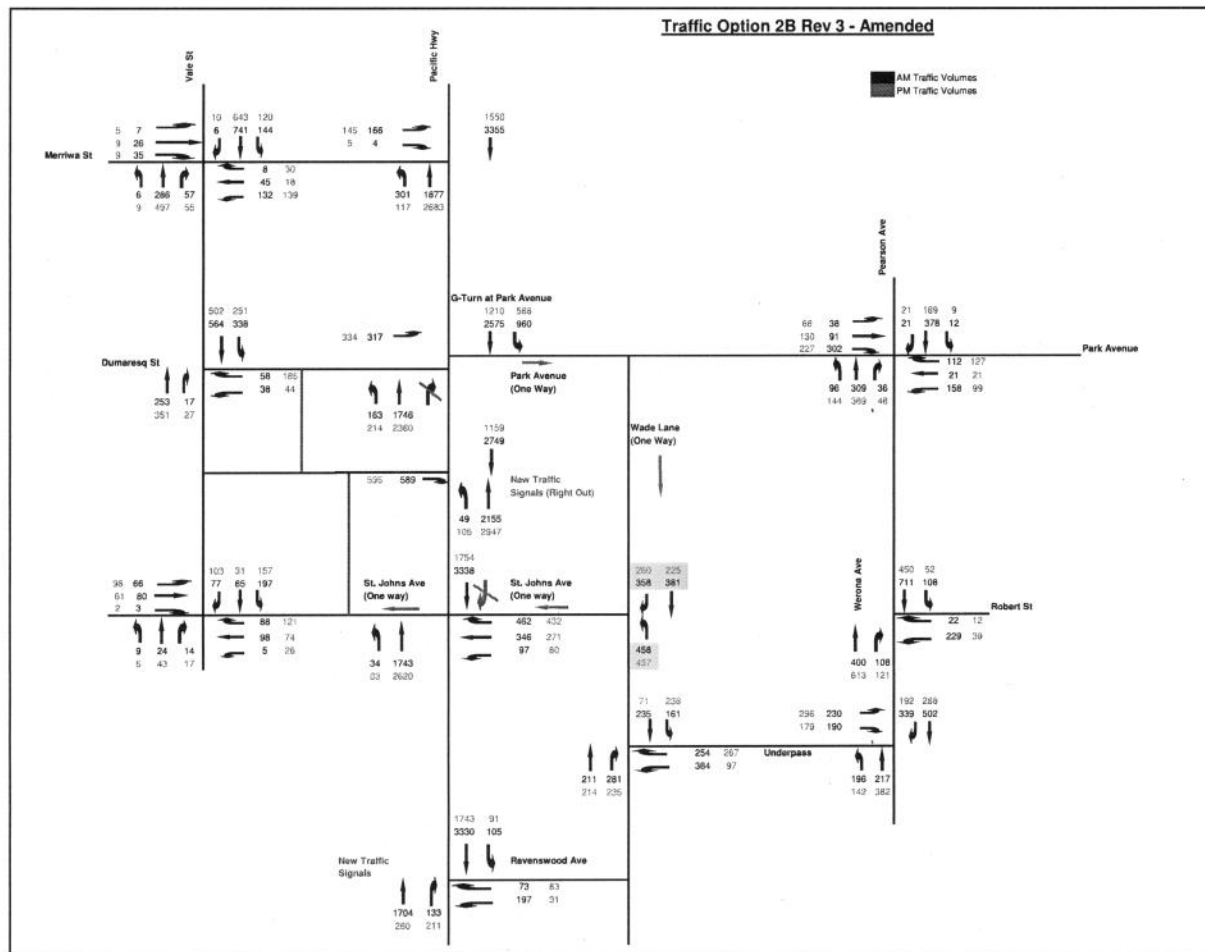
Ku-ring-gai Council

Gordon Traffic and Parking Study



TRAFFIC AND TRANSPORT CONSULTANTS

Traffic Option 2B Rev 3 - Amended



GORDON TOWN CENTRE - ESTIMATED YIELD
PRECINCT MAP



GORDON CENTRE - ESTIMATED YIELD TABLE

Updated 28.11.06

	EXISTING				FULL DEVELOPMENT SCENARIO			
	2006				Full development under Town Centres LEP and LEP 194/200			
	Dwellings	Population	Business GFA(m ²)	Retail GFA(m ²)	Dwellings	Population	Business GFA(m ²)	Retail GFA(m ²)
B: Fitzsimons Lane	0	0	19300	1429	329	592	40685	9538
C: Merriwa Street	1	3	3808	190	85	153	2439	0
E: Council Chambers	0	0	14834	0	0	0	14834	0
F: Gordon Centre	0	0	7668	9920	150	270	0	16436
G: Wade Lane, Clipsham Lane and St Johns Avenue (east)	0	0	7500	8193	278	500	952	19922
H: St Johns Avenue (west)	6	17	1750	1674	105	189	0	14204
I: Bushlands Avenue	13	38	0	0	54	97	0	0
J: Henry Street	0	0	0	795	40	72	953	0
L: Mt William and Burgoyne Streets and Pearson Avenue	14	41	0	0	116	209	0	0
Q, R: Interface sites (including LEP 194 sites)	22	64	0	0	306	551	0	0
LEP 194/200 Gordon Infill	74	215	0	0	1092	1966	0	0
Minister's Site: Merriwa Street and McIntyre Street	10	29	0	0	149	268	0	0
Totals	140	406	54859	22200	2704	4867	59862	60100
Net Letable Floor Area (NLFA)			49373	17760			53876	48080
Total dwellings (Stage 2)					1463			
Total dwellings (Stage 1 and Stage 2)					2704			

► All the numbers in the Dwellings column under Full Development Scenario are calculated on the basis of an average of 110sqm per dwelling.

★ Net Letable Floor Area (NLFA) is 80% of the gross floor area (GFA)

◆ All the numbers in the Population column are calculated on the basis of an average:

For Existing = 2.9 person/single dwelling, 1.8 person/dwelling unit; For Full Development Scenario = 1.8 person/dwelling.

NB: Effort has been made to ensure the accuracy and completeness of this information. Council takes no responsibility for errors or omission nor any loss or damage that may have resulted from the use of this information.

Project:	Gordon Town Centre LEP and DCP
To:	Ku-Ring-Gai Municipal Council
Attention:	Bill Royal
From:	Ben Pechey
Date:	13 November 2006
Pages including this one:	2

RESPONSE TO SUBMISSION FROM THE EXHIBITION OF THE DRAFT LEP AND DCP

745-749 and 751 Pacific Highway, Gordon

The following is a response to the heritage issues identified in the submission prepared on behalf of the owners of the subject site. The subject site is located within block G5 of the DCP and features the 1930s Commonwealth Bank building which is listed as a heritage item.

The DCP currently proposes the retention of the heritage item with public open space behind and a 5 storey tower on a two storey podium on the adjacent block to the north.

The submission proposes an alternative for the site based on the claim that the proposed FSR and resulting development potential does not make redevelopment of the site a feasible option. The submission proposes increasing the FSR and height controls for the site and deducting the existing floor space of the Heritage Item. The concept design put forward in the submission proposes a two storey podium across the block and surrounding the heritage item with two levels of basement car parking and a five storey tower above. However the design concept does not accord with the planning submission which refers to a 12 storey building.

The difference between the DCP Proposal and the Submission Concept Plan is that the public open space at the rear of the Bank is developed with the two storey podium and the 5 storey tower encroaching upon the Bank allotment.

An alternative proposal has been prepared by Council's Urban Design consultants which retains that proposed in the DCP and adds a two storey structure to the rear of the Bank with a laneway adjacent.

It is considered that the primary significance of the Bank is its aesthetic character and the ability for its architectural form to represent a significant type of bank building. These values can be appreciated in the external form and detailing of the bank and the principal spaces of the interior, defined as those under the hipped roof sections. The shallow pitched gabled roof section at the rear of the building is not considered to make an important contribution to the significance of the place.

The building was never intended to be appreciated from Wade Lane to the rear and therefore it is considered possible to redevelop the rear portion of the site in a sympathetic manner without adverse impact to the place. Any new structure should specifically provide for the conservation of the Bank so that there is a positive heritage outcome.

The loss of the proposed public open space at the rear of the site is not considered to have an adverse impact on the significance of the Bank. In fact it is likely that some development is needed to provide for the conservation of the Bank.

In terms of heritage impact upon the bank the DCP Proposal, the Amended DCP Proposal and the Submission Concept Plan have a similar effect as they all maintain the principal front portion of the building and site a tower towards the north. The location and extent of the tower floor plate in the Submission Concept Plan will have greater visual impact as it will occupy part of the Bank allotment. It is considered that the actual effect will be of marginal difference compared to the other schemes as the tower will also be seen as a visual backdrop to the Bank. The Amended DCP Proposal and the Submission Concept Plan provide for the redevelopment at the rear of the bank which has the potential to contribute financially to the conservation of the place and can aid in integrating the use of the original portion of the Bank with the proposed retail activity along Wade Lane.

Council needs to weight the feasibility of conserving the heritage item through additional development against the provision of public open space and the resulting community benefit. It is also appropriate for Council to consider the cost of conservation works to the heritage item when assessing the feasibility for redevelopment of the site and the extent of development required.

Benjamin Pechey
Senior Heritage Consultant
City Plan Heritage

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RESPONSE TO SUBMISSION FROM THE EXHIBITION OF THE DRAFT LEP AND DCP

St Johns Avenue, Gordon

The following is a response to the heritage issues identified in a submission to Council relating to Precinct H2 of the Draft Gordon Town Centre DCP. The heritage issues raised are summarised in the following themes and are addressed accordingly.

The impact on the character of an historic and heritage street

The proposal for Precinct H2 has been confined to the eastern end of St Johns Avenue which fronts the cemetery and church and a buffer has been created through the introduction of New Street and a row of two storey town houses on the western side of that street. This establishes a strong boundary for the residential areas further west along St Johns Avenue with a character distinct and appreciable in comparison to Precinct H2. The impact will be from the loss of three existing dwellings on St Johns Avenue which will marginally decrease the extent of the area. The existing character of the residential areas to the west will be retained. Given the requirements for more intensive use of the Town Centres the relatively small encroachment into St Johns Avenue west is considered reasonable and would not deter the conservation of the remainder of the street in the future if warranted by its significance.

The proposed building location and scale is considered appropriate. The residential towers are located a considerable distance from the existing detached dwellings and are unlikely to be appreciated in the same visual context. The two storey podium and two storey town houses along St Johns Avenue also relate sympathetically to the scale of existing development further west.

Loss of buildings and elements of potential significance

The dwellings at the eastern end of St Johns Avenue were considered in the heritage review of the Town Centre and did not reach the threshold of significance required for conservation. The dwellings are typical of the period and fail to demonstrate the high or outstanding level of quality that warrants conservation.

The submission notes that a 'convict well' was once located within Precinct H1 just to the east of St Johns Lane. Archaeological relics are protected under the Heritage Act 1977. It is recommended that an archaeological assessment is undertaken in association with any development proposal for precinct H1. Depending upon the significance and extent of the archaeological resource measures should be employed for its conservation. If the submission is correct in identifying the potential for an archaeological resource it is suggested that development control is added to the DCP highlighting the requirement for an archaeological assessment to be undertaken in association with a relevant development application.

The submission identifies the dense tree canopy and avenue planting of box eucalypt along St Johns Avenue. The trees have a positive visual presence in the streetscape and it is considered appropriate that they are retained. Provided Council requires sufficient measures for the protection of the trees during the redevelopment of the Precinct the street trees should be able to be maintained. Retention of the trees will also aid in providing a visual buffer between Precinct H and nearby heritage items such as the church and cemetery site.

Potential impact upon nearby heritage items

Council has sufficient statutory controls to assess the potential impact upon the significance of a heritage item that may result from development within Precincts H1 and H2. Generally the scale of development along the St Johns Avenue streetscape is appropriate and the towers away from residential items. Given the considerable curtilage of the cemetery and church grounds the tower, although visible from within the grounds, is not considered to be of such bulk and scale that it will adversely enclose the site and adversely affect its outlook.

In conclusion it is considered that the proposal for Precinct H1 and H2 will not result in an unreasonable impact to the heritage significance of the area. The proposed built form has responded to the character of the area by retaining the vast majority of the streetscape and establishing a physical and visual buffer so that character may be appreciated.

Benjamin Pechey
Senior Heritage Consultant
City Plan Heritage

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RESPONSE TO SUBMISSION FROM THE EXHIBITION OF THE DRAFT LEP AND DCP

21 Mt William Street, Gordon

The following is a response to the heritage issues identified in a submission to Council relating to Precinct L of the Draft Gordon Town Centre DCP. The submission included a letter from the owners of 21 Mt William Street and a Heritage Assessment and Impact Statement prepared by Godden Mackay Logan on behalf of the owners.

The principal issue is the adverse impact upon the identified heritage significance of the place and the impact upon the amenity for the occupants of the place. Whether a place is of heritage significance or not, impact upon amenity is a crucial issue however where the loss of amenity degrades the desirability for the use of a place then there can be adverse effects on the ongoing use and conservation of that place.

In terms of heritage conservation and the significance of the place the principal impacts are upon the views to and from the item. It is considered that there can be some change to such views without degrading the ability to appreciate significance of the place. The impact on views to and from the heritage item will not have a considerable adverse effect on the ability to appreciate the significance of the place provided reasonable setbacks are established from the side boundary at the street frontage.

The more pertinent issues are the impacts upon the amenity and setting of the heritage item through overshadowing, loss of privacy and loss of outlook. These impacts result from the proximity and scale of development adjacent to the eastern boundary of the heritage item.

As identified in the submission, the proposed building envelope and footprint for lot L1 is considered to have an adverse impact on the setting of the heritage item due to its bulk, scale and siting.

The owner makes the following recommendations to mitigate the impact:

1. do not rezone precinct L
2. delist No 21 as a Heritage item
3. include no 21 in the rezoning

Option 1 is not feasible as it is understood that the targets for development within the Town Centre would not be met and option 2 is also not feasible as the subject site has been identified as having a level of significance worthy of conservation.

Option 3 is unlikely to have any major benefit in terms of heritage conservation but may be a more equitable solution for the current owners of the place. This option would also have an effect on the feasibility to develop Precinct L as the amalgamation of largely undevelopable land would be required.

In summary, the Heritage Assessment and Impact Statement provides the following recommendations:

1. relocate the western projection of the building on L1 to its eastern side
2. move the western wing from the front to the rear and reduce wing to three levels
3. acquisition of the property by Council for a community use

Option 1 appropriately reduces the impact to the heritage item from the built form of L1. However this scheme is constrained by the current lot boundaries and reduces the feasibility for development as amalgamation of the additional lots is likely to be difficult.

Option 2 is considered to be a sympathetic response as it reduces the impact on views and amenity of the heritage item. The reduction of the height of the western wing from 5 storey to 3 storey would also further reduce the impact but may not be feasible for the redevelopment of the site. The increase of the front setback from 12m to 16m is not considered to be as crucial to the amenity of the item as the relocation of bulk away from the item.

Option 3 would be appropriate in regard to heritage issues and equity for the owners however its feasibility needs to be considered by Council. If the place was to be adaptively reused for

a non-residential purpose then the impacts to the amenity of the place would not be as detrimental to its future conservation.

Council's Urban Design consultants have provided an amended envelope proposal which also increases the FSR of the site from 1.0:1 to 1.3:1. This envelope has considerable impact as a 5 storey wing is located 3m from the boundary of the heritage item. This portion of the item is the main private open space and the impact to the amenity of the place would therefore be considerable. This envelope could be amended by:

- relocate floor space to the front of L1 and decrease the front setback from 16m to 10m;
- increase the setback of the western wing from 3m to at least 9m as this is comparable to the floor space relocated to the front of the building;
- reduce the height of the western wing to three storeys;

This would result in some loss of floor space but would reduce the impact on the setting of the heritage item.

Recommendations:

- The impact on the setting and amenity of the heritage item is important for its future conservation as a disagreeable living environment will potentially reduce the desirability to conserve the place.
- The increase of the front setback on L1 is not considered to be as crucial to the amenity and conservation of the item as the relocation of building mass and bulk away from the adjoining side boundary.
- Where possible development on the individual allotment adjacent to the item should be three storeys.
- It is preferable that the FSR for development on L1 is maintained at the lower ratio of 1.0:1.

Benjamin Pechey
Senior Heritage Consultant
City Plan Heritage

Project:	Gordon Town Centre LEP & DCP
To:	Ku-Ring-Gai
Attention:	Bill Royal
From:	Paul Walter
Date:	23 rd November 2006
Pages:	

URBAN DESIGN REVIEW OF THE PROPOSED DCP CONTROLS FOR PRECINCT H.

1.0 Introduction

The principles underpinning the work in these draft controls are strongly supported. These include increasing density at the transport node; consolidating and expanding an existing mixed use centre (rather than establishing new centres further afield); reinforcing the cross-axis of Pacific Highway and St John Avenue; improving and increasing pedestrian permeability; increasing street activity.

The strategy of allowing the mixed use centre to grow into the streets adjacent to the traffic artery is also supported. Neutral Bay north of Military Road may be considered a precedent in this regard. The permeable network of active retail frontages south of Grosvenor Street has grown incrementally over the last 15 year. It is away from the traffic-noise of Military Road and has a balance between pedestrian and vehicular priority. Retail in the area remains street-oriented rather than focused upon malls, arcades or internalised shopping centres.

It is recognised that the steeply sloping nature of the precinct presents challenges to comfortable pedestrian circulation but also offers significant opportunities including ability to vertically stack large retail plates and provide each with a ground-level street address.

There are many examples of great mixed use precincts around the world located in steep topography where the sloping land, architecture and public domain elements interact for dramatic effect. Examples include Paris' Montmartre, Newcastle's "east end".

2.0 Assessment Criteria

The categories by which the draft has been assessed correspond with the subheadings in Section 4.7.7 Block H Built Form Controls: Desired Future Character; Street Frontages; Site Amalgamation; Building Heights; Building Depth and Separation; Building Setbacks; Noise Attenuation in Residential Buildings: Deep Soil Zones; and Vehicle Access.

2.1 Desired future Character

The desired future character described in this section is strongly supported.

2.2 Vehicle Access (including pedestrian access and circulation)

The 'New Street' is about 12 metres below the level of the Pacific Highway whereas St Johns Lane is only a few metres below the highway on St Johns Avenue (the alignment is somewhat lower on Moree Street). Therefore St Johns Lane presents an important intermediate through-block pedestrian link. This link should have the character of an extension to the public domain network rather than a permitted access through private property.

A further advantage of the St Johns Lane connection is the preservation of corner sites: These being desirable retail locations. The existing section of St Johns Lane is also the only level frontage in the whole precinct away from the Pacific Highway.

The alignment of "New Street" with "possible future public open space" at 22 St Johns Avenue is supported on the grounds that it adds to the legible and permeable pedestrian network.

It is conceivable that the "possible future public open space" at 22 St Johns Avenue could also lead to the permission of public access between the cemetery and church: this could align with St Johns Lane, further adding to the importance of St Johns Lane's in the pedestrian network.

It is noted that the achievement of car park access exclusively from the New Street will require a consolidation pattern and development sequence that see the New Street built

before the car park. If this sequence does not eventuate there may be pressure for vehicle entries elsewhere.

2.3 Street Frontages;

The intention to provide continuous retail and commercial frontages to all sides of blocks H1 and H2 is supported. Further it is suggested that these frontages to Moree Street, New Street, St Johns Avenue and St Johns Lane should be fine grained. Large single retail frontages on these streets should be discouraged. The preferred form is to have many shops or offices that step down the hill. Where a large retail plates exist they may have a "crust" of smaller tenancies facing the street.

The Retention of St Johns Lane presents the opportunity for the eventual development of a two-sided retail lane, with the concentrated activity this implies. Examples of such lanes can be found north of New South Head Road in Double Bay and in Melbourne's CBD.

2.4 Site Amalgamation;

It is noted that the large number of narrow plots in area H1 makes a larger consolidated development unlikely. Further it is noted that these lots are serviced from St Johns Lane in the south and apparently from the council owned land (2 Moree Street) in the north. Presumably this access must be preserved at least until the sites redevelop.

The area H2 requires far fewer lots to achieve the larger development parcels that might make basement car parking and larger-plate retail feasible.

The fragmented ownership of H1 will make the achievement of large plates difficult therefore economical car parks will be difficult to achieve. It may be expedient to make provision for car parking space on H2 to serve users on H1.

2.5 Building Heights;

The steep slope of the site toward the North West has the effect of the increasing the apparent height of the built form when viewed from the west. It is noted that the permitted height in the draft plan steps down toward the west to mitigate this effect. It is also suggested that elevation of the site relative to the surrounds further increases the importance of architectural design excellence.

The western edge of the 8 floor building zone aligns with the block to the north defining a distinct edge to the centre. This edge definition will aid legibility and is supported.

2.6 Building Depth and Separation;

Residential building depth and separation conform to SEPP 65 and are considered appropriate.

Floor space ratio is defined as including the external wall thickness. This definition often produces building designs with thin external walls to maximise saleable floor space. A GFA definition that includes internal floor space and does not count external wall depth permits architectural latitude for thicker walls, preserving development yield while offering environmental benefits such as greater thermal mass, noise attenuation, insulation and aesthetic opportunities such as deep window reveals.

2.7 Building Setbacks;

The proposed building set-backs including lower level boundary building-alignments and 2 metre upper level setbacks are considered appropriate for the town-centre location.

Ground level retail frontages that are on steeply sloping sections of the street may introduce additional building setbacks to permit the introduction of a level terrace in front of the tenancy for use as outdoor dining or display.

2.8 Noise Attenuation in Residential Buildings: Land Use

The mix of land use is generally supported. However, commercial office space may be desirable over the retail frontage to the Pacific Highway. This may include the lower levels of the building above the retail because office space is less affected by noise because it tends to constitute more closed spaces. Also, the tradition exists for small-scale commercial tenants such as dentists or solicitors to occupy such locations. Furthermore such uses tend to offer synergies with the retail uses.

2.9 Deep Soil Zones;

The opportunity exists to create useable communal or private space on the roof of the podium in H2. These spaces may include planting beds upon the structure to integrate

storm water retention and extending greening. Furthermore, where retail podium steps occur the opportunity exists for these spaces to be accessible from retail levels.

3.0 Recommendation

The DCP Controls for precinct H are broadly supported. The objectives for active street-oriented retail and pedestrian permeability are entirely appropriate for the growing town centre. It is considered that these objectives can be furthered with the retention and extension of St Johns Lane. There are some reservations about the delivery of projects because fragmented nature of the land however the significant yield will provide a strong motivation to consolidate and redevelop.

Paul Walter
Director
City Plan Urban Design



NSW GOVERNMENT
Department of Planning

Mr Steven Head
Director, Open Space and Planning
Ku-ring-gai Council
PO Box 1056
PYMBLE NSW 2073

Our ref: S06/00584, 9043170

Dear Steven,

Subject: Gordon and Pymble draft Town Centres Plan

Thank you for providing the exhibited Gordon and Pymble sections of the Ku-ring-gai Town Centres draft Local Environmental Plan. I apologise for the delay in responding.

The main areas for consideration are included in the attachment to this letter. As previously, the Department is happy to meet to clarify any matters you wish to discuss.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Goth'.

Peter Goth
Regional Director, Sydney North West Region

16-11-06

Response on draft Ku-ring-gai Local Environmental Plan – Gordon & Pymble

1. Relevance of matters in Attachment 1 for the St Ives & Turramurra Centres

These matters are relevant for the Gordon and Pymble and the other centres and need to be addressed accordingly; in particular, yield, downzoning and ensuring controls are consistent with the Standard Instrument and do not unnecessarily hinder development.

Summary Requirement: Council is to ensure the matters identified in the *Responses on draft Ku-ring-gai Local Environmental Plan – St Ives and Turramurra* are addressed in the other centres.

2. Section 62 consultation

It is unclear whether Council has received a response to its s62 consultation from the Roads and Traffic Authority and the NSW Heritage Office.

Summary Requirement: Council is requested to inform the Department regarding the results, if any, of this consultation when it has been received.

3. Use of additional business zones

Council introduced two additional zones B4 Zone – Mixed Use and the B5 Zone - Business Development in the Gordon/Pymble dLEP amendment. The uses Council has inserted into these zones are largely those identified in the B2 - Local Centre zone already inserted in to the dLEP. The distinction between the three zones is largely lost through the insertions.

Summary Requirement: The Department requests that Council:

- (a) ensures zones maintain their distinctive uses and that only those zones required are added; and
- (b) ensures the uses specified in the new business/retail zone are carried over from the KPSO.

4. Avoidance of reducing commercial and retail space through changes to zones

(a) Table 1 outlines a number of sites which have changed from business to mixed use. With mixed use there is potential that total business space will be reduced. Also a number of B2 sites exist where the proposed maximum retail or commercial space is less than the existing space available through the KPSO.

Summary Requirement: Council should ensure all zones provide sufficient space for expansion to support commercial and retail uses.

(b) For residential development in the town centres, the rezoning should provide for, at a minimum, the opportunity to achieve FSRs that are available for residential flat building etc under the existing controls. There are a number of sites where this does not seem to have occurred e.g. 2&4 Station Street, 12-14 Park Crescent and 1186-1192 & 1000-1028 Pacific Highway (with land fronting Bloomsbury Avenue), Pymble, block containing 23-35 William Street and 738-748 Pacific Highway, Gordon where in each case, topography does not appear to be the limiting factor.

Summary Requirement: Council needs to ensure the FSR is no less than that already provided and, where appropriate, the FSR should encourage future development on the sites.

5. Schedule 5 Environmental Heritage

The proposed heritage schedule should reflect the items either currently on the KPSO list or those that are subject to new zonings as part of this amendment.

6. Summary Requirement: Council needs to provide the documentation supporting the additions proposed.

7. Height of Buildings

The allotments between Moree Street and St John's Avenue, Gordon included in the Plan are proposed for zone B2. No justification for this proposed rezoning of LEP 194 residential 2(c1) to B2 appears to have been given. This B2 area will be at a distance and not visible from the Pacific Highway. The properties facing St John's Avenue are located along a relatively narrow access street.

A better outcome may be achieved through rezoning properties in the vicinity of the Pacific Highway for business uses, then providing for R4 residential flat buildings along the block to the same depth from the Pacific Highway as on the blocks to the north.

Summary Requirement: Council needs to consider R4 zone opportunities on the block between Moree Street and St John's Avenue, Gordon similar to those available on blocks immediately to the north.

8. Commuter Car Parking

Rail Corp, the RTA and the Department of Transport have identified a number of issues including potential loss of commuter parking, access and circulation in the town centres.

Summary Requirement: Council needs to ensure that these issues are addressed including: the need to maintain publicly available commuter car parking (to at least at current levels) and the need for adequate circulation of public transport.

9. Schedule 1 inclusions

Inclusion of Nos 30, 32, 34 & 36 Henry Street, Gordon is not necessary as these properties are already in B2 and business premises and office premises are permitted uses. This item in the table under Schedule 1 is redundant.

Summary Requirement: Council should remove this item from Schedule 1.

10. Land Zoned RE1

The Department had previously raised the appropriateness of zoning the land marked RE1 in the dLEP (north of the train line at Gordon) and indicated that zone R4 is preferred on that site. If Council wishes to provide active open space on that property, Council needs to provide for the Department's estimate of R4 yield from this site on another property additional to the yield currently present on the replacement site.

Summary Requirement: Council needs to address this issue.

TABLE 1.

GORDON

Sites	Council's exhibited proposed FSR	Comment
Block including 854-924 Pacific Highway, Gordon (previously site "B")		
1. Sub-block including 3-25 Merriwa St, Gordon		
Currently: 3(b)-(B1) Business (Commercial Services) Proposed: B4 Mixed Uses	Total proposed 1.8:1	Currently zoned 3(b)-(B1) with business FSR 1:1. A number of uses will be lost with this change including brothels, bulk stores, bus stations, clubs, commercial centres, light industries, motor showrooms, open space, public buildings and so on. Also as there is no specified commercial floor space, there is potential for the loss of this from this area.
2. 71 Ridge Street, Gordon		
Currently: 3(b)-(B1) Business (Commercial Services) Proposed: B4 Mixed Uses	Total proposed 1.8:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Proposed minimum commercial/retail	0.36:1	This is a reduction from the 1:1 currently available for commercial purposes.
3. 2-8 Ridge Road, Gordon		
Currently: 3(b)-(B1) Business (Commercial Services) Proposed: B4 Mixed Uses	Total proposed 2.5:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Proposed minimum commercial/retail	0.8:1	This is a reduction from the 1:1 currently available for commercial purposes.
4. 900-916 Pacific Highway, Gordon		
Currently: 3(b)-(B1) Business (Commercial Services) Proposed: B4 Mixed Uses	Total proposed 3.0:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Proposed minimum commercial/retail	0.6:1	This is a reduction from the 1:1 currently available for commercial purposes.
5. 880-898 Pacific Highway, Gordon		
Currently: 3(b)-(B1) Business (Commercial Services) Proposed: B4 Mixed Uses	Total proposed 3.0:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Proposed minimum commercial/retail	1.2:1	This is a likely reduction from the 1:1 currently available for commercial purposes as it now includes a commercial/retail mix.
6. 854-870 Pacific Highway, Gordon		
Currently: 3(b)-(B1)	Total	Currently zoned 3(b)-(B1) with business FSR

ATTACHMENT 1

Business (Commercial Services) <u>Proposed:</u> B4 Mixed Uses	proposed 2.5:1	1:1.
Proposed minimum commercial/retail	0.9:1	This is a reduction from the 1:1 currently available for commercial purposes. Also, it now includes a commercial/retail mix.
Block including 854-924 Pacific Highway, Gordon (previously site C'')		
7. 850 Pacific Highway, Gordon		
<u>Currently:</u> 3(b)-(B1) Business (Commercial Services) <u>Proposed:</u> B2 Local Centre	Total proposed 2.1:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Proposed minimum commercial/retail	0.34:1	This is a reduction from the 1:1 currently available for commercial purposes. Also, it now includes a commercial/retail mix.
8. 842-846 Pacific Highway, Gordon		
<u>Currently:</u> 3(b)-(B1) Business (Commercial Services) <u>Proposed:</u> B2 Local Centre	Total proposed 2.0:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Proposed minimum commercial/retail	0.8:1	This is a reduction from the 1:1 currently available for commercial purposes. Also, it now includes a commercial/retail mix.
9. 836 Pacific Highway & 1 McIntyre Street, Gordon		
<u>Currently:</u> 3(b)-(B1) Business (Commercial Services) <u>Proposed:</u> B2 Local Centre	Total proposed 2.0:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Proposed minimum commercial/retail	0.45:1	This is a reduction from the 1:1 currently available for commercial purposes. Also, it now includes a commercial/retail mix.
Block including 810-828 Pacific Highway, Gordon (previously site "E")		
10. 828 & 810 Pacific Highway, Gordon		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local Centre	Total proposed 2.3:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1.
Retail	unspecified	There is potential for downzoning as no minimum retail is specified equal to or greater than 2.0:1. Also, most uses are permitted except those listed in the KPSO (e.g. car repair stations, dwelling houses, industries other than light industries, panel beating, warehouses).
11. 818 Pacific Highway, Gordon		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local	Total proposed 2.3:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1.

ATTACHMENT 1

Centre		
Community	Min 1.5:1	
Retail	unspecified	Of the remaining FSR once the minimum community FSR of 1.8:1 has been taken out, this is a reduction in FSR available for retail uses. Also, proposed permitted uses listed in the KPSO which do not appear to have been carried over to the new zone at present are car repair stations, dwelling houses, industries other than light industries, panel beating, warehouses).
12 Block including 784-802 Pacific Highway, Gordon (previously site "F")		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local Centre	Total proposed 3.4:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1.
Retail	Max 1.7:1 Minimum 1.5:1	This is a reduction from the existing.
Block including 756-780 Pacific Highway, Gordon (previously site "H")		
13. 756-780 Pacific Highway, Gordon		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local Centre	Total proposed 3.4:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1.
Retail	Max retail 1.5:1 Minimum retail 1.3:1	This is a reduction from the existing.
14. 2-12 Moree Street and 21-29 St Johns Avenue, Pacific Highway, Gordon		
<u>Currently:</u> Part residential 2(c2), part 3(a)-(A1) retail. <u>Proposed:</u> B2 Local Centre	Total proposed 2.5:1	The area zoned 3(a)-(A1) has a retail FSR 2.0:1. The other part is residential. It is unlikely that this area would support retail down the block away from the Pacific Highway.
Retail	Minimum 1.45:1 Maximum 1.6:1	This is a reduction from that available under the current 3(a)-(A1) zone.
Narrow block including 799-813 Pacific Highway, Gordon (unnamed, ?previously northern end of "G")		
15. 807-813 Pacific Highway, Gordon		
<u>Currently:</u> 3(b)-(B1) Business (Commercial Services) <u>Proposed:</u> B2 Local Centre	Total proposed FSR 1:1	Currently part zoned 3(b)-(B1) with commercial FSR 1:1.
Commercial	Not given	There is the potential for downzoning commercial uses.
16. 803-805 Pacific Highway, Gordon		
<u>Currently:</u> 3(b)-(B1) Business (Commercial Services) <u>Proposed:</u> B2 Local	Total proposed FSR 1.3:1	Currently part zoned 3(b)-(B1) with commercial FSR 1:1.

ATTACHMENT 1

Centre		
Commercial	Not given	There is the potential for downzoning commercial uses.
17. 799 Pacific Highway & 2 Park Ave, Gordon		
<u>Currently:</u> 3(b)-(B1) Business (Commercial Services) <u>Proposed:</u> B2 Local Centre	Total proposed FSR 2.0:1	Currently part zoned 3(b)-(B1) with commercial FSR 1:1.
Commercial	Not given	There is the potential for downzoning commercial uses.
Narrow block including 725-795 Pacific Highway, Gordon (previously site "G")		
18. 755-795 Pacific Highway, Gordon		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local Centre	Total proposed FSR 2.8:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1
Retail	Proposed Max 1.0:1, minimum 0.8:1	This is a reduction in retail uses.
19. 747-751 Pacific Highway, Gordon		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local Centre	Total proposed FSR 2.5:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1
Retail	Proposed Max 0.7:1, minimum 0.5:1	This is a reduction in retail uses.
20. 737-741 Pacific Highway, Gordon		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local Centre	Total proposed FSR 2.5:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1
Retail	Min 0.8:1	This is a reduction in retail uses.
21. 725-735 Pacific Highway, 1-15A & 2-20 St Johns Ave, Gordon		
<u>Currently:</u> 3(a)-(A1) Business (Retail Services) <u>Proposed:</u> B2 Local Centre	Total proposed FSR 2.5:1	Currently zoned 3(a)-(A1) with retail FSR 2.0:1
Retail	Min 0.8:1	This is a reduction in retail uses.
22. Part block including 30-36 Henry St, Gordon (previously site "J")		
<u>Currently:</u> residential 2(d) (residential flat building etc) <u>Proposed:</u> R4 residential	Total proposed FSR 1.5:1	
Commercial	Minimum 0.25:1	Unlikely to be realised as residential development provides greater returns

ATTACHMENT 1

PYMBLE

Sites	Council's exhibited proposed FSR	Comment
Block including 1134-1224 Pacific Highway, Pymble (previously part site "H")		
1. 1935-1051 Pacific Highway, Pymble		
Currently 3(a)-(A2) Business (Retail Services) <u>Proposed:</u> R4	Existing FSR 1:1	
Retail	None	Area lost from the retail centre under the rezoning.
2. 1 Alma/Grandview Lane, 2,4,6 Park Crescent and heritage sites on Post Office St, Pymble		
<u>Currently</u> various residential zones <u>Proposed:</u> B2	Min 0.8:1	Heritage proposed to have an FSR 0.5:1, The other sites have an FSR for minimum retail/commercial of 0.9:1 and a maximum retail/commercial of 0.9:1 and 1.1:1 (depending on the site). It is unlikely that these minima will encourage any provision of retail or commercial on these sites.
3. Remaining properties in Pymble currently 3(a)-(A2)		
Currently 3(a)-(A2) Business (Retail Services) <u>Proposed:</u> Either B2 or B5	Existing FSR 2:1	
Retail	Either unspecified or is mixed retail/commercial varying from a minimum of 0.5/0.8:1:1 to a maximum of 0.7/1.2:1	This is a reduction in retail uses.
4. Remaining properties in Pymble currently 3(b)-(B1)		
<u>Currently</u> 3(b)-(B1) Business (Commercial Services) <u>Proposed:</u> Either B2 or B5	Existing FSR 1:1	Currently zoned 3(b)-(B1) with business FSR 1:1.
Total FSR	Part 2.0:1, part 2.6:1	Part of that land has been removed. The commercial component is unspecified so it is unclear to what degree commercial uses would be retained.