



**ORDINARY MEETING OF COUNCIL  
TO BE HELD ON TUESDAY, 11 OCTOBER 2005 AT 7.00PM  
LEVEL 3, COUNCIL CHAMBERS**

**A G E N D A**

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

**APOLOGIES**

**DECLARATION OF PECUNIARY 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**

**CONFIRMATION OF MINUTES**

**Minutes of Ordinary Meeting of Council**

File: S02131

Meeting held 20 September 2005

Minutes numbered 381 to 410

**MINUTES FROM THE MAYOR**

## PETITIONS

- PT.1 **Kissing Point Village Green (Sir David Martin Reserve) - Request For Completion Of Dog Off-Lead Area Fencing (Fifty-Three [53] Signatures)** 1

File: S04506

"We, the undersigned ratepayers, request that the Council give favourable consideration to completing the fencing on the fourth side of this area to ensure the safety of both dog and motorist and re-assurance to sporting competitors.

The South Turramurra dog off-lead area is a valuable amenity for the local community.

However, an off-lead area enclosed on three sides only does little to prevent young and excited dogs from escaping onto busy roadways and surrounding sporting fields to the consternation of all".

## GENERAL BUSINESS

- i. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to have a site inspection.*
- ii. *The Mayor to invite Councillors to nominate any item(s) on the Agenda that they wish to adopt in accordance with the officer's recommendation and without debate.*

- GB.1 **19 Fairlawn Avenue, Wahroonga - Demolition of the Existing Dwelling and Construction of a Detached Dual Occupancy** 2

File: DA0487/05

Ward: Wahroonga

Applicant: Mr and Mrs Abbasi, c/- Glendinning Minto and Associates

To determine Development Application No.0487/05, which seeks consent for the demolition of the existing dwelling and the construction of a detached dual occupancy.

### **Recommendation:**

Approval.

GB.2	<b>2 Fiddens Wharf Road, Killara - Demolition of Existing Dwelling Pool and Garage, Construction of Five (5) New Townhouses with Basement Car Parking</b>	<b>46</b>
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File: DA0610/05

Ward: Roseville

**Applicant: Kuna Sivasamy / D & C Consortium P/L**

Owner: Carol M Grant

To determine development application No.610/05, which seeks consent for the demolition of an existing dwelling, swimming pool and garage and the construction of five (5) new townhouses with basement car parking.

**Recommendation:**

Refusal.

GB.3 **49 Telegraph Road, Pymble - Additions and Alterations plus Carport and Driveway** 104

File: DA0642/05

To provide Council with reasons for refusal for development application DA0642/05.

**Recommendation:**

Refusal.

GB.4	<b>Election of Chairpersons/Deputy Chairpersons - 2005 to 2006 - Committees &amp; Advisory Committees</b>	<b>196</b>
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Files: S02080, S02110, S02355, S03447, S03448, S03449, S03816

For Council to give consideration to the election of the Chairpersons/Deputy Chairpersons for Council's Committees & Advisory Committees.

**Recommendation:**

That Council elect the Chairpersons/Deputy Chairpersons for the Committees & the Advisory Committees.

**GB.5 Pecuniary Interest Returns Register 201**

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File: S02167

To table Council's Pecuniary Interest Returns Register in accordance with the Local Government Act.

**Recommendation:**

That the tabling of the Pecuniary Interest Returns Register be noted.

**GB.6 2005 Financial Assistance Grants to Community Groups 203**

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File: S03000

To advise Council of applications received from community groups for financial assistance in 2005, and to recommend to Council subsequent funding allocations.

**Recommendation:**

That Council approve the recommendations in this report for funding community and cultural groups through the Financial Assistance Program.

**GB.7 Ku-ring-gai Access Policy & Disability Discrimination Act Action Plan 2005 to 2009 298**

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File: S02114

To present to Council the Ku-ring-gai Access Policy and Disability Discrimination Act (DDA) Action Plan 2005 - 2009 for formal adoption.

**Recommendation:**

- A. That the Ku-ring-gai Access Policy and Disability Discrimination Act Action Plan 2005 - 2009 be adopted for implementation.
- B. The Ku-ring-gai Access Policy and Disability Discrimination Act (DDA) Action Plan 2005 - 2009 be lodged with the Human Rights and Equal Opportunity Commission.

**GB.8 Parks, Sport and Recreation Reference Group Minutes of Meeting held Thursday, 1 September 2005 325**

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File: S03447

To bring to the attention of the Ordinary Meeting of Council the Minutes from the Parks, Sport and Recreation Reference Group meeting held Thursday 1 September 2005.

**Recommendation:**

That the Minutes of the Parks, Sport and Recreation Reference Group be received and noted.

**GB.9 Ku-ring-gai Centenary 334**

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File: S02646

To provide Council with proposals from the Finance Committee meeting held on 28 September 2005, for projects and events related to Ku-ring-gai's Centenary.

**Recommendation:**

That Council proceeds with the publication of a book detailing 100 years of local government in Ku-ring-gai, commences planning for the events listed in this report, and identifies shortfalls in the 2005/2006 budget at the September Quarterly Review.

**EXTRA REPORTS CIRCULATED AT MEETING**

**BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 14 OF MEETING REGULATION**

**QUESTIONS WITHOUT NOTICE**

**INSPECTIONS COMMITTEE - SETTING OF TIME, DATE AND RENDEZVOUS**

## **CONFIDENTIAL BUSINESS TO BE DEALT WITH IN CLOSED MEETING - PRESS & PUBLIC EXCLUDED**

*The Item listed hereunder is recommended for consideration in Closed Meeting. Press & Public excluded for the reason stated below:*

### **C.1 Staff Matter**

*(Section 10A(2)(a) - Personnel matters concerning particular individuals)*

File: S03001

Report by the General Manager dated 29 September 2005.

Brian Bell  
General Manager

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## **Environmental Planning & Assessment Act 1979 (as amended)**

### **Section 79C**

#### **1. *Matters for consideration - general***

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

##### **a. *The provisions of:***

- i. any environmental planning instrument, and*
- ii. any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and*
- iii. any development control plan, and*
- iv. any matters prescribed by the regulations,*

*that apply to the land to which the development application relates,*

- b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. the suitability of the site for the development,*
- d. any submissions made in accordance with this Act or the regulations,*
- e. the public interest.*

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## PETITION

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### **KISSING POINT VILLAGE GREEN (SIR DAVID MARTIN RESERVE) - REQUEST FOR COMPLETION OF DOG OFF-LEAD AREA FENCING (FIFTY-THREE [53] SIGNATURES)**

"We, the undersigned ratepayers, request that the Council give favourable consideration to completing the fencing on the fourth side of this area to ensure the safety of both dog and motorist and re-assurance to sporting competitors.

The South Turramurra dog off-lead area is a valuable amenity for the local community.

However, an off-lead area enclosed on three sides only does little to prevent young and excited dogs from escaping onto busy roadways and surrounding sporting fields to the consternation of all".

### **RECOMMENDATION**

That the Petition be received and referred to the appropriate officer of Council for attention.

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	19 FAIRLAWN AVENUE, WAHROONGA - DEMOLITION OF THE EXISTING DWELLING AND CONSTRUCTION OF A DETACHED DUAL OCCUPANCY
<b>WARD:</b>	Wahroonga
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	0487/05
<b>SUBJECT LAND:</b>	19 Fairlawn Avenue, Wahroonga
<b>APPLICANT:</b>	Mr and Mrs Abbasi, c/- Glendinning Minto and Associates
<b>OWNER:</b>	Mr and Mrs Abbasi
<b>DESIGNER:</b>	Hans Waldmann and Associates
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2(c)
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	KPSO, Dual Occupancy Code, DCP31 - Access, DCP40 - Waste Management, DCP43 - Car Parking, DCP47 - Water Management
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP53, SEPP55
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	20 May 2005
<b>40 DAY PERIOD EXPIRED:</b>	29 June 2005
<b>PROPOSAL:</b>	Demolition of the existing dwelling and construction of a detached dual occupancy
<b>RECOMMENDATION:</b>	Approval

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**DEVELOPMENT APPLICATION N<sup>o</sup>** 0487/05  
**PREMISES:** 19 FAIRLAWN AVENUE, WAHROONGA  
**PROPOSAL:** DEMOLITION OF THE EXISTING  
DWELLING AND CONSTRUCTION OF A  
DETACHED DUAL OCCUPANCY  
**APPLICANT:** AKRAM ABBASI C/O GLENDINNING  
MINTO AND ASSOCIATES  
**OWNER:** AKRAM ABBASI  
**DESIGNER** HANS WALDMANN AND ASSOCIATES

**PURPOSE FOR REPORT**

To determine Development Application No.0487/05, which seeks consent for the demolition of the existing dwelling and the construction of a detached dual occupancy.

**EXECUTIVE SUMMARY**

- Issues:**
- Visual privacy
  - Car park dimensions
  - Front building line
  - Side setback
  - Rear setback
  - Built-upon area
  - First floor ratio (front dwelling)
  - Rear building height
  - Building envelope (rear dwelling)
  - Soft landscaping
  - Open space provision

**Submissions:** Eleven submissions were received in objection to the development.

**Land & Environment Court Appeal:** Not applicable.

**Recommendation:** Approval.

**HISTORY**

**Site history:**

The site is used for residential purposes. There is no history of the site relevant to the subject development application.

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**Development application history:**

*DA 0487/05*

20/05/05                      DA lodged with Council.  
08/06/05- 22/06/05      Notification period

**THE SITE AND SURROUNDING AREA**

**The site**

Visual character study category:	1945-68
Lot number:	E
DP number:	20324
Heritage affected:	No
Bush fire prone land:	No
Endangered species:	No
Urban bushland:	No
Contaminated land:	No

The subject site comprises Lot E in DP20324 and is known as 19 Fairlawn Avenue, Turramurra. The site is a regular shaped allotment having an area of 1525m<sup>2</sup> and is located on the eastern side of Fairlawn Avenue. The site slopes from west to east, with a fall down to the rear of 970mm.

The subject site consists of a single storey brick and tile dwelling, with attached double garage fronting Fairlawn Avenue. Access is currently provided from the south-western corner of the site.

**Surrounding development:**

The locality consists of both single and two storey dwellings.

**THE PROPOSAL**

The proposal is to demolish the existing structures on site and construct two x two-storey dwellings as a detached dual occupancy. Details of the proposed development are as follows:

**Dwelling 1:**

Dwelling 1 is sited to the front of the property, at a minimum of 9.4 metres from the front boundary. The dwelling is two storeys in height. Parking is provided within a double garage integrated into the front façade of the dwelling. South of the dwelling along the side boundary a driveway is proposed to serve the rear property.

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At ground level the dwelling consists of living room, dining room, family room, kitchen, laundry, bathroom and study. At upper floor level the dwelling consists of four bedrooms (one with ensuite and walk-in-robe), a bathroom and separate toilet. A balcony is also proposed from bedroom 3, located above the garage.

Private open space of 70m<sup>2</sup> is provided to the north and east of the dwelling. Additional open space is also provided to the front of the dwelling adjoining Fairlawn Avenue.

**Dwelling 2:**

Dwelling 2 is sited to the rear of the property, at a minimum distance of 7.5 metres from the rear of Dwelling 1 and set back 3 metres from the property's rear boundary. This dwelling is two storeys in height, however the second storey within a roof element. Access to the dwelling is obtained via a driveway along the south of the site, and parking is provided within a single garage integrated into the dwelling house. A paved turning area has been provided to the front of the garage.

At ground level the dwelling consists of an entry, living/dining room, kitchen, two bedrooms, bathroom and laundry. At upper floor level, the dwelling consists a storage area, bedroom with associated ensuite and walk-in-robe.

Private open space of 77m<sup>2</sup> has been provided to the north and west of the dwelling. An additional paved drying area has been provided to the east of the dwelling.

**CONSULTATION - COMMUNITY**

In accordance with Council's Notifications Policy, owners of surrounding properties were given notice of the application. The following submissions have been received:

1. Tony Mulhearn, 17 Fairlawn Avenue.
2. Darren Bunis, 15 Fairlawn Avenue.
3. P. & M. Howell, 110 Bobbin Head Road, Turramurra.
4. Jeremy Anderson, 16 Fairlawn Avenue.
5. A.K. & B.S. Staveley, 112 Bobbin Head Road.
6. W.N. & A.M. Hartwell, 20 Fairlawn Avenue.
7. P. Selkirk and H. Dartnall, 11 Fairlawn Avenue.
8. Mr Kieran Flynn and Ms Christina Kellick, 25 Fairlawn Avenue.
9. Michael Toal, 14 Fairlawn Avenue.
10. Mr A.V. and Mrs J.D. Noronha, 21 Fairlawn Avenue.
11. L.H. & J.A. Goodison, 18 Fairlawn Avenue.

The submissions raise the following issues:

***The set back from the street alignment and the side and rear setbacks for Dwelling 2 do not comply with the minimum standards.***

These issues are addressed within the report. The front setback for Dwelling 1 and the side and rear boundary setbacks for Dwelling 2 are non-compliant with the provisions of the Dual Occupancy

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Code. However, the non-compliances are not of sufficient weighting to warrant refusal of the application.

***The proposal exceeds the required maximum built upon area by more than 10%. The built upon area is understated in the report.***

This issue is addressed within the report. The built-upon area has been checked and is confirmed as 42%.

***Overshadowing to adjoining properties.***

Shadow diagrams have been provided. Satisfactory and compliant levels of sunlight are received to all neighbouring dwellings, as well as the subject development. This issue is further particularised within the report below.

***Windows of the habitable rooms of adjacent dwellings are within 9 metres of the new development.***

This issue is addressed within the report. Any habitable rooms at ground floor which adjoin existing dwellings will be able to be screened through the provision of fencing and landscaping. There will be no direct habitable room to habitable room relationship, and as such this is not an issue.

***The proposal makes no allowance for landscaping and visual/acoustic/headlight protection along the proposed driveway to the second dwelling. The northern side of No. 17 Fairlawn Avenue is the main living area and bedroom. Without landscaping etc the privacy will be affected by light and noise generated by vehicular activity.***

Vehicular activity to one additional dwelling is not anticipated to be excessive. Light spill into the rear dwelling would only occur if the vehicle was to travel down the driveway, and it would be beneficial for the occupants of this dwelling to know that vehicles were approaching.

With regard to No. 17 Fairlawn Avenue, the dwelling is well removed from the boundary (at some 6.3 metres). Noise and light spill would not be excessive, particular with the placement of a 1.8 metre high boundary fence and tree screening on the development site.

***Provision should be made for protection of the large paperbark tree to the rear of 17 Fairlawn Avenue.***

This issue has been addressed by the provision of an appropriate condition requiring pier and beam construction for Dwelling 2 to protect the paperbark tree (*refer to Condition Nos 49, 50, 58, 60, 61, 64, and 72*).

***The proposal does not comply with the Dual Occupancy Code's minimum soft landscaping requirements.***

This issue is addressed within the report. The total area of soft landscaping marginally fails to comply with Council's Dual Occupancy Code. The non-compliances are not of sufficient weighting to warrant refusal of the application.

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***Private open space is over 35% deficient and the required minimum dimensions have not been complied with.***

This issue is addressed within the report. The total area of private open space fails to comply with Council's Dual Occupancy Code. However, the location, orientation to the north, flat grade of the space provided, and provision for landscaping indicates that this open space will meet the anticipated needs and requirements of the residents.

***The applicant has indicated in the plans that Fairlawn Avenue is kerbed and guttered. This is not the case. Presently any rainwater runoff from the premises goes straight onto the road and is not retained on site nor on the applicant's side of the road. Any increase in surface area will lead to ponding outside 16 Fairlawn Avenue during periods of consistent rainfall.***

Council's Development Engineers have assessed the application and have determined that the proposal, the additional built upon area and resultant stormwater run-off is acceptable.

***At this point in Fairlawn Avenue the street becomes a single lane with a speed hump at the point of 16, 17 and 19 Fairlawn Avenue. The street is not appropriate for the extra residential traffic and visitor parking at this point.***

Council's Development Engineers have assessed the application and have determined that the proposal is acceptable. Conditions of consent will ensure that appropriate measures are taken during construction to avoid all possible safety issues.

***Battle-axe shaped allotments should have a vehicle maneuvering area of 6 metres by 6 metres and a 1 metre landscaping strip on each side. This has not been achieved.***

The application has been assessed by Council's Development Engineers, who consider the proposed access and maneuvering area to be acceptable. The application does provide for a 1.0 metre landscape strip to the southern side. Additionally, there will be the possibility of planting along the frontage, with views of the vehicle maneuvering area obscured.

***The appearance and façade of Dwelling 1 is not in keeping with other properties in the street.***

The dwelling is two storeys in height, which is not inconsistent with the mixed variety of dwellings within Fairlawn Avenue. The dwelling is of quite 'modern' appearance with front porches, however, its design is not such that it is objectionable.

***The proposal does not comply with Council's visual bulk guidelines.***

Visual bulk is addressed within the assessment below (refer building setbacks, building form, built upon area, floor space ratio, height, cut and fill, views).

***The proposal will result in the loss of views (outlook) from neighbouring premises.***

There are no significant views enjoyed by any of these properties (for example to water or similar scenic views). Previously unobstructed views of a leafy rear garden may be interrupted by the new

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Dwelling 2, however, the application provides for ample setbacks and landscaping to retain residential amenity. The details of setbacks and visual bulk are included within the assessment.

***No specific detail of the effect to neighbouring properties to the rear has been shown on the plans. The application only addresses the properties that border to the north and south. The location of adjacent buildings affected by shadows and principal open space areas are required to be shown. The application has disregarded the property to the rear (east) of the site where there is a significant impact.***

Limited detail has been provided with respect to any of the rear dwellings (fronting Bobbin Head Road). No detail was provided on the site analysis plan as to the location of the dwellings, pools, and outdoor living areas of neighbouring rear properties. However, from the Statement of Environment Effects and from the plans provided, there will be no impact upon the neighbouring rear properties.

Shadow diagrams have been provided which indicate the extent of solar impact. This clearly indicates that all neighbouring properties will have satisfactory levels of solar access.

Additionally, the Statement of Environmental Effects makes it clear that the privacy of surrounding neighbours has been considered. Dwelling 2 has been specifically designed to reduce bulk and provide no windows at first floor which look over to the rear.

Further, the development will provide for suitable amounts of landscape along the boundary of the site. This will provide for 'softening' of views of the development from neighbouring properties to the sides and rear.

***One metre contours are not shown.***

Levels have been provided upon the survey plan. Levels have not been provided for the surrounding rear properties, however a site visit and the Statement of Environmental Effects make clear that there will be no impact upon the rear properties.

***Location of services, easements, and stormwater drainage lines are not shown to the rear of House 2, nor is there any treatment for groundwater run off and inundation to the east of the site. There is a fall of approximately 1.2 metres from the front wall of House 2 to the rear boundary.***

There is a fall from the site to the rear of the property and to the properties beyond. Council's Development Engineers have assessed the application and are satisfied that the stormwater can be drained to the street. No drainage is anticipated over the rear of Dwelling 2 and to neighbouring rear properties.

***The location of existing trees is not correctly described, and some trees have been omitted altogether. One tree in the north-eastern corner of the site is wrongly stated as being located in the south-east corner of the neighbouring property.***

Council's Landscape Officers have assessed the application and determined that the landscape plan is satisfactory.

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***The footprints and height of existing structures on site and on adjoining properties within 10 metres of the property are not accurately represented.***

The application has been accompanied by a Survey Plan prepared by a professional Registered Surveyor. As such, it is expected that the survey is accurate.

***Location and height of windows on existing buildings on adjacent property facing the subject site have not been shown.***

The windows of the closest dwellings (Nos 17 and 21 Fairlawn Avenue) have been provided. The nature of Dwelling 2 (with a recessive first floor and no windows facing towards the east) indicates that there will be no privacy impact.

***Proper disabled access has not been shown, especially path widths to House 2.***

The development would enable disabled access to both Dwellings 1 and 2. Both dwellings will be accessed via the driveway.

***If the development is approved, Ku-ring-gai Council is requested to be the certifying authority for building works. The problems encountered by a number of tenants of the current building result from the previous poor workmanship on the current building.***

The provisions of the Environmental Planning and Assessment Act 1979 allow for the applicant to choose their Principal Certifying Authority.

***There is deep concern that the proposal will set a precedent and result in similar proposals in the area.***

The area in question allows for Dual Occupancy housing pursuant to SEPP53. Should any similar developments be proposed in the area they will be subject to a separate development assessment.

## **CONSULTATION - WITHIN COUNCIL**

### **Landscaping**

Council's Landscape and Tree Assessment Officer has commented on the proposal as follows:

*'The proposal is **supported**.*

*The following issues may be addressed through the imposition of conditions.*

#### **Impacts on trees**

*The removal of the existing *Quercus palustris* (Pin Oak) on the southern boundary has addressed the tree protection issues outlined in the previous referral prepared by Geoff Bird.*

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*It is noted that there is also a large and mature Melaleuca species (Paperbark) located in the rear of the property to the south of the site. The proposed House 2 is located approximately 2 – 3 metres from this tree. This distance is considered insufficient to allow strip footings to be laid. The extent of excavation required would have a detrimental impact on this tree. Assessment of the proposed finished levels floor and the existing levels would indicate that this could be resolved through the use of isolated pier footings with supporting beams located above ground. This would minimise the amount of excavation within the root zone of this tree. Further to this all existing ground levels are to be maintained within the vicinity of this tree. Some canopy pruning would also be required.*

*An existing Liquidambar styraciflua (Liquidamber) located on the northern boundary to the front of the site is proposed for retention. This tree has a poor form and is in a fair condition. This tree should be removed.*

*It is further recommended that an arborist be engaged to assess the condition and structure of the existing Eucalyptus saligna (Sydney Blue Gum) located in the north east corner of the site.*

*Other vegetation*

*There is an existing dense screen of Camellias along most of the length of the northern boundary. These should not be impacted on by the proposed works therefore these are to be retained and protected.*

*Landscape Proposal*

*The landscape proposal is considered satisfactory. Changes to the plan are required to address existing vegetation that is to be included as part of the landscape proposal.'*

These conditions are attached as **Condition Nos 45-50, 56-64, 72-74, 80-81.**

**Engineering**

Council's Engineering Assessment Officer has commented on the proposal as follows:

*'In summary the engineering aspects of the application are considered satisfactory by Development Engineers, subject to the imposition of engineering conditions.*

*Site drainage comments*

*I refer to the submitted drainage plans by AFCE Environment & Building (refer Drawing No 353040/C2, Revision A, dated 3/2005). This drainage submission incorporates the following stormwater management facilities and works for the development:*

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- 10,000L's of rainwater re-use tank storage for each dwelling in accordance with BASIX commitments.
- Council's Storage Requirement (DCP47) provided entirely as rainwater re-use (prior to 4 May revision). The storage capacity for Dwelling 1 needs to be increased to comply with DCP47.
- Stormwater piped to the street.
- The concept drainage plan is suitable for DA approval, with required modifications. The drainage plan shall not be stamped at this stage as it is suitable as a concept design only and will require advancement/refinement prior to Construction Certificate issue.

Traffic generation and vehicle access and accommodation arrangements

I refer to the submitted site and floor plans by Hans Waldmann & Associates (refer Job No. 0829, Sheet No. 2 & 3, dated March 2005). This submission incorporates the following accommodation arrangements and traffic access issues:

- The current driveway is to be utilised with a driveway extension to be established for the proposed rear dwelling.
- The proposed off-street car parking dimensions, driveway grades, widths and turning areas comply with AS/NZS 2890.1 (2004) - "Off-street car parking".
- As Fairlawn Ave is relatively quiet, Development Engineers have no objections to vehicles from Dwelling 1 reversing into the road reserve.

Conclusion

Based on the formal engineering assessment, Councils Development Engineer has determined that the proposal is satisfactory for development approval on engineering grounds, subject to the engineering conditions being imposed as shown.'

## STATUTORY PROVISIONS

### State Environmental Planning Policy No. 53

COMPLIANCE TABLE		
Development standards	Proposed	Complies
<b>Allotment size (cl.19(1)(a))</b> • 600m <sup>2</sup> (min)	951.7m <sup>2</sup>	<b>YES</b>
<b>Floor space ratio (cl.19(1)(b))</b> • 0.5:1 (max)	0.43:1	<b>YES</b>
<b>Car parking (cl.20)</b> • Dwelling 1: 2 car spaces (min) (GFA > 150m <sup>2</sup> ) • Dwelling 2: 1 car spaces (min) (GFA < 150m <sup>2</sup> )	Dwelling 1: 2 car spaces  Dwelling 2: 1 car spaces	<b>YES</b>  <b>YES</b>

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**Site analysis (cl.31):**

The documentation submitted with the application is satisfactory with respect to the requirements of Clause 31 and Schedule 5 of SEPP53.

**Streetscape (cl.32(a)):**

Fairlawn Avenue is characterised by a mixture of single and two storey developments. The visual character of the area is between 1945-1968.

Dwelling 1, proposed to be sited to the front of the property, is two storeys in height. This dwelling is proposed to be located a minimum distance of 9.4 metres to the front porch, and 10 metres to the double garage. The existing dwelling is sited at 10.7 metres from the garage to the Fairlawn Avenue boundary.

The dwelling is set back some 4.5 metres from the northern boundary, and some 4.6 metres from the southern boundary. As such, the front of the dwelling will be able to be screened by sufficient amounts of landscaping. Further, the building line of the dwelling is consistent with the dwellings to either side of the property, and incorporates a recessed first floor element.

For the above reasons, the proposed development will not detract from the mixed character of the streetscape and is in accordance with the streetscape provisions of SEPP53.

**Visual privacy (cl.32(b)):**

There are several windows to the first floor levels of both of the proposed dwellings which afford views to neighbouring properties, however none of these windows serve living areas.

The front dwelling incorporates five windows on the northern elevation at first floor. These windows serve bedrooms, bathroom and ensuite. As such, they will not cause a privacy or overlooking issue.

Dwelling 2, to the rear of the section, is provided with two windows at first floor level. One is provided to the ensuite, and the second is provided to the bedroom, facing towards Dwelling 1. Neither of these windows are to high-use living areas and are therefore acceptable.

Both dwellings have otherwise been provided with adequate setbacks to the boundaries of the site which minimise any potential for overlooking of the adjoining sites. At one point dwelling 2 is provided with 2.5 metres setback only, however, the dwelling is sufficiently low in scale to ensure that there will be no impact upon privacy.

**Acoustic privacy (cl.32(b)):**

Areas of 69m<sup>2</sup> and 76m<sup>2</sup> have been provided for outdoor open space to the north and east of proposed Dwelling 1, and to the north and west of Dwelling 2 respectively. Additional open space is available to the west of Dwelling 1, on the Fairlawn Avenue frontage.

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The size and siting of the proposed open space is suitable to ensure no acoustic impact upon neighbouring properties. Landscaping will be possible along the northern boundary to No. 21 Fairlawn Avenue to ensure that the open space areas have limited impact upon acoustic privacy.

For the above reasons, it is unlikely that there will be any adverse impact upon the acoustic privacy of the neighbouring properties.

**Solar access and design for climate (cl.32(c)):**

Solar access to adjoining properties

The extent of overshadowing cast by the proposal is as follows:

9.00am (June 22):

The overshadowing will extend into the adjoining residence at No. 17 Fairlawn Avenue. No windows on the adjoining property will be impacted.

12.00 noon (June 22):

The overshadowing will extend into the adjoining residence at No. 17 Fairlawn Avenue. No windows on the adjoining property will be impacted.

3.00pm (June 22):

The overshadowing will extend into the adjoining residence at No. 17 Fairlawn Avenue and into the adjoining eastern property at No. 112 Bobbin Head Road. The shadow diagram illustrates that no windows on 17 Fairlawn Avenue will be impacted. Shadow will be caused to the property at 112 Bobbin Head Road in the latter part of the day, from around 1:00 onwards. This will fall across the rear swimming pool area of 112 Bobbin Head Road. However, due to the eastern location of 112 Bobbin Head Road, the development will still provide for a minimum of four hours plus sunlight to the swimming pool area.

Solar access to the proposed development

The proposed development receives a compliant 3<sup>+</sup> hours solar access to its internal living areas and private open space areas during the winter solstice.

**Stormwater (cl.32(d)):**

Each dwelling is provided with its own on-site detention storage tank, with stormwater being directed to Fairlawn Avenue. Council's Development Control Engineer does not object to the proposed development in relation to stormwater disposal and has recommended standard conditions.

**Crime prevention (cl.32(e)):**

Both dwellings have vehicular access from Fairlawn Avenue. Dwelling 1 has living areas which will afford viewing of the Fairlawn Avenue access. Residents of both dwellings will also be able to survey visitors from the front doors to the dwellings due to the panel windows alongside the door,

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or through use of 'peepholes'. The layout is therefore satisfactory with respect to Clause 32(e) of SEPP53.

**Accessibility (cl.32(f)):**

Vehicular access is available from Fairlawn Avenue. Both dwellings include suitable garaging. Pedestrian access is available straight to Dwelling 1, whilst Dwelling 2 is accessible by pedestrians via the driveway.

The application therefore meets with the accessibility requirements of Clause 32(f) of SEPP53.

**Waste management (cl.32(g)):**

Conditions have been recommended to achieve compliance with Council's standard waste management requirements.

**Visual bulk (cl.32(h)):**

Both dwellings are two storeys in height. Given the setbacks provided and the layout and orientation of neighbouring development, the proposal is compatible with the characteristic local built environment. Neither dwelling will impact adversely upon the visual amenity of neighbouring properties.

**State Environmental Planning Policy No. 55 – Remediation of Land**

The provisions of SEPP55 require Council to consider the potential for a site to be contaminated. The subject site has a history of residential use and, as such, it is unlikely to contain any contamination and further investigation is not warranted in this case.

**Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River**

The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The application proposes the continued residential use of a site. The application has been assessed by Council's Development Engineers and is considered to be satisfactory.

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**Ku-ring-gai Planning Scheme Ordinance (KPSO)**

<b>COMPLIANCE TABLE</b>		
<b>Development standard</b>	<b>Proposed</b>	<b>Complies</b>
<b>Building height</b> 8m (max)	Dwelling 1: 5.9m to the ceiling of bathroom Dwelling 2: 6.0m to the ceiling of bedroom 1.  The following information is not a statutory control. This information is provided for the benefit of the Councillors:  Height to roof ridge - Dwelling 1: 9.0m Height to roof ridge - Dwelling 2: 7 m Height to eaves line – Dwelling 1: 6m (max) Height to eaves line – Dwelling 2: 5.7m (max)	<b>YES</b> <b>YES</b>
<b>Built-upon area</b> 60% (max)	42%	<b>YES</b>
Notional built-upon area	Dwelling 1: 40% (273/683m <sup>2</sup> ) Dwelling 2: 47.7%(128/268.4m <sup>2</sup> ) (not including access)	

**Aims and objectives for residential zones:**

The development: (i) provides satisfactory levels of solar access & privacy to surrounding properties; (ii) is of a bulk, scale and design, characteristic of the area; (iii) maintains adequate levels of soft landscaping; (iv) provides suitable egress/ingress for vehicles; and (v) maintains the landscape quality of the municipality. Consequently, the aims and objectives for residential development as outlined by Schedule 9 have been satisfied.

**POLICY PROVISIONS**

**Council's Dual Occupancy Development Control Code**

<b>COMPLIANCE TABLE</b>		
<b>Development control</b>	<b>Proposed</b>	<b>Complies</b>
<b>4.2 Streetscape:</b>		
<b>Roof pitch</b>		
• 3m roof height-2 storey (max)	Dwelling 1: 3.1m Dwelling 2: 1.4m	<b>YES</b> <b>YES</b>
• Roof pitch 35 <sup>0</sup> (max)	Dwelling 1: 27 <sup>0</sup> Dwelling 2: 27 <sup>0</sup>	<b>YES</b> <b>YES</b>

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>4.3 Visual and acoustic privacy:</b>		
<b>Visual privacy</b>		
<ul style="list-style-type: none"> <li>Windows to habitable rooms set back 9m from neighbouring windows (min)</li> </ul>	Dwelling 1: 6.3 metres from living area to No. 21 Fairlawn Avenue Dwelling 2: 7.0 metres from north living room window to No. 21 Fairlawn Avenue	<b>NO</b>  <b>NO</b>
<b>4.4 Solar access and design for climate:</b>		
<b>Solar access</b>		
<ul style="list-style-type: none"> <li>Dual occupancy receive 3+ hours of solar access between 9am and 3pm (min)</li> </ul>	Dwelling 1: 3+ hours solar access received Dwelling 2: 3+ hours solar access received	<b>YES</b> <b>YES</b>
<ul style="list-style-type: none"> <li>Neighbouring properties receive 3+ hours of solar access between 9am and 3pm (min)</li> </ul>	All neighbouring properties receive 3+ hours solar access.	<b>YES</b>
<b>Energy efficiency</b>		
<ul style="list-style-type: none"> <li>BASIX energy and water targets</li> </ul>	Dwelling 1: Achieved Dwelling 2: Achieved	<b>YES</b> <b>YES</b>
<b>4.7 Accessibility:</b>		
<b>Vehicular access and car parking dimensions</b>		
<ul style="list-style-type: none"> <li>Dwelling 1: 2 spaces required at 6.2m x 5.4m (min double)</li> </ul>	Dwelling 1: 2 spaces, 6.15m x 5.8m	<b>NO</b>
Dwelling 2: 1 space required at 3.1m x 5.4m	Dwelling 2: 1 space at 3.7m x 5.8m	<b>YES</b>
<b>4.9 Visual bulk:</b>		
<b>Building setbacks</b>		
<ul style="list-style-type: none"> <li>Front building line: Minimum setback: 12.0m</li> </ul>	Dwelling 1: Minimum 9.4m (to balcony and porch)	<b>NO</b>
<ul style="list-style-type: none"> <li>Setbacks between buildings -7m (min)</li> </ul>	8.96m	<b>YES</b>

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<ul style="list-style-type: none"> <li>Side setback:</li> </ul> <p>Ground floor: Dwelling 1: 2.5m Dwelling 2: 2.57m</p> <p>1<sup>st</sup> floor: Dwelling 1: 3.2m Dwelling 2: 3.2m (15% site width)</p> <ul style="list-style-type: none"> <li>Rear detached dual occupancy: minimum setback of 3.0m required.</li> <li>Rear setback: 6.69m (min as 15% average)</li> </ul>	<p>Dwelling 1: 4.5m Dwelling 2: 2.0m (from south)</p> <p>Dwelling 1: 4.2m Dwelling 2: 4.2m</p> <p>2.5m provided to rear, 2.0m provided to south</p> <p>Dwelling 2: 2.5m</p>	<p><b>YES</b> <b>NO</b></p> <p><b>YES</b> <b>YES</b></p> <p><b>NO</b></p> <p><b>NO</b></p>
<ul style="list-style-type: none"> <li>No garages, tennis courts, swimming pools, courtyard walls and other major built elements forward of the building line.</li> </ul>	N/A – none in front of building line.	<b>YES</b>
<b>Building form</b>		
<ul style="list-style-type: none"> <li>Unrelieved wall length: 8m (max – over 4m high)</li> </ul>	Dwelling 1: 6m max (Southern elevation, Dwelling 1)	<b>YES</b>
<ul style="list-style-type: none"> <li>Unrelieved wall length: 12m (max – under 4m high)</li> </ul>	Dwelling 2: 10.8m (Eastern elevation, Dwelling 2)	<b>YES</b>
<ul style="list-style-type: none"> <li>Total building length: 24m (max)</li> </ul>	Dwelling 1: 14.5m Dwelling 2: 14.3m	<b>YES</b> <b>YES</b>
<b>Built-upon area</b>		
<ul style="list-style-type: none"> <li>Total built upon area (max): 40% (2 x 2 storey dwellings)</li> </ul>	42% (401.1m <sup>2</sup> )	<b>NO</b>
<ul style="list-style-type: none"> <li>Notional built-upon area</li> </ul>	Dwelling 1: 40% (273m <sup>2</sup> ) Dwelling 2: 47.7% (128m <sup>2</sup> ) (not including access)	

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Floor space ratio</b> <ul style="list-style-type: none"> <li>FSR (max): 0.5:1</li> </ul>	0.43:1	YES
<ul style="list-style-type: none"> <li>1<sup>st</sup> floor – 40%</li> </ul>	Dwelling 1: 52% Dwelling 2: 27%	NO YES
<b>Height of buildings</b> <ul style="list-style-type: none"> <li>Dwelling fronting street: 8.0m (max)</li> <li>Rear dwelling: 3.6m (max)/overall 7.0m</li> <li>Building envelope: 45<sup>0</sup> from horizontal at any point 3m above boundary</li> <li>Rear Dwelling: : 45<sup>0</sup> from horizontal at any point 1.5m above boundary</li> </ul>	Dwelling 1: 5.9m (to ridge)  Dwelling 2: 5.6m/7.0m to ridge  <b>Dwelling 1</b> North boundary: Complies South boundary: Complies East boundary: Complies West boundary: Complies  <b>Dwelling 2</b> North boundary: Complies South boundary: Infringes through the eaves by 200mm East boundary: Complies West boundary: Complies	YES  NO  YES YES YES YES  YES NO  YES YES
<b>Cut and fill (building works)</b> <ul style="list-style-type: none"> <li>Cut &amp; fill: 900mm &amp; Total 1800mm (max)</li> </ul>	Dwelling 1: 300mm fill Dwelling 2: 700mm fill	YES YES
<b>Section 5: Landscaping &amp; open space</b>		
<b>Total soft landscaping :</b> 60% (min)	58%	NO
Notional soft landscaping:	Dwelling 1: 60% Dwelling 2: 52.3%	
<b>Tree retention and refurbishment</b> <ul style="list-style-type: none"> <li>No. of Trees: 5 (min)</li> </ul>	Adequate trees to be retained and refurbished on site.	YES

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Cut &amp; fill (landscaping)</b> <ul style="list-style-type: none"> <li>Cut &amp; Fill: 900mm &amp; Total 1800mm</li> </ul>	Minor landscaping cut and fill – nothing in excess of 900mm.	<b>YES</b>
<b>Open space provisions</b> <ul style="list-style-type: none"> <li>Area: 100m<sup>2</sup> or 2 x 75m<sup>2</sup> areas (min)</li> <li>Min dimension 5m x 5m (min)</li> <li>Grade: 1 in 8 (max)</li> <li>50% receives 3+ hours solar access (min)</li> </ul>	Dwelling 1: 69.12m <sup>2</sup> (plus front yard) Dwelling 2: 76.5m <sup>2</sup>  Dwelling 1: 11.5mx3.1m Dwelling 2: 9.2m x 4.2m  Dwelling 1: <1 in 8 (4.6 <sup>0</sup> ) Dwelling 2: <1 in 8 (0.5 <sup>0</sup> )  Dwelling 1: At least 50% of open space receives 4 hours solar access Dwelling 2: At least 50% of open space receives 4 hours solar access	<b>NO</b> <b>NO</b>  <b>NO</b> <b>NO</b>  <b>YES</b> <b>YES</b>  <b>YES</b> <b>YES</b>

**Part 4.2 Streetscape:***Visual character*

The proposed development is consistent with the visual character of the area, which comprises a variety of single and two storey dwellings. The development will also maintain the tree dominated streetscape through replenishment of trees along the front boundary.

**Part 4.3 Visual and acoustic privacy:**

- Visual privacy*

The application proposes a setback of 6.3 metres between the ground floor living room of Dwelling 1 and the southern façade of No.21 Fairlawn Avenue. The application also proposes a distance of 7.0 metres between the northern façade of Dwelling 2 and the rear outdoor area of No. 21 Fairlawn Avenue. All of these windows are at ground floor only. With the introduction of landscaping, and fencing to a height of 1.8 metres along this northern boundary there will be no impact upon the visual privacy of No. 21 Fairlawn Avenue.

**Part 4.5 Stormwater and water management:**

Stormwater disposal has been considered by Council's Development Engineers and is considered to be satisfactory, subject to the imposition of appropriate conditions (*refer to Condition No. 32, 36, 37, 38, 39, 55, 75, 78*).

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**Part 4.6 Crime prevention:**

The proposed dwellings will provide adequate pedestrian and vehicular access from Fairlawn Avenue. In addition, the proposed entries at ground floor level allow for a satisfactory level of observation of the dwelling entry areas.

**Part 4.7 Accessibility:**

The car parking dimensions of Dwelling 1 are marginally undersized, at 6.15m x 5.8m rather 6.2m x 5.4m. Council's Development Engineers have been consulted regarding the application and do not consider there to be any issues with the proposed width of the garage. The garaging will still provide for parking for two vehicles.

Safe pedestrian links are available to local facilities from the subject property. Convenient access and parking is available for future residents of the proposed development.

**Part 4.8 Waste management:**

Suitable space exists on the property for the storage of waste management containers.

**Part 4.9 Visual bulk:**

- ***Building setbacks***

Front setback

Council's Dual Occupancy Code requires a minimum front setback of 12.0 metres for a site on the high side of the street. Dwelling 1 is proposed to be sited at 9.4 metres (to the balcony and porch) and 10 metres to the front façade. The existing dwelling is sited at 9.6 metres from the front boundary.

The proposed setback is satisfactory as the proposed dwelling continues to respect the established building line of Fairlawn Avenue. Further, the dwelling is to be located behind the existing building line. The large side setbacks to be provided will also ensure that the dwelling is not excessively dominant in the streetscape.

Side setback

Council's Dual Occupancy Code requires a side setback of 2.57 metres for the ground floor of Dwelling 2. The dwelling has been provided with a setback of 2.0 metres to the southern boundary. Given the continued ability to landscape this setback, and that the first floor will be recessed in at 4.2 metres (to the eaves) at this point, the dwelling will not be unduly prominent or obtrusive when viewed from neighbouring properties. The southern elevation of Dwelling 2 clearly demonstrates the low-scale modest nature of this dwelling.

Rear setback

Council's Dual Occupancy Code requires, for a rear dwelling, a minimum side setback of 3.0 metres on all boundaries. The location of Dwelling 2 provides for a setback of 2.5 metres to 3.0

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metres to the rear. Again, the eastern elevation of Dwelling 2 clearly demonstrates the low-scale nature of this dwelling. It measures a maximum of 3.4 metres from natural ground level to the eave of the ground floor. The first floor is well recessed and will not incorporate any windows or obtrusive visual features. The objective of the policy is to provide for 'softening of views' from neighbouring properties and the street. Even with the change in levels from 19 Fairlawn through to 112 Bobbin Head Road there is still adequate room to allow for planting to soften and break up any view from 112 Bobbin Head Road through to the subject site.

- ***Built upon area***

Council's Dual Occupancy Code requires a total built-upon-area of no more than 40% where two 2-storey buildings are proposed. The proposed development incorporates a total built-upon-area of 42%. The notional built upon area is 40% for Dwelling 1 and 47.7% for Dwelling 2 (not including the access strip).

Whilst future subdivision of the site would result in a slightly higher built upon area for Dwelling 2, the site coverage will still be easily compliant with the provisions of the KPSO, which requires a built-upon area of no more than 60%. Furthermore, the purpose of this control is to require an adequate proportion of the site for stormwater infiltration and soft landscaping. There have been no concerns raised by Council's Development Engineer with respect to stormwater infiltration and, consequently, this is satisfactory. Likewise, an adequate amount of soft landscaping and private open space can be provided on site for amenity purposes.

- ***Floor space ratio***

While the proposal easily conforms with the floor space ratio of 0.5:1, it fails to comply with the maximum first floor ratio of 40% of total floor space. Dwelling 1 proposes a first floor ratio of 52%. Nevertheless, the dwelling relates well to the mixed character of the area (comprising both single storey and two storey dwellings) and, due to the large side setbacks and considerable landscaping provided, will not dominate the streetscape.

- ***Height of building***

Rear dwelling height

Council's Dual Occupancy Code requires, where two detached dwellings are proposed, a height (to the ceiling) of 3.6 metres for the rear dwelling. Dwelling 2 measures 5.6 metres to the uppermost ceiling.

The purpose of this control is to ensure that the relative scale and relationships between buildings are maintained and to afford reasonable solar access to adjoining development.

As can be seen from the elevations provided, Dwelling 2 is low in scale, with the first floor effectively set into the roof. The dwelling complies with the overall height restriction of 7.0 metres. Further, due to the orientation of the property and the recessed first floor, the dwelling will still provide for adequate levels of solar access to neighbouring properties.

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Particular concern was raised by adjoining occupiers as to the lack of minimum rear setback, combined with the height in excess of 3.6 metres, and the natural slope of the land which falls away to 112 Bobbin Head Road. With a standard 1.8 metre high fence and associated landscaping views from the proposed Dwelling 2 into neighbouring 112 Bobbin Head Road will be severely limited. As such, the dwelling will not result in loss of visual amenity. Further, any perceived height and bulk of the dwelling will be limited simply through fencing and landscaping.

Rear dwelling building envelope

Council's Dual Occupancy Code requires that rear detached dwellings not intersect the building height plane projected at an angle of 45° from a height of 1.5 metres on the boundary.

Dwelling 2 includes a slight non-compliance on the southern façade, where the eaves intersect the building height plane. This projection still allows for satisfactory levels of solar access to 17 Fairlawn Avenue. Accordingly, the application is acceptable with regard to the building envelope control.

**Part 5 Landscaping and open space:**

- ***Total soft landscaping***

Council's Dual Occupancy Code requires a total of 60% soft landscaping where two 2-storey buildings are proposed. The development provides for a total of 58% of soft landscaping.

The objective of this requirement is to provide for sufficient canopy trees, reduce impact of impervious surfaces, allow for screen planting, provide for sufficient drainage on site, and fit with surrounding areas. The development will provide for sufficient canopy trees and provides for suitable screening. Further, the development will provide for suitable drainage on site. With suitable planting and fencing the development will also have limited impact upon surrounding properties. As such, it is considered that this minor-non-compliance is acceptable.

- ***Open space provisions***

Council's Dual Occupancy Code requires 100m<sup>2</sup> in private open space for each property, to be of minimum dimensions of 5 metres by 5 metres. The application provides 69m<sup>2</sup> for Dwelling 1 and 76.5m<sup>2</sup> to Dwelling 2. This only includes areas immediately outside living areas, and does not include the area to the front adjoining Fairlawn Avenue. The areas provided are in excess of 5 metres, but are of 3 or 4 metres in depth.

Given the location of the private open space immediately adjoining the living areas, the excellent siting of the private open space to the north of the dwellings, the clear allowance for landscaping and the relatively flat nature of this private open space, these areas are satisfactory, and meet with the requirements of Council's Dual Occupancy Code to meet the anticipated needs and requirements of the future residents.

**Part 9 Managing construction or demolition:**

To be controlled through suitable conditions of consent (*refer to Conditions Nos 7-34, 41, 42, 46, 71*).

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**Development Control Plan 31 – Access**

Matters for assessment under DCP 31 have been taken into account in the assessment of this application against Council's Dual Occupancy Code, and the proposal is acceptable in this regard.

**Development Control Plan 40 – Construction and Demolition Waste Management**

Matters for assessment under DCP 40 have been taken into account in the assessment of this application against Council's Dual Occupancy Code, and the proposal is acceptable in this regard.

**Development Control Plan No. 43 – Car Parking**

Development Control Plan requires a total of two parking spaces for each dwelling. This is superseded by SEPP53, which requires only one space for Dwelling 2. As such, the amount of parking provision is acceptable.

**Development Control Plan 47 – Water Management**

Matters for assessment under DCP 47 have been taken into account in the assessment of this application against Council's Dual Occupancy Code, and the proposal is acceptable in this regard.

**Section 94 Plan**

The development attracts a section 94 contribution of \$19,039.30 which is required to be paid by *Condition No.69*.

**LIKELY IMPACTS**

All likely impacts of the proposal have been assessed elsewhere in this report.

**SUITABILITY OF THE SITE**

The site is suitable for the proposed development.

**ANY SUBMISSIONS**

All submissions received have been considered in the assessment of this application.

**PUBLIC INTEREST**

The approval of the application is considered to be in the public interest.

**ANY OTHER RELEVANT MATTERS CONSIDERATIONS NOT ALREADY ADDRESSED**

There are no other matters for consideration.

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## CONCLUSION

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved.

## RECOMMENDATION:

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, grant development consent to Development Application No. 0487/05 for demolition of the existing structures on site and the construction of a detached dual occupancy development with associated parking and landscaping on land at 19 Fairlawn Avenue, Turramurra, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

1. The development must be carried out in accordance with plans numbered 1 to 4, dated March 2000, lodged 20 May 2005, drawn by Hans Waldmann and Associates, and endorsed with Council's approval stamp, except where amended by the following conditions:
2. All building works shall comply with the Building Code of Australia.
3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
4. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
5. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
6. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
7. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.

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8. HOURS OF WORK: For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

9. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
10. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
11. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
12. To maintain existing ground levels all excavated material shall be removed from the site.
13. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.
14. No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval of the Principal Certifying Authority. Should rock breaking or associated machinery be required, the following details are to be submitted to the Principal Certifying Authority for consideration:
- a. The type and size of machinery proposed.
  - b. The routes of all trucks to convey material to and from the site.
  - c. A report by a Geotechnical Engineer detailing the measures recommended in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.
15. With regard to the proposed rock breaking the following conditions are to be observed:
- a. The Geotechnical Engineer shall supervise the works in progress.
  - b. A dilapidation report on adjoining or nearby properties shall be prepared prior to any excavation, rock breaking, or associated work commencing and shall be submitted to the Principal Certifying Authority.

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- c. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
  - d. All material removed from or imported to the site shall be loaded, unloaded or conveyed in such a manner that will minimise nuisance. Trucks shall be covered and site controls shall include shaker grids at the exits of the site. All materials falling to any part of the road or footpath or any public place shall be immediately cleaned up.
16. For the purpose of maintaining visual amenity, no permanent electricity supply poles are to be erected forward of the building setback without the prior Consent of Council. It is the onus of the applicant to consult with the authorised statutory electricity provider prior to construction commencing to ensure that direct connection to the building is possible. Details of any proposed permanent pole must be submitted to and approved by Council prior to installation.
17. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
18. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
19. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
- a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- In this clause, allotment of land includes a public road and any other public place.
20. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

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21. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and Public Holidays. Furthermore, the operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measure at the nearest adjoining boundary.
22. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
23. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
24. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
25. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.

26. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
27. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
  - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
    - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
    - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
  - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other

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matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.

28. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
29. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
30. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - a. stating that unauthorised entry to the work site is prohibited, and
  - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- a. building work carried out inside an existing building, or
  - b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
31. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling.
32. To preserve and enhance the natural environment, all soil erosion and sediment control structures shall be inspected following each storm event and any necessary maintenance work shall be undertaken to ensure their continued proper operation. Sediment shall be removed from the soil erosion and sediment control structures when no more than forty percent (40%) capacity has been reached. These structures shall continue in proper operation until all development activities have been completed and the site fully stabilised.
33. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
34. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
35. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.

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36. Stormwater runoff from all new impervious areas and subsoil drainage systems must be piped to the street drainage system and generally in accordance with the submitted concept drainage plans by AFCE Environment & Building (refer Drawing No 353040/C2, Revision A, dated 3/2005). *New* drainage line connections to the street drainage system must conform and comply with the requirements described in sections 5.3 and 5.4 of Ku-ring-gai Council Water Management Development Control Plan 47. The Applicants attention is directed to the requirements for obtaining a *Road Opening Permit* for excavating in the road reserve.
37. A mandatory rainwater retention and re-use system comprising storage tanks and ancillary plumbing must be provided for the development. The (minimum) total storage volume of the rainwater tank system, and the prescribed re-use of the water on site, must satisfy all relevant BASIX commitments and the requirements specified in chapter 6 of Ku-ring-gai Council Water Management Development Control Plan 47 (DCP47 – prior to 4 May 2005 revision).
38. For stormwater control a 200mm wide grated drain with heavy duty removable galvanized grates is to be located **within** the property at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.
39. To control surface runoff all new exposed impervious areas graded towards adjacent property and/or habitable areas are to be drained via the main drainage system. This may require the installation of suitable inlets pits, cut-off structures (e.g. kerb), and/or barriers that direct such runoff to the formal drainage system. Details for such measures shall be shown on the approved Construction Certificate issue drawings, to the satisfaction of the Principal Certifying Authority.
40. Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services at the appropriate stage of the development (including water, phone, gas and the like). Council accepts no responsibility whatsoever for any matter arising from its approval of this application involving any influence upon utility services provided by another authority.
41. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials and plant must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained**

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**across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

42. The provision of temporary sediment and erosion control facilities and measures must be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
43. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with the minimum requirements of Australian Standard 2890.1 (2004) "Off-Street car parking".
44. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. The Applicant is to refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
45. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council's Tree Preservation Order) without prior written consent of Council is prohibited.  
  
Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.
46. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
47. The property shall support a minimum number of 5 trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, in accordance with Council's policy of Tree Retention/Replenishment on Residential Allotments adopted 26 April 1988. The existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan.

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48. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
49. To protect the following trees, no strip footings or change to natural ground level may occur within the radius specified below.

Tree/Location	Radius From Trunk
<i>Melaleuca species</i> (Paperbark)	7

50. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following stages of work. Documentary evidence of compliance with this condition shall be submitted to Council with the final Certificate of Compliance.

Tree/Location  
*Melaleuca species* (Paperbark)

Time of inspections  
Prior to commence of works  
During excavation for isolated pier footings within 7 metres of this tree.  
After completion of works.  
To supervise any canopy or root pruning necessary.

51. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A  
CONSTRUCTION CERTIFICATE**

52. Prior to issue of the Construction Certificate, driveway and associated footpath levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Ku-ring-gai Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings" or as specified by Council. Specifications are issued with alignment levels after completing the necessary application form at Customer Services and payment of the assessment fee. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

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**Approval of this Development Application is for works wholly within the property. DA consent does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the Development application plans.** The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways *inside* the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels. The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations.

53. Prior to issue of the Construction Certificate and prior to commencement of any works that may be subject to erosion, the applicant must submit, for approval by the Principal Certifying Authority, a Soil and Erosion Control Plan prepared in accordance with the Landcom document "*Managing Urban Stormwater – Soils and Construction, Volume 1*" (2004). A qualified and experienced civil/environmental engineer shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management Development Control Plan 47.
54. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:
  - Exact location and reduced level of discharge point to the public drainage system.
  - Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).
  - Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems. Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
  - Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the BASIX commitments.
  - Details of any required **on-site detention** tanks required under Ku-ring-gai Council Water Management DCP 47 including dimensions, materials, locations, orifice and discharge control pit details as required (refer chapter 6 and appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements).

The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 (prior to 4 May 2005 revision), Australian Standards 3500.2 and 3500.3 - *Plumbing and Drainage Code* and the BCA. The plans may be generally based on the concept drainage plans by AFCE Environment & Building (refer Drawing No

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353040/C2, Revision A, dated 3/2005) submitted for Development Application approval, which are to be advanced as necessary for construction issue purposes.

55. Prior to issue of the Construction Certificate the submitted concept drainage plans by AFCE Environment & Building (refer Drawing No 353040/C2, Revision A, dated 3/2005) must be revised and submitted to the Principal Certifying Authority for approval. The amendments must be undertaken by qualified persons and must address at least the following issue:

- Site storage capacity for House 1, increased to comply with Section 6.7 from Council's Water Management DCP47 (prior to 4 May 2005 revision).

56. Landscape works shall be carried out in accordance with Landscape Drawing No 16491 prepared by Precinct Landscapes and dated 29 April 2005 submitted with the Development Application, except as amended by the following:

All existing Camellia species along the side boundaries are to be retained. These are to be shown on the landscape plan. Where there are gaps in the existing vegetative screen, plants capable of reaching a minimum height of 5 metres are to be allocated.

57. Planting along the eastern site boundary is to consist of some screen plant species capable of attaining a minimum height of 5 metres.
58. Canopy and/or root pruning of the following tree/s which is necessary to accommodate the approved building works shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate:

Tree/Location

*Melaleuca species* (Paperbark)

59. Tree roots between 10mm and 50mm diameter, severed during excavation, shall be cut cleanly by hand and the tree subsequently treated with a root growth hormone and wetting agent, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.
60. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

Tree/Location

*Melaleuca species* (Paperbark)

Radius From Trunk

7

61. All excavation carried out within the specified radius of the trunk/s of the following tree/s shall be hand dug:

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Tree/Location	Radius From Trunk
<i>Melaleuca species</i> (Paperbark)	7

62. The Construction Certificate shall not be released until a Site Management Plan is submitted to the Principal Certifying Authority and approved by a suitably qualified professional.

The plan shall indicate the planned phases of the construction work, erosion and drainage management, tree protection measures, areas nominated for storing materials, site access and where vehicle parking is proposed, during construction.

63. A CASH BOND/BANK GUARANTEE of \$3000 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

Fifty percent (50%) of the this bond will be refunded upon issue of the final Certificate of Compliance, where landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after issue of the building certificate, where landscape works has been satisfactorily established and maintained.

It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.

64. To preserve the following tree/s, footings of the proposed shall be isolated pier or pier and beam construction within the specified radius of the trunk/s. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to The Principal Certifying Authority and be approved by a fully qualified Consulting Arborist prior to release of the Construction Certificate.

Tree/Location	Radius in Metres
<i>Melaleuca species</i> (Paperbark)	7m

65. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

66. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit

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the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

67. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
68. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
69. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

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**TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF 1 ADDITIONAL LARGE DWELLING IS CURRENTLY \$19,039.30.** The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 30 June 2004, calculated for additional person as follows:

1. Community Facilities	\$1,117.76
2. Park Acquisition and Embellishment Works - Turramurra/Warrawee	\$4,723.00
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

To obtain the total contribution figure the following table of occupancy rates is to be used:

## OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

Small dwelling (under 75sqm)	1.27 persons
Medium dwelling (75 - under 110sqm)	1.78 persons
Large dwelling (110 – under 150sqm)	2.56 persons
Very Large dwelling (150sqm or more)	3.48 persons
New Lot	3.48 persons
SEPP (Seniors Living) Dwelling	1.3 persons

## CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

70. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.
71. Prior to the commencement of any works on site the applicant must submit to Ku-ring-gai Council and the Principal Certifying Authority a photographic record on the visible condition of the existing public infrastructure **over the full site frontage** (in colour - preferably saved to cd-rom in 'jpg' format). The photos must include detail of:
  - The existing footpath
  - The existing kerb and gutter
  - The existing full road surface between the opposite kerb
  - The existing verge area
  - The existing driveway and layback where to be retained

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- Any existing drainage infrastructure including pits, lintels, grates.

Particular attention must be paid to accurately recording any pre-developed *damaged* areas on the aforementioned infrastructure so that Council is fully informed when assessing damage to public infrastructure caused as a result of the development (which is not to be repaired by the Applicant as part of the development). The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated under the requirements of this condition prior to the commencement of any works.

72. To preserve the following tree/s, no work shall commence until the trunk/s are protected by the placement of 2.0 metre lengths of 50 x 100mm hardwood timbers spaced at 150mm centres and secured by 2mm wire at 300mm spacings. The trunk protection shall be maintained intact until the completion of all work on site. Any damage to the tree/s shall be treated immediately by an experienced Horticulturist/Arborist, with minimum qualification of Horticulture Certificate or Tree Surgery Certificate and a report detailing the works carried out shall be submitted to the Principal Certifying Authority:

Tree/Location	Radius From Trunk
<i>Melaleuca species</i> (Paperbark)	2 metres
<i>Eucalyptus saligna</i> (Sydney Blue Gum)	5 metres

73. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
74. Upon completion of the installation of the required tree protection measures you are required to contact the principal certifying authority to arrange an inspection of the site. Following the carrying out of a satisfactory inspection compliance with any other conditions of approval, work may commence.

### CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

75. Prior to issue of the Occupation Certificate the following must be provided to Council (attention Development Engineer):
  - A copy of the approved Construction Certificate stormwater detention/retention design for the site, and
  - A copy of any works-as-executed drawings required under this consent
  - The Engineer's certification of the as-built system.

This condition is required so Council may maintain its database of as-constructed on-site stormwater detention/retention systems, and applies particularly where the appointed Principal Certifying Authority (PCA) is not Ku-ring-gai Council.

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76. Prior to issue of the Occupation Certificate any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council Engineers at no cost to Council.
77. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority.
78. Prior to issue of the Occupation Certificate a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on the site inspection for approval to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:
- That the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans.
  - That the minimum retention and on-site detention storage volume (if required) requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 (prior to 4 May 2005 revision) respectively, have been achieved in full.
  - That retained water is connected and available for uses including all toilet flushing, laundry and garden irrigation.
  - That subsoil areas are able to drain via a sump system installed in accordance with AS3500.3
  - That all grates potentially accessible by children are secured.
  - That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
  - All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.
  - The following certification sheets **must be accurately completed and attached** to the certification:
    - Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
    - On-site detention (if required) certification sheet contained at appendix 4 of Water Management DCP 47.
79. Prior to issue of the Occupation Certificate a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:
- As built (reduced) surface and invert levels for all drainage pits.
  - Gradients of drainage lines, materials and dimensions.
  - As built (reduced) level(s) at the approved point of discharge to the public drainage system.

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- As built location and internal dimensions of all detention (if required) and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site.
- The achieved storage volumes of the installed retention and detention (if required) storages and derivative calculations.
- As built locations of all access pits and grates in the detention (if required) and retention system(s), including dimensions.
- The size of the orifice or control fitted to any on-site detention system.
- Dimensions of the discharge control pit and access grates.
- The maximum depth of storage possible over the outlet control.
- Top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of any on-site detention system.

The WAE plan(s) must show the as-built details above in comparison to those shown on the drainage plans approved with the Construction Certificate prior to commencement of works. All relevant levels and details indicated must be marked **in red** on a copy of the Principal Certifying Authority stamped construction certificate stormwater plans.

80. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.
81. On completion of the LANDSCAPE WORKS/TREE PLANTING OR SCREEN PLANTING, a Landscape Architect or qualified Landscape Designer shall submit a report certifying correct installation, faithful to the landscape plan to the Principal Certifying Authority with a copy to Council, prior to issue of the Occupation Certificate.

Kerrin Lithgow  
**Executive Assessment Officer**

Matthew Prendergast  
**Manager**  
**Development Assessment Services**

Mark Leotta  
**Team Leader**  
**Development Assessment – Team North**

Michael Miocic  
**Director**  
**Development and Regulation**

**Attachments:**

- Site Location Plan - 539587**
- Site Plan - 539590**
- Elevations – 539593**
- Shadows - 539594**
- Landscape Plan – 539601**
- Confidential floor plans**

# LOCATION SKETCH

19 Fairlawn Avenue, TURRAMURRA NSW  
DEVELOPMENT APPLICATION No 0847/05



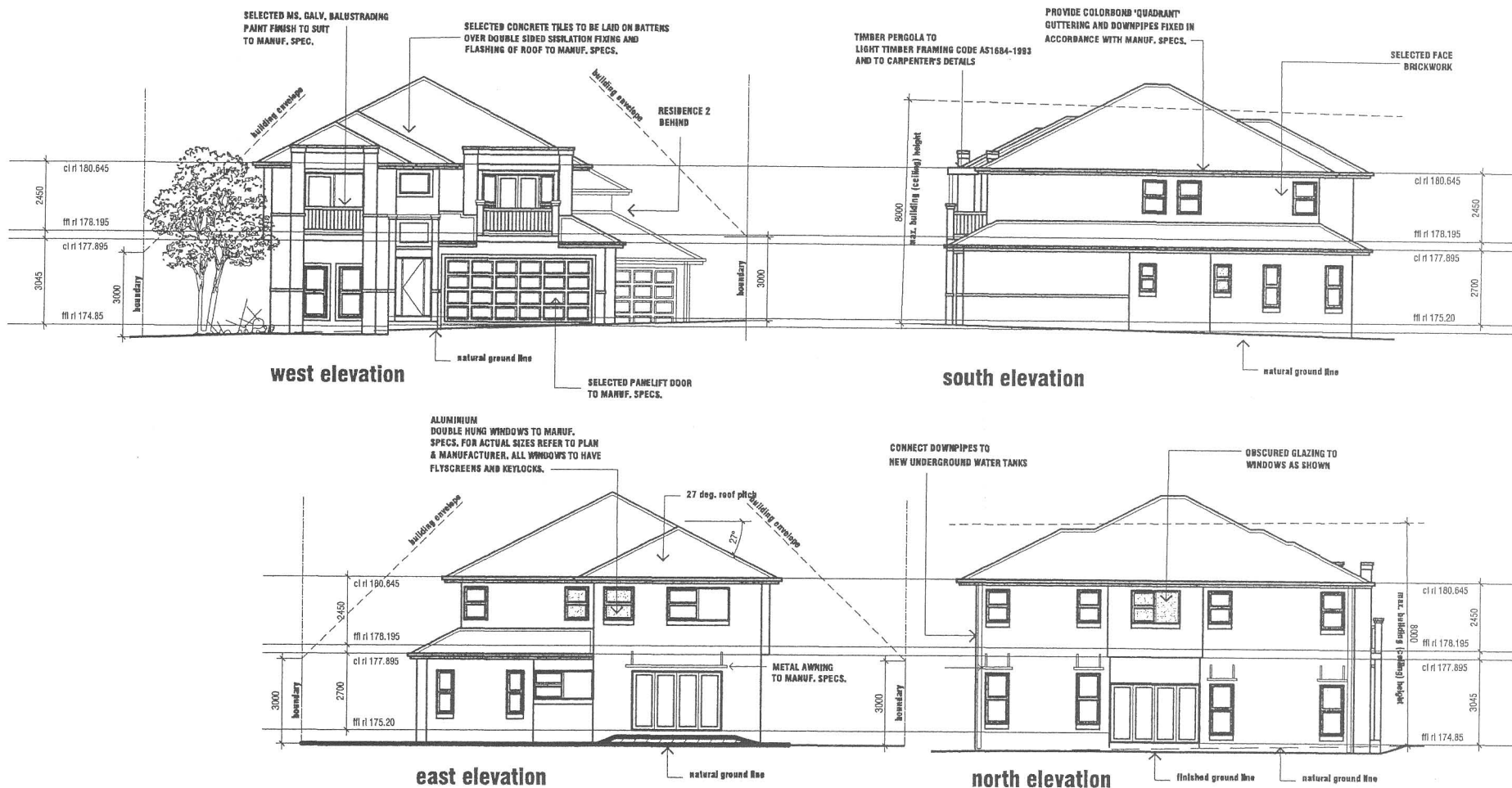
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23-09-2005

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|--|--------------|--|-----------------|
|  | AGREEMENT    |  | PETITION        |
|  | OBJECTION    |  | SUBMISSION      |
|  | SUBJECT LAND |  | CIRCULATED AREA |







BUILDER TO CHECK ALL DIMENSIONS BEFORE CONSTRUCTION.  
FLOOR LEVELS SHOWN ARE FOR CONSTRUCTION USE ONLY AND  
MAY VARY ACCORDING TO SITE CONDITIONS.  
ALL STRUCTURAL SIZES TO ENGINEER'S DETAILS.  
DO NOT SCALE DRAWING. IF IN DOUBT - ASK.

THIS PLAN IS THE EXCLUSIVE PROPERTY OF HANS WALDMANN  
& ASSOCIATES PTY. LTD. AND MUST NOT BE USED,  
REPRODUCED OR COPIED WHOLLY OR IN PART IN ANY WAY  
WITHOUT THE WRITTEN PERMISSION OF THE COMPANY.



house 1

NO.	DATE	COMMENT

HANS WALDMANN  
AND ASSOCIATES  
BUILDING DESIGN CONSULTANTS

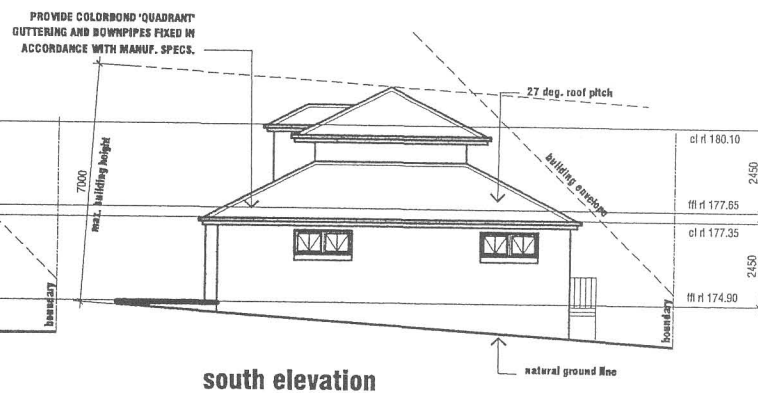
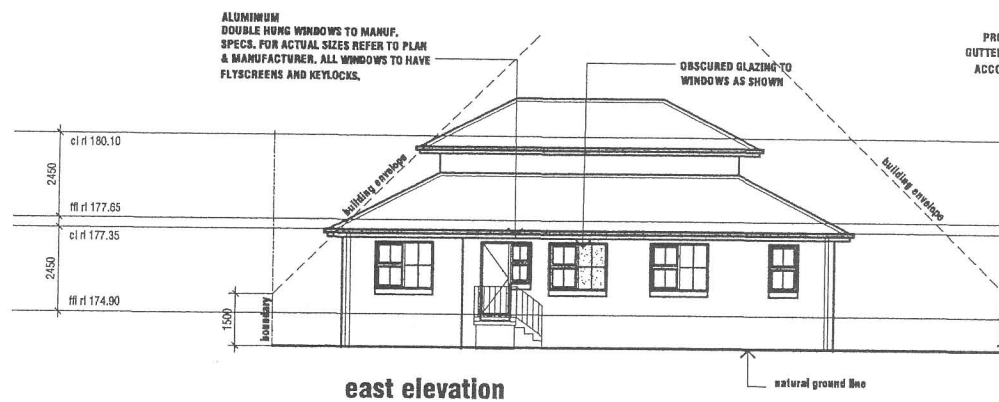
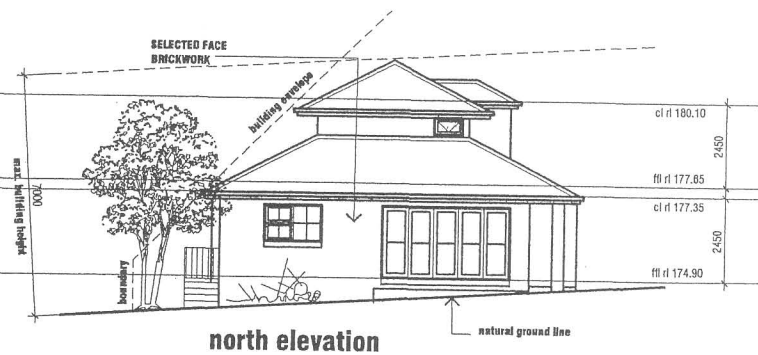
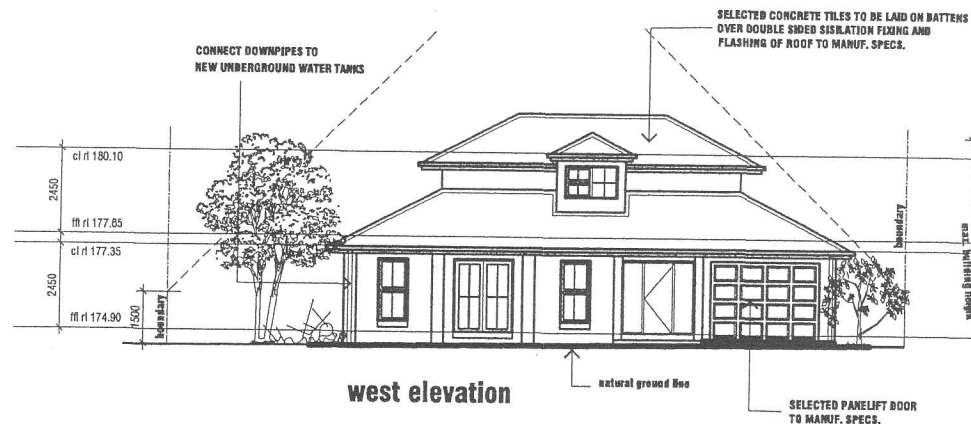
HANS WALDMANN AND ASSOCIATES PTY LIMITED  
A.C.N. 301 445 773  
3/300 PENHANT HILLS RD. PENHANT HILLS 3120  
TELEPHONE (03) 9475 4360 FACSIMILE (03) 9475 1979

DUAL OCCUPANCY DEVELOPMENT  
19 FAIRLAWN AVE  
TURRAMURRA

1 : 100  
MAR. 2005

P.V.  
sheet 2 of 4

0829



BUILDER TO CHECK ALL DIMENSIONS BEFORE CONSTRUCTION.  
FLOOR LEVELS SHOWN ARE FOR CONSTRUCTION USE ONLY AND  
MAY VARY ACCORDING TO SITE CONDITIONS.  
ALL STRUCTURAL SIZES TO ENGINEERS DETAILS.  
DO NOT SCALE DRAWING, IF IN DOUBT - ASK.

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house 2

NO.	DATE	COMMENT

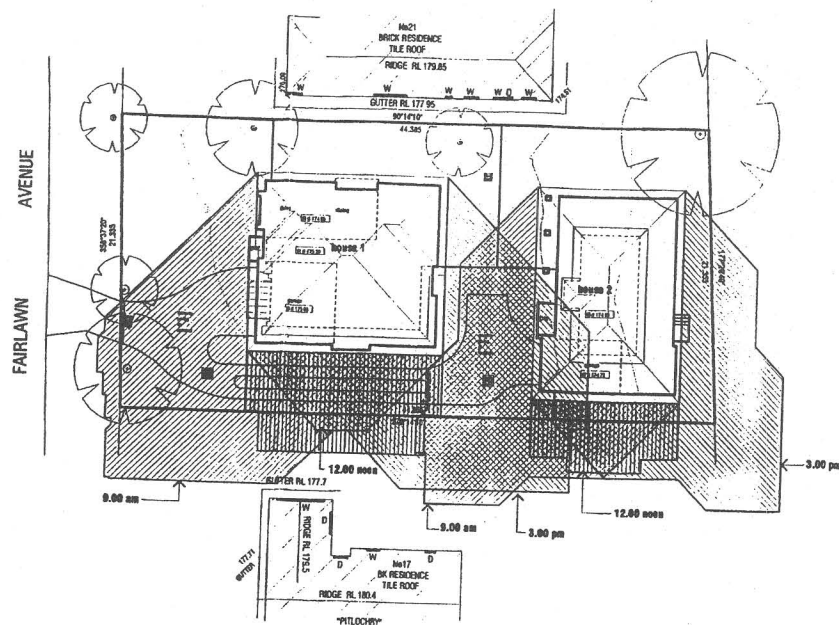
HANS WALDMANN  
AND ASSOCIATES  
BUILDING DESIGN CONSULTANTS

HANS WALDMANN AND ASSOCIATES PTY LIMITED  
A.C.N. 101 445 772  
3/380 PENNANT HILLS RD. PENNANT HILLS 2120  
TELEPHONE (02) 9675 4388 FACSIMILE (02) 9675 1978

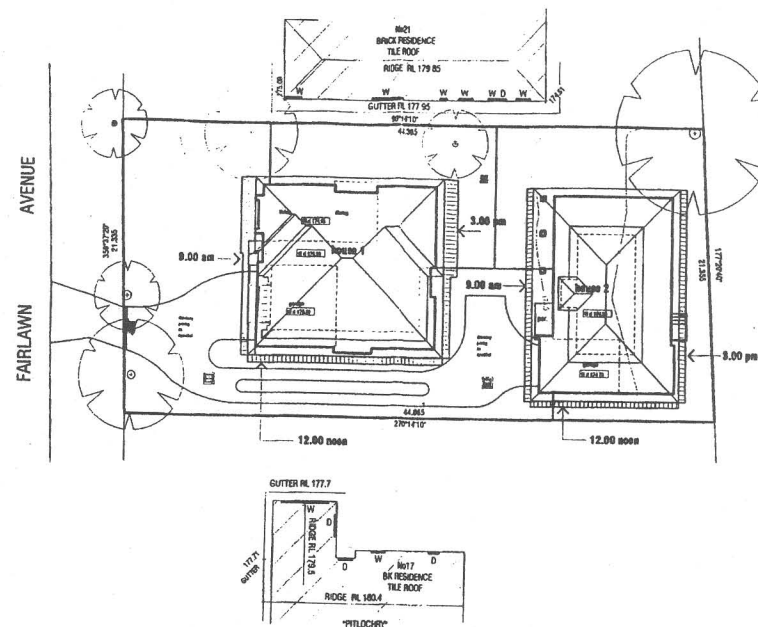
DUAL OCCUPANCY DEVELOPMENT  
19 FAIRLAWN AVE  
TURRAMURRA

1 : 100 P.V.  
MAR. 2005 sheet 3 of 4

0829



**Shadow Diagrams  
- June 22nd**



**Shadow Diagrams  
- December 22nd**



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## Shadow Diagrams

NO.	DATE	COMMENT

**HANS WALDMANN  
AND ASSOCIATES**  
BUILDING DESIGN CONSULTANTS

HANS WALDMANN AND ASSOCIATES PTY LIMITED  
A.C.N. 801 445 772  
3/200 PERMANENT HILLS RD., PERMANENT HILLS 2130  
TELEPHONE (02) 8675 4200 FACSIMILE (02) 8675 1879

DUAL OCCUPANCY DEVELOPMENT  
19 FAIRLAWN AVE  
TURRAMURRA

1:200  
MAR. 2005

A.J.P.  
sheet 4 of 4

0829



1. TAPROOT ONLY, LITTLE LATERAL ROOTS

2. TAPROOT BEGINS TO BRANCH

3. TAPROOT BEGINS TO BRANCH MORE EXTENSIVELY

4. TAPROOT BEGINS TO BRANCH INTO A DENSE NETWORK OF ROOTS

5. TAPROOT BEGINS TO BRANCH INTO A VERY DENSE NETWORK OF ROOTS

FOR 25 LIVES AND GREATER PLANT COMPLEMENTS, RECOVER CULTIVATED TERRITORY IN NORTH OF CANADIAN PACIFIC

2: GRAVEL MULCH / TURF

[illegible]

**DRAWING No 1649-1**

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	2 FIDDENS WHARF ROAD, KILLARA - DEMOLITION OF EXISTING DWELLING POOL AND GARAGE AND CONSTRUCTION OF FIVE (5) NEW TOWNHOUSES WITH BASEMENT CARPARKING
<b>WARD:</b>	Roseville
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	610/05
<b>SUBJECT LAND:</b>	2 Fiddens Wharf Road, Killara
<b>APPLICANT:</b>	Kuna Sivasamy / D & C Consortium P/L
<b>OWNER:</b>	Carol M Grant
<b>DESIGNER:</b>	Kuna Sivasamy / D & C Consortium P/L
<b>PRESENT USE:</b>	Residential dwelling
<b>ZONING:</b>	2(d3)
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	KPSO - LEP 194, LEP 200, DCP 31 - Access, DCP 40 - Waste Management, DCP 43 - Car Parking, DCP 47 - Water Management, Contaminated Land Policy
<b>COMPLIANCE WITH CODES/POLICIES:</b>	No (KPSO, DCP 55)
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP 55, SEPP 65, SEPP 1
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	No (SEPP 55, SEPP 65, SEPP 1)
<b>DATE LODGED:</b>	17 June 2005
<b>40 DAY PERIOD EXPIRED:</b>	27 July 2005
<b>PROPOSAL:</b>	Demolition of existing dwelling pool and garage and construction of five (5) new townhouses with basement car parking.
<b>RECOMMENDATION:</b>	Refusal

Item 2

**DEVELOPMENT APPLICATION N<sup>o</sup>** 610/05  
**PREMISES:** 2 FIDDENS WHARF ROAD, KILLARA  
**PROPOSAL:** DEMOLITION OF EXISTING DWELLING  
POOL AND GARAGE AND  
CONSTRUCTION OF FIVE (5) NEW  
TOWNHOUSES WITH BASEMENT  
CARPARKING  
**APPLICANT:** KUNA SIVASAMY / D & C CONSORTIUM  
P/L  
**OWNER:** CAROL M GRANT  
**DESIGNER** KUNA SIVASAMY / D & C CONSORTIUM  
P/L

**PURPOSE FOR REPORT**

To determine development application No.610/05, which seeks consent for the demolition of an existing dwelling, swimming pool and garage and the construction of five (5) new townhouses with basement carparking.

**EXECUTIVE SUMMARY**

**Issues:**

- Loss of privacy.
- No SEPP 1 for setback non-compliance to the rear boundary (transition with land zoned Residential 2d).
- No SEPP 1 for setback non-compliance to the western boundary (transition with land zoned Residential 2c2).
- SEPP 1 for setback to the eastern boundary (transition with land zoned Residential 2d) not well founded.
- Non-compliance with deep soil standard (no SEPP 1 submitted).
- Setback and articulation to street inadequate.
- Solar access and energy efficiency unsatisfactory.
- Lack of transition within streetscape.
- Vehicular access inadequate.
- Impact on liquidambar on neighbouring property.
- Inadequate information in respect of contamination (SEPP 55), accessibility, stormwater.

**Submissions:** Fifteen (15) submissions received

**Land and Environment Court:** No appeal lodged

**Recommendation:** Refusal

**HISTORY**

Item 2

**Site history:**

The site is used for residential purposes. There is no history of the site relevant to this application.

**Development application history:**

***DA 610/05***

23 March 2005

Pre-development application consultation held between Council officers and applicants. Particular concern was raised about privacy to the west. It was strongly recommended that the rear townhouse be deleted, and that the other four townhouses be re-oriented to provide living spaces and private open space in the front and rear.

The meeting also included discussion of the following requirements:

- SEPP 1 for any non-compliances with KPSO standards, ie. zone interface to three boundaries and height;
- Provisions of DCP 47 in regard to stormwater management;
- Report on potential contamination, having regard to SEPP 55, demonstrating that the site is suitable for the proposed development;
- Strict compliance with 40% deep soil landscaping zone;
- Compliance with street setback controls in DCP 55;
- Maintenance of existing ground levels at the boundary;
- Front and side setbacks to be communal space;
- Solar access in accordance with SEPP 65;
- Accessibility, in particular, the need for a lift from the carpark to the units;
- Pathways on side boundaries to allow substantial screen planting on sides, including medium trees and beside driveway if located in the side setback;
- Geotechnical report in regard to excavation;
- Vehicular access and car parking to meet AS 2890.1 (2004)- "Off Street Car Parking".

26 & 29 April 2005

Options for screening devices for privacy submitted.

17 June 2005

Development application lodged with Council.

21 June 2005

Statement of Environmental Effects submitted.

21 June 2005

"Stop the Clock" request from Council for a drainage plan to address water re-use.

29 June – 29 July 2005

Notification period. 15 Submissions received, including one petition.

Item 2

15 July 2005	Amended concept stormwater plan submitted.
5 August 2005	Meeting requested for update on DA progress.
5 August 2005	Email to the applicant reporting progress on the DA sent. It was noted that an Access Report is still outstanding.
20 August 2005	Correspondence to applicant recommending withdrawal of application, due to the unsatisfactory nature of the application.

## THE SITE AND SURROUNDING AREA

### The site:

Visual Character Study Category:	1920-1945
Lot Number:	5
DP Number:	2863
Heritage Affected:	No
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	Yes

The subject site is located on the southern side of Fiddens Wharf Road, 51 metres from Pacific Highway and about 900 metres from the Killara railway station. The site is trapezoidal in shape with a frontage of 22.555 metres and a rear boundary of 17.775 metres. The eastern boundary is 62.7 metres long and the western boundary is 67.08 metres long. The site has a total area of 1290 square metres and falls away from the street, with a crossfall of 5 metres from the north-eastern corner to the south-western corner of the site.

The site is currently occupied by a two storey dwelling, constructed of face brick, with a tiled hipped roof and wide verandah. The site also contains a swimming pool and a garage at the rear and a number of retaining walls. Vehicular access to the site is from Fiddens Wharf Road approximately 3 metres from the western boundary.

The site contains established lawns and gardens. The frontage is dominated by the *Lophostemon confertus* (Brushbox) within Council's nature strip.



Subject site  
Photo taken from Fiddens  
Wharf Rd  
Looking uphill towards the  
east

**Surrounding development:**

Fiddens Wharf Road is generally characterised by single residential dwellings of one to two storeys in height and located in a landscaped setting. No. 510 Pacific Highway, to the east of the subject site, contains a brick residential flat building with 4 storeys facing the subject site. The lower storey consists of carparking. The units above and facing the subject site, have balconies with distant views. The main building line of the units is 6.3 metres from the common boundary, with balconies to 5.2 metres from the boundary. This site is zoned Residential 2(d).



Residential flat building at  
510 Pacific Highway  
Killara  
Photo taken from Fiddens  
Wharf Rd

To the south adjoining the rear boundary of the subject site, at 496 Pacific Highway, is a service station. Council's database shows this site to be contaminated land. The rear of the site contains carparking and landscaped areas. A *Celtis australis* (nettle tree) is located close to the common boundary. The site is zoned 2(d), which allows multi-unit housing development.



Service station at 496  
Pacific Highway  
Photo taken from rear of  
subject site

To the west, the subject site directly adjoins three single residential dwellings, zoned 2(c2). No. 4 Fiddens Wharf Road is a two and three storey brick and tile dwelling with a steeply pitched roof, with the third storey within the roof space. There is a large *Liquidamber styraciflua* (Sweet gum) located close to the common boundary.



4 Fiddens Wharf Rd  
Photo taken from  
Fiddens Wharf Rd



Private open space of 4  
Fiddens Wharf Rd  
Photo taken from  
subject site

Nos. 31 and 33 Grassmere Road are single dwellings whose rear yards abut the western (side) boundary of the subject site. The dwellings are set respectively 13.9 and 15.9 metres back from the common boundary. No. 29 Grassmere Road, also a single dwelling, has its rear yard located adjacent to the south-western corner of the development site. These sites are lower than the subject development site and are also zoned Residential 2(c2).



Private open space of 31  
Grassmere Rd Killara  
Photo taken from subject  
site



Private open space of 33  
Grassmere Rd  
Photo taken from subject  
site



Private open space of 29  
Grassmere Rd  
Photo taken from subject  
site

On the opposite side of Fiddens Wharf Road are single residential brick and tile dwellings dominated by landscaping. No 512 Pacific Highway, located on the corner of Fiddens Wharf Road and diagonally opposite the subject site, is a two storey brick residence, listed as a heritage item under the Ku-ring-gai Planning Scheme Ordinance.



Heritage listed dwelling  
at 512 Pacific Highway  
Photo taken from  
Fiddens Wharf Rd



Fiddens Wharf Rd  
Opposite subject site

## THE PROPOSAL

The proposal is for the demolition of the existing structures on the site and the construction of five (5) attached townhouses. The proposal is three storeys in height with one level of basement car parking. The proposed townhouses are oriented towards the western (side) boundary towards the distant views.

The building will be set back 9.4 metres to 11 metres from the front boundary, each townhouse stepping down to a setback of 6 metres to the rear. The western setback is staggered from 3 to 4 metres to the basement, with terraces set back 6.18 to 9.3 metres from the boundary to the main façade of the townhouses. To the east, the building has a staggered setback of 3 to 4.2 metres, with the lift lobby set within this zone and located 500mm from the boundary.

The eastern setback contains a footpath, accessed from Fiddens Wharf Road and running almost the full length of the building. This path provides pedestrian access to the individual townhouses. The lift provides access from the basement car park to this footpath. Separate vehicular access is provided from Fiddens Wharf Road, in a similar location to the driveway of the existing development, 3 metres from the western boundary. The driveway provides access to a single level of basement parking, with 14 spaces at a ratio of 2 spaces per townhouse and 4 visitor spaces. A security door is provided close to the front of the car parking area.

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The 5 townhouses are each 3 storeys in height and are to be constructed of masonry with rendered walls, with a sandstone wall section at the front. Each townhouse contains living areas, kitchen and bathroom on the ground floor, with terraces to the west. The above ground terrace of townhouse 1 has a masonry privacy wall to the street. 1.8 metre high timber internal fencing separates the terraces. Only townhouse 1 has a frontage to the street. This townhouse also contains a small private courtyard in the front setback. The courtyard is screened by a 1.5 metre high fence. No details are provided in relation to the fence (**Refer Reason for Refusal No. 1(j)**).

Separate stairs from the basement allow direct access to townhouses 1 and 2. Town houses 3-5 have separate stairs external to the main basement area, which provide access to the ground floor terraces and common area to the west. On the first floor each townhouse contains 2 bedrooms, bathroom, study and balcony. The top floor of each townhouse contains a large flexible space, with a bathroom and kitchenette, contained within a sloping roof form and surrounded by terracing. The terraces are surrounded by privacy walls varying from 1 to 2 metres high. Planters are incorporated to the west of the terraces, however the design of the privacy walls will make maintenance of these difficult.

There is common open space on all sides of the building. Retaining walls are incorporated into the landscaped and paved common area at the rear.

A low masonry front wall is shown on the photomontage, while transparent style front fencing is referred to in the Statement of Environmental Effects. However, the plans and elevations do not show any front fencing and no fencing is considered in the assessment of the proposal (**Refer Reasons for Refusal 1(k)**).

**Amended plans dated 15 July 2005**

Stormwater plans were amended to provide detail in regard to rainwater tanks and on-site detention.

**CONSULTATION - COMMUNITY**

In accordance with Council's Notifications Policy, owners of surrounding properties were given notice of the application. The following comments have been received:

**Original scheme dated 17 June 2005**

1. V & M Henderson 33 Grassmere Road Killara
2. P de Jong 31 Grassmere Road Killara
3. C Miller 30 Grassmere Road Killara
4. Feng Liu 29 Grassmere Road Killara
5. L Gulliver 3 Fiddens Wharf Road Killara
6. P Becke 5/510 Pacific Highway Killara
7. A Mullane 6/510 Pacific Highway Killara
8. M G MacColl 8/510 Pacific Highway Killara
9. T M McBride 11/510 Pacific Highway Killara
10. K Reedman 13/510 Pacific Highway Killara
11. M Williamson 18/510 Pacific Highway Killara

Item 2

- |     |              |                                |
|-----|--------------|--------------------------------|
| 12. | F Pennington | 21 510 Pacific Highway Killara |
| 13. | L Grimley    | 208 Excelsior Ave Castle Hill  |
| 14. | M Collinson  | 818 Pacific Highway Gordon     |
| 15. | A M Buddin   | 1A Fiddens Wharf Road Killara  |

The submissions raised the following issues:

***Compatibility with environmental context (setback to street, lack of transitional scale, lack of articulation, 3 storey height, street façade, lack of landscaping to street)***

The ridge height of the proposed 3 storey structure steps down from the unit development to the east and provides a satisfactory height transition in relation to the adjoining residential flat development. However, the transition to the single dwellings located on the western boundary is not satisfactory.

The narrow width of the main part of the building is not consistent in scale with the wider facades characteristic in the street, and emphasises its verticality and the distinctiveness of the townhouse development. The front façade is forward of the predominant building line, increasing its dominance within the street. The reduced setback minimises the opportunity to provide landscaping to allow the development to be compatible with the streetscape. The dominance of the built form is further exacerbated by the rendered finish and lack of articulation and fenestration of the front façade.

The inadequacy of the deep soil planting area, including the lack of a sizable landscaped area to the rear and the narrowness of the sloping deep soil area to the east, allows the built form to dominate the neighbouring development to the east. The lack of adequate articulation and the rendered finish further emphasises the bulk of the development to the east. To the west, the topography of the site also increases the apparent height and bulk of the structure.

While there are a number of trees, which are capable of attaining a height of 13 metres proposed for the site, Council's landscape officer has recommended their replacement generally with species reaching only 10 metres. The proposed deep soil area is inadequate for the provision of taller trees.

***Overdevelopment of the site***

The proposal meets the floor space area provisions of DCP 55. However, the site has a number of constraints (width, orientation, topography) which may prevent the achievement of the maximum density allowed under DCP 55. Further, the deep soil area is inadequate to provide for the maintenance and improvement of the tree canopy in scale with the built form and therefore the proposal is an overdevelopment of the site.

Item 2

***Loss of panoramic views to mountains, sky, treescape, Sydney lights from ground and first floor western units (5, 6, 11, 13) at 510 Pacific Highway***



View from balcony of Unit 6  
510 Pacific Highway Killara

The proposal will result in the loss of distant views from the lower two floors of units at 510 Pacific Highway. The site has been zoned to allow multi-unit development to 3 storeys and some loss of views is inevitable with any multi-unit development on this site. However, the substitution of distant views for a bland 3 storey façade with little opportunity for significant landscaping results in an unacceptable loss of amenity.

***Impact on historic significance of site and street***

The site is not listed as a heritage item under the Ku-ring-gai Planning Scheme Ordinance and is not located within an Urban Conservation Area. Council's Heritage Officer has no concerns in relation to the demolition of the existing dwelling. No. 512 Pacific Highway is a heritage listed site on the opposite side of Fiddens Wharf Road, however it is considerably higher and well separated from the subject site.

***Loss of visual privacy to developments to the west (29, 31 and 33 Grassmere Road Killara)***

The orientation of the development towards the western (side) boundary, combined with the slope of the site, results in significant overlooking of the private open space areas of Nos. 29, 31 and 33 Grassmere Road. In particular, the ground floor living and private open space areas, Bedroom 1 and 2, the first floor balcony and the top floor terraces of townhouses 3, 4 and 5 will all overlook the adjacent private open space, including paved entertaining areas, as well as the family room of 33 Grassmere Road. The proposal provides some screening through the incorporation of mesh balustrades to the first floor, and a combination of wall heights, opaque glazing and planter boxes to

Item 2

the top floor, as well as tall tree and screen planting in the side setback. However, while these measures will reduce the impacts to some extent, they are an inadequate response to poor design in regard to privacy.

Overlooking from the common areas to 33 Grassmere Road is raised, but this is adequately addressed by the 1.8 metre fence between the properties and the proposed screen planting.

**Loss of acoustic privacy from additional dwellings/ location of entertainment areas**

In general the increased noise of 5 dwellings over that produced by one dwelling is acceptable in the urban area. The location of the entertainment areas facing the single residential dwellings.

***Loss of solar access to private open space of developments to the west (29, 31 and 33 Grassmere Road)***

The proposal will not overshadow 29 Grassmere Road during midwinter. The majority of the private open space of 31 and 33 Grassmere Road will be overshadowed at 9am midwinter, but will receive full sun from about 11.30 am to 3pm and complies with Part 4.5 C-6 of DCP 55.

***Loss of privacy to units at 5, 11, 13/510 Pacific Highway (inadequate setbacks, landscaping, overlooking of balconies from windows)***

Despite the non-compliance with the zone interface control and the controls on window/balcony separation, the proposal results in minimal overlooking of the units at 510 Pacific Highway. The ground floor windows are below the fence line. The first floor windows are highlight windows or windows to the void area beside the stairs, giving little opportunity for overlooking. The top storey has no windows to the east and only a small section of terrace on this floor, which is narrow with little potential for significant use. There is no amenity inspection upon the adjoining development at 510 Pacific Highway.

***Loss of solar access to units at Nos. 6, 11 and at 13/510 Pacific Highway***

The shadow diagrams submitted indicate that the shadow cast by the proposal will only extend minimally onto the site at 510 Pacific Highway, and due to the slope of the land, will not result in overshadowing of these units.

***Loss of indirect light to western units at 510 Pacific Highway***

While there may be some loss of indirect light, the site is zoned for multi-unit development and a compliant development would still result in some loss of some indirect light due to the presence of a three storey development on the site. The extent of light loss does not affect the amenity enjoyed by the applicants of 510 Pacific Highway.

Item 2

***Glare from townhouse lighting to adjacent developments***

This concern could be addressed by a condition requiring any external lighting to comply with the relevant Australian Standard.

***Lack of amenity for residents (accessibility, design for climate, private open space, landscaping, security)***

It is agreed that accessibility, design for climate, landscaping and security are inadequate. These issues are discussed in more detail elsewhere in this report. Private open space areas are in excess of the requirements of SEPP 65 and DCP 55 and provide adequate and functional areas for passive and active recreation.

***Impact on bottlebrush on 510 Pacific Highway***

Appropriate conditions could be imposed to protect the bottlebrush during construction.

***The proposal will de-value surrounding properties***

This is not a matter for consideration under the Environmental Planning and Assessment Act 1979.

***Traffic***

The application was reviewed by Council's Engineer in regard to traffic generation. The additional traffic movements from 5 townhouses will not have a significant impact on the traffic in this area.

***Impacts on on-street parking***

Adequate parking is provided within the basement area. A traffic management plan could be required as a condition of consent to ensure that construction traffic is adequately managed during construction.

***External walls should be included in the floor space ratio***

External walls do not contribute to the floor space ratio as defined by DCP 55.

***Building footprint is calculated as 48%, not 30.38% as calculated by the applicant***

Part 4.2 of DCP 55 excludes ground floor terraces from the building footprint. Less than one square metre of terrace area is at 1.2 metres or above, and accordingly Council's planning officer has calculated the footprint to be 33.7%, complying with the building footprint requirements of 35%.

***The building is 4 storeys due to the basement area being 1.2 metres in several locations, and therefore fails to comply with LEP 194***

The basement area includes walls reaching 1.2 metres, however these do not lie directly under the main part of the building and the proposal is therefore 3 storeys in height, in accordance with LEP 194.

***Unjustifiable non-compliance with standards and objectives of SEPP 65, LEP 194 and DCP 55***

All non-compliances with the standards and objectives are addressed in detail in the consideration of Statutory Provisions in this report.

***Lack of clear sight lines from driveway exit from site-retaining wall and driveway height across footpath***

Council's development engineer has assessed the sight lines from the driveway and has raised no concerns. However, the driveway is unsatisfactory in that it needs to be amended to allow for the passing of vehicles and sight lines would need to be rechecked (**Refer Reason for Refusal No. 5**).

**CONSULTATION - WITHIN COUNCIL**

**Urban Design Officer**

Council's Urban Design Consultant, Russell Olssen, has commented on the proposal as follows:

***"1.0 Design Review***

***Principle 1 : Context***

*SEPP 65 : Good design responds and contributes to its context.....Responding to context involves identifying the desirable elements of a location's current character, or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies.*

***Comment :***

*The existing built form context is comprised of a 3 storey residential flat building to the east of the site. A detached dwelling is located at No 4 Fiddens Wharf Road to the west of the site. The rear yards of detached dwellings which face Grassmere Road are also located to the west of the site. The rear of commercial properties which front Pacific Highway are located on the southern boundary of the site.*

*The site slopes down substantially from east to west, with a fall of 2.7m across the front boundary. The land continues to fall down the rear yards of the houses facing Grassmere Road.*

*This is a new building type in this area. The area does not contain any townhouses where the row runs down the centre of a narrow lot and where the townhouses face across side boundaries. The building type does not relate to the built form context.*

*The street scape is not well addressed by this development, as the major orientation of the townhouses is across the western side boundary, and not towards the street.*

***Principle 2 : Scale***

*SEPP 65 : Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development.*

*In precincts undergoing transition proposed bulk and height needs to achieve the scale identified for the desired future character of the area.*

*Comment :*

*The proposed development is within the height limit allowed under LEP 194. The scale of the development relates well to the residential flat building to the east. Due to the fall of the land, the transition of scale between the 3 storey proposed development and the existing dwellings to the west is exaggerated, and there is a considerable step down in building height between the proposed development and the houses, particularly the house at 4 Fiddens Wharf Road.*

*Principle 3 : Built form*

*SEPP 65 : Good design achieves an appropriate built form for a site and the buildings purpose, in terms of building alignments, proportions, building type and the manipulation of building elements...*

*Comment :*

*The proposed building setback is insufficient across the eastern boundary, particularly as the proposal contains studies with windows in the eastern wall. The dimensions of one these studies make it equivalent to a bedroom, and it could be used as a bedroom. While these are highlight windows, views would still be possible from the upper levels of the existing flat building to the east, into the proposed lower level windows. The distance from these windows and the existing residential flat building windows to the east, is 10m. This is less than the separation distance in DCP 55, and the recommended separation distance between windows to habitable rooms in the Residential Flat Design Code, of 12m. This should be taken into account when assessing whether the transition between the 2 d zone to the east and the subject 2 (d3) zone is satisfactory.*

*The setback of the top floor from the western boundary is less than the 9m required under LEP 194.*

*The building type is inappropriate, as its orientation of townhouses creates issues of visual privacy for the properties to the east and the west, and does not address the street well.*

*Principle 4 : Density*

*SEPP 65 : Good design has a density appropriate to its site and its context, in terms of floor space yields ( or numbers of units or residents).....*

Item 2

*Comment:*

*The density is acceptable under LEP 194.*

*Principle 5 : Resource, energy and water efficiency*

*SEPP 65: Sustainability is integral to the design process. Aspects include.....layouts and built form, passive solar design principles,..... soil zones for vegetation and reuse of water.*

*Comment:*

*The orientation of the living rooms, balconies and courtyards is towards the south-west. This is a relatively poor orientation, as the living rooms will not receive sufficient sunlight and the courtyards and balconies will be overshadowed by the building,. The living rooms to all townhouses will receive approximately 1 hour of sunlight, from 2pm to 3pm, at mid winter. The RFDC recommends that a minimum of 2 hours sunlight be achieved for 70% of living areas, between 9am and 3pm, at mid winter.*

*All courtyards and balconies are substantially overshadowed. The development does not demonstrate good passive solar design principles.*

*Principle 6 : Landscape*

*SEPP 65 : Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.*

*Comment :*

*The 4m setback from the eastern boundary, with a pedestrian path, waste bins and lift lobby, does not provide sufficient space for substantial tree planting, to place the building in a landscaped setting when viewed from Fiddens Wharf Road. The landscape design for the front setback is also inadequate to place the building in a landscaped context, as shown in the perspective view.*

*Principle 7 : Amenity*

*SEPP 65 : Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts, and service areas, outlook and ease of access for all age groups and degrees of mobility.*

*As noted above, the proposed building setback is insufficient across the eastern boundary, due to the privacy issues of the studies.*

*The overlooking of the rear yards of houses facing Grassmere Road and the house at 4*

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*Fiddens Wharf Road is also excessive. The top floor of the development does not comply with the setbacks across zoning boundaries in LEP 194. The overlooking issues here are increased by the fall of the land and the choice of building type, with the major views from most rooms being oriented across these adjoining properties. The topography places the proposed building high in relation to the existing back yards. This means that the 1st floor bedrooms and balconies have unimpeded views directly into the neighbours' back yards. The proposed solutions, of 1m high expanded metal balustrades and some screen planting will be ineffective against these potential views. The adjoining neighbours will be able to see people looking down into their back yard.*

*A potential viewing problem from the top floor also exists when standing against the balcony balustrade, despite the proposed design solution to screen the view.*

*Principle 8 : Safety and security*

*SEPP 65 : good design optimises safety and security, both internal to the development and for the public domain. This is achieved by maximising activity on the streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.*

*Comment:*

*The relatively blank front facade will limit street surveillance.*

*Principle 9 : Social dimensions*

*SEPP 65 : Good design responds to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities.*

*New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or, in the case of precincts undergoing transition, provide for the desired future community.*

*Comment:*

*The size of these townhouses is acceptable.*

*Principle 10 : Aesthetics*

*SEPP 65 : Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.*

*Comment:*

*The built form of this development is inappropriate due to the orientation of the townhouses. The proposed materials and colours are acceptable.*

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*2.0 Conclusion and recommendations*

*This development should not be approved in its current form as:*

- *the eastern side setback is insufficient;*
- *the privacy problems across both side boundaries are substantial, in particular the potential views from 1st and 2nd floor balconies and windows across the western boundary;*
- *solar access to living areas is insufficient;*
- *overshadowing of courtyards and balconies is excessive;*
- *there is insufficient landscape planting in the front and eastern side setbacks.*

*A change of building type, with apartments or townhouses being oriented towards the street and towards an internal courtyard, would offer the possibility of resolving many of these issues.*

In relation to the inadequacy of the eastern setback in regard to the privacy of the studies, due to the offsetting of the windows from the balconies and windows of the adjacent residential flat building, the studies of townhouses 1 and 2 will not be unduly impacted in regard to privacy. While it is acknowledged that some minor overlooking to the studies of townhouses 3-5 will be possible, it is considered that the impact is adequately minimised by the use of highlight windows.

It is agreed that the proposal is unsatisfactory in the other respects noted above, and are included in the Reasons for Refusal.

**Heritage**

Council's Heritage Officer, Paul Dignam, has commented verbally on the proposal as follows:

*"The proposal will not result in adverse impacts on the heritage setting of No. 512 Pacific Highway, as there is an existing unit development opposite 512 and adjacent to the subject site, and No. 512 is considerably higher than, and well separated from, the subject site."*

**Landscaping**

Council's Landscape and Tree Assessment Officer, Geoff Bird, has commented on the proposal as follows:

*"The site*

*It is proposed to demolish the existing dwelling and associated structures and construct five, three storey townhouses with basement parking on the existing single allotment of 1290sqm with vehicular access from Fiddens Wharf Rd. The site is characterised by an open, established landscape setting with expansive grassed areas and limited shrub layer. The rear of the site is dominated by a mature Washingtonia robusta (Washington Palm) centrally located on site, while the site frontage is dominated by the Lophostemon confertus (Brushbox)*

*within Council's Fiddens Wharf Rd nature strip. The site has a steep crossfall from east to west.*

*Impacts on trees/Trees to be removed/Tree replenishment*

*The consulting arborist has identified a total of eight (8) trees as being located on or associated with the site. Three are located on Council's nature strip, three on adjoining properties and two within the site. The proposed development will result in the removal of the two existing trees located on site, of which one, the Washington Palm, is suitable for transplanting, which has been proposed by the applicant.*

*The consulting arborist (Andrew Morton – Earthscape Horticultural Services) has noted that the proposed development 'may result in severance of woody roots of tree #7 Liquidambar styraciflua (Sweet Gum), leading to an adverse impact and potential destabilisation'. Tree #7 is located on the neighbouring property and despite its current health and condition, any proposed development should take the tree into consideration to minimise adverse impacts, particularly impacts that may cause the tree to go into further decline or be destabilised. It is noted that the arborist has recommended that consideration be given to the removal of tree #7, however this is out of the control of the applicant. No root mapping has been undertaken by the applicant to determine the extent of root severance as a result of the development works and the potential impacts to Tree 37. It is required, to adequately assess the potential impacts of the development that root mapping be undertaken along the line of the proposed basement within the nominated tree protection zone.*

*As proposed the landscape works will result in an additional eight tall canopy trees able to attain a minimum height of 13.0m along with smaller trees and large screening shrubs. This complies with Council's minimum tree replenishment requirements within DCP55.*

*Deep soil*

*By the applicant's calculations, the proposed development will have a deep soil area of 41% or 533sqm. However, Landscape Services does not agree with the areas included as being deep soil as per the LEP definitions. The areas in dispute include: the two flights of stairs within the communal open space at the rear and the garden beds adjacent that are less than 2.0m wide, the rainwater detention tank beneath the driveway, the garden beds above the detention tank, and the garden beds adjacent to the detention tank that are less than 2.0m wide. Together these areas would amount to an area greater than 1% of the site and as a result the proposal does not comply with deep soil requirements as defined by LEP194.*

*Setbacks*

*It is noted that the proposed development does not comply with setback requirements adjacent to the eastern site boundary, for which a SEPP1 has been submitted. From a landscape viewpoint, it is noted that the objective of the LEP is to provide side setbacks that enable effective landscaping, tree planting between buildings, separation of buildings for privacy and views from the street to rear landscaping, which is to maintain Ku-ring-gai's treed character and leafy landscape setting. From this viewpoint the proposed setback from 3.2m to*

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*4.2m including a pedestrian access path, lift lobby and bin storage does not satisfy the objectives of the standard. It is noted that for the majority of the length of the development proposal, that a deep soil area 2.0m wide is provided, which will allow for the establishment of large screening shrubs, although it is not wide or large enough for the establishment of tree planting. It must also be noted that any potential tree planting in this area will also be exempt under Council's Tree Preservation Order due to its proximity to the proposed dwelling. Landscape Services require the side setback be increased to comply with the intent/objectives of the LEP.*

*Landscape plan*

*Overall, the submitted Landscape plan can be supported. However, some tree species are considered inappropriate for the site as they are too large and will, in time, as they mature create conflict with both the development proposed and adjoining properties. Changes required can be conditioned, but it is recommended they be undertaken; the five Eucalyptus paniculata (Grey Ironbark) and the two Corymbia gummifera (Red Bloodwood) adjacent to the south west (side) site boundary be deleted and replaced with small ornamental evergreen trees able to attain heights no greater than 10.0m; the proposed Camellia sasanqua screen planting adjacent to the north eastern site boundary be replaced with a faster growing medium shrub species such as Lillypilly hybrids as Camellia's are very slow to establish; and that consideration be given to the inclusion of some small to medium sized evergreen trees adjacent to the north eastern site boundary e.g. Hymenosporum or Elaeocarpus.*

*Drainage plan*

*It is noted that the drainage plan indicates the construction of a retaining wall or kerb adjacent to the south west (side) site boundary, which is in conflict with statements made within the Statement of Environmental Effects and the Supplementary Report by Banning & Associates. The construction of a retaining wall or kerb will also have adverse tree impacts which cannot be supported. Clarification is sought as to what is being proposed.*

*The application cannot be supported due to: adverse impacts to tree #7, non compliance with deep soil requirements and inadequate information. Clarification is sought through root mapping investigations to determine the potential impacts of the development upon tree #7."*

The amended drainage plans are unclear in regard to the size of the on-site detention tank, and whether this would still result in a reduction of the area calculated as deep soil zone. However, the concerns about the deep soil zone area remain, as Council's development engineer has identified, the driveway width is inadequate for safe vehicle passage.

The use of smaller trees could be required as a condition of consent. However, the inability to provide for trees to 13 metres in height, highlights the inadequacy of the size of the deep soil zones/setback areas (**Refer Reason for Refusal No. 3(h)**).

The retaining wall on the south west (side) boundary has been deleted in the amended drainage plans.

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**Engineering**

Council's Engineering Assessment Officer, Kathy Hawken, has commented on the proposal as follows:

*"Summary*

*There are several matters which require further information, viz:*

- *Amended stormwater management documentation;*
- *Geotechnical report;*
- *Detailed contamination assessment (check with Ben Armstrong if required prior to determination);*
- *Driveway longitudinal section; and*
- *Amended design for Visitor space 1 and vehicular crossing widened to 5.5 metres.*

*Stormwater management*

*In response to Council's request for a water management plan prepared in accordance with Council's DCP 47, the architect has submitted a sketch showing a 2400 litre rainwater tank for each dwelling (total 12m<sup>3</sup>). There is no indication of how the northern area of each roof is to be drained into the tank. Furthermore to achieve compliance with DCP 47 (see Section 6.4), retained roofwater is required to be re-used in all toilets, washing machine cold taps and irrigation.*

*A minimum of 20m<sup>3</sup> of rainwater retention is required under Section 6.4, however given the small roof areas (less than 100m<sup>2</sup> per unit), this may be unrealistic for this small site. If the engineer can justify the smaller retention volume of 12m<sup>3</sup>, this may be satisfactory. For development Type 5, up to 50% of the site storage requirement may be deducted from the on site detention volume. For this development, instead of 22m<sup>3</sup>, a detention storage of 10m<sup>3</sup> may be provided. This might assist with gravity drainage to the kerb, since the design currently requires discharge to the kerb outside the neighbouring property, which will not be approved for Type 5 development. The alternative would be a drainage easement through a downstream property.*

*Geotechnical investigation*

*The basement excavation requires up to about 3 metres of excavation within 3 metres of the boundary which is in turn some 2 metres below an existing concrete retaining wall inside No. 510 Pacific Highway. A geotechnical investigation should be carried out to identify excavation conditions and recommend suitable support to neighbouring properties, especially the retaining wall, and dilapidation surveys on neighbouring buildings. A walkover survey and letter report by a geotechnical engineer may be sufficient at this stage, with a detailed investigation comprising cored boreholes prior to commencement of excavation.*

*Contamination assessment*

*The report by Geotechnique indicates that a sample of fill on the site contained levels of lead, polycyclic aromatic hydrocarbons (PAH) and benzo(a)pyrene, which exceeded the Health Based Investigation Levels for townhouses (NEHF A). The location of the sample was from the future common open space at the rear of the site, which does not require excavation as part of this development. In other words, the site in its present state is not suitable for its proposed use.*

*The report recommends, and Council's Contaminated Land Policy requires further investigation to define the extent of the contaminated fill materials, and there may be the need for a Remediation Action Plan (RAP).*

*Figure 2 of the Contaminated Land Policy indicates that the detailed investigation should be carried out before the application is determined.*

*Vehicular manoeuvring*

*The design levels at the vehicular crossing appear to indicate a 20% rise from kerb line to boundary. This will not be approved as vehicular access will be very difficult if not impossible. The crossing levels will be required to keep to the existing levels, particularly with regard to maintaining footpath crossfall. Because of the steep crossfall of Fiddens Wharf Road here, it does not appear feasible to construct a layback, so a pipe crossing will still be required. A longitudinal section through both sides of the proposed vehicular crossing is required, which demonstrates that access can be obtained with grades and transitions in accordance with AS2890.1:2004 Off street car parking. The section must start at the centreline of Fiddens Wharf Road.*

*The proposed driveway width from the kerb line and about 12 metres inside the property is shown as 4 metres. A vehicle entering the crossing might have to reverse into Fiddens Wharf Road if another vehicle was approaching from the basement, which would be undesirable at this location. The vehicular crossing and driveway should be 5.5 metres wide for 6 metres from the kerb line, to allow two vehicles to pass.*

*A car parked in the first visitor space could not drive out in a forward direction if the security door was shut. The door needs to be moved or the space dimensions amended."*

The driveway could be widened in accordance with the engineer's recommendation, however, this would result in a further decrease of the deep soil landscaping area, which is unacceptable.

The security door could be relocated to the entry to the basement car park by a condition of consent. As no waste vehicles are required to enter the basement, this would be acceptable.

**Environment**

Council's Environmental Assessment Officer has commented on the proposal as follows:

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*"I agree with both Geotechnique and Council's engineer's comments that a detailed contamination investigation will need to be carried out and any reports given to Council for further assessment of the site.*

*At this stage Council is unable to be sure that the site is suitable in its current state for the proposed works."*

This issue is further discussed under the consideration of SEPP 55 in this report.

## **CONSULTATION - OUTSIDE COUNCIL**

### **Energy Australia**

The application was referred to Energy Australia. No comments have been received. However a substation would be required.

## **STATUTORY PROVISIONS**

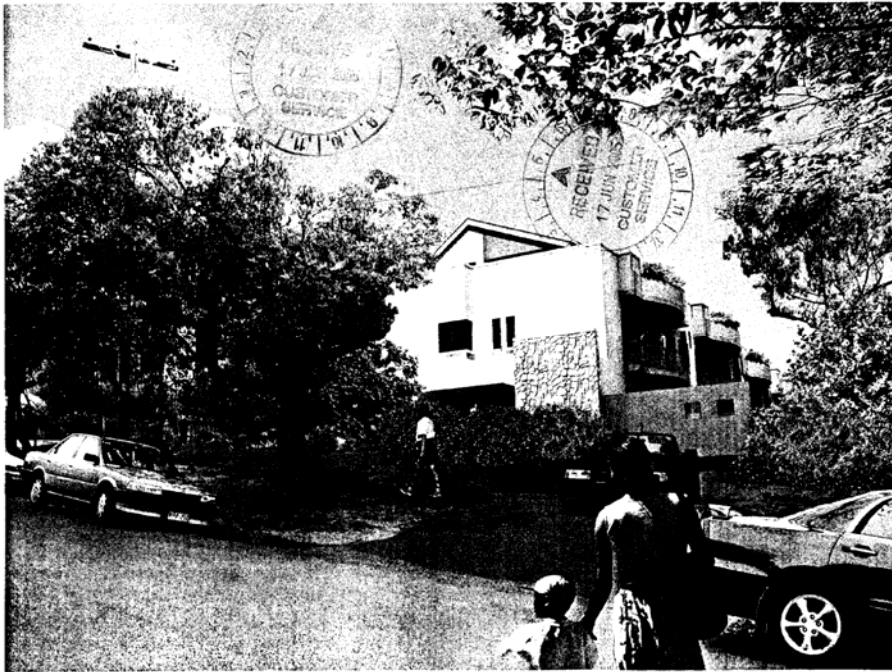
### **State Environmental Planning Policy No. 65 – Design quality of residential flat development**

A design statement has been submitted, signed by Bruce Wolohan of Bruce D Wolohan and Associates. Kuna Sivasamy of D&C Consortium P/L, is however, listed as the architect on the Development Application form. The statement does not state who designed the proposal, or provide verification of membership of the NSW Architect's Registration Board, nor does it address the Design Quality Principles set out in Part 2 of SEPP 65. As such the design verification statement does not satisfy the requirements of SEPP 65 (**Refer Reason for Refusal No. 1(f)**).

#### **Context:**

The proposed townhouse development is infill development within an area characterised by single dwellings. The zoning of the surrounding sites does not provide for any major change in the scale of development in this area.

The proposal fails to relate to this context (**Refer Reason for Refusal No. 3**). The major orientation of the townhouses is across the western side boundary, rather than towards the street, and therefore does not relate well to the built form of the street. The proposal fails to achieve the minimum street setback requirement of DCP 55 (refer below under Policy Provisions) and is not consistent with the landscaped setting of the street. The mostly blank façade to the street exacerbates this impact, as can be seen on the photomontage.



Photomontage of  
proposed  
townhouses

To the west the orientation and design of the proposal does not relate satisfactorily to the context of the adjoining rear yards of single dwellings.

**Scale:**

The height of the proposal from the street relates well to the residential flat building to the east. However, the lack of adequate setbacks reduces the ability to provide landscaping in scale with the built form. Further, the proposal fails to recognise the constraints of the topography of the site in providing for an appropriate transition of scale between the 3 storey proposal and the lower density housing to the west (**Refer Reason for Refusal No. 3(c)**).

**Built form:**

The setbacks to the adjoining developments do not meet the zone interface control. The setbacks, width of deep soil zones and building type proposed, result in unacceptable visual bulk impacts on the development to the east and west, and privacy impacts to the west. The inadequate setback to the street, and the lack of adequate articulation or detail in the building façade to the street, do not result in a development consistent with the character of the street (**Refer Reason for Refusal No. 3**).

**Density:**

The floor space yield complies with the requirements of DCP 55. However, the proposal fails to provide adequate deep soil zones, or setbacks to the street or adjoining development. While an alternative building type may better address the concerns raised in this report, the constraints of the

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context and topography of the site, its orientation and the narrow width of the site may restrict the ability to reach the maximum density permissible under the DCP.

**Resource, energy and water efficiency:**

The proposal exhibits poor design-for-climate attributes due to the fact the primary orientation of all five units is predominantly west and the building design results in extensive self shadowing.

The proposed stormwater design includes rainwater tanks, however, it is unclear how these will be connected to enable water use efficiencies.

**Landscape:**

The 500mm to 4.2 metre eastern setback fails to provide sufficient space for substantial tree planting to relieve the built form from the street or the neighbouring development. The front setback area is too small to enable the provision of adequately integrated landscaping to maintain the character and amenity of the street. Although the plans show tall trees in the western setback, the width of the setback is insufficient to provide for tall trees consistent with the contextual setting of the locality.

Similarly, the front setback is inadequate to provide for a landscaped setting consistent with the streetscape. These concerns are reflected in the failure of the proposal to meet the deep soil landscaping area requirements of LEP 194 and of DCP 55 (**Refer Reason for Refusal No. 3(e) and (h)**).

**Amenity:**

The proposal fails to provide adequate amenity for its residents, or those of the neighbouring sites to the west:

- The balconies and terraces, and the living and bedroom windows of the townhouses will directly overlook the rear yards of the adjoining single dwellings from all levels;
- The proposal will not provide adequate access to sunlight for 80% (4) of the townhouses;
- There is inadequate information to assess the accessibility of the townhouses for people of all age groups and degrees of mobility; and
- The proposed driveway will change the level of the footpath hindering pedestrian access along the street.

**(Refer Reason for Refusal No. 2)**

**Safety and security:**

The proposal fails to provide adequate passive surveillance opportunities to the street or to the entry pathway (**Refer Reason for Refusal No. 6**).

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**Social dimensions:**

The size of the townhouses is acceptable. A mix of sizes is not required, given the small number of units proposed.

**Aesthetics:**

The proposal fails to respond to the desirable elements of the existing streetscape in regard to the inadequate landscaped setting, the orientation of the building away from the street and the bland front facade. **(Refer Reason for Refusal No. 3)**

**State Environmental Planning Policy No. 55 – Remediation of Land**

The site is adjacent to a service station and contaminated soils have been found on the site. The application is accompanied by a report from Geotechnique P/L which concludes that “the soils beneath the site are unlikely to be impacted by the presence of underground fuel storage tanks in the neighbouring Mobil Service Station. However, the test results reveal a contamination concern associated with the fill materials used on the site surface with contain elevated lead and PAH concentrations.” The report recommends that the following be carried out:

- Assessment of the fill materials across the site, in accordance with the NSW EPA guidelines;
- The classification of soils to be removed from the site, in accordance with NSW EPA waste management guidelines.

Clause 7 of SEPP 55 requires consideration of the following:

- b) whether Council is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.*

The proposed use is multi-unit residential development. The consultant has identified further assessment required. At this stage Council cannot be satisfied that the site is suitable for the proposed use without the results of the further studies recommended by the consultant. The proposal therefore fails to comply with the requirements of SEPP 55.

**Ku-ring-gai Planning Scheme Ordinance (KPSO)**

COMPLIANCE TABLE		
Development standard	Proposed	Complies
Site area (min): 1200m <sup>2</sup>	1290m <sup>2</sup>	YES
Deep landscaping (min): 40%	36%	NO
Street frontage (min): 23m	22.555m	NO
Number of storeys (max): 3	3	YES
Site coverage (max): 40%	33.7%	YES
Top floor area (max): 60% of level below	57.2%	YES

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COMPLIANCE TABLE		
Development standard	Proposed	Complies
<b>Storeys and ceiling height (max):</b> 2 (not including top floor) and 7.2m	2 & 6.9m (TH4), 7.1m to balcony(TH4&5)	<b>YES</b>
<b>Car parking spaces (min):</b>		
• 2 (visitors)	4	<b>YES</b>
• 5 (residents - on basis of 2 bedrooms)	10	<b>YES</b>
• 7 (total)	14	<b>YES</b>
<b>Zone interface setback (min):</b> 9m (3 <sup>rd</sup> floor)	3.2m to east (2d) 8.7m to west 2(c2) 7.4m to south (2d)	<b>NO</b>
<b>Manageable housing (min):</b> 10% - 1 townhouse	20% (1 unit - TH1) subject to accessibility report	<b>Unknown</b>
<b>Lift access:</b> required if greater than three storeys	3 storeys only	<b>N/A</b>

**Deep soil landscaping (cl.25I(2)):**

As the site is between 1200 and 1800 square metres, a deep soil landscaping area of 40% is required. The applicant has estimated the deep soil landscaping area to be 41%. However, Council has calculated that there are a number of areas that are excluded from the deep soil area under Clause 25I(2a) of the Ku-ring-gai Planning Scheme Ordinance. Deep soil landscaping is defined as any part of a site area that: (a) is not occupied by any structure whatsoever, whether below or above the surface of the ground (except for paths up to 1 metre wide); and b) is not used for car parking. Deep soil landscaping must also have a minimum width of 2 metres.

The areas in dispute are the two flights of stairs within the communal open space at the rear, the garden beds adjacent that are less than 2 metres wide and the rainwater tanks as shown on the stormwater plans. From the original stormwater plans, Council's landscape officer has also identified the garden beds above the detention tank, and the garden beds adjacent to the detention tank that are less than 2.0m wide as not calculable as deep soil area. There is insufficient information on the amended stormwater plans to ascertain whether the tank would still extend beyond the width of the driveway. However, Council's engineer has identified the need to widen the driveway to allow for the passing of vehicles, so the deep soil zone would be likely to be similar to that shown on the original plans. In total, it is calculated that the total deep soil landscaping area is 36%. Therefore the proposal fails to comply with the standard. No SEPP 1 has been provided and therefore Council cannot approve the proposal.

The lack of adequate deep soil landscaping area reflects the inadequate setback areas, which fail to provide adequate space for the planting of tall trees and will not allow for landscaping appropriate to the scale of the development. This is especially important along the eastern boundary, where the area provided is only 2 metres wide and is sloping. To the west, the area is not sufficiently large for the tall species specified in the landscape plan, yet this is the area where the majority of the tall trees required under Council's tree replenishment policy are proposed to be located. The proposal

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therefore fails to meet the objectives in regard to deep soil areas (**Refer Reason for Refusal No. 1b) and 3(h)**).

**Site frontages (cl.25I(3)):**

At 22.555 metres wide, the site frontage is 0.445 metres less than the minimum frontage specified by the standard. However, a proposal for multi-unit housing can be considered subject to the provisions of Clause 25I (4) which allow the following:

*Despite clause 25E, multi-unit housing may be carried out within Zone No 2(d3) on a site that has a site area of less than 1,200 square metres, or a street frontage of less than 23 metres, if the proposed development complies with all other requirements of this Ordinance.*

The provisions of Clause 25I (4) therefore require that Council may only approve a proposal that does not meet the frontage standard, if the proposal achieves *all* other requirements of the Ordinance. However, the proposal also fails to comply with the requirements in relation to deep soil area and zone interface controls, and fails to meet a number of the objectives specified in Clause 25D. The failure to satisfy these controls indicates that the proposal is an overdevelopment of the site.

The proposal therefore fails to comply with the provisions of both Clause 25I (3) and (4) (**Refer Reason for Refusal No. 1(a) and 3(a)**).

**Zone interface (cl.25L):**

The objective of this clause is to provide a transition in the scale of building between certain zones. To achieve this for the subject site, the clause requires that the third floor be set back at least 9 metres from any boundary of the site with adjoins land that is not within the 2(d3) zone. The subject site is surrounded on 3 sides by sites which are not within the 2(d3) zone (refer zoning map). The site is 22.555 metres wide at the front and only 17.75 metres wide at the rear. It is noted that strict compliance with the zone interface controls on this site would result in the third floor of a development on the site being extremely limited and that two sides adjoin land zoned to allow multi-unit housing. The site is zoned to allow multi-unit development, and some latitude is reasonable. Nevertheless, the constraints of the site must be recognised and the objectives of the KPSO are met. Where the proposal fails to comply with the standard a sustainable SEPP 1 objection must be lodged to justify the non-compliance, or Council cannot grant consent to the proposal.

The property to the south (the rear) is zoned 2(d). The site is occupied by a service station. The setback at the third floor is 7.4 metres and therefore fails to comply with the standard. No SEPP 1 objection has been lodged in this regard (**Refer Reason for Refusal No. 1(d) and 3(f)**).

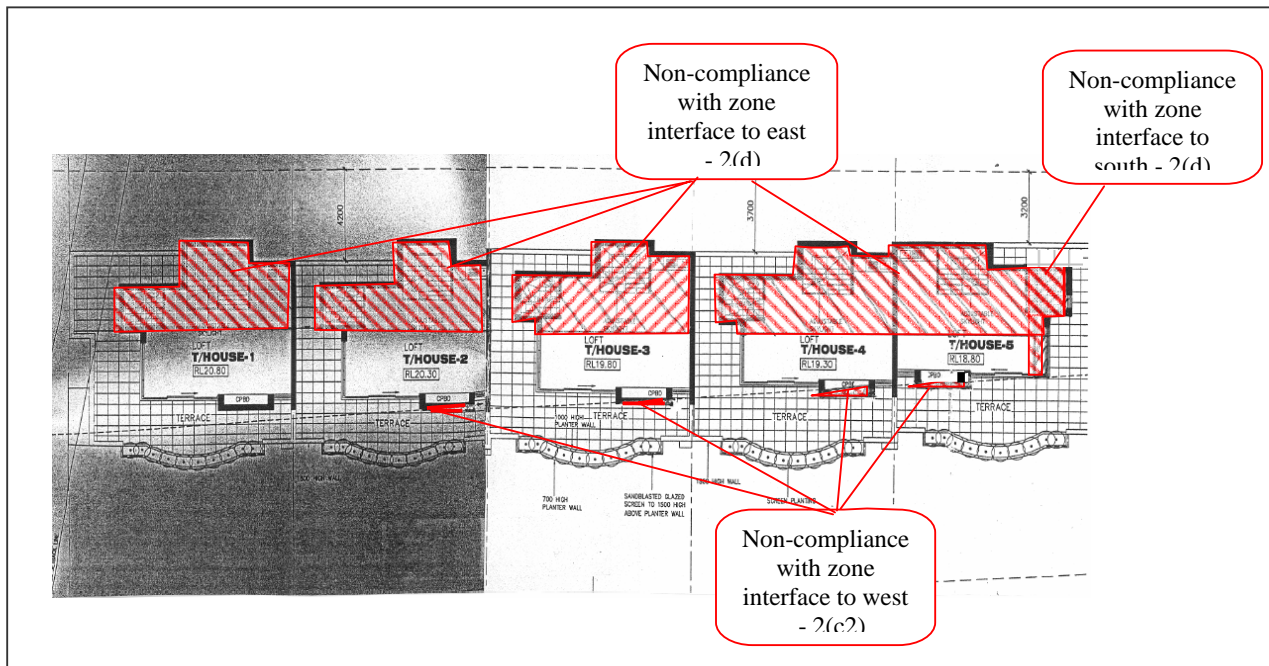
To the west there are 3 sites zoned 2 (c2), all occupied by single residential dwellings. It should be noted that the zoning for these sites allows only single residential or limited attached dual occupancy development. The proposal provides a general third floor setback to the boundary of 9 metres, however the minimum setbacks from the third floor to the boundary of these sites as follows:

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to 4 Fiddens Wharf Road 8.9 metres from Townhouse 2  
to 33 Grassmere Road 8.6 metres from Townhouse 4  
to 31 Grassmere Road 8.7 metres from Townhouse 5

The proposal therefore fails to comply with the zone interface standard in respect of the setbacks to the adjoining 2(c2) sites. No SEPP 1 objection has been lodged in this regard (**Refer Reason for Refusal No. 1(c) and 3(g)**).

Non-compliances with zone interface standard



The property to the east is zoned 2(d) and contains a residential flat building to 4 storeys. The proposal has a setback at the third floor of 3.2 metres to the eastern boundary (**Refer Reasons for Refusal No 3(e)**). A SEPP 1 objection has been lodged in regard to this non-compliance.

**SEPP 1 objection**

An objection under State Environmental Planning Policy No. 1 has been prepared by Brian Banning and Associates, seeking a variation to the provisions of Clause 25L (Zone interface) of the Ku-ring-gai Planning Scheme Ordinance (KPSO) (that is of LEP 194) for the non-compliance with the eastern side setback only, on the following basis:

*“While it is not merely sufficient to demonstrate a minimisation of environmental harm to sustain a SEPP 1, the lack of adverse impact on the local environment has been established in the Statement of Environmental Effects and is a worthy circumstance of this case.*

*The objective prescribed under Clause 25L of the LEP, provide a basis for assessment of the environmental impact of the proposal, as follows:*

- to provide a transition in the scale of buildings between certain zones.

*The site is zoned 2(d3). In terms of the land to the east, where the non-compliance occurs, this land is zoned 2d and this allow for higher densities than the proposed site. However and importantly when considering the non-compliance, this area in question adjoins a residential flat building that because of the site topography and its positioning on site and the careful design of this building as illustrated on the plans accompanying the application there are no detrimental impacts on the adjoining building.*

*It is therefore considered that the proposed eastern setback represents an appropriate response to the character of the site and its surroundings.*

*In terms of privacy, given that the adjoining area is to a residential flat building with garaging under the non-complying setback has no privacy impact upon any adjoining properties.*

*It should also be noted that in terms of solar access, it is considered that the non-compliance will have no adverse overshadowing impact on any adjoining residential properties to the west [sic] of the subject site.*

*In terms of amenity issues, we would note that there are no significant public or private vistas evident in respect to adjoining properties of land that would be affected by the portion of the non-complying eastern boundary setback.*

*It has been established that the proposal would not have any material impact upon the amenity of the adjacent properties. In addition, assessment of the bulk and scale impact has found the proposal to be appropriately controlled in bulk and scale impact in relation to that of the adjacent built forms in the streetscape, and is therefore consistent with the objectives in this regard. The proposal would therefore meet with the objectives to preserve amenity.*

*The arguments detailed above present a development proposal, which reasonably satisfies the underlying objectives of the development standard. Further and separate from the matter of unreasonableness, compliance with the building setbacks control is unnecessary with regard to the demonstrated consistency with the objectives of the standard and the absence of adverse impacts in terms of bulk and scale, solar access, privacy and amenity generally...*

*The argument provided above, supports the case to allow flexibility in the application of the standard under Clause 25(L), which are no less supported than by the Council intention to delete the subject control form LEP 194.*

*Further, compliance with the standard would restrict the construction of a development in a form consistent with the surrounding context and streetscape, and in circumstances where the proposal provides for the proper management of land and orderly economics use, the objects would not be attained. The proposal presents an appropriate development and meets the objectives of the Residential 2(d3) zoning (LEP 194).*

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*The architectural form of the development, general height and landscaped setting creates a satisfactory relationship with the streetscape and adjoining residential properties resulting in visual amenity benefits to the public domain. The proposal presents a viable and appropriate use of the subject site."*

The applicant bases the justification on the claim that the 2(d) zone allows denser development than the subject site's 2(d3) zoning. While the floor space ratio is marginally larger in the 2(d) zone; 0.85:1 rather than 0.8:1 for townhouses on 2(d3), the 2(d) zone includes floor areas of the building excluded under 2(d3). Further the building envelope controls for 2(d) include a building height plane, and a minimum 5 metre side setback provision (for 3 storeys) which impose greater restrictions than the 2(d3) zone. The adjacent site is larger and therefore a larger scale development can be accommodated on the site. This argument is not valid.

The objection relies almost exclusively on the nature of the adjoining development, and fails to adequately justify the impact of the non-compliance on streetscape and character, on privacy, solar access or views to the east and therefore has not established that the non-compliance would not hinder the attainment of objects specified in Section 5 (a) (i) and (iii) of the EP & A Act (1979) or the relevant objectives the Ku-ring-gai Planning Scheme Ordinance.

The SEPP 1 objection fails to demonstrate that compliance with the standard is unreasonable or unnecessary in the circumstances of the case. The objection is not well founded and has not adequately addressed the requisite aspects of the SEPP 1, and therefore the development standard should not be allowed to be varied (**Refer Reasons for Refusal No. 3(e) (iii)**).

**Car parking (cl. 25J(1)):**

In combination with the fall of the land, the height of the basement on the western side results in terraces on the ground floor which overlook the rear yards to the west, and raise the apparent height of the proposal to the west (**Refer Reason for Refusal No. 3(j)**).

The site is over 800 metres from Killara Railway Station, and therefore requires 5 resident spaces for the 5 x2 bedroom townhouses. If the flexible top floor area, or the studies, are considered as bedrooms, the requirement would be for 10 spaces. 10 resident spaces are provided.

There is generous provision of visitor spaces. The manoeuvring from the first visitor space is inadequate, but this could be addressed by the relocation of the security door.

**Manageable housing (cl.25N(2)):**

Each of the townhouses allows pedestrian access from the main entry path at ground level. A lift has been provided from the car park to the main entry pathway at ground floor level. Each townhouse includes a room described as a visitable WC. Townhouse 1 is shown as an adaptable unit with relevant measurements. However, no accessibility report has been provided with the application, to allow accurate assessment of the accessibility of the proposal (**Refer Reasons for Refusal No. 1(i)**).

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**Heritage /conservation areas (cl.61D – 61I):**

The site is not located within an Urban Conservation Area. There is a heritage listed site on the opposite side of Fiddens Wharf Road at No. 512 Pacific Highway. The proposal has been discussed with Council's heritage officer, who has no concerns in regard to the heritage setting of No. 512. The heritage site is located opposite the unit development located adjacent to the subject site, and is considerably higher than, and well separated from, the subject site. The proposal will not have any significant impact on the heritage setting of No. 512 Pacific Highway.

**Residential zone objectives:**

The development is unsatisfactory having regard to the following objectives for residential development as prescribed by clause 25D (2):

(b) adequate deep soil area, tree provision and protection (c) side setbacks to enable adequate landscaping, tree planting, separation for privacy and views to rear landscaping (d) impacts of carparking (e) adequate deep soil landscaping area to enable tree canopy in scale with the built form, (g) stormwater, (k) sunlight access (m) safety and security of private development (n) accessibility

**POLICY PROVISIONS****Development Control Plan No. 55 – Railway/Pacific Highway Corridor & St Ives Centre**

<b>COMPLIANCE TABLE</b>		
<b>Development control</b>	<b>Proposed</b>	<b>Complies</b>
<b>Part 3 Local context:</b>		
<b>Development adjacent to a heritage item:</b> <ul style="list-style-type: none"> <li>10m setback (1<sup>st</sup> &amp; 2<sup>nd</sup> storeys)</li> </ul>	Building > 35 m to heritage site	<b>YES</b>
<b>Part 4.1 Landscape design:</b>		
<b>Deep soil landscaping (min)</b> <ul style="list-style-type: none"> <li>150m<sup>2</sup> per 1000m<sup>2</sup> of site area = 193.5m<sup>2</sup></li> </ul>	<107m <sup>2</sup> at the rear of the site 208 sq m to western side (only 3 m wide)	<b>NO</b>
<b>No. of tall trees required (min):</b> 4 trees	>10 trees	<b>YES</b>
<b>Part 4.2 Density:</b>		
<b>Building footprint (max):</b> <ul style="list-style-type: none"> <li>35% of total site area</li> </ul>	33.7%	<b>YES</b>
<b>Floor space ratio (max):</b> <ul style="list-style-type: none"> <li>0.8:1</li> </ul>	0.725:1	<b>YES</b>

<b>COMPLIANCE TABLE</b>		
<b>Development control</b>	<b>Proposed</b>	<b>Complies</b>
<b>Part 4.3 Setbacks:</b>		
<b>Street boundary setback (min):</b>		
<ul style="list-style-type: none"> <li>10-12 metres (&lt;40% of the zone occupied by building footprint)</li> </ul>	9.4m 72% (excludes 0.8sq m in front of 10m line)	<b>NO</b>
<b>Rear boundary setback (min):</b>		
<ul style="list-style-type: none"> <li>6m</li> </ul>	6m	<b>YES</b>
<b>Side boundary setback (min):</b>		
<ul style="list-style-type: none"> <li>3m to boundary</li> </ul>	east: 500mm to lift lobby, 3.2m to general building line west: 2.8m to stairs, 3.7m to raised sitting area (above car park)	<b>NO</b>
<ul style="list-style-type: none"> <li>6m to habitable window</li> </ul>	9.5m	<b>YES</b>
<b>Setback of ground floor courtyards to street boundary (min):</b>		
<ul style="list-style-type: none"> <li>8m</li> </ul>	8.9m	<b>YES</b>
<b>% of total area of front setback occupied by private courtyards (max):</b>		
<ul style="list-style-type: none"> <li>15%</li> </ul>	5%	<b>YES</b>
<b>Part 4.4 Built form and articulation:</b>		
<b>Façade articulation:</b>		
<ul style="list-style-type: none"> <li>Wall plane depth &gt;600mm</li> </ul>	>600mm	<b>YES</b>
<ul style="list-style-type: none"> <li>Wall plane area &lt;81m<sup>2</sup></li> </ul>	<81m <sup>2</sup>	<b>YES</b>
<b>Built form:</b>		
<ul style="list-style-type: none"> <li>Building width &lt; 36m</li> </ul>	9.2m	<b>YES</b>
<ul style="list-style-type: none"> <li>Balcony projection &lt; 1.2m</li> </ul>	1.2m	<b>YES</b>
<ul style="list-style-type: none"> <li>Main living spaces oriented to front &amp; rear</li> </ul>	Main living spaces oriented to western side boundary	<b>NO</b>
<b>Part 4.5 Residential amenity</b>		
<b>Solar access:</b>		
<ul style="list-style-type: none"> <li>&gt;70% of units receive 3+ hours direct sunlight in winter solstice</li> </ul>	20%	<b>NO</b>

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<ul style="list-style-type: none"> <li>&gt;50% of the principal common open space of the development receives 3+ hours direct sunlight in the winter solstice</li> <li>&lt;15% of the total units are single aspect with a western orientation</li> <li>3+ hours direct sunlight at winter solstice to habitable rooms and principal portion of outdoor living area of single dwellings in 2(c2)</li> </ul>	<p>&gt;50% of the front area &lt;20% of the rear common open space area</p> <p>While not technically single aspect, 60% of the units have minimal area of windows to a different orientation (east)</p> <p>3+ hours to all adjoining development</p>	<p><b>YES</b></p> <p><b>NO</b></p> <p><b>YES</b></p>
<p><b>Visual privacy:</b> Separation b/w windows and balconies of a building and any neighbouring building on site or adjoining site: Storeys 1 to 4</p> <ul style="list-style-type: none"> <li>12m b/w habitable rooms</li> <li>9m b/w habitable and non-habitable rooms</li> <li>6m b/w non-habitable rooms</li> <li>Roof terraces to avoid overlooking neighbouring principal open space/side boundaries</li> </ul>	<p>9m -TH3&amp;4 study windows to balcony of units to east 10.3m -TH1 Living room to 4 Fiddens Wharf Rd 5.7m - TH1 ground floor sitting area to window of 4 Fiddens Wharf Rd</p> <p>9+m</p> <p>9+m</p> <p>All terraces overlook neighbouring principal open space/ western side boundary</p>	<p><b>NO</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>NO</b></p>
<p><b>Internal amenity:</b></p> <ul style="list-style-type: none"> <li>Habitable rooms have a minimum floor to ceiling height of 2.7m</li> <li>Non-habitable rooms have a minimum floor to ceiling height of 2.4m</li> <li>1-2 bedroom units have a minimum plan dimension of 3m in all bedroom</li> </ul>	<p>2.7m (ground and first floor) 2.1m to 3.6m (top floor)</p> <p>Stairwell on top floor -min1.2m 2.65m+ elsewhere</p> <p>&lt;3m</p>	<p><b>NO</b></p> <p><b>NO</b></p> <p><b>NO</b></p>

Item 2

COMPLIANCE TABLE		
Development control	Proposed	Complies
<ul style="list-style-type: none"> <li>Single corridors:                             <ul style="list-style-type: none"> <li>- serve a maximum of 8 units</li> <li>- &gt;1.8m wide at lift lobbies</li> </ul> </li> </ul>	<p>1 unit</p> <p>1.75m</p>	<p>YES</p> <p>NO</p>
<b>Outdoor living:</b> <ul style="list-style-type: none"> <li>Ground floor apartments have a terrace or private courtyard greater than 25m<sup>2</sup> in area</li> <li>primary outdoor space has a minimum dimension of 2.4m</li> </ul>	<p>&gt;25m<sup>2</sup> plus balconies</p> <p>&gt;2.4m</p>	<p>YES</p> <p>YES</p>
<b>Part 4.7 Social dimensions:</b>		
<b>Visitable units (min):</b> <ul style="list-style-type: none"> <li>70%</li> </ul>	100% , however there is no accessibility report to verify this	NO
<b>Housing mix:</b> <ul style="list-style-type: none"> <li>Mix of sizes and types</li> </ul>	5 x 2+ bedroom units	NO
<b>Part 4.8 Resource, energy and water efficiency:</b>		
<b>Energy efficiency:</b> <ul style="list-style-type: none"> <li>&gt;65% of units are to have natural cross ventilation</li> <li>Single aspect units are to have a maximum depth of 10m</li> <li>25% of kitchens are to have an external wall for natural ventilation and light</li> <li>&gt;90% of units are to have a 4.5 star NatHERS rating with 10% achieving a 3.5 star rating</li> </ul>	<p>100%</p> <p>No single aspect units</p> <p>&gt;25%</p> <p>4.5 star rating = nil 3.5 star rating = 100%</p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>NO YES</p>
<b>Part 5 Parking and vehicular access:</b>		
<b>Car parking (min):</b> <ul style="list-style-type: none"> <li>5 resident spaces</li> <li>2 visitor spaces</li> <li>7 total spaces</li> </ul>	<p>10 spaces</p> <p>4 spaces (including 1 space for disabled access with access to a lift)</p> <p>14 spaces</p>	<p>YES</p> <p>YES</p> <p>YES</p>

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**Part 3 Local context:**

The proposal fails to be responsive to the topography of the site, the landscaped character of the street or the scale of the adjoining single residential development. The units on the western side of 510 Pacific Highway enjoy distant views to the west. The proposal will block these views for residents of several units on the lower two floors. While the site has been zoned to allow multi-unit housing, the replacement of these distant views, with the bland façade as proposed is unacceptable. Reduced third floor areas, and/or 2 separate buildings would allow for some view sharing (**Refer Reason for Refusal No. 3**).

**Part 4.1 Landscape design:**

The inability to achieve the minimum deep soil landscaping zone or the required street setback, results in a landscape design, which does not compliment the proposed built form and is uncharacteristic of the surrounding area (**Refer Reason for Refusal No. 3**).

The landscape plan would also need to be amended to ensure that the species chosen are suitable for their locations and the functions they are proposed to serve (eg. fast screen planting).

The excavation for the basement will adversely impact on the liquidambar on the neighbouring site to the west. The liquidambar is in poor health, and its removal could be supported with owner's consent. No such consent has been submitted (**Refer Reason for Refusal No. 7**).

**Part 4.3 Setbacks:**

The proposal provides for inadequate setbacks to Fiddens Wharf Road, resulting in the dominance of the built form from the street and therefore fails to result in a building that is set behind gardens dominated by canopy trees.

The distance and design of the setback area to the east is inadequate to allow for sufficient space between sites, to enable tree planting between buildings to soften the urban form from the street or from the neighbouring site, or to allow views from the street to rear landscaping (**Refer Reason for Refusal No. 3**).

**Part 4.4 Built form and articulation:**

While the articulation complies with the numerical provisions, the design of the front and eastern facades is bland and unsympathetic to the streetscape and the neighbouring development. The building length along side boundaries is not limited as required by Part 4.4 C-5 in that the building is 47.8 metres long with little relief, especially on the eastern side (**Refer Reason for Refusal No. 3(d) and (e)**).

The proposal fails to mitigate the change in scale between the new development and the existing lower density housing to the west and therefore fails to satisfy Objective 0-3 of this part. The proposal provides main living areas that are oriented to side boundaries, rather than the front and rear as required, and does not address the street well (**Refer Reason for Refusal No. 3(c) and (i)**).

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**Part 4.5 Residential amenity:**

**Solar access**

Townhouse 1 receives adequate sunlight to living areas and private open space areas, although better use of the northern façade is still possible. Further, designing for improved solar access to this townhouse would result in improved overlooking of common open space areas and the public domain, and the use of eaves for summer protection would help to break up the monolithic appearance of the front façade.

Townhouses 2-5: The main living area windows on the west are angled with the aim of improving solar access. However the windows will receive virtually no sun before 3pm in midwinter. Further, there is no detail on the overshadowing of the top floor structures in relation to the windows of the loft area or the terraces adjoining. Elevational shadow diagrams *may* demonstrate some minor access to sunlight. A redesign/reduction in the top floor area could increase solar access to the loft area, however, these areas are nevertheless on the third floor, accessible only by stairs, and are not main living areas.

From the shadow diagrams solar access to ground and first floor terraces of townhouses 2-5 is as follows:

TH2: Ground floor private open space area: 9am-12 noon:	0% of area 1pm: 4% of area 2pm: 84% 3pm: 95%
First floor balcony:	9am -1pm 0% 2pm: approx. 50% 3pm: 80%
TH3: Ground floor private open space area: 9am-1.25 pm:	0% of area 2pm: 65% 3pm: 95%
First floor balcony:	Approx 50% of area from 2.10pm
TH4: Ground floor private open space area: 9am -1.45pm:	0% of area 2pm: 50% 3pm: 95%
First floor balcony:	Approx 50% of area from 2.10pm
TH5: Ground floor private open space area: 9am -1.50pm:	0% of area 2pm: 11% 3pm: 95%
First floor balcony:	Approx 50% of area from 2.10pm

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While inadequate details are provided on the shadow diagrams, it is estimated that the top floor terraces of townhouses 2-5 receive solar access to the following areas:

Top floor terrace TH2-5:	9 am: <1 sq m
	12 noon: 2 tiny portions approx 1m wide and 6 sq m of projecting balcony
	3pm: 16 sq m in one useable portion.

It should be noted however, that these terrace areas do not open to the main living areas. Further, the shadow diagrams do not show the impact of the fences that divide the ground or top floor terrace areas, and therefore the actual sunlight received to the private open space areas and living room windows will be less than that shown above.

Given the constraints of a narrow site with a westerly aspect, some latitude in terms of the requirements for solar access is reasonable. However angling of the townhouses, or a redesign reducing the number of townhouses and resultant self shadowing, would improve solar access in winter. The proposal fails to provide a satisfactory level of solar access for the future occupants **(Refer Reason for Refusal No. 4).**

**Visual privacy:**

The proximity of the study windows to the balconies of the adjacent development is satisfactory as the study windows are highlight windows. In addition, there is space for some screen planting between the developments which would further reduce the impact at the first floor level. The living room window and ground floor terrace to townhouse 1 will have a similar impact to the verandah of the existing dwelling house, therefore the privacy impact from this non-compliance to 4 Fiddens Wharf Road will not be increased.

While the windows and balconies of the townhouses meet the numerical standards of the DCP (with the exception of Townhouse 1 as explained above), the height of the development relative to the topography of the site, and the location of the balconies and terraces to the side of the building, results in unacceptable overlooking of the principal areas of private open space of No. 4 Fiddens Wharf Road, Nos. 29, 31 and 33 Grassmere Road. The ground floor terraces are located at or above the height of the 1.8 metre boundary fence and generally only 3.7 metres from the boundary and the first floor balconies and top floor terraces are located directly above these. There is a planter and some screening to the terraces, and it is accepted that the windows of the loft area will generally overlook the rooves of the adjoining dwellings. However, the screening will not prevent the use of the terrace/balcony areas on all floors resulting in overlooking of the rear of the dwellings and open space areas. The applicant is relying on the planting of advanced trees and shrubs to minimise these impacts, especially to the ground and first floor balconies. However, screen planting is not considered to be a satisfactory method of overcoming such basic design flaws **(Refer Reason for Refusal No. 2).**

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**Internal amenity:**

The second bedroom in each townhouse fails to comply with the minimum dimension requirement of 3 metres, however the loft area could be used as an additional bedroom. The proposal would then comply as 2 of the 3 bedrooms would satisfy the criteria.

The ceiling height in the loft varies generally between 1.8m and 3.6m and provides ample natural lighting.

The natural light to the studies depends on the adjacent lightwells. This does not comply with Part 3 of the Residential Flat Design Code (Daylight Access).

The non-compliance with the non-habitable room heights and the lift lobby area would not prevent adequate functioning of these areas.

**Part 4.6 Safety and security:**

The path to the south of the lift lobby which provides for pedestrian access from the street to townhouses 2 to 5 has limited opportunity for passive surveillance, either from the street, or from the townhouses themselves, resulting in poor security for residents and visitors.

The Statement of Environmental Effects refers to security fencing and gates at the street, however, no fencing is shown in plan or elevation and low fencing only would be desirable within the streetscape. No fencing has been considered in the assessment of the proposal **(Refer to Reasons for Refusal No. 6)**.

**Part 4.7 Social dimensions:**

Only 2 bedroom townhouses are provided, however, loft areas provide flexible spaces which may be used for a variety of spaces, including bedrooms. Given the small number of townhouses in the development a mix of unit sizes is not required.

As no accessibility report has been submitted, it is not possible to determine whether the proposal meets the accessibility objectives of the DCP **(Refer to Reasons for Refusal No. 1(i))**.

**Part 4.8 Resource, energy and water efficiency:**

Given the constraints of a narrow site with a westerly aspect, some latitude in terms of the requirements for energy efficiency is reasonable. However, inadequate use is made of the northern façade. Staggered angling of the townhouses, or the use of 2 separate buildings would improve solar access and energy efficiency in winter. This would require substantial redesign **(Refer to Reasons for Refusal No. 4)**.

The plans are inconsistent regarding the provision of eaves to the north for summer shade to the ground floor. The first floor windows to the north have no eaves **(Refer to Reasons for Refusal No. 4(f))**.

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The proposal fails to provide adequate insulation and fails to comply with Part 4.8.1 C-10 of the DCP. A condition could be imposed in this regard.

No waste management plan has been provided, however a condition could be imposed in this regard.

There is inadequate information to assess whether the proposal meets the requirements for water sensitive urban design, or the requirements of DCP 47 (**Refer to Reasons for Refusal No. 1(h)**).

**Part 5 Parking and vehicular access:**

Basement car parking projects from 0.6 metres to 1.2 metres, and due to the slope of the land, results in the ground level of ground floor active private open space areas, that are at or above the height of the top of the 1.8 metre high fence on the western boundary. This increases the apparent bulk and scale of the building when viewed from the private open space and living areas of the adjacent downhill dwellings to the west, and increases the privacy impacts of the western facing terraces, balconies and living areas of the proposed townhouse development.

There is potential for two of the resident spaces to be used as a single disabled access space with access to a lift, which would allow compliance with the provisions of the DCP. The parking provision is higher than the DCP requirements, and the loss of one resident space is acceptable.

The basement is naturally ventilated by vertical flues through the external walls, which discharge to the roof level through weatherproof louvres.

The security grill prevents adequate manoeuvring for the visitor space closest to the entry. The grill could be relocated to the basement entry as a condition of consent. All visitor spaces would then be obstructed by the grill. While this would not comply with the DCP requirement, given the small number of visitor spaces, and the additional built area that would be required to secure the residents' car spaces separately and the fact that the basement does not require access for waste vehicles, this is acceptable.

The driveway is in the side setback area. An area of at least 2.5m is maintained to the side boundary, allowing the provision of landscaping in this area, and given the constraints of the narrow site, the driveway location is acceptable. However, the four metre width is inadequate to prevent reversing onto Fiddens Wharf Road at times that another vehicle is exiting the basement car park. This is of particular concern given the proximity of the driveway crossing to the Pacific Highway (**Refer to Reasons for Refusal No. 5**).

The proposed vehicular access is too steep for adequate vehicular access and the crossfall at the street will result in changes to footpath levels that will have adverse impacts on pedestrian access (**Refer to Reasons for Refusal No. 5**).

**Part 6 Isolated sites:**

The site is itself an isolated site. The proposal will not create any isolated sites.

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**Part 7 Nominated Areas:**

The proposal is not in a nominated area.

**Development Control Plan 31 – Access**

Matters for assessment under DCP 31 have been taken into account in the assessment of this application against DCP 55.

**Development Control Plan 40 – Construction and Demolition Waste Management**

Matters for assessment under DCP 40 have been taken into account in the assessment of this application against DCP 55.

**Development Control Plan No. 43 – Car Parking**

Matters for assessment under DCP 43 have been taken into account in the assessment of this application against DCP 55.

**Development Control Plan 47 – Water Management**

Matters for assessment under DCP 47 have been taken into account in the assessment of this application against DCP 55.

**Contaminated Land Policy**

The proposal fails to demonstrate that the site can be remediated to a standard suitable for the proposed development.

**Section 94 Plan**

If approved the development would attract a Section 94 contribution pursuant to the Ku-ring-gai Section 94 Contributions Plan 2004-2009 Residential Development as of 30 June 2004.

**Likely Impacts**

All likely impacts have been assessed elsewhere in this report.

**Suitability of the Site**

The narrow site, westerly aspect and topography constrain the design of multi-unit housing on this site. These constraints have not been adequately addressed in the design of the proposal. The site is not suitable for the proposed development.

**Any Submissions**

All submissions received have been considered in the assessment of this application.

## Public Interest

The approval of the application is considered not to be in the public interest.

## Any other Relevant Matters Considerations Not Already Addressed

There are no other matters for discussion.

## CONCLUSION

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be unsatisfactory. Therefore, it is recommended that the application be refused.

## RECOMMENDATION

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT Council, as the consent authority, refuse development consent to Development Application No. 610/05 for demolition of existing structures and construction of 5 townhouses on land at 2 Fiddens Wharf Rd Killara as shown on plans prepared by D& C Consortium, referenced 2005-07 DA-01 to DA-12 dated 5 May 2005, and Landscape Plan prepared by Viridian Designs, Dwg No 40519-01, dated February 2005, and lodged with Council on and Site plan DA01A lodged with Council on 15 July 2005, for the following reasons:

### 1. Inadequate information

The proposal fails to provide information required to accurately assess the application

- a) No SEPP 1 objection has been submitted to Clause 25I (3) and (4) of the Ku-ring-gai Planning Scheme Ordinance (KPSO);
- b) No SEPP 1 objection has been submitted to Clause 25I(2) of the KPSO;
- c) No SEPP 1 objection has been submitted to Clause 25L of the KPSO in regard to the non-compliance to the west;
- d) No SEPP 1 has been submitted to Clause 25L of the KPSO in regard to the non-compliance to the south;
- e) The proposal is not accompanied by a Design Verification Statement in accordance with Clause 50 1(A) and by Clause 5(A) of Schedule 1 of the Environmental Planning and Assessment Regulation 2000;
- f) There is inadequate information to enable Council to be satisfied that the site can be remediated such that it is suitable for multi-unit residential development:

Item 2

- i) The site contains fill with elevated lead and polycyclic aromatic hydrocarbon (PAH) concentrations. The consultant has identified further assessment required in relation to the fill materials across the site and the classification of the soils to be removed from the site, in accordance with EPA guidelines. These studies are required to assess whether the site will be suitable after remediation for multi-unit residential development;
  - ii) The proposal therefore fails to comply with the requirements of Clause 7 of SEPP 55 and Part 2.2 of Council's Contaminated Land Policy;
- g) The proposal fails to provide adequate information in regard to stormwater management and does not comply with Clause 13 of SEPP 65, 25D2(h) of the KPSO, Section 6.4 of DCP 47 or Part 4.8.4 of DCP 55
  - i) There is no indication of how the northern area of each roof is to be drained into the rainwater tanks;
  - ii) The proposal fails to identify how the retained roofwater will be connected to all toilets, washing machine cold taps and irrigation as required by s. 6.4 of Development Control Plan 47;
  - iii) The amended plans fail to identify the discharge point for the on-site detention system. The original design required discharge to the kerb outside the neighbouring property, which is not acceptable for multi-unit development;
- h) The proposal fails demonstrate ease of access for all age groups and degrees of mobility.
  - i) The proposal fails to provide an accessibility report to allow accurate assessment of the proposal;
  - ii) The proposal therefore fails to satisfy Clause 15 of SEPP 65, Objective 25D 2(n), and Clause 25N(1) and (2) of the KPSO and Part 4.7 of DCP 55.
- i) The proposal fails to demonstrate that the required excavation will not result in adverse impacts on the development at 510 Pacific Highway.
  - i) As basement excavation requires up to about 3 metres of excavation within 3 metres of the boundary, which is in turn some 2 metres below an existing concrete retaining wall inside No. 510 Pacific Highway, a geotechnical investigation should be carried out. The investigation should identify excavation conditions and recommend suitable support to neighbouring properties, especially the retaining wall, and provide dilapidation surveys on neighbouring buildings.
- j) The proposal fails to provide adequate information in regard to the fence to the front courtyard of Townhouse 1.
- k) The plans, photomontage and Statement of Environmental Effects are inconsistent in regard to the front fencing.

Item 2

**2. Loss of privacy**

The proposal fails to adequately provide for visual privacy for the single residential developments to the west.

- a) The proposal is oriented towards, and directly overlooks, the private open space areas to the west, which contain single residential dwellings, zoned 2(c2).
- b) The topography of the site exacerbates the impacts of this overlooking.
- c) The proposal fails to comply with Clause 15 of SEPP 65, and the objectives of Part 4.5.2 of DCP 55.

**3. Streetscape and visual impact**

The proposal fails to respond to its context. The proposal fails to comply with Clauses 9, 10, 11, 14 and 18 of State Environmental Planning Policy No 65, Clauses 25D2 (b), (c), (d), (e), Clause 25I(2), (3) and (4) and Clause 25L of Part 3A of the Ku-ring-gai Planning Scheme Ordinance, in that it will have a detrimental impact on the residential context of the street and the adjoining properties due to the lack of transition of scale, the minimal setbacks, lack of area proposed for deep soil landscaping, poor address of the street and bland facades:

- a) The proposal fails to comply with the minimum street frontage of 23 metres required by Clause 25I (3) of the Ku-ring-gai Planning Scheme Ordinance. The site is only 22.555 metres. The constraints are exacerbated by the rear width of only 17.775 metres. Under Clause 25I (4), a multi-unit proposal is allowable despite a frontage of less than 23 metres, provided that all other requirements of the KPSO are met. This is not the case;
- b) The proposal fails to maintain a front setback of 10-12 metres and a building footprint of no more than 40% of the setback zone as required by Part 4.3 C1 of DCP 55. Part of the building is 9.4 metres from the front boundary and a minimum of 72% of the setback zone is occupied by the building footprint. Further, the building footprint area includes additional area in front of this setback zone;
- c) The proposal fails to provide a satisfactory transition in scale in relation to the single dwellings downslope from the site and has failed to consider the constraints of the topography of the site;
- d) The proposal replaces distant views from the lower two floors of the western facing units at 510 Pacific Highway, with a bland façade with a length of 47.8 metres, and fails to comply with Part 3.3 C-8, C-9 and Part 4.4 C-5 of DCP 55;
- e) The inadequate eastern side setback exacerbates the impact of (d) above, and fails to provide for views from the street to rear landscaping, to maintain the landscaped context of the residential area as required by 25D2 (c) of the KPSO;
  - i) The proposal fails to meet the zone interface standard to the eastern boundary from the third floor (Clause 25L of the KPSO). The proposed setback is 3.2 metres where 9 metres is required;
  - ii) The general setback of 500mm to 4.2 metres fails to meet the 3 metre setback requirement of Part 4.3 CC-1 of DCP 55. The setback area includes a pedestrian

Item 2

access path, lift lobby and bin storage. While the 2 metre wide portions provide space for large screening shrubs, the planting area is not wide enough for the establishment of tree planting, in scale with the proposal, or sympathetic to the local context;

- iii) The SEPP 1 objection to Clause 25L of the KPSO, submitted in relation to the non-compliance to the east, fails to demonstrate that the standard is unnecessary and unreasonable in the circumstances;
- f) The proposal fails to comply with the zone interface standard to the rear boundary at the third floor as required by Clause 25L of the KPSO. The proposed setback is 7.4 metres where 9 metres is required;
- g) The proposal fails to comply with the zone interface standard to the western boundary at the third floor as required by Clause 25L of the KPSO. Part of the building is setback only 8.6 metres from the boundary, where 9 metres is required.
- h) The proposal fails to provide adequate deep soil landscaping area, to ensure the provision of landscaping appropriate to the scale of the development and in sympathy with the streetscape. The minimum area required by Clause 25I(2) the KPSO is 40%. The applicant has failed to accurately estimate the deep soil landscaping area and only 36% is provided. The areas in dispute are as follows:
  - i) the two flights of stairs within the communal open space at the rear;
  - ii) the garden beds adjacent that are less than 2.0m wide;
  - iii) the rainwater detention tank beneath the driveway
  - iv) the garden beds above the detention tank;
  - v) the garden beds adjacent to the detention tank that are less than 2.0m wide.
  - vi) The deep soil area would be further reduced were the driveway to be widened in accordance with issue 4(a);
- i) The proposal has a poor address to the street. The main orientation is to the side which is inconsistent with the type of development within the street. The street façade is bland, with few windows overlooking the street, and pedestrian entry to the side;
- j) The height of the basement area exceeds the maximum average height of 600mm allowed under Part 5 C-1 of DCP 55 and fails to satisfy the objectives of the KPSO [Clause 25D2(d)]. The proposed basement area projects from 600mm to 1.2 metres above ground. Given the topography of the site, the impact on the developments to the west and on the streetscape is exacerbated by the topography of the site.

#### 4. Solar access and design for climate

The proposal fails to provide a satisfactory level of solar access for the future occupants of townhouses 2, 3, 4 or 5 and fails to provide a satisfactory level of energy efficiency. The proposal fails to comply with Clauses 13 and 15 of SEPP 65, the objectives of the Ku-ring-gai Planning Scheme Ordinance [Clause 25D2(k)] and with Part 4.5.1 and 4.8 of DCP 55.

- a) The main living areas of the above townhouses receive almost no sun before 3 pm in midwinter;

Item 2

- b) The shadow diagrams fail to demonstrate the shadow impacts of the top storey structure on the loft windows and therefore an accurate assessment cannot be made. A redesign/reduction in the top floor area could increase solar access to the loft area, however, these areas are nevertheless on the third floor, accessible only by stairs, and are not main living areas;
- c) The ground floor terraces of townhouses 2, 3, and 4 only receive direct sunlight to at least 50% of their area for about one hour in the afternoon, while a substantial portion of the terrace of townhouse 5 achieves perhaps half an hour. The first floor balconies receive up to an hour to 50% of each balcony area on the first floor balcony and to some minor portion of the top floor terrace. The higher floor open space areas, however, are not connected to the main living areas;
- d) The shadow diagrams fail to demonstrate the shadow impacts of the 1.8 metre fencing and walls to the private terrace areas, and therefore there is inadequate information to accurately assess the level of solar access to the private open spaces and to the living area windows;
- e) Only 20% of the townhouses (ie. one townhouse) achieve adequate solar access. Alternative design options are available that would improve access to direct sunlight for the future occupants;
- f) No townhouses achieve a minimum of 4.5 NatHERS star rating. Part 4.8 C-4 of DCP 55 requires that a minimum of 90% of townhouses achieve a minimum of 4.5 star rating;
- g) There is inadequate summer sun protection to the windows of the proposed development, and therefore the proposal fails to comply with 4.8-C7 of DCP 55.

**5. Vehicular and pedestrian access to the site**

The proposed vehicular access is unsafe and inconvenient for vehicle and pedestrians and fails to comply with Clause 3b) of DCP 31- Access, Part 5.1 of DCP 55, or AS2890.1 "Off-Street Car Parking".

- a) The proposed driveway width from the kerb line and about 12 metres inside the property is shown as 4 metres. A vehicle entering the crossing may have to reverse into Fiddens Wharf Road if another vehicle was approaching from the basement, which would be undesirable at this location. The vehicular crossing and driveway should be 5.5 metres wide for 6 metres from the kerb line, to allow two vehicles to pass. The widening of the driveway would, however, result in further reduction of an already inadequate deep soil landscaping area, including a reduced ability to provide landscaping to soften the built form from the street.
- b) The design levels at the vehicular crossing appear to indicate a 20% rise from kerb line to boundary. This will result in unsatisfactory vehicular access.
- c) The proposed crossing levels will result in excessive crossfall on the footpath on the nature strip, resulting in poor accessibility for pedestrians. The existing crossing levels should be retained.

Item 2

**6. Crime prevention**

- a) The proposal fails to encourage safety and security within the site and fails to comply with Clause 16 of SEPP 65, with the objectives listed in Clause 25D2 (m) of the Kuring-gai Planning Scheme Ordinance and with Part 4.6 (C2) of DCP 55.
- b) The path to the south of the lift lobby which provides for pedestrian access from the street to townhouses 2 to 5 has limited opportunity for passive surveillance, either from the street, or from the townhouses themselves, resulting in poor security for residents and visitors;

**7. Tree impacts**

- a) The proposal will result in the decline or destabilization of the *liquidambar styraciflua* (Sweet Gum) on the neighbouring property and fails to comply with Council's Tree Preservation Order.
- b) The applicant's consulting Arborist (Andrew Morton – Earthscape Horticultural Services) has noted that the proposed development 'may result in severance of woody roots of tree #7 *Liquidambar styraciflua* (Sweet Gum), leading to an adverse impact and potential destabilisation'. Tree #7 is located on the neighbouring property and despite its current health and condition, any proposed development should take the tree into consideration to minimise adverse impacts, particularly impacts that may cause the tree to go into further decline;
- c) Root mapping along the line of the proposed basement within the nominated tree protection zone is required to determine the extent of root severance as a result of the development works and the potential impacts to Tree #7;
- d) Alternatively, consideration could be given to the removal of tree #7. However, owner's consent would be required for its removal and no consent has been submitted.

T Southwell  
**Development Assessment Officer**

R Kinninmont  
**Team Leader, Assessment Team– South**

M Prendergast  
**Manager Development Assessment Services**

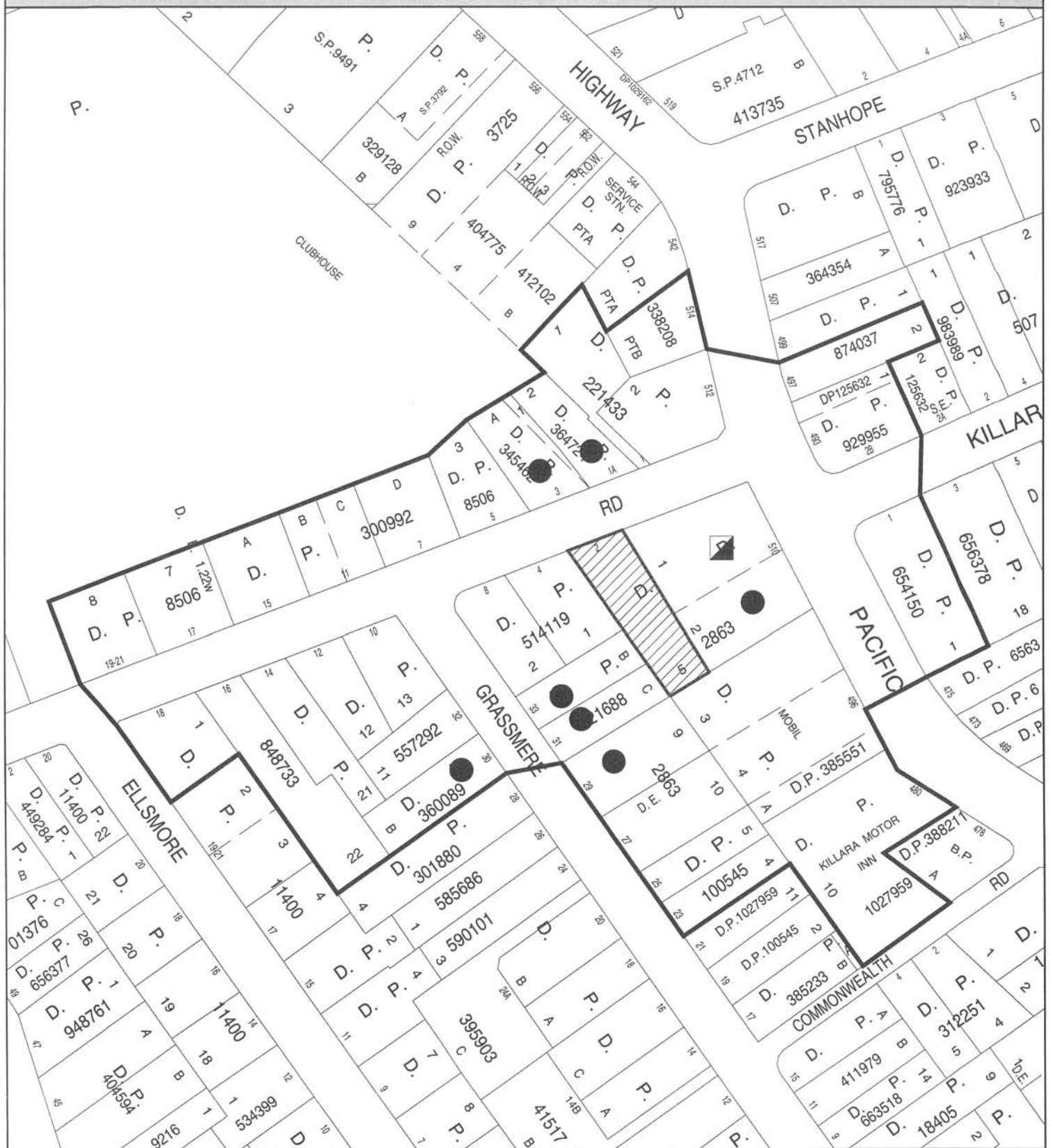
M Miocic  
**Director Development & Regulation**

**Attachments:** Location sketch - 539474  
Zoning map - 539475  
Architectural plans – 539477, 539478, 539479, 539481, 539482, 539483, 539485  
Landscape plans - 539484

# LOCATION SKETCH

## 2 Fiddens Wharf Road, KILLARA NSW

### DEVELOPMENT APPLICATION No 610/05



2 Objections from outside area of map.



AGREEMENT



OBJECTION



SUBJECT LAND



PETITION



SUBMISSION



CIRCULATED AREA



Scale : 1:2000

23-09-2005



**2 FIDDENS WHARF RD KILLARA DA No 610/05**



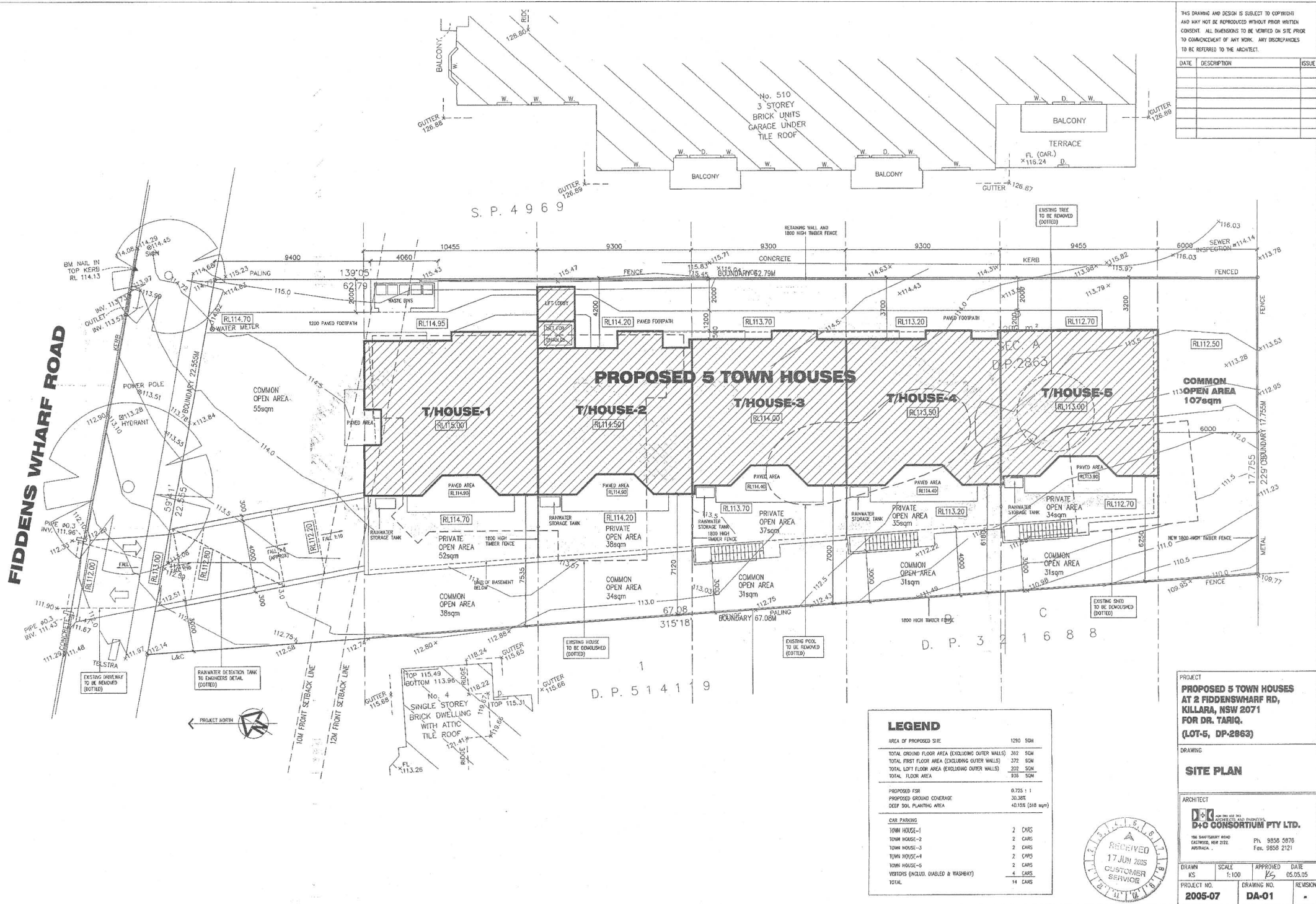
23-09-2005

**Scale = 1:2000**

- |        |                           |      |                   |
|--------|---------------------------|------|-------------------|
|        | EXISTING COUNTY ROAD      | 2(e) | RESIDENTIAL 2(e)  |
| I.D.O. | INTERIM DEVELOPMENT ORDER |      |                   |
|        | 2(b)                      |      | RESIDENTIAL 2(b)  |
|        | 2(c2)                     |      | RESIDENTIAL 2(c2) |
|        | 2(d)                      |      | RESIDENTIAL 2(d)  |
|        | 2(d3)                     |      | RESIDENTIAL 2(d3) |



FIDDENS WHARF ROAD



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DATE	DESCRIPTION	ISSUE

PROJECT  
**PROPOSED 5 TOWN HOUSES**  
**AT 2 FIDDENS WHARF RD,**  
**KILLARA, NSW 2071**  
**FOR DR. TARIQ.**  
**(LOT-5, DP-2863)**

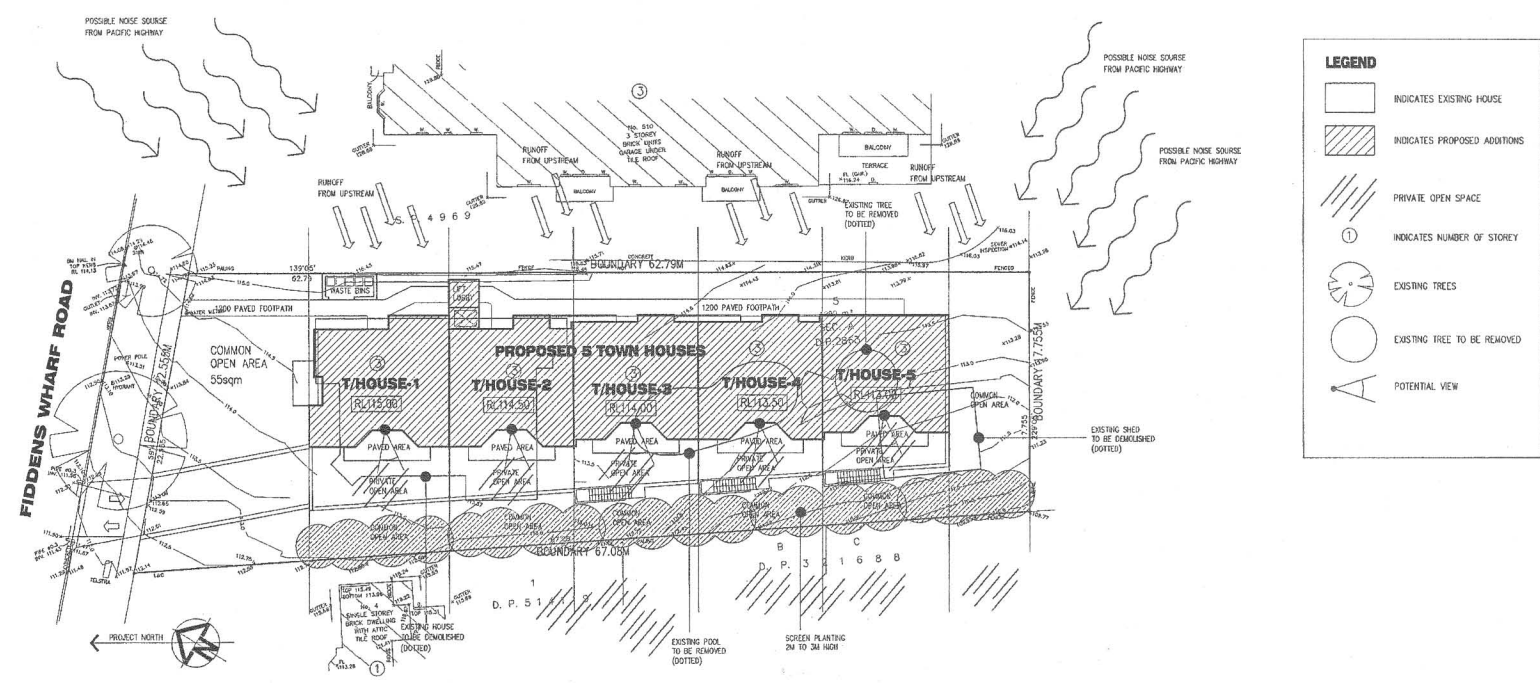
DRAWING  
**SITE PLAN**

ARCHITECT  
**D+C CONSORTIUM PTY LTD.**  
 186 SHAWSTOWN ROAD  
 EASTWOOD, NSW 2122  
 AUSTRALIA  
 Ph. 9558 5876  
 Fax. 9558 2121

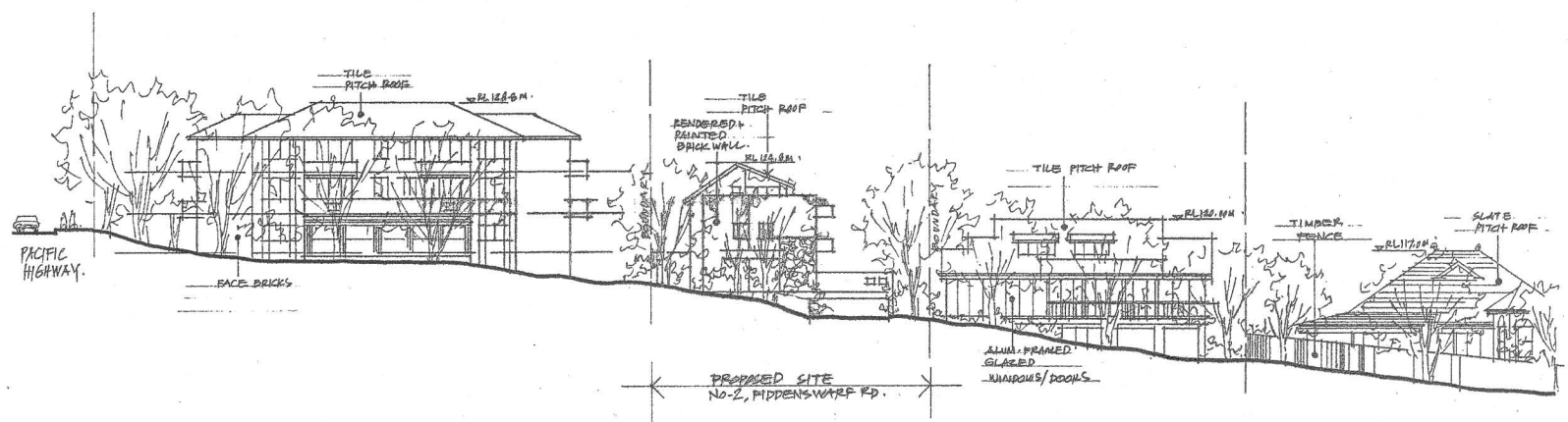
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 PROJECT NO.  
 2005-07  
 APPROVED  
 PS  
 DATE  
 05.05.05  
 DRAWING NO.  
 DA-01  
 REVISION

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DATE	DESCRIPTION	ISSUE



**SITE ANALYSIS PLAN**  
SCALE 1:200



**STREET ELEVATION.**  
SCALE 1:200

PROJECT  
**PROPOSED 5 TOWN HOUSES  
AT 2 FIDDENSWHARF RD,  
KILLARA, NSW 2071  
FOR DR. TARIQ.**  
(LOT-5, DP-2863)

DRAWING  
**SITE ANALYSIS PLAN**

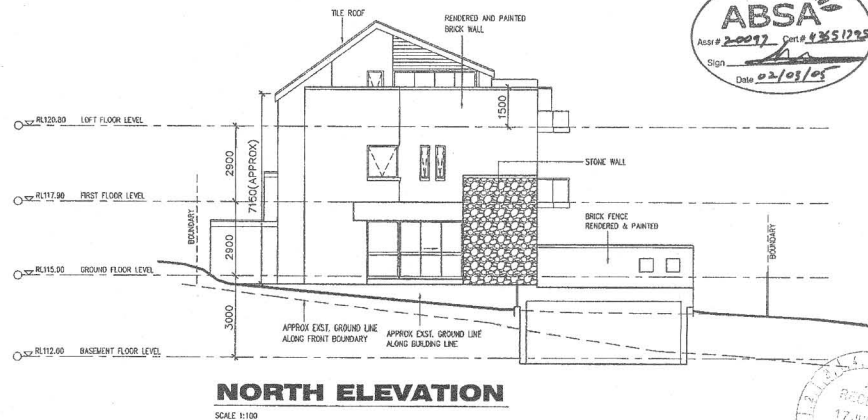
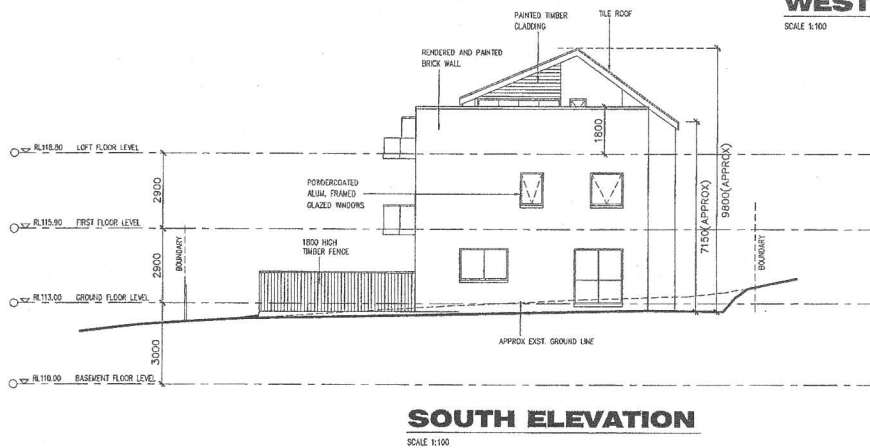
ARCHITECT  
**D+C CONSORTIUM PTY LTD.**  
180 SHARPLEY ROAD  
LAKEMOORE, NSW 2122  
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DATE	SCALE	APPROVED	DATE
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PROJECT NO.	DRAWING NO.	REVISION	
2005-07	DA-12		



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DATE	DESCRIPTION	ISSUE



PROJECT  
**PROPOSED 5 TOWN HOUSES  
AT 2 FIDDENSHARF RD,  
KILLARA, NSW 2071  
FOR DR. TARIQ.  
(LOT-5, DP-2863)**

DRAWING  
**ELEVATIONS**

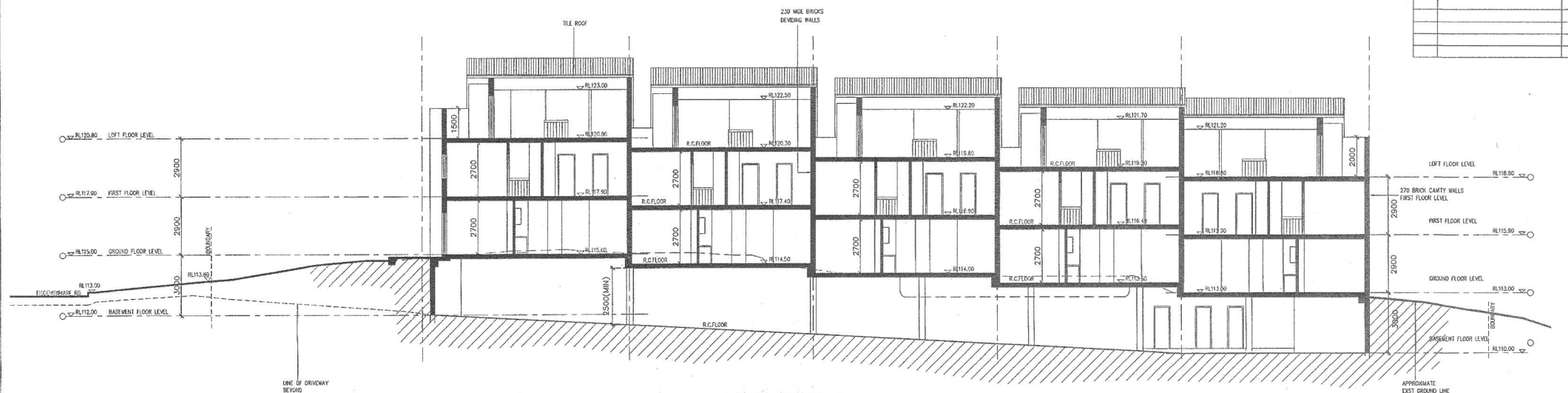
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**D&C CONSORTIUM PTY LTD.**  
188 SHAWSTOWN ROAD  
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PROJECT NO: **2005-07**  
SCALE: 1:100  
APPROVED: KS  
DATE: 05.05.05  
DRAWING NO: **DA-07**  
REVISION: .



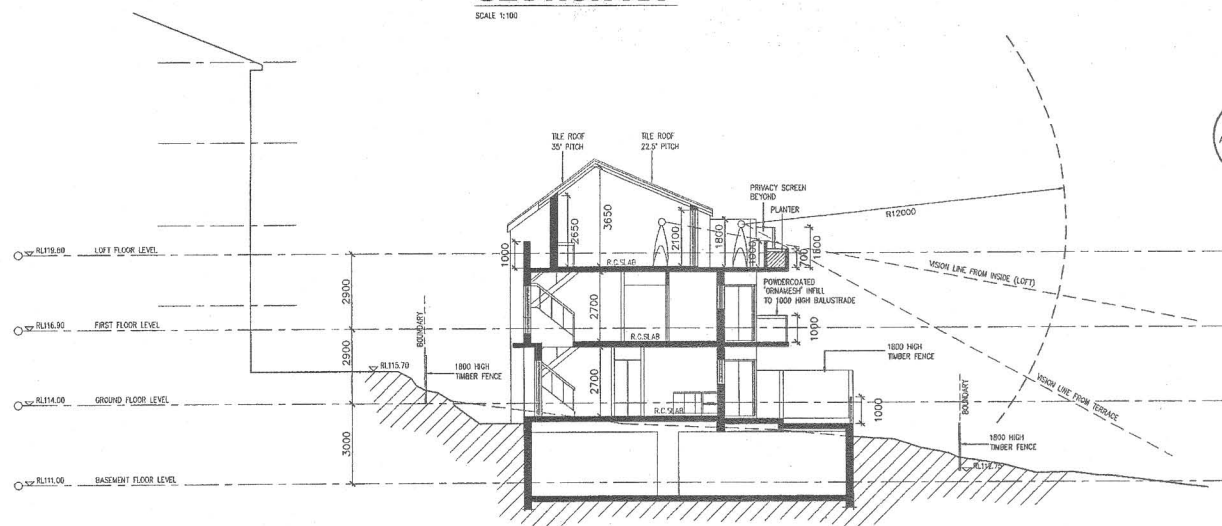
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DATE	DESCRIPTION	ISSUE



**SECTION-AA**

SCALE 1:100



**SECTION-BB (THR T/HOUSE-3)**

SCALE 1:100



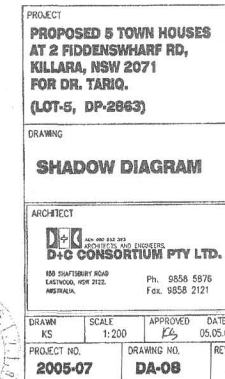
PROJECT  
**PROPOSED 5 TOWN HOUSES  
AT 2 FIDDENSWHARF RD,  
KILLARA, NSW 2071  
FOR DR. TARIQ.  
(LOT-5, DP-2863)**

DRAWING  
**SECTIONS**

ARCHITECT  
**D&C CONSORTIUM PTY LTD.**  
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PROJECT NO.	DRAWING NO.	REVISION	
2005-07	DA-06		



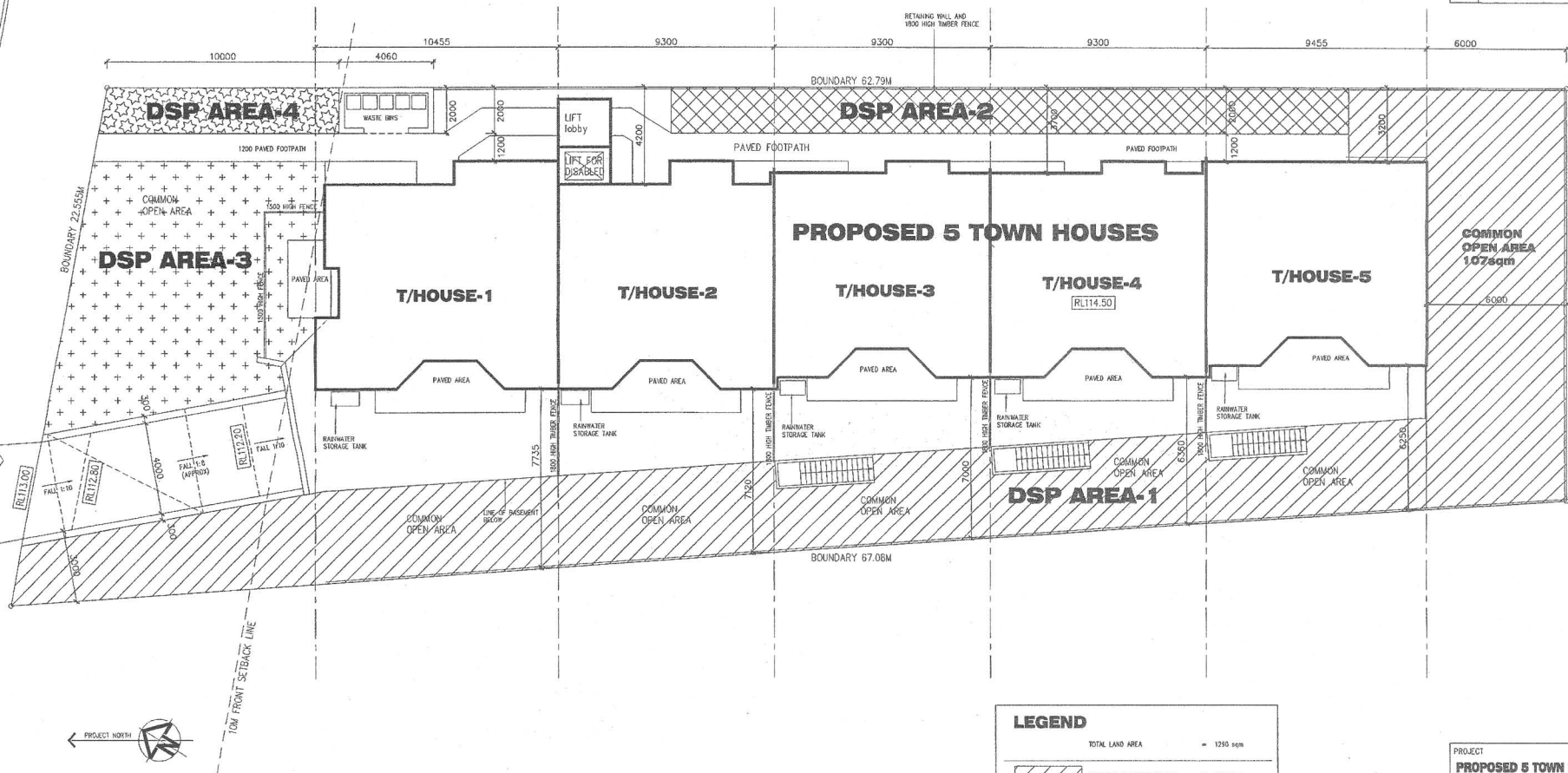
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PROJECT NO. <b>2005-07</b>		DRAWING NO. <b>DA-08</b>	REVISION

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DATE	DESCRIPTION	ISSUE



LEGEND	
TOTAL LAND AREA	= 1295 sqm
DEEP SOIL PLANTING AREA-1	= 335 sqm
DEEP SOIL PLANTING AREA-2	= 57 sqm
DEEP SOIL PLANTING AREA-3	= 106 sqm
DEEP SOIL PLANTING AREA-4	= 29 sqm
TOTAL DEEP SOIL PLANTING AREA	= 518 sqm (40.15%)

PROJECT  
**PROPOSED 5 TOWN HOUSES  
AT 2 FIDDENS WHARF RD,  
KILLARA, NSW 2071  
FOR DR. TARIQ.  
(LOT-5, DP-2863)**

DRAWING  
**DEEP SOIL PLANTING AREA**

ARCHITECT  
**D+C CONSORTIUM PTY LTD.**  
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Ph. 9558 5878  
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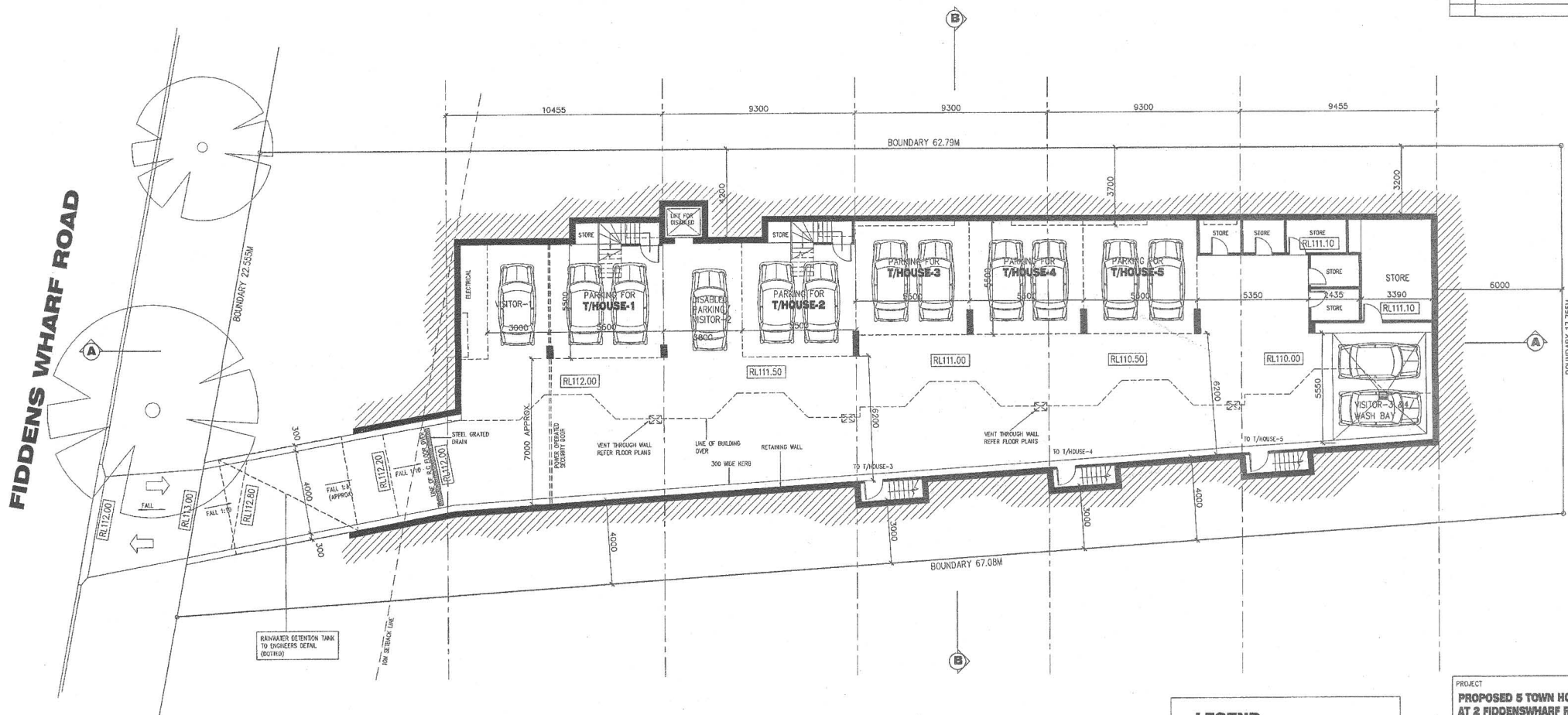
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PROJECT NO.	DRAWING NO.	REVISION	
2005-07	DA-09		



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DATE	DESCRIPTION	ISSUE



# **LEGEND**

AREA OF PROPOSED SITE	1290 SQM
TOTAL GROUND FLOOR AREA (EXCLUDING OUTER WALLS)	362 SQM
TOTAL FIRST FLOOR AREA (EXCLUDING OUTER WALLS)	372 SQM
TOTAL LOT FLOOR AREA (EXCLUDING OUTER WALLS)	732 SQM
TOTAL FLOOR AREA	936 SQM
PROPOSED FSR	0.725 : 1
PROPOSED CROCOD COVERAGE	30.3MS
DEEP SOIL PLANTING AREA	40.15% (516 sqm)

CAR PARKING	2 CARS
TOWN HOUSE-1	2 CARS
TOWN HOUSE-2	2 CARS
TOWN HOUSE-3	2 CARS
TOWN HOUSE-4	2 CARS
TOWN HOUSE-5	2 CARS
VISITOR (INCLUDE DISABLED & WASHBAY)	4 CARS
TOTAL	14 CARS

PROJECT  
**PROPOSED 5 TOWN HOUSES  
AT 2 FIDDENSWHARF RD,  
KILLARA, NSW 2071  
FOR DR. TARIQ.  
(LOT-5, DP-2863)**

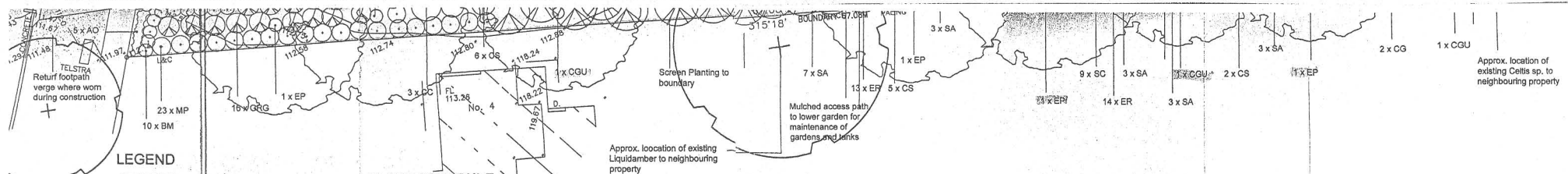
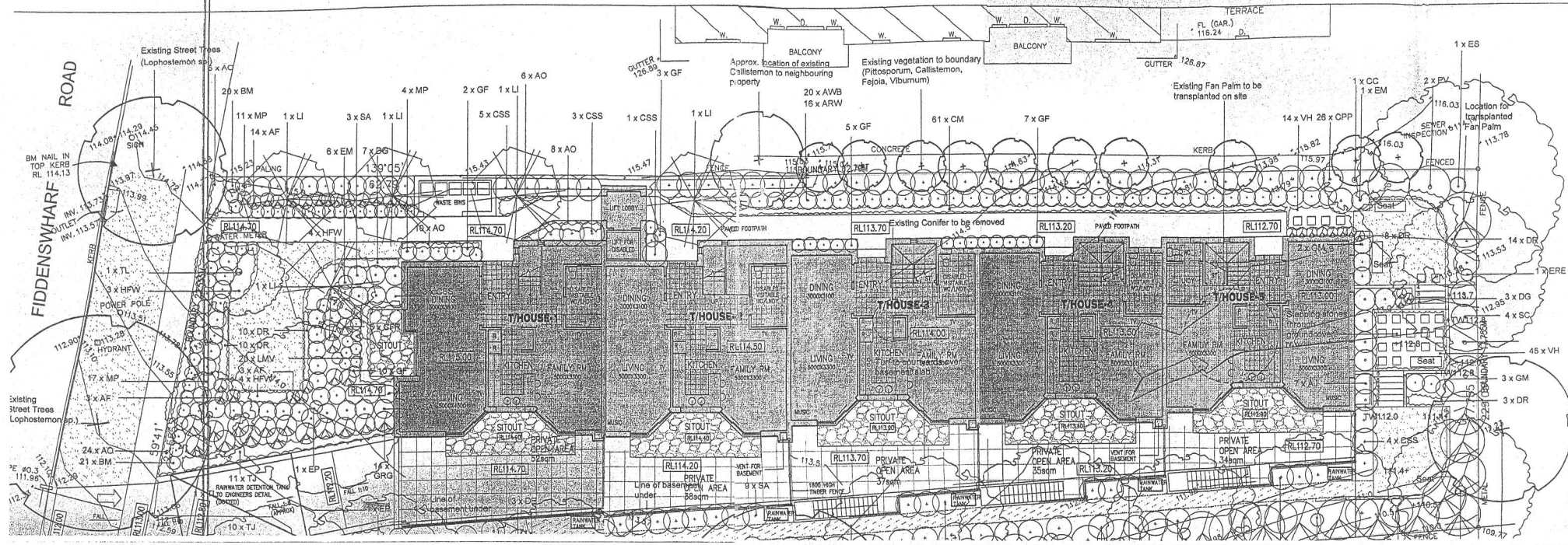
DRAWING

**BASEMENT FLOOR PLAN**

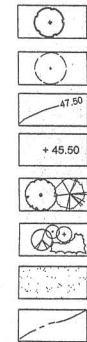
ARCHITECT  
**D+C CONSORTIUM PTY LTD.**  
180 SHAWTOWN ROAD  
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DRAWN	SCALE	APPROVED	DATE
KS	1:100	PS	05.05.05
PROJECT NO.	DRAWING NO.	REVISION	
2005-07	DA-02		





# LEGEND



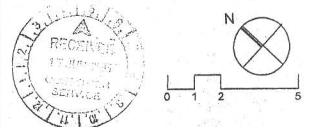
## PLANT SCHEDULE

Symbol	Size-gm	No.	Botanical Name	Common Name	Approx. Ht at Maturity
<b>Native Trees</b>					
CS	25L	8	Callistemon serratifolia	Black Wattle	4m
CC	25L	4	Callistemon citrinus 'Endeavour'	Bottlebrush	3m
CGU	25L	4	Corymbia gummifera	Red Bloodwood	10m
ER	25L	27	Elaeocarpus reticulatus	Blueberry Ash	6-8m
EP	25L	6	Eucalyptus paniculata	Grey Ironbark	15-30m
ERE	25L	1	Eucalyptus resinifera	Red Mahogany	15-30m
ES	25L	1	Eucalyptus saligna	Sydney Blue Gum	10m
TL	25L	2	Trianthema laurina	Water Gum	
<b>Deciduous Trees</b>					
LI	25L	5	Lagerstroemia indica	Crepe Myrtle	Staking req.
<b>Shrubs</b>					
AF	200	20	Anigozanthos flavidus	Kangaroo Paw	
AJ	200	7	Aucuba japonica	Japanese Aralia	
AWB	200	20	Azalea 'White Bouquet'	White Azalea	
ARW	200	16	Azalea 'Red Wings'	Red Azalea	
BM	200	56	Buxus japonica microphylla	Japanese Box	
CSS	300	17	Camellia sasanqua 'Satsukikaka'	White Camellia	
CPP	300	23	Camellia sasanqua 'Plantation Pink'	Pink Camellia	
CG	200	4	Ceratopetalum gummiferum	NSW Xmas Bush	
CFR	200	5	Cordyline frutescens 'Rubra'	Large red leaf cordyline	

Symbol	Size mm	No.	Botanical Name	Common Name	Approx. Ht at Maturity
DE	300	15	Doryanthus excelsa	Gymea Lily	
EM	200	14	Eriostemon myrsinoides	Waxflower	
GF	200	27	Gardenia florida	Gardenia	
GM	200	5	Gardenia 'Magnifica'	Large Gardenia	
GRG	200	30	Grevillea 'Robyn Gordon'	Red Spider Flower	
MP	200	47	Murraya paniculata	Orange Jessamine	
PV	200	2	Pittosporum 'Variegatum'	Variegated Pittosporum	
SA	300	35	Syzygium australe 'Select Form'	Lilly Pilly	Staking req.
SC	300	9	Syzygium 'Cascade'	Lilly Pilly	
VO	200	12	Viburnum odoratissimum	Sweet Viburnum	
<b>Groundcovers</b>					
AO	150	60	Agapanthus orientalis	Blue Agapanthus	
CM	150	61	Clivia miniata	Kaffir Lily	
DR	150	45	Dianella revoluta	Flax Lily	
DG	150	7	Dietes grandiflora	Wild Iris	
HFV	150	11	Hardenbergia 'Flat White'	Non-climbing Hardenbergia	
LMV	150	20	Liriope muscari variegatum	Variegated Lily Turf	
TJ	150	21	Trachelospermum jasminoides	Star Jasmine	
VH	tube	59	Viola hederacea	Native Violets	

NOTE:  
Refer Arborist Report prepared by Earthscape Horticultural Services dated March 2005 and Tree Management Plan Dwg No 40519-02 for tree protection measures and information

SITE AREA CALCULATIONS	
Site Area	1290m <sup>2</sup>
Total Open Space	899m <sup>2</sup> (70 %)
Total Deep Soil Landscape	533m <sup>2</sup> (41 %)



<b>Viridian Designs</b> Landscape Architects PO Box 1881 Macquarie Centre North Ryde NSW 2113 Ph: (02) 9868 3412 Fax: (02) 9868 3462 Mobile: 0408841059 viridian@bigpond.net.au		Architect:  <b>D + C Consortium Pty Ltd</b>	Project:  <b>Proposed Townhouse Development 2 Fiddenswharf Road Killara</b>	Client:  <b>Dr Tariq</b>	Dwg Title:  <b>Landscape Plan</b>	Job No.  <b>40519</b>	Dwg No.  <b>40519-01</b>
Date: <b>FEB 05</b>		Issue No. <b>B</b>		Drawn <b>FA</b>			Scale <b>1:100</b>

---

## **49 TELEGRAPH ROAD, PYMBLE - ADDITIONS AND ALTERATIONS PLUS CARPORT AND DRIVEWAY**

---

### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To provide Council with reasons for refusal for development application DA0642/05.

**BACKGROUND:**

- Application lodged 23 June 2005.
- Report considered by Council at meeting 26 July 2005 with a recommendation for approval.
- The matter was deferred for site inspection.
- Site inspection held on 6 August 2005.
- Supplementary report considered by Council at meeting 23 August 2005 with a recommendation for approval.
- Council resolved that the matter be deferred in order to seek an independent Heritage Impact Statement.
- Independent Heritage Impact Statement considered by Council at its meeting of 20 September 2005. Despite the Heritage Consultant's recommendation for refusal, the application was recommended for approval.
- Council resolved that the matter be deferred so that reasons for refusal can be drafted.

**COMMENTS:**

Without prejudice reasons for refusal are provided notwithstanding the previous recommendations for approval.

**RECOMMENDATION:**

Refusal.

## PURPOSE OF REPORT

To provide Council with reasons for refusal for development application DA 642/05.

## BACKGROUND

- Application lodged 23 June 2005.
- Report considered by Council at meeting 26 July 2005 with a recommendation for approval.
- The matter was deferred for site inspection.
- Site inspection held on 6 August 2005.
- Supplementary report considered by Council at meeting 23 August 2005 with a recommendation for approval.
- Council resolved that the matter be deferred in order to seek an independent Heritage Impact Statement.
- Independent Heritage Impact Statement considered by Council at its meeting of 20 September 2005. Despite the Heritage Consultant's recommendation for refusal, the application was recommended for approval.
- Council resolved that the matter be deferred so that reasons for refusal can be drafted.

## COMMENTS

Subsequent to Council resolution No. 395 of 20 September 2005, and notwithstanding the previous recommendations for approval, council is provided with the following without prejudice reasons for refusal.

In the event that Council wishes to approve the development application, draft conditions relevant to the proposed development have been included with the attachments.

## RECOMMENDATION

**THAT** the Council, as the consent authority, refuse development consent to Development Application No. DA 642/05 for alterations and additions plus a carport to a dwelling on land at 49 Telegraph Road, Pymble, as shown on plans prepared by *Fiona Mitchell - Architect*, reference number, *A01 (Rev A) to A08 (Rev A)*, dated *April 2005* and lodged with Council on *23 June 2005*, for the following reasons:

1. The proposed detached carport is located forward of the existing building façade, would dominate the front of the dwelling and would present an unacceptable intrusion into the existing streetscape.

### *Particulars*

- (i) The proposed carport fails to comply with clause 5.1.1 of DCP 38 in that it fails to conserve and enhance the visual character of the street.

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- (ii) The proposed carport fails to comply with clause 5.5.3 of DCP 38 in that it is proposed to be constructed forward of the established building line.
- 2. The proposed detached carport would have an adverse impact on the adjoining heritage item, No. 51 Telegraph Road, by virtue of its location in close proximity to the common boundary and its position forward of the established building line.

*Particulars*

- (i) The proposed development application has failed to demonstrate that the proposed carport would not present an unacceptable impact to the adjoining heritage item, contrary to the provisions of Clause 61E – Development in the vicinity of heritage items.

D Hoy  
**Development Assessment Officer**

S Cox  
**Team Leader**  
**Development Assessment - Central**

M Prendergast  
**Manager**  
**Development Assessment Services**

M Miocic  
**Director**  
**Development & Regulation**

**Attachments:**    **Attachment 1: Report to Council, 26 July 2005 - 532516**  
                         **Attachment 2: Location Sketch - 532585**  
                         **Attachments 3 to 6: Site Plan, Pool Terrace Plan, Site Analysis, Site**  
                         **Calculations - 532588**  
                         **Attachments 7 to 8: Elevations - 532591**  
                         **Attachment 9: Shadows - 532592**  
                         **Attachment 10: Engineering Survey Plan - 532594**  
                         **Attachments 11 to 12: Landscape Plans - 532595**  
                         **Attachment 13: Report to Council, 23 August 2005 - 525850**  
                         **Attachment 14: Site Inspection Minutes of 6 August 2005 - 522514**  
                         **Attachment 15: Report to Council, 20 September 2005 - 533447**  
                         **Attachment 16: Statement of Heritage Impact by Jennifer Hill, Architectural**  
                         **Projects Pty Ltd - 532508**  
                         **Confidential Items - (Floor Plans under separate cover)**

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	49 TELEGRAPH ROAD, PYMBLE - ADDITIONS AND ALTERATIONS PLUS CARPORT AND DRIVEWAY.
<b>WARD:</b>	St Ives
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	642/05
<b>SUBJECT LAND:</b>	49 Telegraph Road, Pymble
<b>APPLICANT:</b>	Mrs Marilena Allan
<b>OWNER:</b>	Mrs Marilena Allan
<b>DESIGNER:</b>	Fiona Mitchell Architects
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2(c)
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	Ku-ring-gai Planning Scheme Ordinance, Development Control Plan No. 38, Development Control Plan No. 43 and Development Control Plan No. 47
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP 55
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	23 June 2005
<b>40 DAY PERIOD EXPIRED:</b>	2 August 2005
<b>PROPOSAL:</b>	Additions and alterations to the existing dwelling, construction of a carport and driveway.
<b>RECOMMENDATION:</b>	Approval

**DEVELOPMENT APPLICATION N<sup>o</sup>**  
**PREMISES:**  
**PROPOSAL:**

**642/05**  
**49 TELEGRAPH ROAD, PYMBLE**  
**ADDITIONS AND ALTERATIONS TO THE**  
**EXISTING DWELLING PLUS CARPORT**  
**AND DRIVEWAY**  
**MRS MARILENA ALLAN**  
**MRS MARILENA ALLAN**  
**FIONA MITCHELL ARCHITECTS**

**APPLICANT:**  
**OWNER:**  
**DESIGNER**

**PURPOSE FOR REPORT**

To consider DA 1417/05 for alterations and additions to a dwelling and construction of a detached double carport and new gravel driveway.

**EXECUTIVE SUMMARY**

Permissible Under:	Ku-ring-gai Planning Scheme Ordinance
Integrated Development:	No
Bushfire Prone Land:	No
Heritage Item:	No
In the vicinity of a Heritage Item	YES (No. 51 Telegraph Road)
Conservation Area:	No
Issues:	Streetscape, setbacks, visual impact, privacy, landscaping
Submissions	Two (2) submissions
Recommendation	Approval

**HISTORY**

**Previous Application - DA 1417/04**

This matter was previously considered (DA 1417/04). The previous development application was approved under delegated authority, subject to conditions which required the relocation of the carport to be set back a minimum of 1.5m from the eastern (side) boundary, the deletion of one side-facing window and additional screen planting.

The consent to DA 1417/04 issued on 6 June 2005 is the subject of Class 4 proceedings in the Land and Environment Court commenced by the owners of the adjoining property (No. 51 Telegraph Road).

**Current Application - DA 642/05**

This matter has been called to Council by Councillors Bennett and Hall who have requested the development application be referred to full Council for determination.

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**THE SITE AND SURROUNDING AREA**

Zoning:	Residential 2(c)
Visual Character Study Category:	1945-68
Lot & DP Number:	Lot 13 and Lot A DP 337947
Area:	1093.9m <sup>2</sup>
Side of Street:	Southern
Stormwater Drainage:	To the street
Required Setback:	12m (min), 14m(avg)
Heritage Affected:	No
Integrated Development:	No
Bush Fire Prone Land:	No

The site is comprised of two allotments, being Lot 13 and Lot A of DP 337947. The existing dwelling is situated towards the rear of Lot 13, approximately 27 metres back from Telegraph Road. The rear of the site includes a small irregular piece of land identified as Lot A within the subdivision. The existing pool and rear gardens are situated at the rear of the site on Lot A.

The site has a frontage of approximately 18.8m to Telegraph Road and a depth of 48.9m. It has a total area of 1093.9m<sup>2</sup>. The site is situated above street level, with a slight slope away from the street boundary to the front of the dwelling and a 10% grade from the front of the dwelling to the rear boundary. A substantial ridge runs across the rear of the site, with the adjoining property to the rear (No. 41 Hope Street) situated approximately 4m below the level of the rear of the subject site.

**Surrounding development**

The area is characterised by large, two storey, detached dwellings in an assortment of styles, situated on large lots and having setbacks from Telegraph Road, which significantly vary between properties. A large detached dwelling (No. 51 Telegraph Road) adjoins to the east of the site. No. 51 Telegraph Road is identified as being a local heritage item. It is set approximately 27 metres back from the street and situated in a formal garden setting. The adjoining dwelling (No. 47) is a large, two storey, dwelling that is set approximately 10 metres back from the Telegraph Road and well forward of the dwelling on the subject site. Dwellings to the south of the site in Hope Street are situated well below the site due to the natural topography of the locality, with a substantial ridge running along the rear of properties in this part of Telegraph Road. The rear of dwellings in Hope Street are readily visible from the rear of dwellings in Telegraph Road, although privacy is generally retained through significant boundary landscaping.

**THE PROPOSAL****Dwelling additions**

The proposed dwelling additions involves the construction of a new ground floor extension and elevated terrace to the rear of the dwelling. The proposed structure comprises a new meals room and is to be constructed of rendered brick work. It has a pitched roof with a maximum height of 6.5m to the ridge and dimensions of 4.76m x 4.5m.

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The proposed meals room would open onto a new elevated terrace which runs across the rear elevation of the dwelling, having dimensions 4.5m x 9.8m (allowing for stairs to be integrated along its western edge). The meals room and terrace are to be constructed over an existing concrete paved area at the rear of the dwelling. This area is to be retained as a large undercroft area below the terrace and new extensions.

Other changes to the dwelling include minor internal changes, the removal of an existing kitchen window and laundry door, installation of new windows to the existing garage at the front of the dwelling and its conversion into a family room.

**Carport**

The application involves the erection of a new double carport in front of the dwelling over part of the existing driveway and parking area and a small area of garden. The proposed carport is to be erected in front of the existing single car garage. The proposed structure is to have a hipped roof to match the existing dwelling, has dimensions 5.55m x 5.55m and is set back 1.0m from the side boundary with the adjoining property No. 51 Telegraph Road. The proposed carport is to be constructed of rendered brick and tile to match the existing dwelling and is situated 2.1m from the front of the dwelling. The carport is to be accessed by a 'T' shaped driveway. The northern elevation of the structure facing the street will be open to the street with the exception of the brick pillars. The site design has made allowance for gardens between the carport and the street boundary.

**Driveway**

The existing strip driveway is to be removed and a new driveway constructed. The proposed driveway has a width of 2.8m at the front boundary and a large 'T' shaped turning area in front of the dwelling measuring 9.0m x 4.85m. The proposed new driveway is to be constructed using a permeable gravel surface.

**CONSULTATION - COMMUNITY**

**DA 642/05**

The proposal was advertised and notified in accordance with the Ku-ring-gai Notification Policy. Submissions have been made by on or behalf of the following property owners:

- Mr. D and Mrs R McGovern, 51 Telegraph Road
- Miss G Russell, 39 Hope Street

Issues raised in the above submissions are as follows:

***Privacy as a result of proposed windows in the eastern and southern elevation of the proposed rear additions.***

Having had regard to the objections raised in response to this issue, and the location of the proposed window above the height of the rear of No. 51 Telegraph Road, it is appropriate to delete the side-facing window to the proposed meals room additions (refer **Condition No. 28**). This window is

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unnecessary and would overlook the rear deck and rear garden of the adjoining property to an unsatisfactory level. Other rear-facing windows have a lesser impact because of their orientation towards the rear of the property, the distances from the rear of other properties in Hope Street and existing screen planting along the boundaries of the site. The existing screen planting has not yet fully grown in places and, as such, additional trees are indicated on the landscape plans to replace trees which have died or have been removed along the rear and side boundaries of the property.

***Privacy as a result of the proposed rear terrace overlooking adjoining private areas.***

Concerns have been raised that the proposed rear terrace would overlook the rear of the adjoining properties, in particular No. 51 Telegraph Road. The provisions of Council's DCP state that:

*"first floor decks, balconies and roof top terraces are not permitted where they overlook... habitable rooms or private open space".*

The proposed rear additions and new elevated terrace are not a first floor element but rather are ground floor elements which are elevated due to the fall of the site at the rear of the property. It is agreed that there would be some overlooking as a result of one particular side-facing window, however, this window is to be deleted (refer **Condition No. 28**).

Other impacts as a result of the proposed works are more a function of the orientation of the lots in this part of Telegraph Road and Hope Street and the greatest impact would be to the very rear gardens of No. 51 and the rear gardens of No. 47. Such impact is not so significant so as to warrant refusal of the proposed additions, as sufficient screening exists along the boundaries of the site and new screening is proposed to levels which will substantially reduce any privacy impact. It should be noted that additional screen planting is to be provided in conjunction with the deletion of the side window to mitigate the greatest impacts.

***Privacy impacts resulting from the proposed swimming pool deck.***

The applicant has removed this element from the plans in response to the objections raised.

***Issues in relation to an existing spa pool and cabana. Specifically noise from this area of the site and lighting of the area.***

This matter does not relate to the subject DA. It has been investigated by Council's Compliance Officers to a satisfactory conclusion. It is noted that Council has engaged an acoustic consultant to assess the noise impacts as a result of the pool pump and spa unit and that noise attenuation measures may be required as a result. Issues relating to external lighting are currently being reviewed by Council's Compliance team.

***Survey plan details are inadequate.***

Sufficient survey information has been provided to enable Council to make a full assessment.

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***A valid heritage impact statement has not been provided***

A heritage impact statement has been provided which addresses the impact of proposed works on the adjoining heritage item (No. 51 Telegraph Rd). The statement is in support of the proposed additions and argues that the proposed works would have a satisfactory impact on the adjoining heritage item having regard for the setback of the carport from the street, the extent of existing landscaping and potential to establish further landscaping in front of the carport. The proposed rear extensions and terrace were not considered to have a detrimental impact on the heritage significance of the adjoining property.

The heritage impact statement reflects the original plans dated November 2004, submitted to Council under the previous application (DA 1417/04). The statement has not been reviewed to address changes made to the plans at the request of Council and following submissions from adjoining property owners. Changes made to the plans included the following:

- Deletion of the proposed deck to the south of the swimming pool and rear of the site.
- The eastern (side) elevations was amended to show the correct location of the existing kitchen window and to indicate a fixed obscure glass window in the south-eastern corner of the meal room where a previous clear glazed panel was previous shown.
- The floor plans were amended to show the conversion of the existing garage to a family room.

These changes are positive improvements which also correct minor discrepancies and address concerns raised by adjoining property owners. The proposed changes are not considered sufficient enough to warrant a revised heritage impact statement as the amendments would not constitute a greater impact to the adjoining heritage item.

The information provided in the heritage impact statement is sufficient enough to enable Council to make an informed decision on the proposed development application.

***Inaccurate representation of the proposed FSR, built upon area and soft landscaping.***

A comprehensive check of the quantum of FSR, built upon area and soft landscaping has been undertaken. This concludes that the quantum proposed in each respect is correct, compliant and satisfactory.

The proposed rear additions and terrace are to be constructed over existing hard paved surfaces and, as such, would not increase built upon areas at the rear and the new gravel driveway and double carport at the front of the site allows drainage to the street and would not have any effect on downstream properties. Soft landscaping is considered to be adequate to meet the provisions of Council's DCP and the increase to the FSR will not contribute to any additional building bulk when viewed from the street. Consequently, the proposed additions will not result in an overdevelopment of the site.

***The details provided in the Statement of Environmental Effects is insufficient.***

Sufficient information has been provided to enable Council to make a full assessment.

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***Heritage impacts and the location and design of the proposed double carport.***

Concerns have been raised that the proposed carport will have a detrimental impact on the existing adjoining heritage item at No 51 Telegraph Road. The heritage item is listed as having local, architectural and municipal significance and a significant curtilage including existing gardens, front fence and garden lights. The adjoining site (No. 51) is well screened along its side boundaries, with the most prominent views of the site being from directly in front of the site.

The proposed carport is to be constructed adjoining the side boundary of the site in front of the front façade of the subject dwelling and also forward of the building line from No. 51. The carport is to be situated 1.0m from the boundary and landscaping details show screen planting to be established along the common boundary. The design, bulk and location of the proposed structure has no detrimental impact on the adjoining heritage item, having regard to existing dense screening. Notwithstanding, it has been required that the proposed carport be set a minimum of 1.5m from the common boundary to allow adequate screen planting to be provided independent of the adjoining property. Subject to adequate screening, the design of the structure will have no material impact on the adjoining heritage item.

**Previous development application - DA 1417/04**

Submissions have previously been made in relation to the previous development application by the following property owner:

- Mr. H Jensen, 41 Hope Street

Whilst Mr. Jensen did not make a submission in relation to the current DA, the concerns he raised to the previous DA have been addressed in the current DA, including through conditions.

**CONSULTATION - WITHIN COUNCIL**

**Engineering:**

Council's Development Engineer has raised no objection to the proposed development and has made the following comments:

*"The front of the site drains to the street and the rear of the site drains to the rear. To reduce the stormwater impact directed towards to the rear of the site, the applicant has proposed to:*

- *direct a portion of the alterations and additions to the street (carport and driveway),*
- *install a high level overflow on the existing swimming pool,*
- *install a permeable timber deck, and*
- *reinstate the driveway and paths with a semi-pervious gravel material.*

*Conditions to this effect have been included in the engineering conditions.*

*A perusal of the submitted drawings reveals the following:*

- *The doorway width of the proposed carport needs to be increased to comply with AS/NZS 2890.1 (2004) - "Off-street car parking".*
- *The turning bay needs minor modifications to ensure that vehicles can manoeuvre in accordance with AS/NZS 2890.1 (2004) - "Off-street car parking".*

*Conditions to this effect have been included in the engineering conditions."*

The proposal has been supported by Council's Engineers, subject to conditions (**refer Conditions Nos 15 to 23, 36, 38, 39, 42, 43 and 43).**

### **Landscape:**

Council's Landscape Development Officer has raised no objection to the proposed development and has made the following comments:

*"No objection is raised to the removal of 1 x Magnolia x soulangiana (Magnolia) - 3h x 3.5s located at the front of the existing dwelling."*

The landscape plans submitted with the development application indicate screen planting between the proposed carport and the eastern side boundary and in front of the carport to the street. The screen planting in this location is identified as being 14 x *Camelia Sasanqua*, which are capable of attaining a height of 3m. To ensure this planting is in an advanced state of growth at planting, a condition has been recommended to require the proposed plants to have a minimum pot size of 45 litres and minimum height of 1.2m (**refer Condition No. 30).**

The provision of screen planting along the western boundary adjacent to the proposed rear deck is insufficient to address issues of over looking to No. 47 Telegraph Road, and it is appropriate that additional screening be provided in this location. A condition has therefore been recommended to require additional screen planting to be established along the boundaries of the site (**refer Condition No. 30).**

The landscape plans submitted with the development application include significant screen planting to be established along the common boundary with No. 51 Telegraph Road to the east of the site. The landscape plan specifies plant species capable of attaining 5m-6m in height which would be suitable for this part of the site.

The landscape details submitted with the application are acceptable. Landscape conditions have been recommended to require compliance with the submitted landscape plan and to ensure appropriate screen planting is established (**refer Conditions Nos 24, 25, 26, 27 and 30).**

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**Heritage:**

Council's Heritage Advisor has considered the proposal and has made the following comments:

*"There are several problems with the proposed design:*

- 1. No. 51 Telegraph Rd (adjoining) is a heritage item and the proposed carport would be situated forward [of the building line] and would cause some visual impacts.*
- 2. Streetscape – Telegraph Road is an important streetscape. Carports in front of the building line should not be considered appropriate.*

*Recommended options*

- 3. The existing garage could be extended sideways [in front of the dwelling] and the living spaces within the garage should be relocated to the rear of the site.*

*No objection is raised to the proposed alterations and additions."*

The primary impact as a result of the proposal, is the location of the proposed double carport in close proximity to the common boundary with No. 51 Telegraph Road. A statement of heritage impact has been submitted to address the impact of the proposed carport on the adjoining heritage item. The findings of that report are supported and the impact of the proposed carport considered to be acceptable for the following reasons:

- The proposed carport is situated well within the site, in excess of 16m from the street boundary. The position of the carport forward of the existing dwelling will not have a significant impact on the adjoining heritage item as dense screening along the common boundary already screens much of the adjoining dwelling and will also screen much of the proposed carport structure from view. The same dense boundary planting also obscures views of the heritage property from the street at present and serves as an important part of the curtilage to the heritage item.
- The location of the proposed carport a minimum of 1.0m from the common boundary restricts the ability to provide adequate landscaping within site between the side boundary and the carport structure. Should the vegetation on the adjoining property die or be removed, the roof and structure of the proposed carport would be visible from the adjoining property. It is therefore considered appropriate to require that the carport be set a minimum of 1.5m off the side boundary and to require that additional landscaping be provided between the carport and the side boundary. Such a set back would also be in accordance with Council's DCP requirements. **Condition No. 30** has been recommended to require details of the proposed landscaping to be provided prior to the release of the construction certificate.
- In relation to streetscape issues, the provision of a carport in front of the building would not normally be supported. However, in this case the proposed set back from the street is quiet generous, being greater than 16m and there is ample opportunity to provide a formal landscaped setting in keeping with the existing dwelling and similar to other dwellings in Telegraph Road. It should also be noted that the location of the carport is also significantly further away from the street than the adjoining dwelling on No. 47 Telegraph Road and that the structure would not be

## Item 7

immediately visible from the street unless the passer-by looks directly into the site. For these reasons, the location of the proposed carport is not considered to be detrimental to the existing streetscape.

**STATUTORY PROVISIONS****STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – CONTAMINATED LANDS**

Given that the only known use of the site is for residential purposes, the land is unlikely to be contaminated and the provisions of SEPP 55 do not require any additional conditions to be imposed.

**KU-RING-GAI PLANNING SCHEME ORDINANCE & LEP 194****Permissibility**

The proposal is permissible within the Residential 2(c) zone.

**Aims and objectives for residential zones**

The development is considered to have satisfied the relevant aims and objectives for residential development as outlined by Schedule 9.

<b>COMPLIANCE TABLE</b>		
<b>Development standard</b>	<b>Proposals numeric compliance</b>	<b>Complies</b>
<b>Site Area:</b> 1093.9m <sup>2</sup>		
<b>Minimum size allotments</b> • Height: 8m (max)	6.5m	<b>YES</b>
<b>Built-upon areas</b> 60%(656.3m <sup>2</sup> )(max)	<51.6% (564.2m <sup>2</sup> )	<b>YES</b>

**Heritage /conservation areas (cl.61D – 61I):**

The site is located adjacent to a heritage listed residential dwelling at 51 Telegraph Road. The application is accompanied by a heritage impact statement which addresses the impact of the proposed works upon this listed building.

The primary impact of the proposed works on the adjoining heritage item is the proposed location of the double carport in close proximity to the common boundary with the adjoining property. This area of the site is well screen by existing vegetation and it unlikely that the proposed carport will have any adverse impact on this vegetation. However, it is appropriate that the proposed carport be independently screened along this common boundary and additional screen planting be established between the carport and the side boundary. Given the location of the carport in front of the existing dwelling it is also appropriate that significant plantings be established in front of the proposed structure.

Conditions have been recommended to achieve this. (refer Conditions 29 and 30).

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Subject to compliance with the conditions of consent the application meets with the controls of 61D – 61I of the KPSO (as amended).

**POLICY PROVISIONS****KU-RING-GAI RESIDENTIAL DESIGN MANUAL – DCP No. 38**

<b>COMPLIANCE TABLE</b>		
<b>Site Characteristics</b>		
<b>Site Area</b> = 1093.9m <sup>2</sup>		
The site is on the <b>low</b> side of the road for drainage purposes		
The site has a <b>land slope</b> more than 20° across the site = NO		
The <b>Visual Character</b> category for the site is 1945-68		
<b>Section 5: Design Elements</b>		
<b>Development control</b>	<b>Proposals numeric compliance</b>	<b>Complies</b>
<b>5.1 Streetscape:</b>		
<b>Building Setbacks (s.5.1.3)</b>		
<ul style="list-style-type: none"> <li>Front Setback: 14m (Ave) -75% front elevation 12m (min) – 25% front elevation</li> </ul>	16.2m (carport)	<b>YES</b>
<ul style="list-style-type: none"> <li>Side Setback: Ground Floor: 1.5m(min)</li> </ul>	East boundary: 2.0m (rear extension) West boundary: 2.1m (terrace) East boundary: 1.0m (carport)	<b>YES</b> <b>YES</b> <b>NO</b>
<b>5.2 Building Form:</b>		
<b>FSR (s.5.2.1)</b> 0.4:1 (max)	0.36:1	<b>YES</b>
<b>Height of Building (s.5.2.2)</b>		
<ul style="list-style-type: none"> <li>2 storey (max) and 8m (site &gt;20° slope) or 7m (site &lt;20° slope)</li> </ul>	2 storey & 6.5m (proposed works only)	<b>YES</b> <b>YES</b>
<b>Building Height Plane (s.5.2.3)</b> 45° from horizontal at any point 3m above boundary	<i>Minor Intrusions in the building height plane along Eastern boundary as follows:</i>  Nil to 0.1m (Meals room eaves and upper wall)  <i>The proposed intrusion into the Building Height Plane is minimal and does not result in any significant detrimental impact to adjoining properties.</i>	<b>NO</b>
<b>Built-Upon Area (s.5.2.7)</b> 52% (568.8m <sup>2</sup> ) (max)	<51.6% (564.2m <sup>2</sup> )	<b>YES</b>

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Development control	Proposals numeric compliance	Complies
<b>Solar Access (5.2.11)</b> 4h solar access to adjoining properties between 9am to 3pm	<i>Shadow diagram identify minimal impacts to adjoining windows, open space and private areas as a result of the proposed works. The development will not result in significant additional overshadowing to adjoining properties given the location of the proposed works to the south of the existing dwelling and the works being situated well below the main ridge height.</i>  >4hrs are available to living areas of adjoining dwellings	<b>YES</b>
<b>5.5 Access &amp; Parking:</b>		
<b>No. of Car Parking Spaces (s.5.5.1)</b> 2 spaces behind building line	2 spaces in front of the building line	<b>NO</b>
<b>Driveway Width (s.5.5.6)</b> 3.5m (max)	2.8m 4.85m (turning area)	<b>YES</b> <b>NO</b>

The following is a detailed consideration of the areas in which the proposal is non-compliant:

**Streetscape (Part 5.1)****Building Setbacks (s.5.1.3)**

*Side setback: Ground Floor 1.5 (min), First Floor 3.0m (min)*

- The location of the proposed carport a minimum of 1.0m from the common boundary restricts the ability to provide adequate landscaping on the subject site, between the boundary and the carport structure. Should the existing dense vegetation on the adjoining property die or be removed, the location of the carport in front of the building line would be compromised. Consequently, it is appropriate to require the structure be set a minimum of 1.5m off the side boundary in order to comply with Council's DCP requirements and to enable adequate screen planting to be established. Conditions have been recommended to require relocation of the proposed carport and details of the proposed landscaping to be provided prior to the release of the construction certificate.

**Building Height Plane (s.5.2.3)**

*45° from horizontal at any point 3m above boundary*

- The Building Height Plane requirements state that development should avoid the creation of an overbearing effect upon adjoining development in order to:
  - Maintain the relative scale relationship between buildings;
  - Ensure that daylight to habitable rooms in adjacent dwellings is not significantly reduced;

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- iii. *Ensure that sunlight to the private open spaces of the subject property and adjacent properties is not significantly reduced;*
- iv. *Encourage increased setback with increased height.*

The proposed additions represent significant alterations the existing dwelling and result in minor non-compliances with the Building Height Plane along the eastern elevation at the rear of the property. The breaches to the building height plane are minor and are limited to upper wall and eaves of the proposed rear additions. These elements are designed to be incorporated within a new roof form in keeping with the original elements of the existing dwelling.

The new design incorporates a sympathetic roof form and a scale which is in keeping with the existing dwelling. Furthermore, the proposed alterations ensure reasonable separation between development and adjoining properties and will not result in any significant detrimental amenity impact for adjoining development. It is proposed to delete a proposed side window to preserve existing privacy at the adjoining property (No. 51). Accordingly, no living areas or private spaces will be significantly affected by the breaches to the building height plane.

***Location of Parking Structures (s.5.5.4)***

*Garages and carports integrated into the dwelling and behind the building line.*

- Clause 5.5.4 of DCP No.38 allows that where it is not possible to provide parking behind the building line, an open side carport may be considered, where the setback from the street alignment is maximised, and adequate regard has been given to adjacent structures and trees, adjoining heritage items and the prevailing streetscape.

The prevailing pattern of development in this part of Telegraph Road is one of mixed residential character, comprising large two storey dwellings set well within each site, but having varied setbacks along the street and many having high front walls.

The adjoining dwelling to the west (No. 47) is set well forward of the dwelling on the subject site and will be much closer to the street than the proposed carport. The adjoining dwelling to the east (No. 51) is a heritage item which is set well back from the street and remains one of the few properties in the street which does not have a high front fence or wall. The primary views of this property are from the north, directly from the street.

The proposed carport is an open structure located forward of the existing dwelling, set well back on the site, in excess of 16m, and well separated from adjoining dwellings. Allowing for an increased setback of 1.5m from the eastern side boundary as required by **Condition No. 29**, the location of carport is suitable in that adequate screening can be maintained between the structure and the side boundary.

The position of the dwelling on the site is such that it is well set back from the street and sufficiently landscaped to provide an open garden setting. The inclusion of a new open sided carport forward of the building line will have minimal impact to the existing streetscape as it is well landscaped and is set well back from the street. Furthermore, the existence of

Item 7

significant landscaping along the common boundary with No. 51, and the ability to achieve screen planting between the structure and the eastern boundary will ensure that proposed carport also has a minimal impact to the adjoining heritage item. For these reasons the proposed carport would be in keeping with the general pattern of development in the street and would be consistent with the objectives of the DCP Control.

**Solar Access**

- The proposed additions introduce new additions to the south of the existing dwelling first and a proposed new carport to the north. The proposed additions will result in minor increases in the amount of shadow cast by the dwelling. However the impact to adjoining properties is minimal owing to the orientation of the site and siting and orientation of the proposed additions and adjoining dwellings. The height of the existing dwelling means that the existing shadow will encompass any potential new shadow cast by the new rear additions. The shadow cast by the proposed carport to the north of the dwelling is not considered to affect any significant area or window for a lengthy period. Consequently the shadow impacts as a result of the proposed additions and carport are minimal and within reason. This is in accordance with Council's DCP requirements.

**Privacy**

- The submissions identified a number of areas of concern in relation to the location of the proposed rear additions. The proposed rear additions include a new meals room with windows in both side elevations and the rear elevation. The proposed east side window is unnecessary and would overlook the adjoining property. It is recommended that this window be deleted.

To ensure that the proposed new terrace will not result in significant overlooking of the adjoining property to the west, it is recommended that screen planting be established along the common boundary with that property. A condition has been recommended to require the landscape plans to include details of the proposed screen planting and to ensure the screen planting is maintained at all times.

**OTHER DCPS, CODES AND POLICIES**

The development is consistent with Development Control Plans 31, 43 and 47 relating to Access, Car Parking and Water Management.

**APPLICABLE REGULATIONS**

All relevant legislation has been addressed previously in the report and it is considered the proposal will be consistent with these.

**THE LIKELY IMPACTS OF THE PROPOSAL**

All likely impacts have been considered.

Item 7

**THE SUITABILITY OF THE SITE**

The site is suitable for the proposed development.

**CONCLUSION**

In respect of Cl.79C of the EP & A Act 1979, the proposed works are of an acceptable scale, bulk and form with no significant detrimental impacts on the surrounding built or natural environment. Accordingly it is recommended that the application be approved.

**RECOMMENDATION**

**THAT** the Council, as the consent authority, grant development consent to DA 642/05 for alterations and additions plus a carport to a dwelling on land at 49 Telegraph Road, Pymble, subject to the following conditions:

1. The development to be in accordance with Development Application 642/05 and Development Application plans prepared by *Fiona Mitchell - Architect*, reference number, *A01 (Rev A) to A08 (Rev A)*, dated *April 2005 as amended in Red (shown clouded)* and lodged with Council on *23 June 2005*.
2. All building works shall comply with the Building Code of Australia.
3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
4. The approved building works shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
5. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
6. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
7. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines,

Item 7

excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

8. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
9. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
10. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
11. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. Persons are required to follow the attached recommended guidelines to prevent personal and environmental contamination.
12. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
13. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
14. The landscape works shall be completed prior to issue of final Certificate of Compliance and maintained in a satisfactory condition at all times.
15. Stormwater runoff from the alterations and additions located at the front of the site (including the proposed carport and driveway) shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
16. Stormwater runoff from the alterations and additions unable to drain to the street shall be piped to the existing site drainage system. No stormwater drainage system is to be connected to the Sydney Water sewer system. Where found, all illegal connections must be rectified to the satisfaction of Council and Sydney Water.

Item 7

17. For stormwater control all paved areas are to be drained to the main drainage system. This may require the installation of suitable cut-off structures and/or barriers that direct runoff to the formal drainage system.
18. For stormwater control a 200mm wide grated drain with heavy duty removable galvanised grates is to be located within the property at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.
19. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
20. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
21. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
22. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
23. The proposed rear timber deck is to be spaced to permit stormwater to pass through and permeate into the ground below. Apart from the piers below the deck the entire surface area under the deck is to be unsealed so that stormwater is able to soak into this area. Any existing paving or sealing below the proposed deck is to be removed from the site. At the completion of works and prior to issue of the Occupation Certificate, a Certificate from the builder/installer is to be submitted to the Principal Certifying Authority indicating compliance with this condition.

Item 7

24. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council's Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.

25. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
26. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
27. The property shall support a minimum number of Seven (7) trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, in accordance with Council's policy of Tree Retention/Replenishment on Residential Allotments adopted 26 April 1988. The existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
28. To maintain suitable levels of privacy and amenity to adjoining properties, the side window proposed in the eastern elevation at the rear of the proposed meals room extension shall be deleted and replaced with solid materials to match the existing dwelling. Details of such shall be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.
29. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road) and to achieve compliance with Council's DCP No. 38, the proposed carport shall be relocated to have a minimum setback of 1.5m from the eastern (side) boundary of the site. The relocation of the proposed carport is to ensure adequate landscaping can be provided between the carport structure and the side boundary of the site.
30. Landscape works shall be carried out in accordance with Landscape Drawing No. 2A, prepared by Relle Mott Garden Design and dated April 2005 submitted with the Development Application, except as amended by the following:
- A. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road), and soften the appearance of the proposed carport, screen planting shall be established between the carport and the eastern side boundary of the site.

Item 7

- B. In order to prevent overlooking of adjoining properties, screen planting shall be established between the rear terrace and the western side boundary of the site, as shown clouded in red on the plans.
- C. The proposed *Camelia Sasanqua* shown to be installed between the carport and the eastern side boundary and in front of the carport, shall have a minimum pot size of 45 litres and minimum height of 1.2m at the time of planting.
- D. The screen planting required by A. and B. of this condition shall utilise suitable plant species contained with Appendix F of Council's DCP No 38, shall be capable of attaining a minimum height of 3.0m and shall provide dense screening.

Details of the required amendments shall be shown on the amended landscape plans and submitted and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The screen planting shall be completed prior to the issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.

- 31. External materials, finishes and colours are to match the existing dwelling and shall be sympathetic to the surrounding environment. Details of all external finishes and materials shall be provided to and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

- 32. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

- 33. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
- 34. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or

Item 7

construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

35. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
36. Prior to issue of the Construction Certificate footpath and driveway levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA consent does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the application documents.**

The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing

Item 7

which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

37. Development consent to DA 1417/04 shall be surrendered to Council under the provisions of Section 80A(1)(b) of the Environmental Planning and Assessment Act 1979. The provisions of Clause 97 of the Environmental Planning & Assessment Regulation 2000 are to be met prior to a Construction Certificate being issued. This condition is imposed to facilitate the orderly development of the site.
38. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a plan of the new drainage system components required for the approved development. The plan shall be prepared by a qualified civil/hydraulic engineer or licensed plumber. The new components of the property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence). Any new connection points to the public drainage system (eg kerb, table drains, pits, pipes) must be shown accurately on the plan.
39. Prior to issue of the Construction Certificate, the Applicant shall submit for the approval of the appointed Principal Certifying Authority, revised details which demonstrate the following:
  - A clear entrance width of the proposed double carport to be increased to a minimum 5.2m (currently 4.8m). This condition is imposed to ensure compliance with Figure 5.4 from AS/NZS 2890.1 (2004) - "Off-street car parking" and thus provide better vehicle manoeuvrability.
  - Manoeuvring circles for the B85 design vehicle overlaid (drawn) on the site plans, which demonstrate that all vehicles using the carport can leave the site in a forward direction in a maximum of one (1) three-point turn. This condition has been imposed to ensure compliance with AS/NZS 2890.1 (2004) - "Off-street car parking", and may require some minor modifications to the driveway layout.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING**

40. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION**

41. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.

Item 7

42. Prior to issue of an Occupation Certificate, the following works must be completed:
- a. Construction of the new driveway crossing and layback in accordance with the levels and specifications issued by Council,
  - b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.  
Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.
43. Prior to issue of an Occupation Certificate (and at the completion of works), the applicant shall submit certification from a consulting engineer or the installing plumbing contractor to the Principal Certifying Authority (PCA), that:
- a. The components of the new drainage system have been installed in accordance with the Plumbing and Drainage code AS3500.3.2 and by a licensed plumbing contractor, and
  - b. The stormwater drainage works have been carried out in accordance with the approved Construction Certificate drainage plan and Councils Water Management DCP 47.
44. Prior to issue of an Occupation Certificate, a high level overflow pipe is to be provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. This requirement is to collect stormwater overflow from the swimming pool surface only. A certificate from the installer, indicating compliance with this condition, must be submitted to the Principal Certifying Authority (PCA), prior to issue of an Occupation Certificate.

D Hoy  
Development Assessment Officer

S Segall  
Acting Team Leader  
Development Assessment - Central

M Prendergast  
Manager  
Development Assessment Services

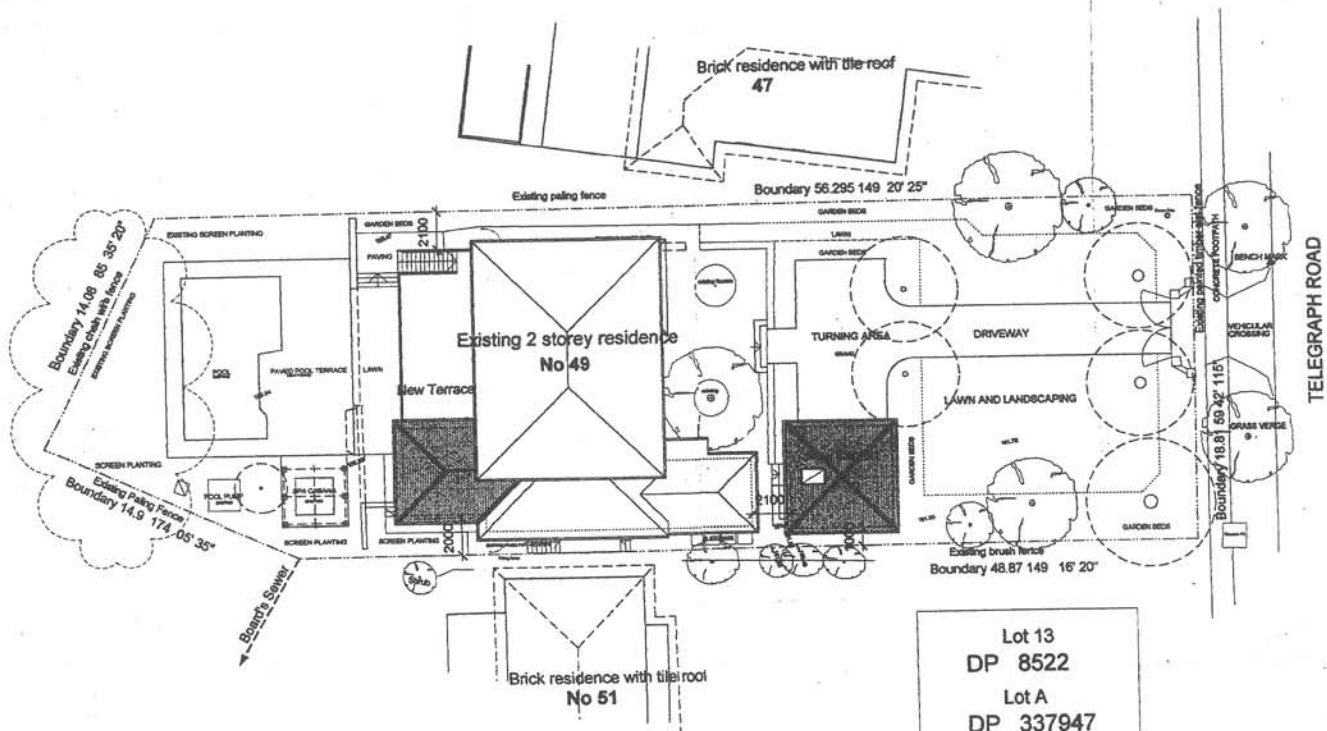
M Miocic  
Director  
Development and Regulation

Attachments: Plans  
Site Photos

## 3



**26-07-2005**



Amended April 2005  
Pool Deck deleted

Metres  
0 2 4 6 8 10

#### DEVELOPMENT APPLICATION

DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

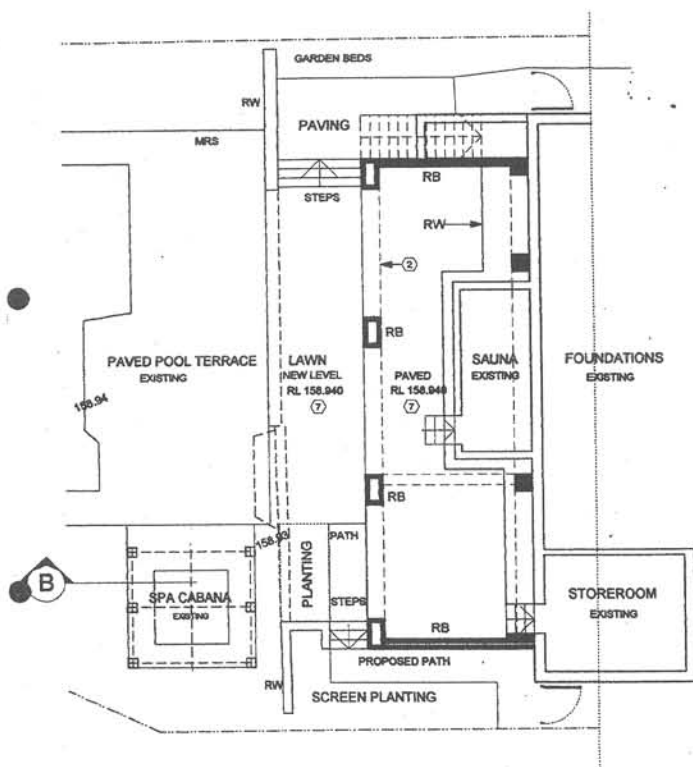
Fiona Mitchell Architect  
2 Winslow Street Karibilli NSW 2061  
Telephone 9929 1413 Fax 9925 9062



#### SITE PLAN

ALTERATIONS AND ADDITIONS  
Project: 49 Telegraph Road Pymble  
Applicant: Mariëna Allan

SCALE: 1:200  
PLOT DATE: 26-04-05  
DATE: 04-11-04  
DRAWN: FM  
DRAWING No. 0405A01a DA



# NOTES TO DRAWINGS

- RB Rendered brickwork to match existing
- TRT Terracotta roof tiles to match existing
- RW Retaining Wall
- SK Skylight
- DP Downpipe
- MSR Mild Steel Railing to comply Swimming Pool Code

- ① Timber Door
- ② Timber Framed Window/Door to match Residence
- ③ Gates to comply Swimming Pool Code
- ④ Pool Deck deleted
- ⑤ Slab, footings and beams to engineers detail
- ⑥ Demolish existing walls shown dotted
- ⑦ Close up existing openings
- ⑧ Fall roof water and drainage garden to stormwater to Telegraph Road
- ⑨ High level overflow to pool skimmer box
- ⑩ Excavate to new levels

- a Amended April 2005
- Existing Garage now Family Room
- Existing Kitchen window shown
- Pool Deck deleted
- No 51 Existing location amended
- Note to Mark's window
- Fixed & obscure glazing

Metres  
0 1 2 3 4 5

## DEVELOPMENT APPLICATION

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○ Fiona Mitchell Architect  
2 Winslow Street Kirribilli NSW 2061  
Telephone 9928 1413 Fax 9925 6002

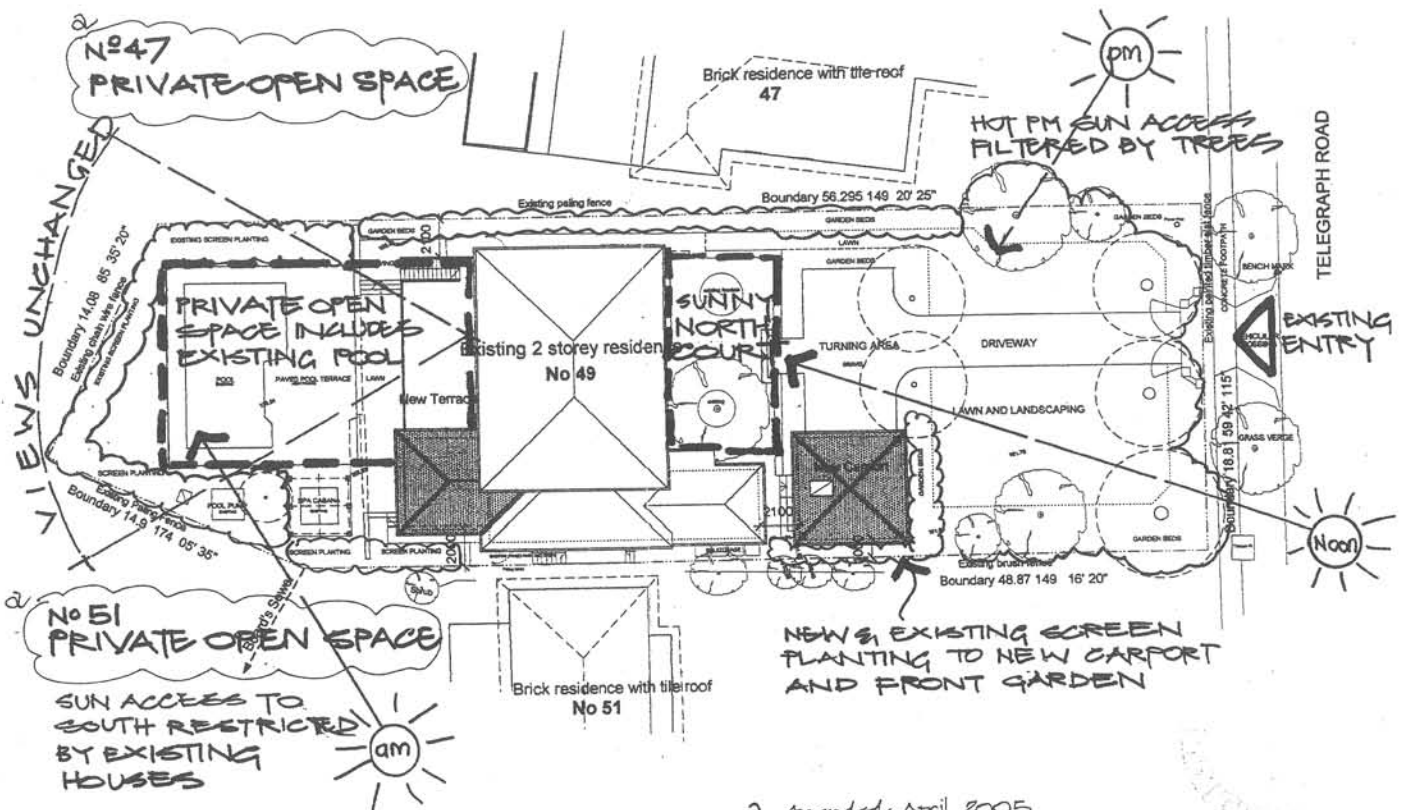


## POOL TERRACE PLAN

### ALTERATIONS AND ADDITIONS

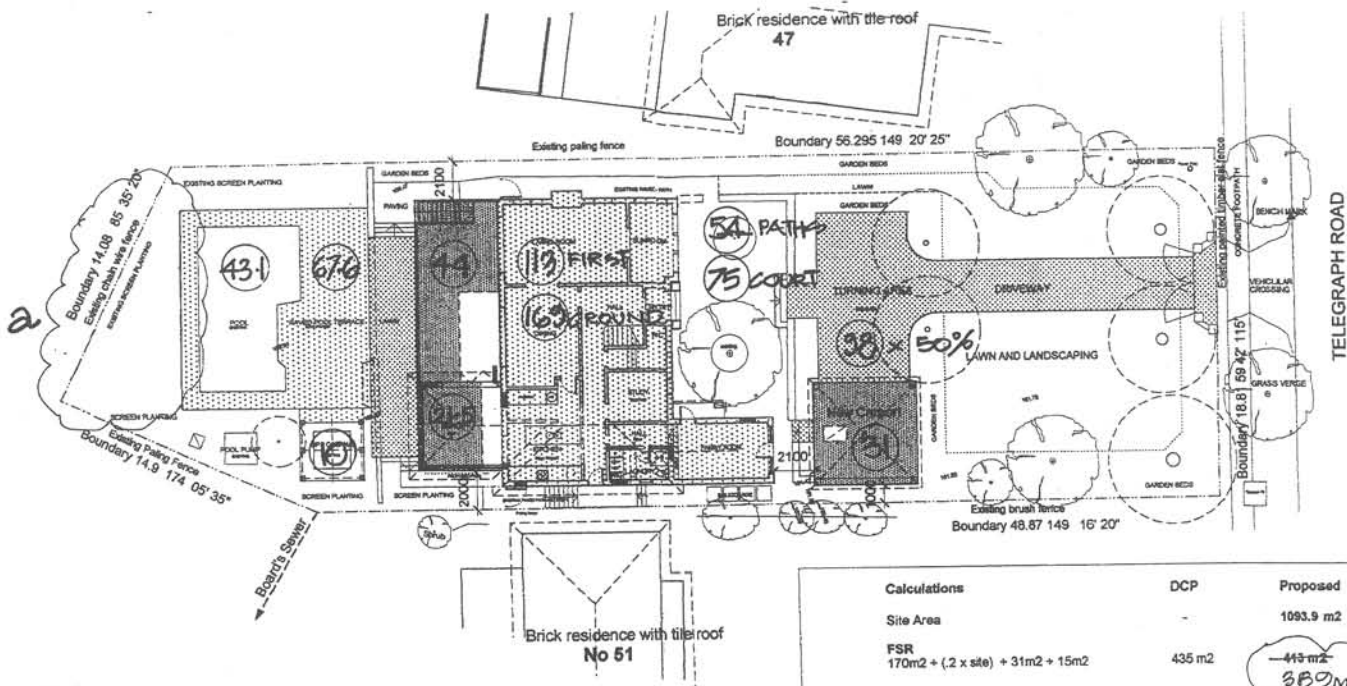
Project: 49 Telegraph Road Pymble  
Applicant: Marlene Allan

SCALE: 1:100  
PLOT DATE: 26-04-05  
DATE: 04-11-04  
DRAWING: FM  
DRAWING No.0405 A03aDA



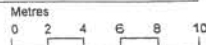
2 Amended April 2005  
 Pool Deck deleted  
 Private Open Space to No 47 + No 51 shown

<p><b>DEVELOPMENT APPLICATION</b></p> <p>DO NOT SCALE THE DRAWING          NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.</p>	<p>○ Fiona Mitchell Architect          2 Winslow Street Kirribilli NSW 2061          Telephone 9929 1413 Fax 9925 0062</p>	<p><b>SITE ANALYSIS</b></p> <p><b>ALTERATIONS AND ADDITIONS</b>          Project: 49 Telegraph Road Pymble          Applicant: Mariana Allan</p>	<p>SCALE: 1:200          PLOT DATE: 26-4-05          DATE: 04-11-04          DRAWN: FM          DRAWING: DA          No. 0405 A09a</p>
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Calculations	DCP	Proposed
Site Area	-	1093.9 m <sup>2</sup>
FSR 170m <sup>2</sup> + (.2 x site) + 31m <sup>2</sup> + 15m <sup>2</sup>	435 m <sup>2</sup>	<del>415 m<sup>2</sup></del> 380 m <sup>2</sup>
Max Built Upon Area Max allowable 52% x Site Area	569 m <sup>2</sup>	565 m <sup>2</sup>
Min Soft Landscaped Area Required min 48% x Site Area	525 m <sup>2</sup>	529 m <sup>2</sup>
Includes paths and 50% x gravel driveway		

2 Amended April 2005  
Pool Deck Deleted  
24m<sup>2</sup>



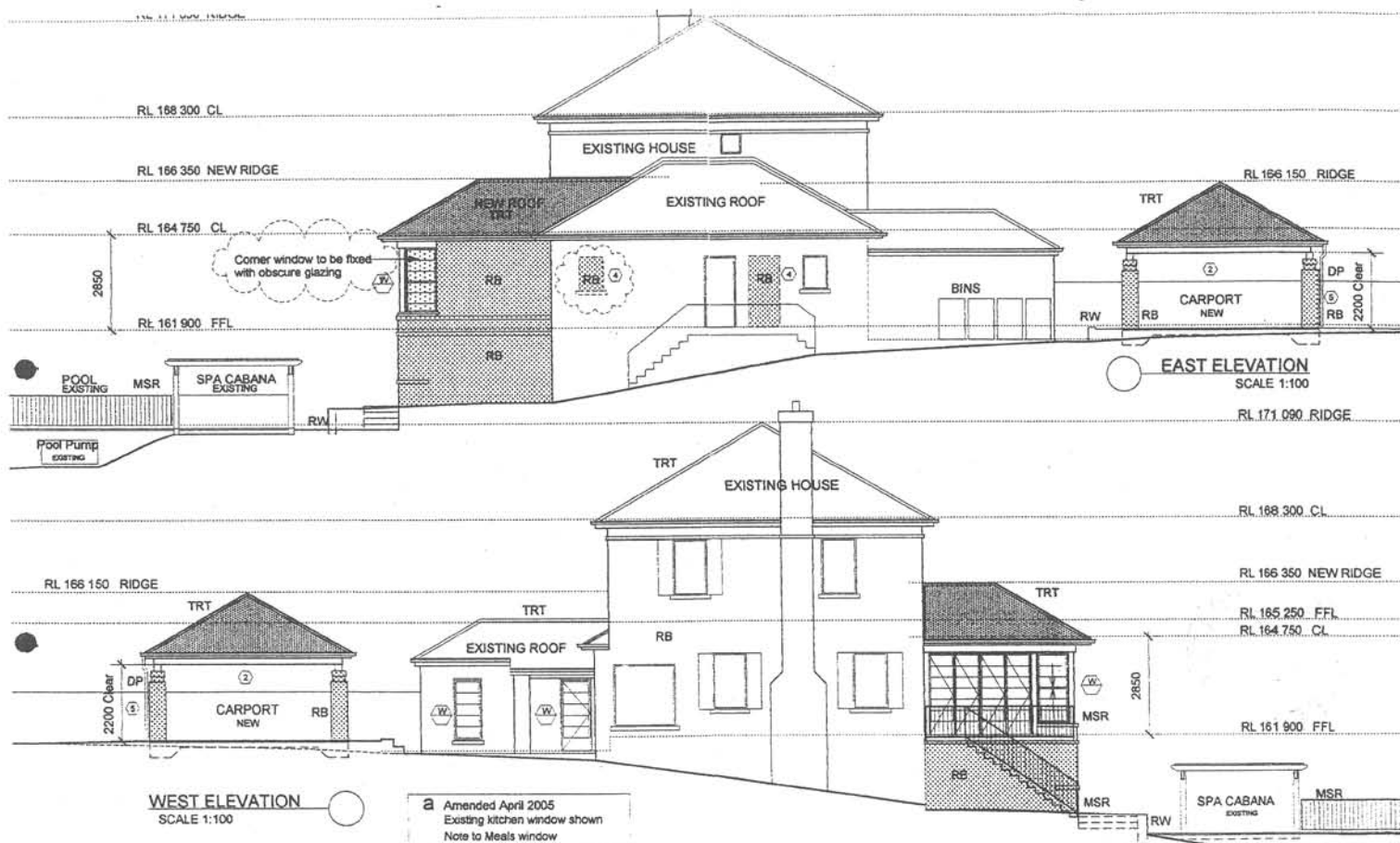
**DEVELOPMENT APPLICATION**  
DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

○ Fiona Mitchell Architect  
2 Winslow Street, Kirtlington NSW 2061  
Telephone 9929 1413 Fax 9925 9002



**SITE CALCULATIONS**  
**ALTERATIONS AND ADDITIONS**  
Project: 49 Telegraph Road Pymble  
Applicant: Marielena Allan

SCALE: 1:200  
PLOT DATES: 4-05  
DATE: 04-11-04  
DRAWN: FM  
CHECKED: DA  
DRAWING No. 0405 A10a



#### DEVELOPMENT APPLICATION

DO NOT SCALE THE DRAWING  
 NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

○ Fiona Mitchell Architect  
 2 Winslow Street Kirribilli NSW 2061  
 Telephone 9529 1413 Fax 9525 9002

#### ELEVATIONS

ALTERATIONS AND ADDITIONS  
 Project: 49 Telegraph Road Pymble  
 Applicant: Marilena Allan

SCALE: 1:100  
 PLOT DATE: 26-03-05  
 DATE: 04-11-04  
 DRAWN: FM  
 DRAWING No. 0405 A05a DA



#### DEVELOPMENT APPLICATION

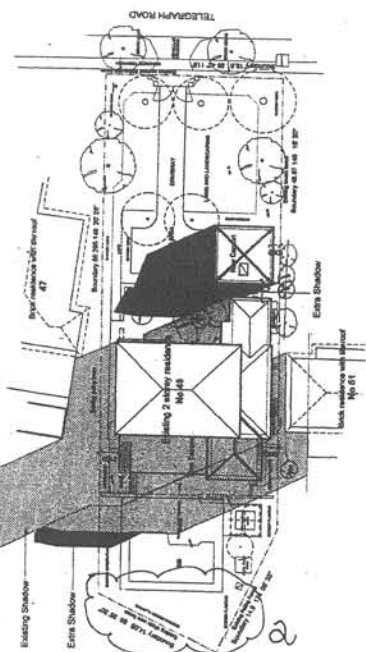
DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take precedence to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

○ Fiona Mitchell Architect  
2 Winslow Street Kirribilli NSW 2061  
Telephone 9929 1413 Fax 9925 0002

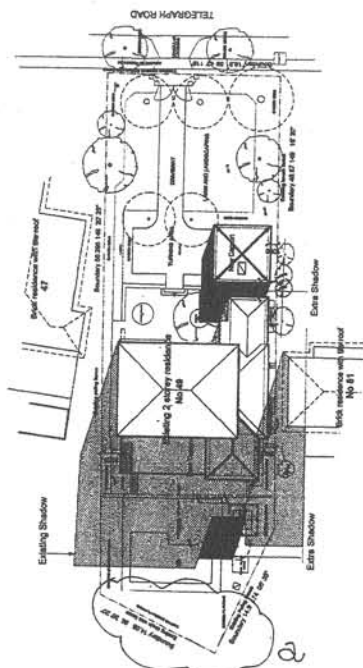
#### ELEVATIONS

ALTERATIONS AND ADDITIONS  
Project: 49 Telegraph Road Pymble  
Applicant: Mariëna Allan

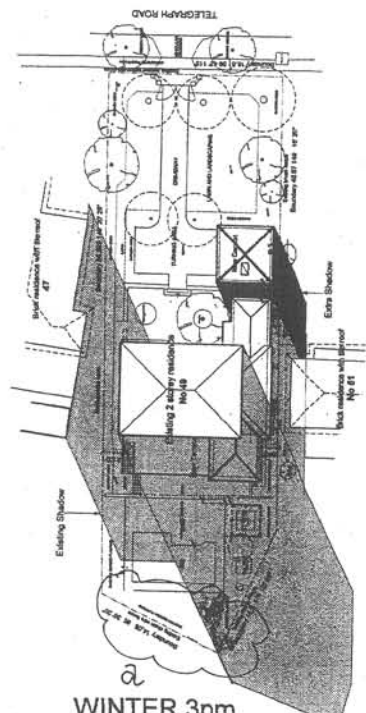
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PLOT DATE: 26-04-05  
DATE: 04-11-04  
DRAWN: FM  
DRAWING No. 0405 A06a DA



WINTER 9 am



WINTER 12 Noon



WINTER 3pm

*a* Amended April 2005  
Pool Deck deleted

DEVELOPMENT APPLICATION

DO NOT SCALE THE DRAWING  
NOTE: Figured dimensions take preference to scale readings. Verify all dimensions and levels on site. Report any discrepancies to the Architect for decision before proceeding with the work.

○ Fiona Mitchell Architect  
2 Winslow Street Kiriibilli NSW 2061  
Telephone 9929 1413 Fax 9925 0002



SHADOWS

ALTERATIONS AND ADDITIONS

Project: 49 Telegraph Road Pymble  
Applicant: Mariana Allan

SCALE: NTS  
PLOT DATE: 28/4/05  
DATE: 04-11-04  
DRAWN: FM  
DA  
No. 0405 A11a

**IMPORTANT NOTES**

1. This plan is a true and correct copy of the original plan as submitted to the Council for approval. It is not to be used for any other purpose without the written consent of the Council.

2. The Council is not responsible for the accuracy of the information provided on this plan. It is the responsibility of the applicant to ensure that the information is correct and up to date.

3. The Council is not responsible for the accuracy of the information provided on this plan. It is the responsibility of the applicant to ensure that the information is correct and up to date.

4. The Council is not responsible for the accuracy of the information provided on this plan. It is the responsibility of the applicant to ensure that the information is correct and up to date.

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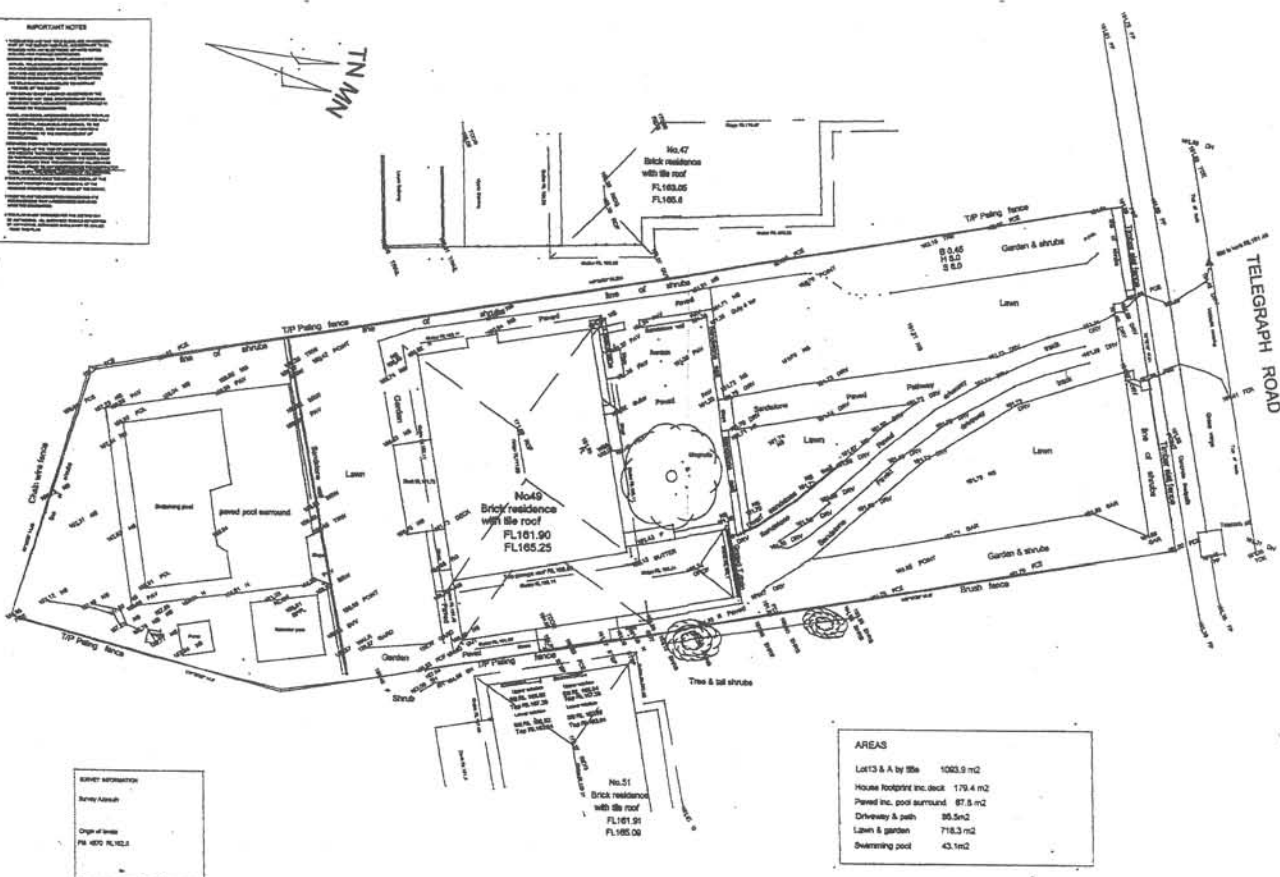
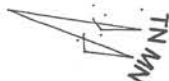
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10. The Council is not responsible for the accuracy of the information provided on this plan. It is the responsibility of the applicant to ensure that the information is correct and up to date.



**SURVEY INFORMATION**

Survey Address:

Origin of title:

PN 4570 PL162.1

AREAS	
Lot 13 & A by title	1063.9 m <sup>2</sup>
House footprint incl deck	179.4 m <sup>2</sup>
Pool incl pool surround	87.8 m <sup>2</sup>
Driveway & path	85.5 m <sup>2</sup>
Lawn & garden	718.3 m <sup>2</sup>
Swimming pool	43.1 m <sup>2</sup>

SCALE

1:200

NOT TO SCALE

**Surveyor**  
Rick Bartholomew  
Consulting  
Engineering Surveyor & Environmental Land Manager  
10 GERRARD ROAD  
PYMBLE NSW 2096  
Ph: 02 9550 3000 Fax: 02 9550 3001

**Client**  
Mr & Mrs. ALLAN  
49 TELEGRAPH ROAD  
PYMBLE NSW

**DETAIL SURVEY**  
of  
49 TELEGRAPH ROAD  
BEING LOT 13 DP9522 AND LOT A DP337947  
PYMBLE NSW

**Drawn by**  
254.39

**Checked by**

**Date**

## EXISTING ELEMENTS

### FRONT GARDEN VEGETATION

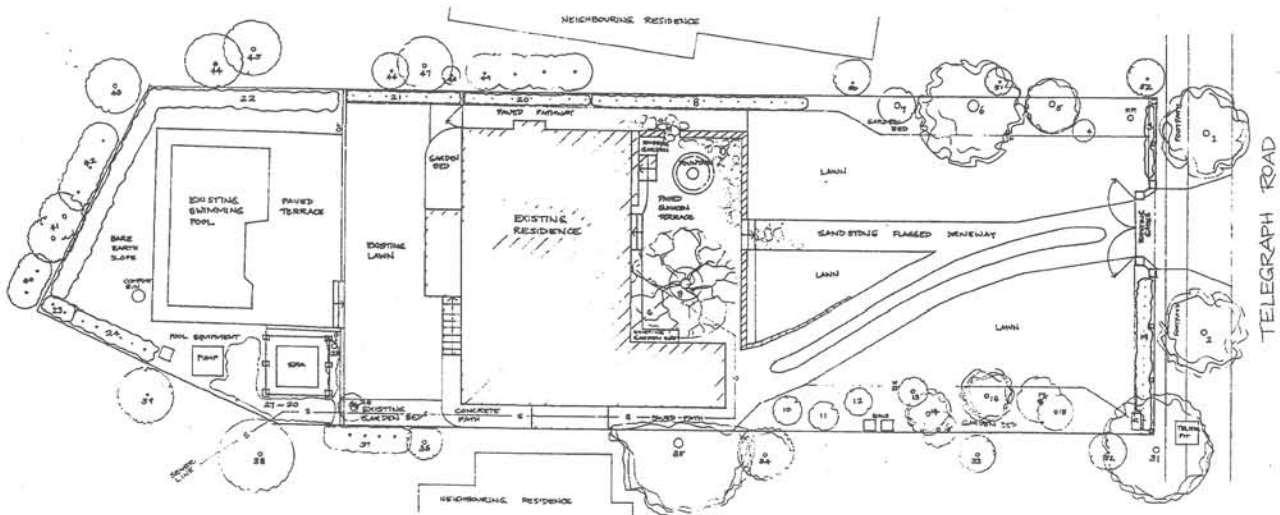
NOTE - HEIGHT & CANOPY WIDTH OF EXISTING VEGETATION IS APPROPRIATE ONLY

Number on Plan	Botanical Name	Common Name	Present Ht x Wth	Remarks	Comment
1 & 2	<i>Laportea divaricata</i>	Laportea	5 x 3m	24 x 15m	Four-year trees
3	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1m	Existing hedges
4	<i>Smilax reginae</i>	Smilax	1.2 x 1.5m	1.2 x 1.5m	Remains to assist existing landscape plan
5	<i>Alnus incana</i>	Alnus	5 x 2m	8 x 3m	Alnus hedge - retain
6	<i>Banksia integrifolia</i>	Lemon Bottle	1.5 x 1m	10 x 1m	Remove hedge trees - retain
7	<i>Alnus incana</i>	Alnus	1.5 x 1m	2.5 x 1.5m	Remove to plant taller screening species
8	<i>Alnus incana</i>	Alnus	2 x 1m	20 x 4m	Alnus hedge - maintain regularly to control size
9	<i>Alnus incana</i>	Alnus	2 x 1m	8 x 4.5m	Alnus hedge - maintain regularly to control size

Number on Plan	Botanical Name	Common Name	Present Ht x Wth	Remarks	Comment
10 & 11	<i>Alnus incana</i>	Alnus	1 x 1m	2 x 1.5m	Retain - shift to new location
12	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
13	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
14	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
15	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
16	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
17	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
18	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
19	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
20	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location

### REAR GARDEN

Number on Plan	Botanical Name	Common Name	Present Ht x Wth	Remarks	Comment
21	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
22	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
23	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
24	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
25	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
26	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
27	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
28	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
29	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
30	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location



### BOUNDARY PLANTING IN NEIGHBOURING GARDENS

NOTE - LOCATION OF ALL PLANTS IN NEIGHBOURING GARDENS IS APPROPRIATE ONLY

Number on Plan	Botanical Name	Common Name	Present Ht x Wth	Remarks	Comment
31	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
32	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
33	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
34	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
35	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
36	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
37	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
38	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
39	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
40	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location

Number on Plan	Botanical Name	Common Name	Present Ht x Wth	Remarks	Comment
41	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
42	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
43	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
44	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
45	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
46	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
47	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
48	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
49	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location
50	<i>Alnus incana</i>	Alnus	1.5 x 1m	2 x 1.5m	Retain - shift to new location

**RELE MOTT GARDEN DESIGN**  
LANDSCAPE ARCHITECT & VEGETATION CONSULTANT

1000 Street Telford NSW 2204  
02 9388 1070

PROJECT: **ALLAN RESIDENCE**  
4-9 TELEGRAPH ROAD  
PYMBLE NSW

CLIENT: **MARK ALLAN**

DRAWING: **EXISTING ELEMENTS**

NO. **1** OF **1**

SCALE: **1:100**

DATE: **10/10/2011**

NOTES: **LOCATION OF ALL PLANTS IN NEIGHBOURING GARDENS IS APPROPRIATE ONLY**

\* REDUCED FROM A1

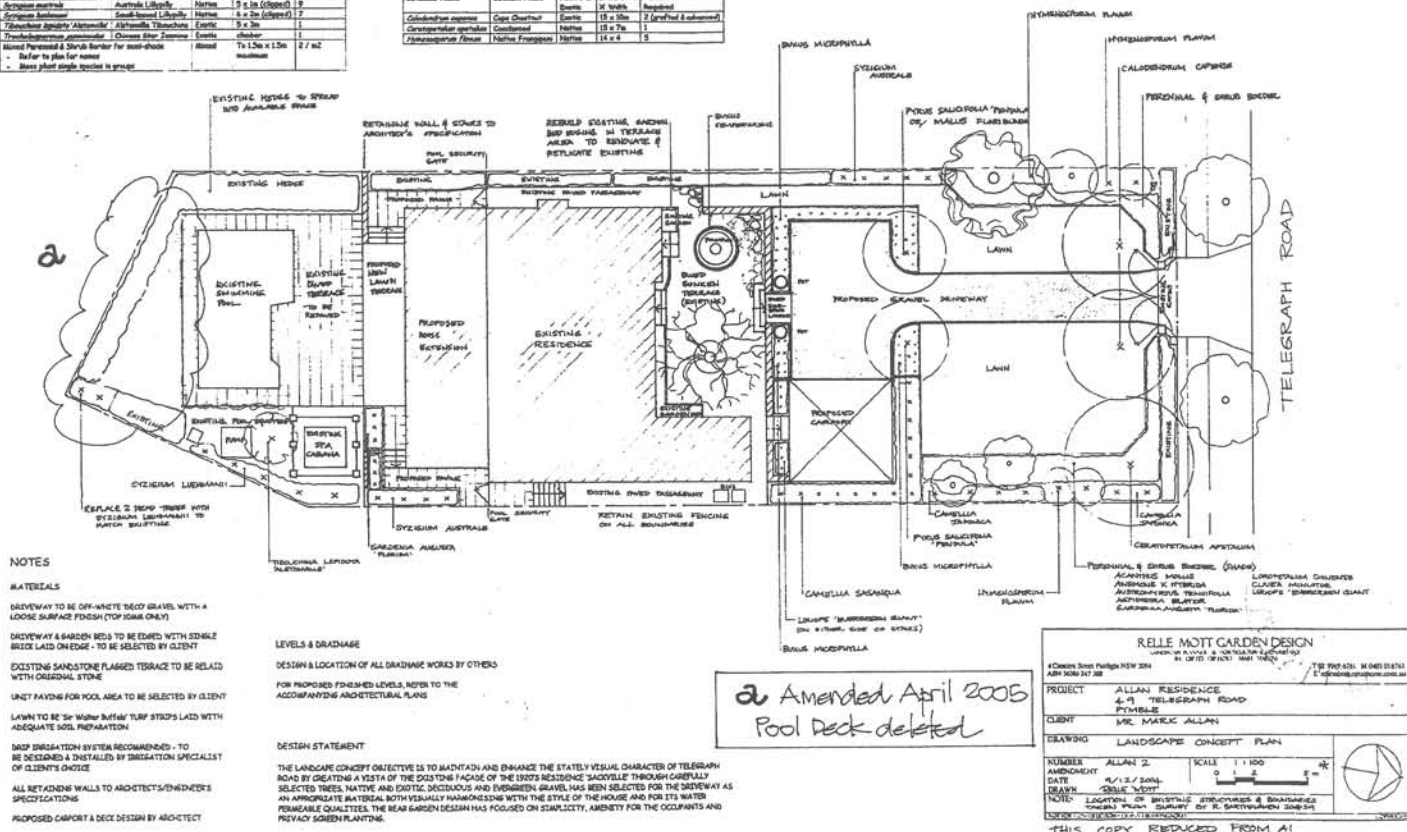
[illegible]

Botanical Name	Common Name	Height at Erect	Radius 10 m Width
<i>Acidobolus obtusifolius</i>	Lesser Myrtle	Marine	10 x 10
<i>Azara capitata</i>	White Palm	Euphoric	6 x 3m
<i>Quercus palustris</i>	Pine Oak	Euphoric	25 x 15
<i>Alnus glabra</i>	Silky alder	Euphoric	8 x 4.5

Botanical Name	Common Name	Native or Exotic	Return Mt X Width	Number Regained
<i>Colindendrum capense</i>	Cape Chestnut	Exotic	15 x 10m	2 (grafted & advanced)
<i>Caropetalum apiculatum</i>	Coastalwood	Native	15 x 7m	1
<i>Albizia leucacantha</i>	Native Albizzia	Native	14 x 4	5

EXISTING TREE TO BE RETAINED

PROPOSED PLANTING



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## 49 TELEGRAPH ROAD, PYMBLE - ADDITIONS AND ALTERATIONS PLUS CARPORT AND DRIVEWAY

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To respond to issues raised at the Council site inspection of 6 August 2005 and seek Council's determination of development application DA 642/05.

**BACKGROUND:**

- Application lodged 23 June 2005
- Report considered by Council at meeting 26 July 2005
- Consideration pending site inspection which took place on 6 August 2005

**COMMENTS:**

The issues raised at the site inspection are addressed in this report.

**RECOMMENDATION:**

Approval

## PURPOSE OF REPORT

To respond to issues raised at the Council site inspection 6 August 2005 and seek Council's determination of the development application.

## BACKGROUND

- Application lodged 23 June 2005
- Report considered by Council at meeting 26 July 2005
- Consideration pending site inspection which took place on 6 August 2005

## COMMENTS

### 1. Clarification of an alternative landscape treatment to *Camellia Sasanqua* to provide additional screening and greater privacy.

Council's Landscape Officer has advised that the use of *Camellia Sasanqua* as a screening plant would be appropriate for the site and would adequately screen the development from adjoining properties.

It should be noted that the proposed use of *Camellia Sasanqua* is in accordance with Appendix F of Council's Residential Design Manual (DCP 38) which recommends the use of the plants as a screening plants and identifies the species as capable of achieving a mature height of 4.5m. It should also be noted that **Condition No. 30** requires the following:

30. *Landscape works shall be carried out in accordance with Landscape Drawing No. 2A, prepared by Relle Mott Garden Design and dated April 2005 submitted with the Development Application, except as amended by the following:*

C. *The proposed Camelia Sasanqua shown to be installed between the carport and the eastern side boundary and in front of the carport, shall have a minimum pot size of 45 litres and minimum height of 1.2m at the time of planting.*

This condition is to ensure that screen planting will be in an advanced state at the time of planting. (Refer **Condition No. 30**)

### 2. Clarification of plans upon which the Heritage Impact Statement is based and whether any new documentation has been submitted as part of this application to address the heritage impact on the adjoining dwelling at No. 51 Telegraph Road, Pymble.

The application was accompanied by a heritage impact statement to address the impact of proposed works on the adjoining heritage item (No. 51 Telegraph Rd). The statement has been prepared by a recognised heritage consultant, Mr. David Beaver, who is included on the NSW Heritage Office's 'Heritage Consultants list'.

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The heritage impact statement, dated March 2005, reflects the original plans dated November 2004. The statement has not been reviewed to address the most recent amendments to the plans. The changes made to the plans are considered to be minor in nature and included the following:

- Deletion of the proposed timber deck to the rear of the site and adjacent to the existing swimming pool.
- The eastern (side) elevations was amended to show the correct location of the existing kitchen window and to indicate a fixed obscure glass window in the south-eastern corner of the meal room where a previous clear glazed panel was previous shown.
- The floor plans were amended to show the conversion of the existing garage to a family room.

The amendments corrected minor discrepancies in the original plans and addressed concerns raised by adjoining property owners. The amended plans do not warrant a revised heritage impact statement as the amendments would not constitute a greater impact to the adjoining heritage item.

The information provided in the heritage impact statement is sufficient enough to enable Council to make an informed decision on the heritage impacts of the proposal.

**3. Clarification that the Heritage Impact Statement has been undertaken by a recognised heritage consultant.**

The heritage impact statement was prepared by a recognised heritage consultant, Mr. David Beaver, who is included on the NSW Heritage Office's 'Heritage Consultants list'.

**4. Clarification of the possibility of reducing the height of the carport.**

The proposed carport incorporates a pitched roof to match the existing dwelling. The carport roof has a maximum height of 4.3m to the ridge with internal clearance of 2.2m. This is in accordance with the Australian Standard (AS 2890.6) for off street car parking.

The height of the carport roof is determined by its width (4.8m internally). The ridge height of 4.3m is required to ensure it has a pitch which is complimentary to the roof of the existing dwelling. Reducing either the internal clearance height or the ridge height of the proposed carport will impact on the visual appearance of the structure or will affect the ability of the proposal to comply with the Building Code of Australia.

**5. Clarification of whether the existing sandstone driveway can be recycled and confirmation that, if the sandstone is reused as part of a new driveway, will the site cover comply?**

The re-use of sandstone paving from the existing driveway would be appropriate on the site, however, the ability to achieve this may be restricted by the amount of sandstone material

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available on the site. A condition is recommended to require all materials of value to be re-used onsite or made available for recycling. (Refer Condition No. 31A)

**6. Clarification of the setback of existing buildings on the subject site and adjoining property at No. 51 Telegraph Road, with respect to the accuracy plans and information submitted to Council as part of Development Application No. 642/05.**

The plans submitted with the application are based on accurate survey information prepared by Mr. Rick Bartholomew, registered surveyor. The plans are representative of the true setback of existing structures from the street and property boundaries as verified through site inspections and comparison with aerial photos. The aerial photo (below) is included to allow Council to make further comparison between the plans submitted and the location of existing structures and adjoining dwellings.



**Front Setbacks  
(existing)**

**Site**

No. 49 - 27.5m(dwelling)  
- 23.0m(garage)

**Adjoining properties**

No. 47 - 10.5m  
No. 51 - 27.2m  
No. 53 - 15.5m

*Note: All measurements taken from aerial photos and Council's GIS system are approximate only.*

If Council is of a mind to approve the development application, the plans submitted to Council may be relied upon as being accurate.

**7. Clarification that all areas, including the garage and deck area at the rear, have been taken into account as part of the development assessment calculations.**

The development results in a total built upon area of 51.6% (564.2m<sup>2</sup>) of the site area. The built upon area calculation incorporates all driveway areas and hard paved surfaces as proposed as well as the existing and proposed building footprint. This includes the proposed rear terrace and meals room.

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The following areas have been included as built upon area:

Site Area	=	1093.9m <sup>2</sup>
Driveway	=	49m <sup>2</sup>
Paths and Courtyard	=	129m <sup>2</sup>
Carport	=	31m <sup>2</sup>
Dwelling footprint	=	169m <sup>2</sup>
Extensions	=	65.5m <sup>2</sup>
Pool, spa & surrounds	=	120.7m <sup>2</sup>
Total BUA	=	564.2m <sup>2</sup> (51.6%)

The development application is compliant with Clause 60C (Built Upon Area) of the Kuring-gai Planning Scheme Ordinance. This is also in accordance with s.5.2.7 of the Residential Design Manual (DCP 38) which requires a maximum built upon area of 52% for two storey development on sites with an area between 1000m<sup>2</sup> and 1199m<sup>2</sup>.

## SUMMARY

Section 79C of the Environmental Planning & Assessment Act 1979 has been considered and the proposal is acceptable in this regard. The plans and documentation provided to Council are prepared by appropriately qualified professionals and are considered to be accurate. The proposed development complies with the built upon area control and provides appropriate screen planting along side boundaries to minimise impacts to adjoining properties.

The proposal is therefore recommended for approval, subject to conditions.

## RECOMMENDATION

**THAT** the Council, as the consent authority, grant development consent to DA 642/05 for alterations and additions plus a carport to a dwelling on land at 49 Telegraph Road, Pymble, subject to the following conditions:

1. The development to be in accordance with Development Application 642/05 and Development Application plans prepared by **Fiona Mitchell - Architect**, reference number, **A01 (Rev A) to A08 (Rev A)**, dated **April 2005 as amended in Red (shown clouded)** and lodged with Council on **23 June 2005**.
2. All building works shall comply with the Building Code of Australia.
3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.

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4. The approved building works shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
5. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
6. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
7. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

8. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
9. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
10. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
11. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. Persons are required to follow the attached recommended guidelines to prevent personal and environmental contamination.
12. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.

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13. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
14. The landscape works shall be completed prior to issue of final Certificate of Compliance and maintained in a satisfactory condition at all times.
15. Stormwater runoff from the alterations and additions located at the front of the site (including the proposed carport and driveway) shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
16. Stormwater runoff from the alterations and additions unable to drain to the street shall be piped to the existing site drainage system. No stormwater drainage system is to be connected to the Sydney Water sewer system. Where found, all illegal connections must be rectified to the satisfaction of Council and Sydney Water.
17. For stormwater control all paved areas are to be drained to the main drainage system. This may require the installation of suitable cut-off structures and/or barriers that direct runoff to the formal drainage system.
18. For stormwater control a 200mm wide grated drain with heavy duty removable galvanised grates is to be located within the property at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.
19. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
20. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
21. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary

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erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.

22. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 “Off-Street car parking”.
23. The proposed rear timber deck is to be spaced to permit stormwater to pass through and permeate into the ground below. Apart from the piers below the deck the entire surface area under the deck is to be unsealed so that stormwater is able to soak into this area. Any existing paving or sealing below the proposed deck is to be removed from the site. At the completion of works and prior to issue of the Occupation Certificate, a Certificate from the builder/installer is to be submitted to the Principal Certifying Authority indicating compliance with this condition.
24. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council’s Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council’s Tree Preservation Order.

25. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
26. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
27. The property shall support a minimum number of Seven (7) trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, in accordance with Council’s policy of Tree Retention/Replenishment on Residential Allotments adopted 26 April 1988. The existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
28. To maintain suitable levels of privacy and amenity to adjoining properties, the side window proposed in the eastern elevation at the rear of the proposed meals room extension shall be deleted and replaced with solid materials to match the existing dwelling. Details of such shall

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be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.

29. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road) and to achieve compliance with Council's DCP No. 38, the proposed carport shall be relocated to have a minimum setback of 1.5m from the eastern (side) boundary of the site. The relocation of the proposed carport is to ensure adequate landscaping can be provided between the carport structure and the side boundary of the site.
30. Landscape works shall be carried out in accordance with Landscape Drawing No. 2A, prepared by Relle Mott Garden Design and dated April 2005 submitted with the Development Application, except as amended by the following:
  - A. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road), and soften the appearance of the proposed carport, screen planting shall be established between the carport and the eastern side boundary of the site.
  - B. In order to prevent overlooking of adjoining properties, screen planting shall be established between the rear terrace and the western side boundary of the site, as shown clouded in red on the plans.
  - C. The proposed *Camelia Sasanqua* shown to be installed between the carport and the eastern side boundary and in front of the carport, shall have a minimum pot size of 45 litres and minimum height of 1.2m at the time of planting.
  - D. The screen planting required by A. and B. of this condition shall utilise suitable plant species contained with Appendix F of Council's DCP No 38, shall be capable of attaining a minimum height of 3.0m and shall provide dense screening.

Details of the required amendments shall be shown on the amended landscape plans and submitted and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The screen planting shall be completed prior to the issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.

31. External materials, finishes and colours are to match the existing dwelling and shall be sympathetic to the surrounding environment. Details of all external finishes and materials shall be provided to and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate.
- 31A. All material of value for re-use either onsite or elsewhere, shall be separated and made available for recycling.

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**CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A  
CONSTRUCTION CERTIFICATE**

32. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

33. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
34. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
35. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.

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- d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
36. Prior to issue of the Construction Certificate footpath and driveway levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA consent does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the application documents.**

The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

37. Development consent to DA 1417/04 shall be surrendered to Council under the provisions of Section 80A(1)(b) of the Environmental Planning and Assessment Act 1979. The provisions of Clause 97 of the Environmental Planning & Assessment Regulation 2000 are to be met prior to a Construction Certificate being issued. This condition is imposed to facilitate the orderly development of the site.
38. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a plan of the new drainage system components required for the approved development. The plan shall be prepared by a qualified civil/hydraulic engineer or licensed plumber. The new components of the property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence). Any new connection points to the public drainage system (eg kerb, table drains, pits, pipes) must be shown accurately on the plan.
39. Prior to issue of the Construction Certificate, the Applicant shall submit for the approval of the appointed Principal Certifying Authority, revised details which demonstrate the following:
  - A clear entrance width of the proposed double carport to be increased to a minimum 5.2m (currently 4.8m). This condition is imposed to ensure compliance with Figure 5.4 from

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AS/NZS 2890.1 (2004) - "Off-street car parking" and thus provide better vehicle manoeuvrability.

- Manoeuvring circles for the B85 design vehicle overlaid (drawn) on the site plans, which demonstrate that all vehicles using the carport can leave the site in a forward direction in a maximum of one (1) three-point turn. This condition has been imposed to ensure compliance with AS/NZS 2890.1 (2004) - "Off-street car parking", and may require some minor modifications to the driveway layout.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING**

40. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION**

41. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.
42. Prior to issue of an Occupation Certificate, the following works must be completed:
  - a. Construction of the new driveway crossing and layback in accordance with the levels and specifications issued by Council,
  - b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.  
Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.
43. Prior to issue of an Occupation Certificate (and at the completion of works), the applicant shall submit certification from a consulting engineer or the installing plumbing contractor to the Principal Certifying Authority (PCA), that:
  - a. The components of the new drainage system have been installed in accordance with the Plumbing and Drainage code AS3500.3.2 and by a licensed plumbing contractor, and
  - b. The stormwater drainage works have been carried out in accordance with the approved Construction Certificate drainage plan and Councils Water Management DCP 47.

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44. Prior to issue of an Occupation Certificate, a high level overflow pipe is to be provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. This requirement is to collect stormwater overflow from the swimming pool surface only. A certificate from the installer, indicating compliance with this condition, must be submitted to the Principal Certifying Authority (PCA), prior to issue of an Occupation Certificate.

D Hoy  
**Development Assessment Officer**

S Cox  
**Team Leader**  
**Development Assessment - Central**

M Prendergast  
**Manager**  
**Development Assessment Services**

M Miocic  
**Director**  
**Development and Regulation**

**Attachments:**      **Attachment 1: Report to Council - 26 July 2005 - Part 522767**  
                             **Attachment 2: Minutes from site meeting - 6 August 2005 - Part 522767**  
                             **Attachment 3: Confidential Items - Floor Plans - 522773**

## **SITE INSPECTION ON 6 AUGUST 2005**

### **49 Telegraph Road, Pymble**

**Chairperson:** Cr Ryan (Mayor)

**In Attendance:** Crs Ryan (Mayor), Bennett, Andrew, Malicki, Cross and Lane

**Apologies:** Clrs Hall, Innes, Shelley and Ebbeck

Meeting commenced: 9:00am

The following matters were raised at Saturday's site inspection:

#### **1. Vegetation**

- 1) *Staff to consider an alternative landscape treatment to Camellia Sasanquas to provide additional screening and greater privacy.*

#### **2. Heritage**

- 1) *Staff to outline the plans upon which the Heritage Impact Statement is based and confirm if any new documentation has been submitted as part of this application to address the heritage impact on the adjoining dwelling at No. 51 Telegraph Road, Pymble.*
- 2) *Staff to confirm that the Heritage Impact Statement has been undertaken by a recognised heritage consultant.*

#### **3. Height of Carport**

- 1) *It was requested that staff investigate the possibility of reducing the height of the carport.*

#### **4. Recycling of Existing Sandstone**

- 1) *Staff to consider inclusion of a condition to ensure that the existing sandstone driveway is recycled and to confirm that if the sandstone is reused as part of a new driveway, will the site cover comply?*

#### **5. Accuracy of Information**

- 1) *Staff to check the setback of the existing buildings on the subject site and adjoining property at No. 51 Telegraph Road, and provide confirmation of their accuracy with respect to the plans and information submitted to Council as part of Development Application No. 642/05.*
- 2) *Staff to confirm that all areas including the garage and deck area at the rear have been taken into account as part of the development assessment calculations.*

Meeting concluded at 9:50am

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## 49 TELEGRAPH ROAD, PYMBLE - ADDITIONS AND ALTERATIONS PLUS CARPORT AND DRIVEWAY

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### EXECUTIVE SUMMARY

#### PURPOSE OF REPORT:

To allow Council to consider an independent Heritage Impact Statement prepared for Council by Jennifer Hill of Architectural Projects Pty Ltd, on the proposed development at 49 Telegraph Road.

#### BACKGROUND:

- Application lodged 23 June 2005.
- Report considered by Council at its meeting of 26 July 2005. The matter was deferred for on site meeting.
- Site inspection took place on 6 August 2005.
- Report considered by Council at meeting 23 August 2005.
- Council resolved that the matter be deferred and a Heritage Impact Statement be sought from an independent heritage consultant.

#### COMMENTS:

A statement of heritage impact has been prepared by Jennifer Hill of Architectural Project Pty Ltd and is provided for Council's consideration.

#### RECOMMENDATION:

Approval

## PURPOSE OF REPORT

To allow Council to consider an independent Heritage Impact Statement prepared for Council by Jennifer Hill of Architectural Projects Pty Ltd, on the proposed development at 49 Telegraph Road.

## BACKGROUND

### Previous application - DA 1417/04

Development Application 1417/04, proposing additions and alterations to the existing dwelling, construction of a carport and driveway, was approved under delegated authority, subject to conditions which required the relocation of the carport to be set back a minimum of 1.5m from the eastern (side) boundary, the deletion of one side-facing window and additional screen planting.

The consent to DA 1417/04, issued on 6 June 2005, is the subject of Class 4 proceedings in the Land and Environment Court commenced by the owners of the adjoining property (No. 51 Telegraph Road).

### Current application - DA 642/05

This development application was considered by Council at its meeting of 26 July 2005. The matter was deferred for a site inspection.

The site inspection took place on 6 August 2005.

A supplementary report was considered by Council at its meeting of 23 August 2005 to address questions raised during the site inspection. The matter was deferred for an independent Heritage Impact Statement to be prepared on the proposed development at 49 Telegraph Road.

The attached Heritage Impact Statement has been provided by Jennifer Hill of Architectural Projects Pty Ltd.

## CONSIDERATION

The report prepared by Jennifer Hill is attached as Annexure A. Her conclusion is as follows:

### **"8. STATEMENT OF HERITAGE IMPACT – OPTIONS**

*No. 49 Telegraph Road, Pymble, is located adjacent to a significant heritage item located at 51 Telegraph Road, Pymble and within a significant streetscape and a conservation area.*

*The immediate streetscape consists of properties located on a large allotment and set back a considerable distance from the front boundaries and the side boundaries. This all contributes to create a pattern of landscape settings and grand residences which has high cultural significance.*

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*No. 49 Telegraph Road, Pymble, is a 2-storey residence located an equivalent distance from setback to no. 51 Telegraph Road, Pymble, which tends to be characteristic of the streetscape. No. 47 Telegraph Road, Pymble, a later building, is set forward of this alignment.*

*No. 49 Telegraph Road, Pymble, comprises a central 2-storey block. The existing garage and kitchen wing presents as a one storey pitched roof wing. The setback is approximately 1200mm and combined with the one storey pitched roof provides a significant setback to the 2-storey element from the boundary and the adjacent heritage item.*

*The proposal to convert the existing garage to living spaces requires the construction of a 2-car carport further forward of the existing setback. The roof of the proposed 2-car garage, is far greater than the existing garage roof and will therefore be more visible and impact to a greater extent on the curtilage of the heritage item. While the sites are large and can accommodate structures, consideration for their placement should minimise impact on the setting of the heritage item.*

*Given the size of the block, it would seem that other opportunities exist to provide space for 2 cars on the site without requiring a structure forward of the established building line. The importance of the established building line is greater where it relates to the setting of a heritage item.*

*In my opinion the proposed carport inappropriately locates a structure within the garden zone of this significant streetscape and within the view shed of the heritage item and should not be supported."*

In the conclusion to her report, Jennifer Hill has raised a concern that the height and location of the proposed carport will have a detrimental impact on the curtilage of the heritage item. The existing single car garage is situated slightly forward of the existing dwelling and has a roof height of 4.2m. The proposed carport is single storey and incorporates a pitched roof which is 4.5m in height.

Whilst the proposed carport roof is of greater height than the existing single garage roof, the proposed roof pitch reflects that of the existing house and allows for the carport to be visually integrated with the dwelling on the site.

Where a detached carport is permitted forward of the building line, such structures should have a roof pitch that is compatible with the existing dwelling (refer Part 5.5.3 of DCP 38). The proposed carport utilises a roof pitch that matches the existing dwelling and does not detract from the appearance of the house within the streetscape.

The heritage impact statement also concludes that there are opportunities to provide 2 car spaces upon the site without requiring a structure forward of the established building line. The existing house is set back 1.8m and 0.9m from its western and eastern (side) boundaries, respectively. These setbacks preclude the provision of car parking to the rear of the existing dwelling, which is evident by the existing garage already being located forward of the building line. In order to provide car parking behind the building line, car parking would need to be integrated into the primary façade of the main house. Given the identified importance of the house within the streetscape, any disruption to the façade of the house would significantly impact upon the integrity of the dwelling and its streetscape contribution.

In circumstances where car parking behind the established building line is not possible, DCP 38 allows Council to consider an open sided carport in the front setback. Council, in considering this option must consider whether the amenity, streetscape and character objectives of the DCP would still be met by having an open sided carport forward of the house.

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The proposed carport is of a design sympathetic to the existing dwelling house and whilst still apparent within the streetscape, will preserve the main façade of the building and will not dominate the adjoining two storey heritage item. The provision of car accommodation behind the building line would involve significant and undesirable alterations to the house which would likely diminish its streetscape contribution. To require the applicant to undertake significant and detrimental works would also be unreasonable. It is the opinion of Council staff that the proposed manner of providing for the car parking needs of the owners is acceptable pursuant to S.79C of the EP & A Act 1979 under the circumstances.

**RECOMMENDATION**

**THAT** the Council, as the consent authority, grant development consent to DA 642/05 for alterations and additions plus a carport to a dwelling on land at 49 Telegraph Road, Pymble, subject to the following conditions:

1. The development to be in accordance with Development Application 642/05 and Development Application plans prepared by *Fiona Mitchell - Architect*, reference number, *A01 (Rev A) to A08 (Rev A)*, dated *April 2005 as amended in Red (shown clouded)* and lodged with Council on *23 June 2005*.
2. All building works shall comply with the Building Code of Australia.
3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
4. The approved building works shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
5. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
6. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
7. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines,

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excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.

8. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
9. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
10. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
11. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. Persons are required to follow the attached recommended guidelines to prevent personal and environmental contamination.
12. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
13. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
14. The landscape works shall be completed prior to issue of final Certificate of Compliance and maintained in a satisfactory condition at all times.
15. Stormwater runoff from the alterations and additions located at the front of the site (including the proposed carport and driveway) shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
16. Stormwater runoff from the alterations and additions unable to drain to the street shall be piped to the existing site drainage system. No stormwater drainage system is to be connected to the Sydney Water sewer system. Where found, all illegal connections must be rectified to the satisfaction of Council and Sydney Water.

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17. For stormwater control all paved areas are to be drained to the main drainage system. This may require the installation of suitable cut-off structures and/or barriers that direct runoff to the formal drainage system.
18. For stormwater control a 200mm wide grated drain with heavy duty removable galvanised grates is to be located within the property at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.
19. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
20. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
21. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
22. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
23. The proposed rear timber deck is to be spaced to permit stormwater to pass through and permeate into the ground below. Apart from the piers below the deck the entire surface area under the deck is to be unsealed so that stormwater is able to soak into this area. Any existing paving or sealing below the proposed deck is to be removed from the site. At the completion of works and prior to issue of the Occupation Certificate, a Certificate from the builder/installer is to be submitted to the Principal Certifying Authority indicating compliance with this condition.

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24. A Tree Preservation Order exists within the Ku-ring-gai Council area whereby the removal, lopping or destruction of any tree exceeding 5.0 metres in height or 4.0 metres in canopy spread (except where exempt as defined under Council's Tree Preservation Order) without prior written consent of Council is prohibited.

Release of the Construction Certificate gives automatic approval to the removal ONLY of those trees located on the subject property within the footprint of a proposed new building/structure or within 3.0 metres of a proposed new dwelling. Where this application is for a building/structure other than a dwelling then ONLY trees within the area to be occupied by this building/structure may be removed. Other trees SHALL NOT be REMOVED or DAMAGED without an application being made under Council's Tree Preservation Order.

25. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
26. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
27. The property shall support a minimum number of Seven (7) trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, in accordance with Council's policy of Tree Retention/Replenishment on Residential Allotments adopted 26 April 1988. The existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.
28. To maintain suitable levels of privacy and amenity to adjoining properties, the side window proposed in the eastern elevation at the rear of the proposed meals room extension shall be deleted and replaced with solid materials to match the existing dwelling. Details of such shall be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.
29. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road) and to achieve compliance with Council's DCP No. 38, the proposed carport shall be relocated to have a minimum setback of 1.5m from the eastern (side) boundary of the site. The relocation of the proposed carport is to ensure adequate landscaping can be provided between the carport structure and the side boundary of the site.
30. Landscape works shall be carried out in accordance with Landscape Drawing No. 2A, prepared by Relle Mott Garden Design and dated April 2005 submitted with the Development Application, except as amended by the following:
  - A. In order to minimise impacts to the adjoining heritage item (No. 51 Telegraph Road), and soften the appearance of the proposed carport, screen planting shall be established between the carport and the eastern side boundary of the site.

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- B. In order to prevent overlooking of adjoining properties, screen planting shall be established between the rear terrace and the western side boundary of the site, as shown clouded in red on the plans.
- C. The proposed *Camelia Sasanqua* shown to be installed between the carport and the eastern side boundary and in front of the carport, shall have a minimum pot size of 45 litres and minimum height of 1.2m at the time of planting.
- D. The screen planting required by A. and B. of this condition shall utilise suitable plant species contained with Appendix F of Council's DCP No 38, shall be capable of attaining a minimum height of 3.0m and shall provide dense screening.

Details of the required amendments shall be shown on the amended landscape plans and submitted and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The screen planting shall be completed prior to the issue of the final Certificate of Compliance and be maintained in a satisfactory condition at all times.

- 31. External materials, finishes and colours are to match the existing dwelling and shall be sympathetic to the surrounding environment. Details of all external finishes and materials shall be provided to and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

- 32. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

Note: Required if cost of works exceed \$25,000.00.

- 33. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
- 34. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or

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construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

35. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
- A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
36. Prior to issue of the Construction Certificate footpath and driveway levels for any fully new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment must be obtained from Council. Such levels are only able to be issued by Council under the *Roads Act 1993*. All footpath crossings, laybacks and driveways are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings" or as specified by Council. These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

The grading of such footpaths or driveways outside the property shall comply with Council's standard requirements. The suitability of the grade of such paths or driveways inside the property is the sole responsibility of the applicant and the alignment levels fixed by Council may affect these. **Approval of this Development Application is for works wholly within the property. DA consent does not imply approval of footpath or driveway levels, materials or location within the road reserve regardless of whether this information is shown on the application documents.**

The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations. When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing

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which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

37. Development consent to DA 1417/04 shall be surrendered to Council under the provisions of Section 80A(1)(b) of the Environmental Planning and Assessment Act 1979. The provisions of Clause 97 of the Environmental Planning & Assessment Regulation 2000 are to be met prior to a Construction Certificate being issued. This condition is imposed to facilitate the orderly development of the site.
38. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a plan of the new drainage system components required for the approved development. The plan shall be prepared by a qualified civil/hydraulic engineer or licensed plumber. The new components of the property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence). Any new connection points to the public drainage system (eg kerb, table drains, pits, pipes) must be shown accurately on the plan.
39. Prior to issue of the Construction Certificate, the Applicant shall submit for the approval of the appointed Principal Certifying Authority, revised details which demonstrate the following:
  - A clear entrance width of the proposed double carport to be increased to a minimum 5.2m (currently 4.8m). This condition is imposed to ensure compliance with Figure 5.4 from AS/NZS 2890.1 (2004) - "Off-street car parking" and thus provide better vehicle manoeuvrability.
  - Manoeuvring circles for the B85 design vehicle overlaid (drawn) on the site plans, which demonstrate that all vehicles using the carport can leave the site in a forward direction in a maximum of one (1) three-point turn. This condition has been imposed to ensure compliance with AS/NZS 2890.1 (2004) - "Off-street car parking", and may require some minor modifications to the driveway layout.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING**

40. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.

**CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION**

41. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.

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42. Prior to issue of an Occupation Certificate, the following works must be completed:
- a. Construction of the new driveway crossing and layback in accordance with the levels and specifications issued by Council,
  - b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.  
Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council Engineers. This shall be at no cost to Council.
43. Prior to issue of an Occupation Certificate (and at the completion of works), the applicant shall submit certification from a consulting engineer or the installing plumbing contractor to the Principal Certifying Authority (PCA), that:
- a. The components of the new drainage system have been installed in accordance with the Plumbing and Drainage code AS3500.3.2 and by a licensed plumbing contractor, and
  - b. The stormwater drainage works have been carried out in accordance with the approved Construction Certificate drainage plan and Councils Water Management DCP 47.
44. Prior to issue of an Occupation Certificate, a high level overflow pipe is to be provided from the back of the skimmer box to the filter backwash line discharging to the sewer. This line must not directly vent the receiving Sydney Water sewer. This requirement is to collect stormwater overflow from the swimming pool surface only. A certificate from the installer, indicating compliance with this condition, must be submitted to the Principal Certifying Authority (PCA), prior to issue of an Occupation Certificate.

D Hoy  
**Development Assessment Officer**

S Cox  
**Team Leader**  
**Development Assessment - Central**

M Prendergast  
**Manager**  
**Development Assessment Services**

M Miocic  
**Director**  
**Development & Regulation**

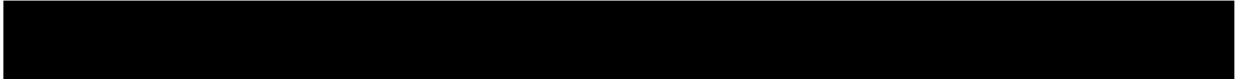
**Attachments:**    **Attachment 1: Statement of Heritage Impact prepared by Jennifer Hill of Architectural Projects Pty Ltd – 532508**  
                          **Attachment 2: Report to Council - 26 July 2005 - 532516**  
                          **Attachment 3: Report to Council – 23 August 2005 - 525850**  
                          **Attachment 4: Minutes from site meeting - 6 August 2005 - 522514**  
                          **Location sketch - 532585**

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Elevations - 532591  
Shadows - 532592  
Survey plan - 532594  
Landscape plans - 532595  
Attachment 5: Confidential Items - Floor Plans

**49 Telegraph Road, Pymble**



**05.1127**

## **STATEMENT OF HERITAGE IMPACT**

**PREPARED FOR:**

**Kuringai Council**

**BY:**

**JENNIFER HILL**

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**September 2005  
Version jhjs V01**

# ***STATEMENT OF HERITAGE IMPACT***

for

**49 Telegraph Road**

**Pymble**

prepared for

**Kuringai Council**

by

ARCHITECTURAL PROJECTS PTY LTD

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Tel: (02) 9319 1122

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Date: 7/9/05

**Version JHJS V.01**

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## 1. INTRODUCTION

### 1.1 BACKGROUND

The site of 49 Telegraph Road fronting Telegraph Road is currently the subject of a Heritage Assessment related to a Development Application to more precisely determine the heritage significance of the item. The proposal involves the construction of a new garage forward of the building line. Architectural Projects were commissioned by Kuringai Council to prepare this document in August 2005.

### 1.2 SITE LOCATION AND DESCRIPTION

The Assessment relates to a study area defined by Telegraph Road with specific focus on 51 Telegraph Road. And Telegraph Road generally. The site is located on the south side of Telegraph Road.

### 1.3 AUTHORSHIP

The report has been prepared by a team consisting of the following key members:

Jennifer Hill – Architectural Projects Pty Ltd - Heritage Architect

Elizabeth Gibson – Architectural Projects Pty Ltd - Heritage Architect

Leonie Masson – Historic Research

### 1.4 LIMITATIONS

A time frame of eight weeks was established for the preparation of the Report. Access was given to the site and Council records held by the applicant and Council. No physical intervention was undertaken to prepare this report. No historical archaeological work other than the site surveys provided herein was commissioned for the report.

### 1.5 METHODOLOGY

The Assessment has been prepared in accordance with the methodology outlined in J. S. Kerr *The Conservation Management Plan* by Dr James Semple Kerr (5th Edition, 2000). The report complies with the principles of the Australian ICOMOS Charter for the Conservation of Places of Cultural Significance (the Burra Charter) and its guidelines. The methodology used in the evaluation of the place is that recommended by the NSW Heritage Office. It seeks to identify from documentary and physical evidence any historic, aesthetic, social and technological values of each component building and to determine their level of representativeness or rarity by comparison with other identified examples. The analysis also looks at the overall character of the adjoining area to determine if the buildings and the site development pattern contributes to a characteristic grouping or cohesive streetscape which is unique or of sufficient importance to require protection.



## 1.6 TERMINOLOGY

The terms *fabric*, *place*, *preservation*, *reconstruction*, *restoration*, *adaptation* and *conservation* used throughout this report have the meaning given them in *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter)*.

The terminology used to described building styles follows the nomenclature set out in Apperly, R., Irving, R. and Reynolds, P. *A Pictorial Guide to Identifying Australian Architecture*, 1989.

## 1.7 DEFINITIONS

In order to achieve a consistency in approach and understanding of the meaning of conservation by all those involved a standardised terminology for conservation processes and related actions should be adopted. The terminology in the *Burra Charter* is a suitable basis for this. Article 1 of the *Burra Charter* gives the following definitions:

**Place** means site, area, building or other work, group of buildings or other works together with associated contents and surround.

**Cultural significance** means aesthetic, historic, scientific or social value for past, present or future generations.

**Fabric** means all the physical material of the place.

**Conservation** means all the processes of looking after a place so as to retain its cultural significance. It includes maintenance and may, according to circumstance include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

**Maintenance** means the continuous protective care of the fabric, contents and setting of a place, and it is to be distinguished from repair. Repair involves restoration and reconstruction and it should be treated accordingly.

**Preservation** means maintaining the fabric of a place in its existing state and retarding deterioration.

**Restoration** means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

**Reconstruction** means returning a place as nearly as possible to a known earlier state and is distinguished by the introduction of materials (new or old) into the fabric. This is not to be confused with either recreation or conjectural reconstruction which are outside the scope of the *Burra Charter*.

**Adaptation** means modifying a place to suit propped compatible uses.

**Compatible** use means a use which involves no change to the culturally significant fabric, changes which are substantially reversible, or changes which require a minimal impact.

#### 1.8 ACKNOWLEDGMENTS

City of Sydney Council

National Trust of Australia (NSW) Mara Barnes

Australian Heritage Commission

#### 1.9 EXTENT OF SEARCHES

Information searches have occurred with the following organisations:

The Mitchell Library

General subdivision information

The NSW Land Titles Office

Specific subdivision / title information.

Sydney Water archives

Council Archives

Commonwealth archives

Australian Heritage Commission

National Trust of NSW Register

Heritage Council of NSW

NSW State Heritage Inventory

Central Sydney Heritage Inventory

RAIA Twentieth Century Heritage Inventory

Art Deco Society of NSW Heritage Inventory

NSW Government Department Heritage Register

Historical Society

#### 1.10 COPYRIGHT

This report is copyright to of Architectural Projects Pty Ltd and was prepared specifically for the owners of the site. It shall not be used for any other purpose and shall not be transmitted in any form without the written permission of the authors.

## 2. HISTORICAL DOCUMENTARY ANALYSIS

### 2.1 HISTORICAL CONTEXT OF PYMBLE

This suburb takes its name from a free settler, Robert Pymble (1788-1861) a former silk weaver, who arrived in the colony from England in 1821. In 1823 he captured a bushranger, and as a reward was given a grant of 600 acres in what is now Pymble. He built a house just south of the present Pymble station and soon had a timber business in established. He also established the first orchard in the area, to the east of the station. Direct descendants of Robert Pymble still live in the district.

When Robert Pymble established himself in this area, the only way to reach his land was along a track, known as Lane Cove Road, now the Pacific Highway. In 19843 the New Inn was established by Daniel Bullock on what is now the Pacific Highway, just north of Mona Vale Road. In 1854 it was bought by Owen McMahon, who changed the name to Travellers' Home.

The first public transport on the North Shore began in 1879 at Pymble when Richard Harnett initiated the Stoney Creek Bus. Six lively horses were handled by Tom Watson, one of the favourite drivers, and the forty passengers clung to their seats and enjoyed the thrill of the ride through the area's beautiful bushland. Later a thirty-passenger coach ran from Milsons Point to Pymble.

When the North Shore railway line was put through the suburb in 1890, it crossed Robert Pymble's property. The kitchen of his home became the station's booking office and the dining-room became the waiting room. The station was appropriately named after this district pioneer.

The area was gradually opened up by other orchardists, who provided much of the city's early fruit supplies. Among them was Joseph Sainty, who established an orchard in Merrivale Road in 1870. His property later extended into Turramurra.

The Presbyterian Ladies College (now called Pymble Ladies College), at Pymble, opened in 1916.

Pymble is high enough to give views of the city skyline and the Harbour Bridge to the south-east and to the south-west, across the Lane Cove River valley, Macquarie University at North Ryde.

### 2.2 HISTORY OF THE SITE AND BUILDING

The 1987 inventory sheet provides no detail related to the exact dating of the building or the architect or client involved. The current program for the report does not allow the time to incorporate this research and as such it will be provided as a supplementary report.

Information provided by Robert Staas of Noel Bell Ridley Smith confirms that the building in 2000 was reasonably intact. The lack of primary information restricts a clear attribution of an architect. The work is similar in style to the work of Joseland and Gilling, John Brogan, McCredie, Scott and Green and Augustus Alley. The building while an excellent example, is similar in style to many houses built during the interwar period on the North Shore.

## 2.3 RELEVANT HISTORICAL THEMES

NATIONAL	STATE	LOCAL
Building, Settlements, Towns and Cities	Towns, Suburbs and Villages: <ul style="list-style-type: none"> <li>Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages.</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
Building, Settlements, Towns and Cities	Land Tenure: <ul style="list-style-type: none"> <li>Activities and processes for identifying forms of ownership and occupancy of land</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

### 3. PHYSICAL ANALYSIS

#### 3.1 DESCRIPTION OF THE AREA

The building is located in the area which could be characterised as follows:

The immediate streetscape consists of properties located on large allotments and set back a considerable distance from the front boundaries and the side boundaries. This all contributes to create a pattern of grand residences within landscape settings which has high cultural significance.

#### 3.2 DESCRIPTION OF THE SITE & SETTING (GARDEN)

No. 49 Telegraph Road, Pymble, is a 2-storey residence located an equivalent distance from setback to no. 51 Telegraph Road, Pymble, which tends to be characteristic of the streetscape.

No. 47 Telegraph Road, Pymble, a later building, is set forward of this alignment.

No. 49 Telegraph Road, Pymble, comprises a central 2-storey block. The existing garage and kitchen wing presents as a one storey pitched roof wing. The setback is 1200mm and combined with the one storey pitched roof provides a significant setback to the 2-storey element from the boundary and the adjacent heritage item at 51 Telegraph Road.

#### 3.3 DESCRIPTION OF THE BUILDING

##### Condition

51 Telegraph Road, Pymble appears well maintained and in a good condition.

##### Construction

The building is constructed from masonry const

#### 3.4 INTERIOR

No access has been provided to the interior.

#### 3.5 OTHER ASPECTS OF SITE

##### 3.5.1 Evidence of Archaeological Potential

Given the date of building construction, the site is highly unlikely to reveal archaeological remains.

##### 3.5.2 Evidence of Aboriginal Heritage Potential

Given the date of building construction dating from the Interwar period the site is unlikely to reveal aboriginal remains.

##### 3.5.3 Evidence of Natural Heritage Potential

Given the history of site disturbance from the Interwar period the site is unlikely to have heritage significance for its natural features.

#### 3.5.4 Moveable context

No significant moveable items exist.

#### 4. CRITERIA FOR ASSESSMENT OF CULTURAL SIGNIFICANCE

##### 4.1 GENERAL

A statement of cultural significance is a declaration of the value and importance given to a place or item, by the community. It acknowledges the concept of a place or item having an intrinsic value which is separate from its economic value.

There are a number of recognised and pre-tested guidelines for assessing the cultural significance of a place or item established by organisations including among others, the ICOMOS (International Committee on Monuments and Sites, Australia), The National Trust of Australia, The Australian Heritage Commission (Commonwealth Government) and in New South Wales by the State Government (The Heritage Council of NSW).

The Heritage Council's criteria "NSW Heritage Assessment Criteria" are based on the Australian Heritage Commission criteria (used for assessment of items for inclusion on the Register of the National Estate) and encompass the four values in the Australia ICOMOS Burra Charter; Historical Significance, Aesthetic significance, Scientific Significance and Social Significance. These criteria were gazetted following amendments to the Heritage Act which came into force in April 1999.

This report uses the NSW Heritage Assessment Criteria to assess the significance of the study area.

##### 4.2 THE NEW SOUTH WALES HERITAGE ASSESSMENT CRITERIA

An item will be assessed to be of heritage significance if it meets one or more of the following criteria:

###### 4.2.1 Criterion A – Historical Evolution

An item is important in the course, or pattern, of NSW's cultural or natural history (State significance); OR

An item is important in the course, or pattern, of the local area's cultural or natural history (local significance).

###### Guidelines for Inclusion

- Shows evidence of a significant human activity.
- Is associated with a significant activity or historical phase.
- Maintains or shows the continuity of a historical process or activity.

###### Guidelines for Exclusion

- Has incidental or unsubstantiated connections with historically important activities or processes.

- Provides evidence of activities or processes that are of dubious historical importance.
- Has been so altered that it can no longer provide evidence of a particular association.

#### 4.2.2 Criterion B – Historical Associations

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (State significance); OR

An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of the local area (local significance)

##### Guidelines for Inclusion

- Shows evidence of a significant human occupation.
- Is associated with a significant event, person, or group of persons.

##### Guidelines for Exclusion

- Has incidental or unsubstantiated connections with historically important people or events.
- Provides evidence of people or events that are of dubious historical importance.
- Has been so altered that it can no longer provide evidence of a particular association.

#### 4.2.3 Criterion C – Aesthetic Values

An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in NSW (State significance) OR

An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in the local area (local significance).

##### Guidelines for Inclusion

- Shows or is associated with, creative or technical innovation or achievement.
- Is the inspiration for a creative or technical innovation or achievement.
- Is aesthetically distinctive.
- Has landmark qualities.
- Exemplifies a particular taste, style or technology.

##### Guidelines for Exclusion

- Is not a major work by an important designer or artist.
- Has lost its design or technical integrity.
- Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded.
- Has only a loose association with a creative or technical achievement.

#### 4.2.4 Criterion D – Technical / Research Value

An item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (State significance) OR

An item has strong or special association with a particular community or cultural group in the area for social, cultural or spiritual reasons (local significance).

##### Guidelines for Inclusion

- Is important for its associations with an identifiable group.
- Is important to a community's sense of place.

##### Guidelines for Exclusion

- Is only important to the community for amenity reasons.
- Is retained only in preference to a proposed alternative.

#### 4.2.5 Criterion E – Social Value

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (State significance) OR

An item has potential to yield information that will contribute to an understanding of the area's cultural or natural history (local significance).

##### Guidelines for Inclusion

- Has the potential to yield new or further substantial scientific and/or archaeological information.
- Is an important benchmark or reference site or type.
- Provides evidence of past human cultures that is unavailable elsewhere.

##### Guidelines for Exclusion

- The knowledge gained would be irrelevant to research on science, human history or culture.
- Has little archaeological or research potential.
- Only contains information that is readily available from other resources or archaeological sites.
- The knowledge gained would be irrelevant to research on science, human history or culture.

#### 4.2.6 Criterion F – Rarity

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (State significance) OR

An item possesses uncommon, rare or endangered aspects of the area's cultural or natural history (local significance).

#### Guidelines for Inclusion

- Provides evidence of a defunct custom, way of life or process.
- Demonstrates a process, custom or other human activity that is in danger of being lost.
- Shows unusually accurate evidence of a significant human activity.
- Is the only example of its type.
- Demonstrates designs or techniques of exceptional interest.
- Shows rare evidence of a significant human activity important to a community.

#### Guidelines for Exclusion

- Is not rare.
- Is numerous but under threat.

#### 4.2.7 Criterion G – Representativeness

An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (State significance) OR

An item is important in demonstrating the principal characteristics of a class of the area's cultural or natural places or cultural or natural environments (local significance).

#### Guidelines for Inclusion

- Is a fine example of its type.
- Has the principal characteristics of an important class or group of items.
- Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity.
- Is a significant variation to a class of items.
- Is part of a group which collectively illustrates a representative type.
- Is outstanding because of its setting, condition or size.
- Is outstanding because of its integrity or the esteem in which it is held.

#### Guidelines for Exclusion

- Is a poor example of its type.
- Does not include or has lost the range of characteristics of a type.
- Does not represent well the characteristics that make up a significant variation of a type.

### 4.3 LEVELS OF SIGNIFICANCE

The terms 'local', and 'state' relate to the geographical and social context of an item's significance. For example, an item of local significance will be of historical, aesthetic, social or

technical / research significance in a local geographical context; an item of state social heritage significance will be important to an identifiable, contemporary, statewide community.

#### 4.3.1 Local Heritage

This comprises items significant in a local historical or geographical context, or to an identifiable contemporary local community. This report regards the local area as the boundaries of the Local Government Area.

#### 4.3.2 State Heritage

This comprises items significant in a statewide historical or geographical context, or to an important and identifiable contemporary statewide community.

### 4.4 CURTILAGE

#### 4.4.1 Curtilage Types

##### Lot Boundary Heritage Curtilage

The most common type of heritage curtilage comprises the boundary of the property containing the heritage item, or items. The property may also contain associated buildings, gardens and other significant features, including walls, fences, driveways or tennis courts, all which may contribute to the heritage significance of the property.

##### Reduced Heritage Curtilage

This type of heritage curtilage is less than the lot boundary of the property. It arises where the significance of the item may not relate to the total lot, but to a lesser area, and is often only defined when development occurs.

##### Expanded Heritage Curtilage

There may be circumstances where the heritage curtilage may need to be greater than the property boundary. Depending on the topography, an expanded curtilage may be required to protect the landscape setting or visual catchment of a heritage item.

##### Composite Heritage Curtilage

This type of curtilage applies to heritage conservation areas and defines the boundaries of land required to identify and maintain the heritage significance of an historic district, village or suburban precinct.

## 5. ASSESSMENT OF CULTURAL SIGNIFICANCE

### 5.1 CRITERION A – HISTORICAL EVOLUTION

**An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).**

The building has historical significance for its ability to evidence the development of grand residences in the Pymble area.

### 5.2 CRITERION B – HISTORICAL ASSOCIATIONS

**An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).**

The research date has not indicated any significance.

### 5.3 CRITERION C – AESTHETIC VALUES

**An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).**

The building has aesthetic significance as an outstanding example of a Georgian revival house and for its contribution to the Telegraph Road streetscape.

### 5.4

#### CRITERION D –SOCIAL VALUE

**An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.**

The research date has not indicated any significance.

### 5.5 CRITERION D – TECHNICAL RESEARCH VALUE

**An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history.**

The research date has not indicated any significance.

### 5.6 CRITERION F - RARITY

**An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).**

The research date has not indicated any significance.

## 5.7 CRITERION G - REPRESENTATIVENESS

**An item is important in demonstrating the principal characteristics of a class of NSW's**

- **cultural or natural places; or**
- **cultural or natural environments**  
**(or a class of the local areas' cultural or natural places; or cultural or natural environments).**

The building has representative significance as a fine example of an interwar Georgian revival residence.

## 5.8 INTACTNESS

The building remains highly intact externally. The remaining building retains the original external character which was originally exceptional.

## 5.9 LEVEL OF SIGNIFICANCE

<u>Local</u>	Due to historic and aesthetic significance, the building does reach the threshold for local significance.
<u>State</u>	Due to representative level of significance within the Sydney area the building does reach the threshold for state significance.

## 5.10 GRADING OF SIGNIFICANCE

	<u>Grading</u>	<u>Justification</u>	<u>Status</u>
A	EXCEPTIONAL	Rare or outstanding element directly contributing to an item's local and State significance.	Fulfil criteria for local or State listing
B	HIGH	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfil criteria for local or State listing.
C	MODERATE	Elements of typical representative quality. Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Does not fulfil criteria for local or State listing.

D	LITTLE	Alterations detract from significance. Difficult to interpret.	Does not fulfil criteria for local or State listing.
E	INTRUSIVE	Damaging to the item's heritage significance.	Does not fulfil criteria for local or State listing.

#### Schedule Of Significant Fabric

The schedule of existing fabric notes the relevant area and its level of significance.

<u>Element</u>	<u>Grading</u>
The Site	A
The Exterior	
North Façade	A
South Façade	B
East Façade	B
West Façade	B
<u>The Interior</u>	

#### 5.11 HERITAGE CURTILAGE

The curtilage of the building relates to the generous front setback established on the site and consistent with earlier houses in the area.

## 6. CONSTRAINTS & OPPORTUNITIES

### 6.1 GENERAL

A general policy for the preservation of a building is based on a recognition of its significance and the relevant constraints. The chief constraint being the Statement of Significance.

### 6.2 CONSTRAINTS & OPPORTUNITIES ARISING FROM CULTURAL SIGNIFICANCE

The significance of 51 Telegraph Road. does warrant its listing as a heritage item and as a component of the streetscape. The building should be retained and conserved in a recognisable form. The setting and curtilage of the building should be protected.

General Constraints Arising out of Cultural Significance.

The building should be retained and conserved. No new work or activity should be carried out which will detract from or obscure physical evidence of the major phases of development of the key period of significance. Architectural and decorative features of the above elements which date from the key period of significance should be conserved. No new building should detract from the prominence of the building on the site. New works or activities at the place should not diminish its evocative character.

### 6.3 CONSTRAINTS & OPPORTUNITIES ARISING FROM THE CONDITION OF THE PLACE

The building is presently well maintained.

### 6.4 CONSTRAINTS & OPPORTUNITIES ARISING FROM PROPERTY OWNERSHIP

No requirements.

### 6.5 CONSTRAINTS & OPPORTUNITIES ARISING FROM HERITAGE PLANNING REQUIREMENTS

#### 6.5.1 AUSTRALIAN HERITAGE COMMISSION

The building and site is not included on the Register of the National Estate nor on the list of items nominated for evaluation. Listing in this register imposes no legal restrictions.

#### 6.5.2 HERITAGE COUNCIL OF NSW/NSW HERITAGE ACT

The building and site is not covered by statutory protection provided pursuant to the NSW Heritage Act. 1977. No constraints apply.

#### 6.5.3 NATIONAL TRUST (NSW)

The building and site is not listed by the National Trust (NSW) Listings in this register imposes no legal restrictions. No constraints apply.

#### 6.5.4 RAI A REGISTER OF SIGNIFICANT BUILDINGS

The building is not listed as a heritage item by the RAI A. Listings in this register imposes no legal restrictions. No constraints apply.

#### 6.5.5 ART DECO REGISTER OF NSW

The building is not listed as a heritage item by the Art Deco Society of NSW. Listings in this register imposes no legal restrictions. No constraints apply.

#### 6.5.6 SECTION 170 REGISTER

The site and building is not listed as a heritage item on any 170 Register of any Government Body. Listings in this register imposes no legal restrictions. No constraints apply.

#### 6.5.7 KU-RING-GAI COUNCIL

The building and site is listed as a heritage item identified in the LEP. The building and site is listed as lying within a Conservation Area identified in the LEP. The building is a contributing component of that Conservation Area and the Telegraph Road streetscape.

#### 6.5.8 ROYAL AUSTRALIAN INSTITUTE OF ENGINEERS

The building is not listed as a heritage item by the Royal Australian Institute of Engineers. Listings in this register imposes no legal restrictions. No constraints apply.

## 7. STATEMENT OF CONSERVATION POLICY

The general policy for the preservation of the area is based on a recognition of its significance and the relevant constraints.

### 7.1 INTRODUCTION

The purpose of the following conservation policy is to provide a framework for the management of the building. The conservation policy is focusing on retaining the building as a viable commercial facility, while protecting its cultural significance as a grand residence. The policy identifies which elements of the building should be preserved and nominates intrusive elements in need of modification.

### 7.2 CONSERVATION PHILOSOPHY

The future conservation and development of the place should be carried out in accordance with the principles of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter) as revised in 1988.

The statement of cultural significance and schedule of significant fabric set out in Section 5, together with any more detailed assessments of individual items in the policy section should be accepted as one of the bases for future planning and work on the place.

The policies recommended and options discussed in this document should be endorsed by all parties as a guide to future conservation and development of the place.

All work in the building shall be undertaken on the basis of known evidence.

This document should be reviewed regularly as the need arises or new information comes to light.

### 7.3 GENERAL POLICY

Confirmation should occur of the Schedule 1 listing on the LEP.

The place should be retained and conserved and its future use should be compatible with its proper conservation.

The building should exemplify and reflect the principal period of its development from the key period of significance 1941-1660. Significant fabric should be preserved. The overall form of the building should be retained and conserved.

Where intervention in significant fabric is unavoidable, the loss of cultural significance should be minimised. Such intervention should occur in areas of lower rather than higher significance.

Reinstatement of missing fabric, or reconstruction should only take place within the context of retention of cultural significance of a particular element and of the building generally.

Intrusive elements should be removed or converted to a less intrusive form, wherever possible.

Finishes never intended for painting should continue to be appropriately maintained. Surfaces intended for painting should continue to be painted in appropriate colours.

## 7.4 CONSERVATION OF BUILDING FABRIC

### 7.4.1 Implication of Grading of Significance

The following scale identifies conservation management implications for fabric identified to be of exceptional high, moderate, little or intrusive significance.

Significance		Management Implication
Exceptional	(A)	Retention and conservation essential
High	(B)	Retain, conserve and or preserve where possible
Moderate	(C)	Retention and preservation is desirable but not essential.
Little / Intrusive	(D/E)	Retain or remove as required subject to practical considerations.

### 7.4.2 General Policies for Conservation of Fabric

The following policies have been formulated to ensure that no significant item identified in this plan is despoiled and/or removed from the building prior to understanding the significance of the item and its significance to the place.

Surviving building fabric nominated in this document as being of **exceptional or high significance** shall be retained and conserved and shall only be considered for removal or alteration where there is no appropriate alternative. Any work which affects the building fabric or spatial arrangement graded in this category should be confined to preservation, restoration or reconstruction, as defined by the Burra Charter.

Where fabric of **exceptional or high significance** is removed or altered a thorough recording of the original form and detail should be made. Removed items should be catalogued and stored safely for possible future reinstatement.

Fabric of **moderate significance** should generally be retained. Adaptation or alteration may be acceptable if assessed and appropriate within framework which protects the significance of the whole place. Surviving building fabric nominated in this conservation plan as being of

**little significance** can be either retained or removed if required as either option does not intrude on the significance of the building.

Elements which are identified in this plan as being of an **intrusive** nature reduce the overall significance of the place. The preferred option is for their removal, conversion to a more compatible form or replacement in a way which helps retain the significance of the overall.

Significant fabric unavoidably disturbed during the works shall be salvaged, retained on site, securely stored and may be re-used in the building.

#### 7.5 EXTERIOR

The setting for the building should be retained.

The overall building form should be preserved. All remaining intact fabric on the primary Telegraph Road façade should be retained and conserved.

Preserve the existing form, external surfaces, materials and finishes of the facade.

It is desirable that door and window openings should not be enlarged or closed in.

Where it is necessary to modify the facade changes to the facade should reinforce the symmetry of the original facade with symmetrical new openings.

#### 7.6 INTERIOR

As the interiors of the building have not been inspected no policies are provided in this regard.

#### 7.7 NEW DEVELOPMENT

The architectural impact of the building derives from its form, facades, setting and landmark quality. New development should be controlled so as not to detract from the significance of the place. In particular, views of the building from Telegraph Road should be considered. No new work should compromise the original significant façade or its setting.

#### 7.8 FUTURE USE

Any future development should preserve the existing form, external surfaces and materials of the facade. Door and window openings should not be enlarged or closed in.

The future use of the building should be compatible with its conservation. The policies set out in this document should be applied irrespective of the uses to which the building is put.

## 7.9 MAINTENANCE AND REPAIR

Timely maintenance and repair based on regular inspection and appropriate and technically sound construction methods are essential components of the conservation program. A regular maintenance program is a good investment to avoid the disruption and high cost of a major restoration.

A building maintenance plan and repair program should be prepared and implemented based on a comprehensive knowledge of the building's use and its materials with regular inspection and prompt preventative maintenance and repair.

All tradesmen and craftsmen undertaking work on the building, must be selected on the basis of their skills and experience in conservation techniques and understanding of traditional building materials and methods.

Particular attention should be paid for keeping in good order all the systems which prevent water penetration into the fabric and conduct water safely from the buildings and its footings.

Services should not be permitted to discharge liquid or gas in a way which will cause deterioration of the fabric of the place.

The appropriate level of significance of any part or element of the building shall be determined from this plan prior to determining the acceptable level of intervention or appropriate action.

## 7.10 APPROPRIATE SKILLS AND EXPERIENCE

The Burra Charter encourages the use of skilled and appropriate professional direction and supervision from a range of disciplines for conservation activities.

All work affecting significant fabric should be designed and constructed under the constant supervision of a qualified conservation practitioner approved by the Heritage Council of New South Wales. Assessment of cultural significance, and consequent decisions on conservation, should be modified if necessary in the light of further information obtained during conservation work.

The continuity of competent advice is very important for the long-term implementation of a conservation plan. The attitudes, skills and experience required in the context of a conservation project are different to those to the design of new buildings.

Relevant and experienced professional conservation advice should be provided for all conservation, adaptation and repair works proposals and programs on the building.

#### 7.11 INTERPRETATION

Conservation and ongoing use of building should include some interpretation of its role in the development of Telegraph Road, Pymble.

## 8. STATEMENT OF HERITAGE IMPACT – OPTIONS

No. 49 Telegraph Road, Pymble, is located adjacent to a significant heritage item located at 51 Telegraph Road, Pymble and within a significant streetscape and a conservation area.

The immediate streetscape consists of properties located on a large allotment and set back a considerable distance from the front boundaries and the side boundaries. This all contributes to create a pattern of landscape settings and grand residences which has high cultural significance.

No. 49 Telegraph Road, Pymble, is a 2-storey residence located an equivalent distance from setback to no. 51 Telegraph Road, Pymble, which tends to be characteristic of the streetscape. No. 47 Telegraph Road, Pymble, a later building, is set forward of this alignment.

No. 49 Telegraph Road, Pymble, comprises a central 2-storey block. The existing garage and kitchen wing presents as a one storey pitched roof wing. The setback is approximately 1200mm and combined with the one storey pitched roof provides a significant setback to the 2-storey element from the boundary and the adjacent heritage item.

The proposal to convert the existing garage to living spaces requires the construction of a 2-car carport further forward of the existing setback. The roof of the proposed 2-car garage, is far greater than the existing garage roof and will therefore be more visible and impact to a greater extent on the curtilage of the heritage item. While the sites are large and can accommodate structures, consideration for their placement should minimise impact on the setting of the heritage item.

Given the size of the block, it would seem that other opportunities exist to provide space for 2 cars on the site without requiring a structure forward of the established building line. The importance of the established building line is greater where it relates to the setting of a heritage item.

In my opinion the proposed carport inappropriately locates a structure within the garden zone of this significant streetscape and within the view shed of the heritage item and should not be supported.

9. BIBLIOGRAPHY

Author, Title

Jahn, Graham, Sydney Architecture, Watermark Press, Sydney 1997

Brian & Barbara Kennedy, Sydney and Suburbs – A History and Description, AH & AW Reid Pty Ltd, 1982

Frances Pollon, The Book of Sydney Suburbs, Angus & Robertson, 1988

Irving, R. and Reynolds, P. A Pictorial Guide to Identifying Australian Architecture, 1989

## 10. LIST OF ILLUSTRATIONS

FIGURE NO.	DATE	DESCRIPTION	SOURCE
Figure 1		Telegraph Road streetscape	Architectural Projects
Figure 2		51 Telegraph Road	Architectural Projects
Figure 3		51 Telegraph Road	Architectural Projects
Figure 4		49 Telegraph Road	Architectural Projects
Figure 5		49 Telegraph Road	Architectural Projects

Item 4

S02080, S02110, S02355,  
S03447, S03448, S03449,  
S03816  
29 September 2005

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## **ELECTION OF CHAIRPERSONS/DEPUTY CHAIRPERSONS - 2005 TO 2006 - COMMITTEES & ADVISORY COMMITTEES**

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### **EXECUTIVE SUMMARY**

<b>PURPOSE OF REPORT:</b>	For Council to give consideration to the election of the Chairpersons/Deputy Chairpersons for Council's Committees & Advisory Committees.
<b>BACKGROUND:</b>	Council at its meeting of 1 June 2004 established Informal Committees & adopted a number of Advisory Committees.
<b>COMMENTS:</b>	Last year, Council elected Councillors as Chairpersons/Deputy Chairpersons of the Committees & the Advisory Committees.
<b>RECOMMENDATION:</b>	That Council elect the Chairpersons/Deputy Chairpersons for the Committees & the Advisory Committees.

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S03816  
29 September 2005

## PURPOSE OF REPORT

For Council to give consideration to the election of the Chairpersons/Deputy Chairpersons for Council's Committees & Advisory Committees.

## BACKGROUND

Council at its meeting of 1 June 2004 established the following Informal Committees:

- Policy Review Committee
- Planning Committee
- Finance Committee
- Infrastructure Committee
- Community Development Committee

The following Advisory Committees were also adopted:

- Bushland, Catchments & Natural Areas Reference Group.
- Parks, Sport & Recreation Reference Group
- Companion Animals Advisory Committee
- Heritage Advisory Committee
- Access Committee
- Traffic Committee

## COMMENTS

Last year, Council elected the following Councillors as Chairperson/Deputy Chairperson of the Committees & the Advisory Committees:

### Committees

#### Policy Review

Chairperson: Councillor Innes  
Deputy Chairperson: Councillor Andrew

#### Planning

Chairperson: Councillor Ryan  
Deputy Chairperson: Councillor Hall

#### Finance

Chairperson: Councillor Shelley  
Deputy Chairperson: Councillor Ebbeck

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**Infrastructure**

Chairperson: Councillor Ryan  
Deputy Chairperson: Councillor Shelley

**Community Development**

Chairperson: Councillor Hall  
Deputy Chairperson: Councillor Shelley

**Advisory Committees**

**Bushland, Catchments and Natural Areas Reference Group**

The Charter states that "Appointments to the Reference Group will remain current for **two years** from the date of appointment".

Chairperson: Councillor Malicki  
Deputy Chairperson: Councillor Andrew

**Parks, Sport and Recreation Reference Group**

The Charter states that "Appointments to the Reference Group will remain current for **two years** from the date of appointments".

Chairperson: Councillor Ebbeck  
Deputy Chairperson: Councillor Malicki

**Companion Animals Advisory Committee**

The Charter states that "Appointments to the Committee will remain current for **two years** from the date of the appointments".

Chairperson: Councillor Andrew  
Deputy Chairperson: Councillor Ryan

**Heritage Advisory Committee**

The Charter states that "Appointment of Councillors and Community Representatives to the Committee is for a maximum of 2 years with nominations for community members to be called for every 2 years and for Councillors to be nominated **after a 2 year term** coinciding with the appointment of Councillors to committees following the election of the Mayor and Deputy Mayor or following the general elections - whichever occurs first".

Chairperson: Councillor Cross  
Deputy Chairperson: Councillor Bennett

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**Ku-ring-gai Access Consultative Committee**

The Charter states that "Nominations for Committee Membership will be called for by Council **in February of each year.**"

Chairperson: Councillor Lane  
Deputy Chairperson: Councillor Innes

**Ku-ring-gai Traffic Committee**

There was no term of appointment for Chairpersons/Deputy Chairpersons specified in the resolution or the Terms of Reference for the Committee.

Should Councillors wish to step down from their roles on the various Advisory Committees, Council will need to elect replacements.

**CONSULTATION**

Not applicable.

**FINANCIAL CONSIDERATIONS**

Not applicable.

**CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Not applicable.

**SUMMARY**

Not applicable.

**RECOMMENDATION**

A. That Council elect the Chairperson/Deputy Chairperson for the following Committees:

- Policy Review Committee
- Planning Committee
- Finance Committee
- Infrastructure Committee
- Community Development Committee

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S03447, S03448, S03449,  
S03816  
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- B. That Council elect the Chairperson/Deputy Chairperson for the following Committees, where necessary:
- Bushland, Catchments & Natural Areas Reference Group
  - Parks, Sport & Recreation Reference Group
  - Companion Animals Advisory Committee
  - Heritage Advisory Committee
  - Ku-ring-gai Access Consultative Committee
  - Ku-ring-gai Traffic Committee

Geoff O'Rourke  
**Senior Governance Officer**

Brian Bell  
**General Manager**

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## PECUNIARY INTEREST RETURNS REGISTER

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	To table Council's Pecuniary Interest Returns Register in accordance with the Local Government Act.
<b>BACKGROUND:</b>	The Act requires that the Pecuniary Interest Returns Register be tabled at the first meeting after 30 September 2005.
<b>COMMENTS:</b>	The Register will be tabled at the meeting.
<b>RECOMMENDATION:</b>	That the tabling of the Pecuniary Interest Returns Register be noted.

## **PURPOSE OF REPORT**

To table Council's Pecuniary Interest Returns Register in accordance with the Local Government Act.

## **BACKGROUND**

As Councillors are aware, Section 449 of the Local Government Act 1993 requires the lodgement of returns disclosing interests of Councillors and Designated Persons.

Under Section 450A(2)(b) of the Act, returns for the period ending 30 June 2005 must be tabled at the first Council meeting held after the last day of lodgement (30 September 2005).

## **COMMENTS**

Not applicable.

## **CONSULTATION**

Not applicable.

## **FINANCIAL CONSIDERATIONS**

Not applicable.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Not applicable.

## **SUMMARY**

Not applicable.

## **RECOMMENDATION**

That the tabling of the Pecuniary Interest Returns Register be noted.

Geoff O'Rourke  
Senior Governance Officer

Brian Bell  
General Manager

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## 2005 FINANCIAL ASSISTANCE GRANTS TO COMMUNITY GROUPS

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To advise Council of applications received from community groups for financial assistance in 2005, and to recommend to Council subsequent funding allocations.

**BACKGROUND:**

Each year, Council calls for applications for financial assistance from both community and cultural groups that are either based in Ku-ring-gai, or associated with people in the Ku-ring-gai area. Applications totalling \$162,794.00 have been received from 74 community and cultural groups.

**COMMENTS:**

Council has allocated \$86,300 for the Financial Assistance Grants Program to Community Cultural Groups in the 2005/06 budget.

**RECOMMENDATION:**

That Council approve the recommendations in this report for funding community and cultural groups through the Financial Assistance Program.

## PURPOSE OF REPORT

To advise Council of applications received from community groups for financial assistance in 2005, and to recommend to Council subsequent funding allocations.

## BACKGROUND

Each year, Council calls for applications for financial assistance from both community and cultural groups either based in Ku-ring-gai, or whose work benefits the identified needs of people within the Ku-ring-gai area. Applications totalling \$162,794 have been received from 74 community and cultural groups.

Council has allocated \$86,300 in its 2005/06 budget for the Financial Assistance Grants Program. This amount consists of \$80,439 for community groups, \$3,154 for the rates and garbage rebate for the Eryldene property and \$2,707 as a contribution to the printing costs for the journal of the Ku-ring-gai Historical Society (OMC 19 February 2003).

## COMMENTS

Relevant Community Services staff have evaluated all applications (**Attachment 2**) for financial assistance according to the criteria outlined in the Financial Assistance to Community Groups Policy (**Attachment 3**). An overview of each application received has also been prepared to assist in the assessment process (**Attachment 1**).

All groups receiving funding this year are required to provide Council with details on grant expenditure by May of the current financial year. In addition to this requirement, some organisations have had specific conditions placed on the recommendation of a grant.

It is regretted that not all the organisations that have applied will be recommended for financial assistance, and in most cases the full amount requested cannot be granted.

To ensure that Council funds a range of groups and services, all applications were categorised in six (6) areas. These areas are:

1. Aged Services
2. Arts/Cultural
3. Children's Services
4. Disability Services
5. Support Services
6. Youth & Leisure Services

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

The amount of \$86,300 was allocated in the 2005/2006 budget. This amount includes \$3,154 for Eryldene and \$2,707 for the Ku-ring-gai Historical.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Where appropriate, advice was sought from relevant Council departments and those comments have been referred to in the individual assessments.

## SUMMARY

Not applicable.

## RECOMMENDATION

- A. That the community and cultural groups as listed receive financial assistance from Council in 2004.

<b>Community and Cultural Groups</b>	<b>Amount Recommended</b>
	<b>\$</b>
Catholic Health Care Services Limited	1,000.00
Constant Companion Service	1,386.00
Easy Care Gardening Inc	1,000.00
Hornsby District TPI Social & Welfare Club	300.00
Ku-ring-gai Meals on Wheels	500.00
Northside Christian Life Centre	1,000.00
The Community Friendship Group "Cooinda"	1,000.00
Warawee Probus Club Inc	320.00
Carols in the Park -Ku-ring-gai Combined Churches	9,500.00
Churches of Wahrenonga	1,000.00
East Killara Music Club	360.00
Ignite the Flame - Ku-ring-gai Combined Churches Festival (Fusion Australia Ltd)	1,500.00
Ku-ring-gai Art Society	1,000.00
Ku-ring-gai Historical Society	1,159.00
Ku-ring-gai Male Choir Inc	1,000.00
Ku-ring-gai Philharmonic Orchestra	5,200.00
Marian Street Theatre for Young People	1,098.00
Mirraboooka Singers	500.00
Northside Creative Photography Inc	1,000.00
The Cavalcade of History and Fashion Inc	1,800.00
The Local Handcraft Association Inc	810.00
Western Youth Orchestra Association Inc.	429.00
Bradfield Park Child Care Centre	1,000.00
Christ Church St Ives Preschool	475.00
Early Childhood Intervention Australia	2,650.00
East Lindfield Community Pre-school	1,000.00
Gordon Pre-school Centre	1,080.00
K U Wahrenonga Pre-School	1,000.00
KU Killara Park Pre school	1,000.00

Item 6

**S03000**  
**28 September 2005**

KU Saddington Street Pre School	564.00
POOSH Care (Pymble Out of school hours)	1,000.00
Pymble Turramurra Kindergarten	1,000.00
St Ives North Primary School P & C Association Inc	757.00
St Ives Pre-school Kindergarten	1,000.00
West Pymble Pre-school	1,000.00
Aunties & Uncles Co-operative Family Project Ltd	1,200.00
Australian Breastfeeding Association – Turramurra Group	1,200.00
Dial-A-Mum Inc	1,200.00
English At Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)	1,200.00
Hornsby Ku-ring-gai & Hills Multiple Births Association	1,200.00
Ku-ring-gai Neighbourhood Centre Inc	1,200.00
Life Education NSW Limited	1,200.00
Lister Street Community Fire Unit (CFU) NSW FB FHP86	1,052.00
POSIE (Perinatal Outreach Support Information and Education)	1,200.00
South Turramurra Community Fire Unit MHP-39	1,232.00
1st Middle Harbour Sea Scout Group	1,009.00
1st North Turramurra Scout Group	1,000.00
Girl Guides - 2nd St Ives Brownie Pack	1,000.00
Killara High School (Duke of Edinburgh Award Scheme)	1,000.00
Killara Scout Group	1,000.00
Ku-ring-gai Little Athletics Inc	750.00
Lindfield District Girl Guides	1,000.00
Boonah Creative Arts Centre, Centacare	1,000.00
Cromehurst Special School P & C Vacation Activity Centre	2,300.00
DARTS - Disabled Alternative Road Travel Service	1,000.00
Hornsby Ku-ring-gai Association; Action for Mental Health	1,000.00
Hornsby Ku-ring-gai Stroke Recovery Club	750.00
Lifestart Early Childhood Program - Hornsby	1,000.00
MS Society - Ku-ring-gai Branch	1,000.00
Noah's Ark Toy Library for Children with Special Needs Inc	1,000.00
Parkinson's NSW Inc - Hornsby Ku-ring-gai Support Group	1,000.00
Rainbow Club Australia Inc/The Lindfield Rainbow Club	500.00
Royal Blind Society of NSW Inc	1,000.00
St Edmund's School	1,080.00
Technical Aid to the Disabled (TAD)	1,000.00
The Lorna Hodgkinson Sunshine Home	1,000.00
Vision Impairment Support Group - Lindfield	600.00
<b>TOTAL</b>	<b>\$80,261.00</b>

- B. That all groups receiving a grant, advise Council by 31 May 2006 how the grant was spent.
- C. That those groups recommended for financial assistance from Council receive the cheques personally from the Mayor at a Council meeting.

Danny Houseas  
Manager Community Development

Janice Bevan  
Director Community Services

- Attachments:**
- 1: Summary of Funding and Recommendation:**
    - Aged Services - 539871**
    - Arts & Cultural Services - 539874**
    - Children's Services - 539872**
    - Disability Services - 539873**
    - Support Services - 539865**
    - Youth Services - 539866**
  - 2: Community and Cultural Application Assessments:**
    - Aged Services Command - 539844**
    - Aged Services Assessment - 539863**
    - Arts Command - 539851**
    - Arts Assessment - 539862**
    - Children's Services Command - 539845**
    - Children's Services Assessment - 539854**
    - Disability Services Command - 539846**
    - Disability Services Assessment - 539855**
    - Support Services Command - 539848**
    - Support Services Assessment - 539857**
    - Youth Services Command - 539849**
    - Youth Services Assessment - 539859**
  - 3: Objectives and Guidelines - 539926**

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

AGED SERVICES	Amount Sought	Amount Recommended	Purpose/Comments
Catholic Health Care Services Limited	\$1,500	\$1,000	A contribution towards the purchase of 2 water tanks, 2 compost bins and Gardening tools
Constant Companion Service	\$2,079	\$1,386	A contribution towards the supply and installation of 2 Emergency monitoring systems for 2 financially disadvantaged residents of Ku-ring-gai.
Easy Care Gardening Inc	\$1,890	\$1,000	A contribution towards the production of volunteer promotional material, leaf Blower/vacuum, 15 Diggers, Leaf blower
Hornsby District TPI Social & Welfare Club	\$1,000	\$300	A contribution towards Christmas lunch for members of the TPI Social & Welfare Club.
Ku-ring-gai Meals on Wheels	\$500	\$500	To fund designing and printing promotional flyers for volunteers
Northside Christian Life Centre	\$1,660	\$1,000	A contribution towards the provision of transport for seniors luncheon
The Community Friendship Group "Cooinda"	\$1,000	\$1,000	To subsidise the monthly activities provided by the group.
Warawee Probus Club Inc	\$320	\$320	To fund promotional campaign to assist 16 Probus clubs in Ku-ring-gai area recruit new members.
	<b>\$9,949</b>	<b>\$6,506</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

ARTS & CULTURAL SERVICES	Amount Sought	Amount Recommended	Purpose/Comments
Carols in the Park - Ku-ring-gai Combined Churches	\$10,000	\$9,500	Contribution to council park and other fees to celebrate Carols in the Park
Churches of Wahroonga	\$1,350	\$1,000	Contribution to venue hire
East Killara Music Club	\$360	\$360	For the purchase of an adjustable piano stool
Friends of Tulkiyan	\$3,200	0	Purchase of clear PVC blinds to weatherproof a large external verandah.
Ignite the Flame - Ku-ring-gai Combined Churches Festival (Fusion Australia Ltd)	\$2,000	\$1,500	Contribution towards the costs of the Ignite the Flame Festival.
Ku-ring-gai Art Society	\$3,000	\$1,000	Contribution towards the cost of annual award exhibition
Ku-ring-gai Historical Society Inc	\$1,159	\$1,159	Purchase of digital camera to photograph items of historical significance for database
Ku-ring-gai Male Choir Inc	\$2,750	\$1,000	Purchase of licenses for new sheet music
Ku-ring-gai Philharmonic Orchestra	\$8,500	\$5,200	Funding for Secondary Schools Competition, the Chinese Community Project and seniors' transport.
Marian Street Theatre for Young People	\$1,998	\$1,098	Contribution towards the purchase of a digital camera
Mirrabooka Singers	\$980	\$500	Purchase of new sheet music
North side Creative Photography Inc	\$2,239	\$1,000	Contribution towards the purchase of a projector
The Cavalcade of History and Fashion Inc	\$3,070	\$1,800	The purchase of 10 archive boxes, acid free paper and a contribution towards the purchase of a public address system
The Local Handcraft Association Inc	\$810	\$810	To fund advertising and printing cost
Western Youth Orchestra Association Inc.	\$748	\$429	Funding for the design and manufacture of one promotional banner
<b>Total</b>	<b>\$42,164</b>	<b>\$26,356</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

<b>CHILDREN'S SERVICES</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>	<b>Purpose/Comments</b>
Bradfield Park Child Care Centre	\$8,479	\$1,000	Purchase of outdoor play equipment including 1 x double swing set, 1 x rock climber and 1 x 3 point swivel swing
Christ Church St Ives Preschool	\$475	\$475	Purchase of a worm farm
Early Childhood Intervention Australia	\$3,137	\$2,650	Festival entertainment activities, including jumping castle, dancers, kite flyers and circus entertainers and promotion.
East Lindfield Community Pre-school	\$1,924	\$1,000	A contribution towards the purchase of 1 Round Convex Mirror , 1 Crash Mat, 2 Adjustable Post Protectors.
Gordon Pre-school Centre	\$3,000	\$1,080	2 Light Table Top (specialised equipment for working with children with language delay).
K U Wahroonga Pre-School	\$1,150	\$1,000	A contribution towards the purchase of 2 picnic tables with attached chairs and picnic rugs.
KU Killara Park Pre school	\$1,000	\$1,000	Funding for the purchase of Staffroom tables and chairs and Playroom reading chair
KU Saddington Street Pre School	\$564	\$564	Purchase of a variety of resources including paint trays, clay, scarves, puzzles, hammering bench, scissors, bouncer, massage ball, brooms and stand.
POOSH Care (Pymble Out of school hours)	\$1,500	\$1,000	A contribution towards the purchahse of children's sporting equipment (e.g., balls, hoops, bats, racquets, etc)
Pymble Turramurra Kindergarten	\$2,000	\$1,000	A contribution towards the purchase of a digital camcorder
St Ives North Primary School P & C Association Inc	\$757	\$757	For the purchase of 2 barbeques for school and community events.
St Ives Pre-school Kindergarten	\$1,859	\$1,000	A contribution towards the purchase of a Home Corner Set and Multicultural Food/Utensils play resources
West Pymble Pre-school	\$1,172	\$1,000	A contribution towards the purchase of books for parent and resource lending library
	<b>\$27,017</b>	<b>\$13,526</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

DISABILITY SERVICES	Amount Sought	Amount Recommended	Purpose/Comments
Association for Children with a Disability	\$5,000	\$0	
Boonah Creative Arts Centre, Centacare	\$1,000	\$1,000	To fund the framing of 10 art works for public exhibition
Cromehurst Special School P & C Vacation Activity Centre	\$3,200	\$2,300	Bus hire for vacation Activity Program.
DARTS - Disabled Alternative Road Travel Service	\$2,000	\$1,000	Contribution towards fuel and maintenance for a bus.
Hornsby Ku-ring-gai Association: Action for Mental Health	\$1,300	\$1,000	to subsidise the healthy lifestyle program and bi-monthly newsletter
Hornsby Ku-ring-gai Stroke Recovery Club	\$750	\$750	Contribution towards hire of community transport bus and excursion costs for 4 outings during the year
Lifestart Early Childhood Program - Hornsby	\$2,950	\$1,000	Contribution towards the purchase and delivery of 18 chairs.
MS Society - Ku-ring-gai Branch	\$1,000	\$1,000	To subsidise cost of transporting MS sufferers via taxi living in the Ku-ring-gai area to attend the Friendship Group workshops.
Noah's Ark Toy Library for Children with Special Needs Inc	\$1,895	\$1,000	Contribution towards the purchase of a Dimension 3000 Desktop computer system.
Parkinson's NSW Inc - Hornsby Ku-ring-gai Support Group	\$2,000	\$1,000	A contribution towards the production and distribution costs of the monthly newsletter
Rainbow Club Australia Inc/The Lindfield Rainbow Club	\$500	\$500	To purchase a Boardmaker Visual System
Royal Blind Society of NSW Inc	\$1,000	\$1,000	To provide an intensive program to 1 child or young person who lives in Ku-ring-gai.
SHHH Australia Inc (Self Help for Hard of Hearing People)	\$550	\$0	An alternate source of funding is available which has not been explored
St Edmund's School	\$1,080	\$1,080	To fund the purchase of 18 titles of Talking Books for the library collection
Technical Aid to the Disabled (TAD)	\$1,312	\$1,000	Contribution towards the purchase of 2 modified bikes to assist children with a disability living in the Ku-ring-gai LGA
The Lorna Hodgkinson Sunshine Home	\$1,365	\$1,000	Contribution towards a data projector to be used in the MAP project at St Ives.
The Spastic Centre	\$120	\$0	Insufficient information provided to assess application.
Vision Impairment Support Group - Lindfield	\$600	\$600	Hire of a community bus for 2 group outings.
<b>Total</b>	<b>\$27,622</b>	<b>\$15,230</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

SUPPORT SERVICES	Amount Sought	Amount Recommended	Purpose/Comments
Aunties & Uncles Co-operative Family Project Ltd	\$1,750	\$1,200	A contribution towards the running of a volunteer mentors training program based around managing difficult behaviours of children.
Australian Breastfeeding Association – Turramurra Group	\$1,600	\$1,200	To purchase educational resources and provide training for volunteer breast feeding counsellors through attending a breast feeding conference.
Dial-A-Mum Inc	\$2,500	\$1,200	To assist in the operation of a telephone community support and referral service through assistance with communication costs.
English At Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)	\$1,725	\$1,200	A contribution towards the purchase of educational resources and equipment.
Hornsby Ku-ring-gai & Hills Multiple Births Association	\$1,375	\$1,200	A contribution towards the printing and distribution of a monthly newsletter and crisis meal service.
Ku-ring-gai Neighbourhood Centre Inc	\$2,150	\$1,200	A contribution towards the purchase of a new computer system.
Life Education NSW Limited	\$3,415	\$1,200	As a contribution towards the purchase of a laptop computer to help run the Life Education Programs.
Lindfield Chamber of Commerce	\$17,000	0	
Lister Street Community Fire Unit (CFU) NSW FB FHP86	\$1,052	\$1,052	To purchase fire fighting equipment including gloves, pump, pump hose and ball float for pump.
POSIE (Perinatal Outreach Support Information and Education)	\$3,000	\$1,200	A contribution towards training volunteers and establishing a resource library.
South Turramurra Community Fire Unit MHP-39	\$1,232	\$1,232	To purchase fire fighting equipment including breeching unit, standpipe, branch (nozzle) and firehoses..
St Ives Toastmasters club	\$3,740	0	
<b>TOTAL</b>	<b>\$40,539</b>	<b>\$11,884</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

<b>YOUTH SERVICES</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>	<b>Purpose/Comments</b>
1st Middle Harbour Sea Scout Group	\$1,009	\$1,009	To fund the purchase of 8 folding tables, 1 Joey Scout flag and various sized storage boxes
1st North Turrumurra Scout Group	\$1,860	\$1,000	A contribution towards the purchase of a canvass fly for large tents
Girl Guides - 2nd St Ives Brownie Pack	\$1,400	\$1,000	A contribution towards the purchahse of 2 tents, 3 charcoal burners and camping equipment
Killara High School (Duke of Edinburgh Award Scheme)	\$1,989	\$1,000	A contribution towards the purchase of MSR Duralite Cookset and fuel bottle/ MSR Dragonfly liquid fuel stove, sleeping mat; thermarest Prolite, Paddy Pallin Jagungal Sleeping Bag, Bushwalking Pack, Rain jacket
Killara Scout Group	\$1,000	\$1,000	A contribution towards the purchase of 3-Man hiking tents, tables and lighting
Ku-ring-gai Little Athletics Inc	\$750	\$750	To fund integration of a wireless network as part of KLA's information technology support.
Lindfield District Girl Guides	\$1,995	\$1,000	5 Coleman Riverview 6 tents
Young Achievement Australia (YAA)	\$5,500	\$0	YAA Business Skills Programme, set up, training and administraiotn.
	<b>\$15,503</b>	<b>\$6,759</b>	

**COMMUNITY AND CULTURAL  
APPLICATION ASSESSMENTS 2005**

Attachment 2

**CATEGORY: AGED SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>
Catholic Health Care Services Limited	\$1,500	\$1,000
Constant Companion Service	\$2,079	\$1,386
Easy Care Gardening Inc	\$1,890	\$1,000
Hornsby District TPI Social & Welfare Club	\$1,000	\$300
Ku-ring-gai Meals on Wheels	\$500	\$500
Northside Christian Life Centre	\$1,660	\$1,000
The Community Friendship Group "Cooinda"	\$1,000	\$1,000
Warrawee Probus Club Inc	\$320	\$320
	<b>\$9,949</b>	<b>\$6,506</b>

## AGED SERVICES

**ORGANISATION:** **Catholic Health Care Services Limited**  
Mercy Community Care provides a range of services to clients living in the Ku-ring-gai and Hornsby LGAs. This allows them to remain in their homes with quality of life, for as long as possible.

**AMOUNT REQUESTED:** \$1,500

**PURPOSE:** To commence a small eco-garden project. The donation will be used to purchase and install 2 water tanks, 2 compost bins and gardening equipment

**PREVIOUS COUNCIL GRANTS?** **\$1,100 - 2004**  
**\$1,100 - 2003**  
**\$1,098 - 2002**

**PREVIOUS CONDITIONS MET?** **Yes**

**COMMENTS:** Mercy Community Care which is a part of Catholic Health Care has had a long history of providing Home and Community Care (HACC) services to frail elderly people living in the Ku-ring-gai and Hornsby LGAs to enable people to remain in their own homes. The organisation is funded to provide a Day Care Program for people with dementia. The staff works very hard to provide stimulating and worthwhile activities for the clients. An eco-garden will provide therapeutic benefits to the clients as they would be able to smell and feel the plants as they work in the garden.

**AMOUNT RECOMMENDED:** \$1,000

**SPECIFIC PURPOSE:** A contribution towards 2 water tanks, 2 compost bins and gardening tools

## AGED SERVICES

**ORGANISATION:****Constant Companion Service**

Constant Companion is a HACC funded service which provides a subsidized 24 hour 7 days a week personal alarm system service. This enables aged or disabled people living at home to call for assistance 24 hours a day giving them security and independence. The aim is to assist people to remain in their own homes and provide peace of mind for family and carers.

**AMOUNT REQUESTED:**

\$2,079

**PURPOSE:**

To provide 3 emergency home monitoring systems to Ku-ring-gai residents.

**PREVIOUS COUNCIL GRANTS?**

**\$1,689 - 2005**

**\$1,524.60 - 2004**

**\$1,727 - 2003**

**\$1,585 - 2002**

**\$1,190 - 1999**

**PREVIOUS CONDITIONS MET? Yes****COMMENTS:**

As a Home and Community Care (HACC) funded service Constant Companion aims to provide services to frail elderly, people with a disability and their carers to enable people to remain in their own home. The emergency home monitoring systems will provide the security of knowing that help is available at a press of a button if people fall over or become ill. This subsidy will pay the up-front cost of \$696 to supply and install emergency monitoring equipment in the homes of two residents of Ku-ring-gai who have been assessed as being financially disadvantaged. The client's contribution will be \$200 per year for the ongoing monitoring fee. This project meets a identified need of providing safety and security for people to remain in their own home. It is recommended that 2 units be funded as Content Companion still has 1 unit which has not been allocated from last years funding.

**AMOUNT RECOMMENDED:**

\$1,386

**SPECIFIC PURPOSE:**

Supply and installation of 2 emergency monitoring systems for 2 financially disadvantaged residents of Ku-ring-gai.

## AGED SERVICES

<b>ORGANISATION:</b>	<b>Easy Care Gardening Inc</b> Easy Care Gardening Inc is a Home and Community Care service assisting people on aged pensions who are frail and younger people with a disability and their carers to stay in their homes by providing a gardening and lawn mowing service.
<b>AMOUNT REQUESTED:</b>	\$1,890
<b>PURPOSE:</b>	To purchase volunteer promotional material and purchase of gardening equipment to enable improved gardening and lawn mowing services.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$973 - 2005</b> <b>\$1,830 - 2004</b> <b>\$2,505 - 2003</b> <b>\$1,650 - 2002</b> <b>\$2,020 - 2001</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Easy Care Gardening Service utilises volunteers to "make over" gardens of older residence and design them so they are easy to look after. The organisation also provides a lawn mowing service. The service is supported by 260 volunteers provide over 12,000 hours of service annually. Services who are primarily provided to residents who receive a Centrelink payment and are financially disadvantaged. In response to identified community needs, Easy Care Gardening are increasing their home and modification services with a view to making them safer gardens, easy to care for and are low cost to maintain. The funds sought will be used to recruit volunteers and to purchase equipment which will be used to meet the increase in demand for services.
<b>AMOUNT RECOMMENDED:</b>	<b>\$1,000</b>
<b>SPECIFIC PURPOSE:</b>	A contribution towards production of volunteer promotional material, leaf blower/vacuum, 15 diggers and leaf blower.

## AGED SERVICES

**ORGANISATION:** **Hornsby District TPI Social & Welfare Club**  
TPI cater for the needs of incapacitated ex-servicemen and widows of deceased members. This organisation has been in operation since 1985.

**AMOUNT REQUESTED:** \$1,000

**PURPOSE:** Christmas BBQ

**PREVIOUS COUNCIL GRANTS?** **\$400 - 2004**  
**\$500 - 2003**  
**\$500 - 2002**  
**\$500 - 2001**  
**\$500 - 2000**  
**\$500 1999**

**PREVIOUS CONDITIONS MET?** Yes

**COMMENTS:** The Social Welfare Club provides services to Ku-ring-gai and Hornsby residents who are ex-service personnel who are totally and permanently incapacitated, their wives and/or war widows. There is no paid staff in this organisation and their work is supported by volunteers. Financially the organisation has reserves and operates on a small budget. The major sources of revenue for the Club are proceeds from functions and donations. The organisation is also in a position to be able to obtain financial support through RSL Clubs Community Development and Support Expenditure Scheme.

**AMOUNT RECOMMENDED:** \$300

**SPECIFIC PURPOSE:** A contribution towards Christmas lunch for members of the TPI Social and Welfare Club.

## AGED SERVICES

**ORGANISATION:****Ku-ring-gai Meals on Wheels Inc**

The service was established 44 years ago and is funded by the Home and Community Care Program (HACC). It is administered by a Board of Management which consists of three representatives from Ku-ring-gai Old People's Welfare Association (KOPWA) and three representatives from Ku-ring-gai Council. The aim of the service is to provide hot, frozen and centre based meals to enable people to continue to live independently in their home.

**AMOUNT REQUESTED:**

\$500

**PURPOSE:**

Printing of 2,000 information flyers for recruiting volunteers and promote the availability of the service.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

The Ku-ring-gai Meals on Wheels Services is heavily reliant on volunteers to deliver meals to high need residents in this area. The recruitment of new volunteers is necessary to maintain the existing volunteer base as long serving volunteers retire due to age, ill health or moving outside the area. Currently the organisation utilises around 400 volunteers for home delivery and serving of centre based meals. The information flyer will be used to reach potential clients and promote the range of services and menu available to meet a variety of dietary requirements. The information will be distributed in specific locations to maximise effectiveness such as hospitals, doctor's surgeries, health centres and aged care facilities.

**AMOUNT RECOMMENDED:**

\$500

**SPECIFIC PURPOSE:**

To fund designing and printing of promotional flyers of volunteers

## AGED SERVICES

**ORGANISATION:** **Northside Christian Life Centre**  
Northside Christian Life are a church who believe in helping the community by practical means. The Church holds a monthly community lunch for frail elderly people and people with a disability. The aim of the lunch is to bring people together and to reduce social isolation.

**AMOUNT REQUESTED:** \$1,660

**PURPOSE:** To transport participants to and from their home to attend monthly luncheons and hire of venue.

**PREVIOUS COUNCIL GRANTS?** **\$770 - 2004**

**PREVIOUS CONDITIONS MET?** **Yes**

**COMMENTS:** The provision of transport to and from social activities has been identified as a main issue for older people and people with a disability. Providing a grant will assist the Christian Life Centre volunteers to transport people to and from the luncheon and reduce isolation. Without the bus, the group has no other means of transporting the members to the activities. Many of the people who attend the luncheons are wheelchair-bound and require the use of wheelchair accessible buses. The volunteers are making a contribution by providing the lunch and entertainment.

**AMOUNT RECOMMENDED:** \$1,000

**SPECIFIC PURPOSE:** Contribution towards the provision of transport for senior luncheon

## AGED SERVICES

<b>ORGANISATION:</b>	<b>The Community Friendship Group “Cooinda”</b> The Community Friendship Group "Cooinda" is a ministry of Church of Christ, Turramurra. Cooinda provide a monthly community support get-togethers for seniors on the 2nd Friday each month Feb to Dec.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	Grant to subsidise the costs of providing activities, morning tea and lunch for seniors.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$500 - 2000</b> <b>\$750 - 2001</b> <b>\$1,000 - 2002</b> <b>\$1,000 - 2003</b> <b>\$1,000 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The program includes morning tea followed by varied recreational, educational, social activities and lunch. The group is open to everyone whether in care or still living in their own home. The group is meeting identified needs by providing social activity to older people who have the potential of being isolated in their homes. Cooinda utilises the services of Hornsby/Ku-ring-gai Community Transport to pick up people from their homes. Apart from funds provided by Council the group is reliant on donations and practical assistance from volunteers and contributions by participants. The leaders of the Group are very supportive of Council's Seniors Week activities and actively participate on the organising committee.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	To subsidise the monthly activities provided by the Group.

## AGED SERVICES

<b>ORGANISATION:</b>	<b>Warrawee Probus Club Inc</b> Probus aims to provide fellowship, education and social activity for older people.
<b>AMOUNT REQUESTED:</b>	\$320
<b>PURPOSE:</b>	To assist in the coordination of a member's recruitment campaign for 16 Probus clubs operating in the Ku-ring-gai area.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	Probus is an association for retired and semi-retired professionals who join together in clubs with the aim of keeping the mind active, expand their interests and enjoy the fellowship of new friends. There are currently 16 Clubs operating in the Ku-ring-gai Area. These clubs are working together and embarking on a recruitment campaign to increase the membership in each club to about 100 people and to maintain the medium age of members to 75 years. Probus is meeting an identified community need by providing social and recreational activities to older people including monthly guest speakers and information on support services.
<b>AMOUNT RECOMMENDED:</b>	\$320
<b>SPECIFIC PURPOSE:</b>	To fund promotional campaign to assist 16 Probus Clubs in Ku-ring-gai area recruits new members.

**COMMUNITY AND CULTURAL  
APPLICATION ASSESSMENTS 2005**

Attachment 2

**CATEGORY: ARTS**

<b>Name of Organisation</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>
Ku-ring-gai Combined Churches – Carols in the Park	\$10,000	\$9,500
Churches of Wahroonga	\$1,350	\$1,000
East Killara Music Club	\$360	\$360
Friends of Tulkian	\$3,200	0
Ignite the Flame - Ku-ring-gai Combined Churches Festival (Fusion Australia Ltd)	\$2,000	\$1,500
Ku-ring-gai Art Society	\$3,000	\$1,000
Ku-ring-gai Historical Society Inc	\$1,159	\$1,159
Ku-ring-gai Male Choir Inc	\$2,750	\$1,000
Ku-ring-gai Philharmonic Orchestra	\$8,500	\$5,200
Marian Street Theatre for Young People	\$1,998	\$1,098
Mirrabooka Singers	\$980	\$500
Northside Creative Photography Inc	\$2,239	\$1,000
The Cavalcade of History and Fashion Inc	\$3,070	\$1,800
The Local Handcraft Association Inc	\$810	\$810
Western Youth Orchestra Association Inc.	\$748	\$429
	<b>\$42,164</b>	<b>\$26,356</b>

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Combined Churches – Carols in the Park</b> A committee of representatives from the Combined Churches of Ku-ring-gai that co-ordinate and presents the annual Carols in the Park event.
<b>AMOUNT REQUESTED:</b>	\$10,000
<b>PURPOSE:</b>	A contribution to the costs of presenting the annual Carols in the Park event.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	Council has previously been associated with the Carols in the Park. In 2004, by resolution of Council, the funding for Carols in the Park was transferred to the Financial Assistance Program and the Combined Churches were invited to apply along with other community groups for funding for assistance for their event, through the Financial Assistance Program.
<b>AMOUNT RECOMMENDED:</b>	\$9,500
<b>SPECIFIC PURPOSE:</b>	A contribution to the costs of presenting the annual Carols in the Park event.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Churches of Wahroonga – Carols in Wahroonga Park</b> A committee consisting of representation from Churches in Wahroonga and community members that organises and presents the annual Carols in Wahroonga event.
<b>AMOUNT REQUESTED:</b>	\$1350
<b>PURPOSE:</b>	Funding for the fee to hire the venue for the event.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$650 - 2004</b> <b>\$590 - 2002</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Carols in Wahroonga is an open air community Christmas event organised and presented by Wahroonga Churches and community volunteers. The event is free of charge, attracts over 500 people and has been held in the Wahroonga Park for a number of years.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution to the venue hire for the event.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>East Killara Music Club</b> The East Killara Music Club provides quality local live classical music. The community club is also where people with musical interests can socialise. The organisation has been in operation for 18 years and complies with the Federated Music Clubs of Australia Guidelines.
<b>AMOUNT REQUESTED:</b>	\$360
<b>PURPOSE:</b>	Adjustable piano stool
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	An adjustable piano stool will be used by members and students for concerts, and pianists for competitions and concerts. The club has over 120 members who will benefit from this purchase.
<b>AMOUNT RECOMMENDED:</b>	\$360
<b>SPECIFIC PURPOSE:</b>	For the purchase of an adjustable piano stool.

## ARTS AND CULTURAL SERVICES

**ORGANISATION:** **Friends of Tulkiyan**  
A community based volunteer organisation established to promote Council's heritage property "Tulkiyan" to the public. Friends of Tulkiyan operate under a memorandum of understanding with Council and have been in operation since February 2004.

**AMOUNT REQUESTED:** \$3,200

**PURPOSE:** Purchase of clear PVC blinds to weatherproof a large external verandah.

**PREVIOUS COUNCIL GRANTS?** No

**PREVIOUS CONDITIONS MET?** YES

**COMMENTS:** The request for funding for the installation of blinds does not comply with Section (L) of the guidelines of the Financial Assistance Program, which states that requests for building maintenance and items permanently attached to buildings will not be funded. It may be possible however, to fund weather proofing items of this nature through Council's Building Maintenance Program. This option is currently being investigated.

**AMOUNT RECOMMENDED:** \$Nil

**SPECIFIC PURPOSE:** Purchase of clear PVC blinds to weatherproof a large external verandah.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ignite the Flame - Ku-ring-gai Combined Churches Festival (Fusion Australia Ltd)</b> Ignite the Flame is associated with Fusion Australia, an organisation that has been working with young people, their families and communities since 1960.
<b>AMOUNT REQUESTED:</b>	\$2,000
<b>PURPOSE:</b>	Contribution towards the Community Festival, Ignite the Flame, at St Ives Village Green on Anzac Day.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>Fee waiver 2000 \$1,000 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	A community event presented by Combined Churches of Ku-ring-gai designed to create a sense of community and establish links between the churches and the community.
<b>AMOUNT RECOMMENDED:</b>	\$1,500
<b>SPECIFIC PURPOSE:</b>	A contribution to the costs of the Ignite the Flame festival.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Art Society</b> An organisation established to foster an appreciation of the visual arts in Ku-ring-gai, and to work towards the recognition of the importance of art in education, community life, commerce and industry.
<b>AMOUNT REQUESTED:</b>	\$3,000
<b>PURPOSE:</b>	Contribution towards cost of the annual awards exhibition.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	The Ku-ring-gai Art Society has been providing and arts related network services for 40 years in the LGA. It organises three public art exhibitions per year for its members. The contribution of \$1,000 will partially fund the organisation's annual awards exhibition.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards the cost of annual awards exhibition.

## ARTS AND CULTURAL SERVICES

**ORGANISATION:** **Ku-ring-gai Historical Society Inc**  
A community based volunteer organisation established to assist in the collection, preservation and dissemination of information relating to the history of Ku-ring-gai.

**AMOUNT REQUESTED:** \$1,159

**PURPOSE:** Purchase of digital camera to be used to photograph and document items of historical and heritage significance.

**PREVIOUS COUNCIL GRANTS?** **\$1,650 - 2003**  
**\$1,965 - 2004**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:** In order to digitally archive items in their collection, along with other museum pieces, the Historical Society will use a digital camera to photograph data and specific items. The camera will also be used to photograph heritage items for the "Snap" program.

**AMOUNT RECOMMENDED:** \$1,159

**SPECIFIC PURPOSE:** For the purchase of a digital camera to photograph items of historical significance for database.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Male Choir Inc</b> A volunteer community based male choir established to provide entertainment to older people in the community and to raise funds for selected charities.
<b>AMOUNT REQUESTED:</b>	\$2,750
<b>PURPOSE:</b>	Purchase of licences for sheet music and uniforms.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$300 - 2004</b> <b>\$350 - 2003</b> <b>\$450 - 2002</b> <b>\$550 - 2000</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The Ku-ring-gai Male Choir has been in existence for 59 years and currently has 50 members. The funding allocated will be used to purchase additional licences for approximately 20 songs. Revised copyright laws require that all choirs ensure sheet music is covered by appropriate licensing arrangements. This arrangement will provide a more extensive program for the choir's concerts.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Purchase of licences for sheet music.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Philharmonic Orchestra (KPO)</b> The KPO is the only community orchestra in Ku-ring-gai which has been providing orchestral music and cultural enrichment for all sectors of the community over the past 33 years. It also provides training and live performance opportunities for young people in the community.
<b>AMOUNT REQUESTED:</b>	\$8,500
<b>PURPOSE:</b>	Funding for the Secondary Schools Competition, the Chinese Community Project, transport for seniors and timpani repair.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$4,000 - 2004</b> <b>\$5,000 - 2003</b> <b>\$7,000 - 2002</b> <b>\$7,500 - 2001</b> <b>\$8,800 - 2000</b> <b>\$6,000 - 1999</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	Funding of \$5,200 has been provided to support specific KPO projects. \$1,800 to partially fund the Secondary Schools Concert Competition, \$2,500 to fund the Chinese Community Project and \$900 to hire bus transport for seniors to attend the Sunday afternoon concerts.
<b>AMOUNT RECOMMENDED:</b>	\$5,200
<b>SPECIFIC PURPOSE:</b>	Funding for the Chinese Community Project, seniors' transport and partial funding for the Secondary Schools Project.

## ARTS AND CULTURAL SERVICES

**ORGANISATION:** **Marian Street Theatre for Young People**  
The Marian Street Theatre for Young People is Australia's longest running children's theatre and drama school. It provides drama classes and theatre training for young people and children and produces regular performances.

**AMOUNT REQUESTED:** \$1,998

**PURPOSE:** Purchase of a digital stills camera and a camcorder.

**PREVIOUS COUNCIL GRANTS?** **\$1,080 - 2003**  
**\$2,000 - 2002**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:** A digital stills camera will be used by the young people who attend the drama classes to photograph productions and class work for archival purposes. The camera will also be used to take photographs which will be used for promotional purposes.

**AMOUNT RECOMMENDED:** \$1,098

**SPECIFIC PURPOSE:** Purchase of a digital still camera.

## ARTS AND CULTURAL SERVICES

**ORGANISATION:** **Mirrabooka Singers**  
The Mirrabooka Singers are a voluntary women's choir who have been performing to residents in nursing homes, hostels, villages and seniors clubs within the community for 36 years.

**AMOUNT REQUESTED:** \$980

**PURPOSE:** Purchase sheet music, piano tuning and stationery items.

**PREVIOUS COUNCIL GRANTS?** **\$300 - 2004**

**PREVIOUS CONDITIONS MET?** **Yes**

**COMMENTS:** The purchase of new sheet music will allow the replacement of sheet music that has deteriorated with constant use.

**AMOUNT RECOMMENDED:** \$500

**SPECIFIC PURPOSE:** Purchase of new sheet music.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Northside Creative Photography Inc</b> Northside Creative Photographic was established in 1952 and has over 100 members. It is a camera club for photography enthusiasts with members ranging from beginners to experienced semi-professional photographers. The aim of the Club is to cultivate and broaden the photographic interests of the members in a relaxed informal environment.
<b>AMOUNT REQUESTED:</b>	\$2,239
<b>PURPOSE:</b>	Purchase of a digital projector.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	A digital projector will provide an opportunity for members to display digital images on a large scale with accurate colour imaging. The projector will also be used for training and education purposes.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of a digital projector.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>The Cavalcade of History and Fashion Inc</b> The Cavalcade of History and Fashion was formed in 1962. It is a non-profit voluntary incorporated association and is the custodian of an extensive historic collection of approximately 1200 authentic gowns and several thousand accessories representing the late 1700's to the present. The Cavalcade has more than 60 volunteers who have contributed their time to building up a local collection of garments for future generations to enjoy
<b>AMOUNT REQUESTED:</b>	\$3,070
<b>PURPOSE:</b>	Funds for rental of Roseville Hall, public address system, archive boxes and acid free paper.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$2,500 - 2003</b> <b>\$770 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	Funding has been recommended for the purchase of 10 archive boxes for storage of catalogued items, acid free paper which is essential to preserve the stored items and a contribution towards the purchase of a Public Address System.
<b>AMOUNT RECOMMENDED:</b>	\$1,800
<b>SPECIFIC PURPOSE:</b>	The purchase of 10 archive boxes, acid free paper and a contribution towards the purchase of a Public Address System.

## ARTS AND CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>The Local Handcraft Association Inc</b> The Local Handcraft Association is a not for profit community group which supports, showcases and fosters the arts and crafts in Ku-ring-gai. One of the main objectives of the organisation is to offer an alternative to mass produced product to the local community, through the provision of unique hand crafted products.
<b>AMOUNT REQUESTED:</b>	\$810
<b>PURPOSE:</b>	Funding for the printing and delivery of advertising material.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$600 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	A contribution towards the printing and delivery of advertising leaflets will assist the Handcraft Association in raising awareness of their products and services within the community. This group also visits retirement villages and nursing homes to hold demonstrations of arts and crafts, and offer a delivery service to members of the community who are not able to visit their workshop.
<b>AMOUNT RECOMMENDED:</b>	\$810
<b>SPECIFIC PURPOSE:</b>	Funding for printing and delivery of advertising material.

## ARTS AND CULTURAL SERVICES

**ORGANISATION:** **Western Youth Orchestra Association Inc.**  
The Western Youth Orchestra provides opportunities for young musicians to develop their musical skills and to perform in public and promotes an appreciation of music within the community.

**AMOUNT REQUESTED:** \$748

**PURPOSE:** Funding has been requested for the design and manufacture of two promotional banners.

**PREVIOUS COUNCIL GRANTS?** **\$380 - 2004**

**PREVIOUS CONDITIONS MET?** **Yes**

**COMMENTS:** Funding of \$429 is recommended for one banner which will advertise and promote the Western Youth Orchestra and raise the profile of the Orchestra within the community.

**AMOUNT RECOMMENDED:** \$429

**SPECIFIC PURPOSE:** Funding for the design and manufacture of one promotional banner.

**COMMUNITY AND CULTURAL  
APPLICATION ASSESSMENTS 2005**

Attachment 2

**CATEGORY: CHILDREN'S SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>
Bradfield Park Child Care Centre	\$8,479	\$1,000
Christ Church St Ives Preschool	\$475	\$475
Early Childhood Intervention Australia	\$3,137	\$2,650
East Lindfield Community Pre-school	\$1,924	\$1,000
Gordon Pre-school Centre	\$3,000	\$1,080
K U Wahroonga Pre-School	\$1,150	\$1,000
KU Killara Park Pre school	\$1,000	\$1,000
KU Saddington Street Pre School	\$564	\$564
POOSH Care (Pymble Out of school hours)	\$1,500	\$1,000
Pymble Turramurra Kindergarten	\$2,000	\$1,000
St Ives North Primary School P & C Association Inc	\$757	\$757
St Ives Pre-school Kindergarten	\$1,859	\$1,000
West Pymble Pre-school	\$1,172	\$1,000
	<b>\$27,017</b>	<b>\$13,526</b>

## CHILDREN'S SERVICE

<b>ORGANISATION:</b>	<b>Bradfield Park Child Care Centre</b> Long Day Care Centre providing 53 places for children from 6 weeks to 5 years
<b>AMOUNT REQUESTED:</b>	\$8,479
<b>PURPOSE:</b>	Replacement of aged equipment within the centre to ensure safety of the children is paramount. Installation and purchase of equipment to meet the needs of special needs children to ensure they receive stimulation and are able to interact with other children.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	Bradfield Park Pre-school and Child Care Centre has requested assistance with outdoor play equipment (\$8478) to enhance all children's gross motor skills and assist children with disabilities develop competencies in the outdoor play environment. Demand for long day care services continues to be high in Ku-ring-gai and currently 104 families using this long day care centre. The service has limited opportunities for fundraising as fundraising reliant upon volunteer parent committees. The requested outdoor play equipment can be used by all children and is especially beneficial for children with gross motor skills difficulties. A contribution to purchase the outdoor play equipment is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Purchase of outdoor play equipment including 1 x double swing set, 1 x rock climber and 1 x 3 point swivel swing

## CHILDREN'S SERVICE

**ORGANISATION:** **Christ Church St Ives Preschool**  
Christ Church St Ives Pre-school is licensed by the Department of Community Services and caters for 3-5 year olds. It has been in operation for approximately 50 years and approximately 80 children are currently enrolled at the pre-school.

**AMOUNT REQUESTED:** \$475

**PURPOSE:** To purchase worm farm equipment and workshop for children to learn about the worm farm

**PREVIOUS COUNCIL GRANTS?** **\$726 - 2004**

**PREVIOUS CONDITIONS MET?** **Yes**

**COMMENTS:** Christ Church St Ives Pre-school's requested worm farm is aimed to raise children's environmental awareness by incorporating the worm farm activity into the children's learning program. Presently the demand for pre-school services is high in Ku-ring-gai. Parent committees have participated in fund raising for the pre-school. The proposed worm farm will compliment the planned landscaping improvements proposed for the outdoor area. Assistance to purchase the worm farm is recommended.

**AMOUNT RECOMMENDED:** \$475

**SPECIFIC PURPOSE:** Purchase of a worm farm

## CHILDREN'S SERVICE

**ORGANISATION:**

**Early Childhood Intervention Australia**

Is a volunteer-run association with support provided by a part-time Executive Officer and a part-time admin officer. ECIA is a national organisation who supports families and professionals involved in early childhood intervention throughout NSW.

**AMOUNT REQUESTED:**

\$3,137

**PURPOSE:**

To fund a Kites for Kids picnic day in Ku-ring-gai including venue hire, services costs, promotion, publicity and festival activities.

**PREVIOUS COUNCIL GRANTS? No**

**PREVIOUS CONDITIONS MET? N/A**

**COMMENTS:**

The Early Childhood Intervention Australia (ECIA) NSW Chapter supports families and professionals involved in early childhood intervention throughout NSW. The ECIA have requested support for promotions (\$1000), insurance (\$100), venue hire (\$387) and festival activities (\$1650) for their planned "Kites for Kids" community picnic in Ku-ring-gai. Their innovative activity aims to raise community networks and awareness of children's early intervention issues by holding the kite flying community picnic day. The day is a Ku-ring-gai local event in an Australian wide awareness campaign. The event will benefit local families who have children with a disability or delay by providing a festival day to meet other families. The service has limited capacity for fundraising. The event is planned for August 2006 however preparations will be made in this financial year. A contribution towards the entertainment and promotion of the Kites for Kids community picnic is recommended.

**AMOUNT RECOMMENDED:**

\$2,650

**SPECIFIC PURPOSE:**

Festival entertainment activities, including jumping castle, dancers, kite flyers and circus entertainers and promotion.

<b>ORGANISATION:</b>	<b>East Lindfield Community Pre-school</b> The pre-school is a community based organisation servicing families from Lindfield, Roseville, Killara, Gordon, Pymble and Turramurra areas. Established in 1977, it offers a pre-school service to approximately 150 children aged between 3 – 6 years.
<b>AMOUNT REQUESTED:</b>	\$1,924
<b>PURPOSE:</b>	Purchase of convex mirror, crash mat, adjustable post protectors, baby change station and station liners.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$715 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	The equipment requested by East Lindfield Community Pre-school aims to improve the supervision and function of the children's bathroom areas and enhance the outdoor play environment. The convex mirror and safety mats will benefit all children at the centre but is proposed primarily to raise the centre's access to children with a disability. The pre-school estimates about 150 people will benefit from this equipment. Currently pre-school services in Ku-ring-gai are in high demand. The pre-school has an active fundraising committee of 8 volunteers and has allocated funds for building alterations. The purchase of the supervision convex mirror, crash mat and 2 post protectors is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of 1 round convex mirror , 1 crash mat and 2 adjustable post protectors.

## CHILDREN'S SERVICE

<b>ORGANISATION:</b>	<b>Gordon Pre-school Centre</b> Preschool care and education for children aged 3-5 years and inclusive programme for children with additional needs. This preschool has been in operation for over 50 years.
<b>AMOUNT REQUESTED:</b>	\$3,000
<b>PURPOSE:</b>	Educational equipment for children with language delay.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	Gordon Pre-school currently have 140 children using the centre with 10 children with additional needs. The community demand for pre-school services is high in Ku-ring-gai. The pre-school has a volunteer fund raising committee and funds have been allocated to playground upgrades. Gordon Pre-school has requested Council assistance for various children's equipment including 2 Light Table Top (\$1080), 20 Mirror Bricks (\$1140) and 4 Three Way Mirrors ( \$792). The requested equipment aims to support children with expressive/receptive language delays and children from culturally and linguistically diverse backgrounds. This equipment can be used to help and stimulate conversation, language and awareness of self for children with language delays. The purchase of 2 Light Table Top equipment is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,080
<b>SPECIFIC PURPOSE:</b>	2 Light Table Top (specialised equipment for working with children with language delay).

<b>ORGANISATION:</b>	<b>K U Wahroonga Pre-School</b> The 40 place pre-school service caters for children 3 – 5 years of age and was established over 50 years ago. The pre-school offers play-based programs for approximately 80 children.
<b>AMOUNT REQUESTED:</b>	\$1,150
<b>PURPOSE:</b>	Purchase of 2 picnic tables/seats and 4 rubber backed picnic rugs
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$650 - 2005</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	Wahroonga preschool aims to provide a range of cost effective early childhood services which demonstrates standards of excellence in the education and care of young children. KU Wahroonga Pre-school services 80 local families a week. Community demand for pre-school services is high in Ku-ring-gai. KU Wahroonga Pre-school has requested 2 picnic tables with chairs (\$800) and 4 rubber backed picnic rugs (\$350) for children to be utilised in outdoor learning programs and for mealtimes. The tables and chairs will benefit the children's group learning experiences in the outdoors by providing formal settings for small group activities. The purchase of the 2 picnic tables with chairs is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards purchase of 2 picnic tables with attached chairs and picnic rugs.

## CHILDREN'S SERVICE

**ORGANISATION:****KU Killara Park Pre school**

KU Children's Services is a non-profit organisation. The organisation has been in operation in Ku-ring-gai for 61 years and provides pre-school care for 3 – 5 years olds. The primary aim is to provide early childhood services that demonstrate an excellence in education.

**AMOUNT REQUESTED:**

\$1,000

**PURPOSE:**

Meeting room furniture.

**PREVIOUS COUNCIL GRANTS?**

**\$500 - 2004**

**\$500 - 2003**

**\$500 - 2002**

**\$500 - 2001**

**\$1000 - 2000**

**\$1000 - 1999**

**PREVIOUS CONDITIONS MET? YES****COMMENTS:**

KU Killara Park Pre-school services 80 children in the local area. Pre-school services are currently in high demand in Ku-ring-gai. KU Killara Park Pre-school has requested staff room tables and chairs (\$700) and a reading corner chair (\$300) for the playroom. The tables and chairs will assist staff respite as currently no purpose bought furniture occupies the staff room. The furniture can also be used for small parent group meetings at the pre-school. This request has indirect benefits to children as staff will be more rested after breaks resulting in improved children/staff interactions. The reading chair in the playroom can be used to promote children's literacy experiences. The purchase of the table of chairs for the staff room and reading chair is recommended.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

Funding for the purchase of staffroom tables and chairs and Playroom Reading Chair

## CHILDREN'S SERVICE

**ORGANISATION:****KU Saddington Street Pre School**

Community based preschool providing education and quality care for 3 year old children. This service has been operating in Ku-ring-gai for 12 years and covers primarily the geographical areas from Gordon, Pymble and Wahroonga.

**AMOUNT REQUESTED:**

\$564

**PURPOSE:**

Educational toys

**PREVIOUS COUNCIL GRANTS?** **\$1,155 - 2002**  
**\$1,100 - 2003**  
**\$715 - 2004**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:**

KU Saddington Street Pre-school services 47 families per week and is one of the few pre-schools in the area that offers places for 3 year old children. Community demand for pre-school services is high in Ku-ring-gai. KU Saddington Street Pre-school has requested a variety of children's resources to develop basic skills for children with additional needs. The requested resources (\$564) aim to aid children's fine and gross motor skills development and enhance visual and spatial awareness. The requested resources are easily handled by children with additional needs and include easy-hold scissors, puzzles, handled toys, balance toys, paint trays and others. The resources can also be used by other children at the centre. The pre-school does not receive state government funding and has limited fundraising opportunities. The purchase of the resources is recommended.

**AMOUNT RECOMMENDED:**

\$564

**SPECIFIC PURPOSE:**

Purchase of a variety of resources including paint trays, clay, scarves, puzzles, hammering bench, scissors, bouncer, massage ball, brooms and stand.

## CHILDREN'S SERVICE

<b>ORGANISATION:</b>	<b>POOSH Care (Pymble Out of School Hours)</b> POOSH Care caters for up to 90 children before and after school hours. It aims to provide a safe and secure environment for children whose parents are working.
<b>AMOUNT REQUESTED:</b>	\$1,500
<b>PURPOSE:</b>	Sporting equipment and art and craft materials.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>NO</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>N/A</b>
<b>COMMENTS:</b>	Pymble Out of School Hours Care (POOSH) is requesting assistance in sport equipment and craft resources (\$1500) to assist the centre with children's physical play opportunities. The centre is encouraging children to adopt active play in their life to raise children's general health levels. The sporting equipment will benefit the 90 children that currently use the centre. Out of school hours (OOSH) services in Ku-ring-gai are currently experiencing an increase in demand and OOSH services have limited fundraising opportunities. A contribution of towards the purchase of sporting equipment is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of Children's sporting equipment (e.g., balls, hoops, bats, racquets, etc)

## CHILDREN'S SERVICE

<b>ORGANISATION:</b>	<b>Pymble Turramurra Kindergarten</b> A community based preschool providing education for preschool children (4-5 years). The organisation has been in operation for 43 years.
<b>AMOUNT REQUESTED:</b>	\$2,000
<b>PURPOSE:</b>	Purchase of digital camcorder and literature for parent library
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$650 - 2004</b> <b>\$800 - 2003</b> <b>\$550 - 2002</b> <b>\$1000 - 2001</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	Pymble Turramurra Kindergarten services 88 children and their families. Pre-school services are in high demand in the Ku-ring-gai area. The pre-school is Pymble Turramurra Kindergarten has requested assistance for a digital camcorder (\$1500) and books for the parent library (\$500).The requested digital camcorder is a useful tool for recording children's activities to show parents, specialists staff and other teaching staff. The equipment can also be used to show children visual data of pre-school activities and be incorporated as a tool in learning programs. A contribution towards the purchase of the digital camcorder is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of a digital camcorder.

## CHILDREN'S SERVICE

**ORGANISATION:** **St Ives North Primary School P & C Association Inc**  
The organisation have been in operation for over 40 years.

**AMOUNT REQUESTED:** \$757

**PURPOSE:** Purchase of 2 bbq's for school and community events

**PREVIOUS COUNCIL GRANTS?** **\$728.20 - 2004**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:** The St Ives North Primary School P&C Association coordinates a variety of volunteer parents groups who plan sports, canteen, OOSH, music and fundraising events and services. St Ives North Primary School P&C Association Inc. has requested assistance to purchase 2 barbeques (BBQ) to be located in the school playground, near the tennis courts and picnic tables area. The aim is to use the BBQs for school and community events. The BBQ area is will be used as a focus point for networking with the community. More than 300 children use the school area during school time and 200 parents and other people use the facilities for sporting fixtures. The purchase of the BBQs is recommended.

**AMOUNT RECOMMENDED:** \$757

**SPECIFIC PURPOSE:** For the purchase of 2 barbeques.

## CHILDREN'S SERVICE

<b>ORGANISATION:</b>	<b>St Ives Pre-school Kindergarten</b> St Ives Preschool is a community based preschool which provides care and education to children in the local community. The majority of the families enrolled at the service reside in St Ives, Pymble, Turramurra, Wahroonga and Gordon.
<b>AMOUNT REQUESTED:</b>	\$1,859
<b>PURPOSE:</b>	Outdoor equipment and 'PALS' program for additional needs children.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$650 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	St Ives Pre-school provides a service for 80 children and their families. Pre-school services are in high demand in Ku-ring-gai. The school is experiencing increasing enrolments from children from diverse backgrounds and is aiming to enhance their range of play resources for children from culturally and linguistically diverse backgrounds. The pre-school has requested assistance to purchase a home corner set (\$770), multicultural play foods/utensils (\$605), Multicultural dress up (\$320) and Multicultural instruments (\$170). The requested equipment will benefit all the children by raising their awareness to a variety of multicultural resources and learning opportunities inspired by these resources. A contribution to purchase the home corner set and multicultural play food/utensils resources is recommended.
<b>AMOUNT RECOMMENDED:</b>	<b>\$1,000</b>
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of a Home Corner Set and Multicultural Food/Utensils play resources.

## CHILDREN'S SERVICE

<b>ORGANISATION:</b>	<b>West Pymble Pre-school</b> Community based non-profit preschool for children 3-5 years old. It provides support for families in the community with young children and offers play based child centred program. This preschool has been operating since mid 1960's and continues to grow.
<b>AMOUNT REQUESTED:</b>	\$1,172
<b>PURPOSE:</b>	Purchase of educational resources
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	KU West Pymble Pre-school services 80 children per week. Pre-school services in Ku-ring-gai are in high demand. The pre-school KU West Pymble Pre-school is requesting assistance to purchase up-to-date parent library resources (\$1171.60). The parent books requested have the opportunity to aid parents awareness of relevant family, parenting and early childhood issues and knowledge and enhance the pre-schools support to parents. The requested books can be used by the centre's 80 parents and will also be relevant and accessible for parents for the next 10 years. A contribution towards the purchase of books for the parent library is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of books for parent library.

**COMMUNITY AND CULTURAL  
APPLICATION ASSESSMENTS 2005**

Attachment 2

**CATEGORY: DISABILITY**

<b>Name of Organisation</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>
Association for Children with a Disability	\$5,000	0.00
Boonah Creative Arts Centre, Centacare	\$1,000	\$1,000
Cromehurst Special School P & C Vacation Activity Centre	\$3,200	\$2,300
DARTS - Disabled Alternative Road Travel Service	\$2,000	\$1,000
Hornsby Ku-ring-gai Association; Action for Mental Health	\$1,300	\$1,000
Hornsby Ku-ring-gai Stroke Recovery Club	\$750	\$750
Lifestart Early Childhood Program - Hornsby	\$2,950	\$1,000
MS Society - Ku-ring-gai Branch	\$1,000	\$1,000
Noah's Ark Toy Library for Children with Special Needs Inc	\$1,895	\$1,000
Parkinson's NSW Inc - Hornsby Ku-ring-gai Support Group	\$2,000	\$1,000
Rainbow Club Australia Inc/The Lindfield Rainbow Club	\$500	\$500
Royal Blind Society of NSW Inc	\$1,000	\$1,000
SHHH Australia Inc (Self Help for Hard of Hearing People)	\$550	0.00
St Edmund's School	\$1,080	\$1,080
Technical Aid to the Disabled (TAD)	\$1,312	\$1,000
The Lorna Hodgkinson Sunshine Home	\$1,365	\$1,000
The Spastic Centre	\$120	0.00
Vision Impairment Support Group - Lindfield	\$600	\$600
	<b>\$27,622</b>	<b>\$15,230</b>

## DISABILITY SERVICES

**ORGANISATION:** **Association for Children with a Disability**  
To provide support and information for all parents of children with any type of disability within NSW.

**AMOUNT REQUESTED:** \$5,000

**PURPOSE:** Carer package for primary carers of people with disabilities within the Ku-ring-gai area. Advertise in the local paper for interested parties to apply. Packages would consist of a dinner voucher, as well as carer information.

**PREVIOUS COUNCIL GRANTS?** No

**PREVIOUS CONDITIONS MET?** N/A

**COMMENTS:** The Association of Children with a Disability is a state wide, parent run organisation which was established in NSW in 2002. It has its links with a similar association in Victoria. The proposed project is to provide dinner vouchers for 2 plus provide information to Carers of people with a disability. This project does not meet Council's guidelines as the organisation is not based in Ku-ring-gai and application does not demonstrate how the project will meet a specific identified need. During a recent consultation held by the NSW Department of Aging and Disability and Home Care for this area with carers it was expressed that when parents have a night off from caring for their child with a disability they like to spend quality time with their other children or have a peaceful night at home. A dinner voucher for 2 would not necessary meet this need. To June 2004 the total annual income of the organisation was \$7,199. The funding requested from Council would be equal to 75% of their budget on a project which is not a core business of the organisation. It is recommended not to fund this project.

**AMOUNT RECOMMENDED:** \$Nil

**SPECIFIC PURPOSE:**

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Boonah Creative Arts Centre, Centacare</b> Boonah provides opportunities to people with a disability to participate in self-expression and leisure activities to enable them to realise their artistic potential and build self esteem. The service has been operating in the West Pymble area for over 6 years and approximately 35 people participate in their program.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	To fund the framing of 10 paintings
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1100 - 2004</b> <b>\$1100 - 2003</b> <b>\$1000 - 2002</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Boonah is located in the Ku-ring-gai LGA and provides leisure activities including art tuition to local residents and those further afield with disabilities. The project is meeting identified community needs by providing leisure/recreational opportunities and support services for people with disabilities. The donation will go towards the framing of the student's art work for an art exhibition to be held at the end of the year. The frames will add value to the works which will be sold and the proceeds will go back into the program as tuition fees. The exhibition is open to everyone in the community to attend.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	To frame 10 artworks for public exhibition which will be exhibited.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Cromehurst Special School P &amp; C Vacation Activity Centre</b> The Parents and Citizens Association provide holiday/weekend activities to our students, their siblings and much needed respite to their carers. The service provides a 2-week activity program during the summer school holidays for children with intellectual disabilities and their siblings. The children live in or near the Kuring-gai area.
<b>AMOUNT REQUESTED:</b>	\$3,200
<b>PURPOSE:</b>	To fund bus hire, excursion/craft, entertainment and pool hire
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1000 - 2005</b> <b>\$3000 - 2004</b> <b>\$1500 - 2003</b> <b>\$1500 - 2002</b> <b>\$1000 - 2001</b> <b>\$1650 - 2000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Cromehurst P & C Association provides a valuable holiday activity program for 40 -50 children and respite for families with children with high support needs. Sibling support and door to door transportation is also part of the program. Children who participate in this program have higher support needs than mainstream school holiday centres. The program meets an identified need by providing support services for residents who have a family member with an intellectual disability. The Centre operates on a break even budget funded by fees paid by parents and donations. The program is unique as it offers integrated care for children with disabilities and their siblings.
<b>AMOUNT RECOMMENDED:</b>	\$2,300
<b>SPECIFIC PURPOSE:</b>	To fund bus hire for the Vacation Activity Program.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>DARTS - Disabled Alternative Road Travel Service</b> DARTS is a unique service providing affordable and accessible transport to adult members living in Northern Sydney who are wheelchair dependent.
<b>AMOUNT REQUESTED:</b>	\$2,000
<b>PURPOSE:</b>	Contribution to provide transport for adults with physical disabilities.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1500 - 2004/05</b> <b>\$1250 - 2003/04</b> <b>\$2000 - 2002/03</b> <b>\$1000 - 2001/02</b> <b>\$1000 - 2000/01</b> <b>\$1000 - 1999/00</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	DARTS regularly provides services to about 100 people who are in wheelchairs. Funding received through Home and Community Care (HACC) covers the cost of salaries. The funding does not cover the program cost. The organisation relies on member contributions and donations to cover these costs, including vehicle fuel, maintenance and replacement and volunteer expenses. The service runs 3 wheelchair accessible buses. One of the buses has Council's logo on the side to acknowledging the contribution Council has made to the organisation. DARTS is meeting a community need by providing accessible transport to enable people with a disability to participate in leisure and recreational activities.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards fuel and maintenance for a bus.

## DISABILITY SERVICES

**ORGANISATION:** **Hornsby/Ku-ring-gai Association: Action for Mental Health (HKA)**  
HKA is a voluntary organisation supporting people recovering from a major mental illness. It has been in operation for the past 20 years and is entirely staffed by volunteers.

**AMOUNT REQUESTED:** \$1,300

**PURPOSE:** Healthy lifestyle program, bi-monthly dinners, production of newsletter.

**PREVIOUS COUNCIL GRANTS?** **\$1000 - 1999**  
**\$1000 - 2000**  
**\$1000 - 2001**  
**\$1200 - 2002**  
**\$1200 - 2003**  
**\$1200 - 2004**

**PREVIOUS CONDITIONS MET?** Yes

**COMMENTS:** HKA is a self help group, working in close association with the Hornsby/Ku-ring-gai Hospital Mental Health Services. Monthly functions provide an opportunity for participants to increase their lifestyle skills and participate in social activities over a communal meal. HKA currently assist 150 people with a major mental illness and supports 200 carers each year. The funds will be used to meet identified community need of providing support service and recreation and leisure opportunities for people with a mental illness to assist in their recovery process. The organisation is also raising community awareness about issues impacting on people with a major mental illness through their newsletter. HKA is the only community group providing direct support for people with a mental illness in the Ku-ring gai area.

**AMOUNT RECOMMENDED:** \$1,000

**SPECIFIC PURPOSE:** A contribution towards a healthy lifestyle program and bi-monthly newsletter

## DISABILITY SERVICES

**ORGANISATION:**

**Hornsby/Ku-ring-gai Stroke Recovery Club**

The club is incorporated with the Stroke Recovery Association of NSW and is a self help group. They aim to support "strokees" and families exchange information, educate families and the wider community about strokes. This club has been in operation for 14 years and has a current membership of 28 people.

**AMOUNT REQUESTED:**

\$750

**PURPOSE:**

Excursions, transport, entry fees, lunches

**PREVIOUS COUNCIL GRANTS? No**

**PREVIOUS CONDITIONS MET? N/A**

**COMMENTS:**

The Hornsby Ku-ring-gai Stroke Recovery Club is a support services for people who have had a stroke living in the Hornsby/ Ku-ring-gai LGAs. The requested funds will primarily go towards hiring transport to enable members to go on outings. These activities are very important in the recovery process as they enable members to join the community again and enjoy the surroundings. The organisation meets community needs by providing transport, support and information to its members, many of who are no longer able to drive.

**AMOUNT RECOMMENDED:**

\$750

**SPECIFIC PURPOSE:**

A contribution towards hire of transport and the excursion costs for the running of 4 outings during the year.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Lifestart Early Childhood Program</b> Lifestart is located in Turramurra. The service assists children with an intellectual disability or delay in development. The aim of Lifestart is to help children reach their fullest potential while respecting their individuality, unique qualities and future contributions.
<b>AMOUNT REQUESTED:</b>	\$2,950
<b>PURPOSE:</b>	Purchase furniture which promote good posture development for both children and adults.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	Lifestart is an early intervention program for children 0-5 with a diagnosed learning or intellectual disability. The service is open to all children with a development disability or whom there are concerns about the development from families. Funds are requested to replace furniture within the centre which has been discarded by other centres. The furniture will be used by children, parents and staff during the various programs run by the Centre.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase and delivery of 18 chairs for the Turramurra Lifestart Centre.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>MS Society - Ku-ring-gai Branch</b> The Ku-ring-gai Friendship Group is an extension of the Multiple Sclerosis Society of NSW. It started over 25 years ago to provide support to people with Multiple Sclerosis (PwMS) who live in the area.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	To assist with the cost of transporting people with multiple sclerosis to attend the Friendship Group activities.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1100 - 2004</b> <b>\$1650 - 2003</b> <b>\$1650 - 2002</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	The group meets an identified need by providing transport to enable people with multiple sclerosis to participate in recreation and leisure opportunities in the Ku-ring-gai area. The group meets once a month at the Wildflower Gardens. They provide morning tea, lunch and friendship and assist people to attend by providing transport. Transport costs have increased significantly as the physical condition of members have deteriorated over time requiring taxis. The group is supported by volunteers and no paid staff members attend the group.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	To assist with the cost of transporting people with multiple sclerosis via taxi living in Ku-ring-gai, to attend the Friendship Group activities.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Noah's Ark Toy Library for Children with Special Needs Inc</b> Noah's Ark has been in operation for over 28 years. The Organisation offers support to families who have children with special needs by providing developmentally appropriate educational toys and play equipment suitable for children 0-6 years.
<b>AMOUNT REQUESTED:</b>	\$1,895
<b>PURPOSE:</b>	Computer and software to enable access to the internet, establishment of a presence on the internet and email access for better communication.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$331 - 2003</b> <b>\$1,350 - 2001</b> <b>\$975 - 2000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	Noah's Ark Toy Library's main office is located in Artarmon and has a branch at Wahroonga. Noah's Ark want to upgrade its computer and software to enable it to maintain a reliable internet and email access. With the computer system the organisation will be able to develop a website to promote the services they provide. Email access will also be able to be enhanced with it, necessary to maintain contact with other organisations and families who use the services. The organisation is meeting community needs by providing support group to families of children with a disability.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of a Dell Dimension 3000 Desktop computer system.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Parkinson's NSW Inc - Hornsby Ku-ring-gai Support Group</b> Parkinson's NSW Inc provide support both to people suffering from Parkinson's Disease and their carers. The group provides educational sessions to suffers and carers to better understand the disease.
<b>AMOUNT REQUESTED:</b>	\$2,000
<b>PURPOSE:</b>	Production of newsletter, fund outings and general administrative expenses
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$700 - 2000</b> <b>\$700 - 2001</b> <b>\$1,470 - 2002</b> <b>\$1,370 - 2003</b> <b>\$1,507 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	The Parkinson's Association Hornsby/Ku-ring-gai Support Group is addressing an identified community need by providing leisure, recreation and social opportunities for people with disabilities and older people. The newsletters provide information to members on a range of matters including activities, events, support programs, new rearch treatments etc. As at June 2005, membership totalled 238, made up of 141 suffering from Parkinson's and 97 carer/sharers. This group is totally reliant on volunteers, families, and the support of the community to gain financial assistance. They also organise guest speakers, distribute information and provide support to families, partners and carers.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the production and distribution of monthly newsletter

## DISABILITY SERVICES

**ORGANISATION:** **Rainbow Club Australia Inc. The Lindfield Rainbow Club**  
Rainbow Club Australia Inc is a non-profit charity organising swimming and recreational clubs for children with disabilities. There are 11 branches in Sydney.

**AMOUNT REQUESTED:** \$500

**PURPOSE:** To purchase a Boardmaker Visual System

**PREVIOUS COUNCIL GRANTS?** No

**PREVIOUS CONDITIONS MET?** N/A

**COMMENTS:** The Lindfield branch of The Rainbow Club has been meeting at Cromehurst Special School for the past 8 years. The group provide swimming classes to children with any type of a disability. The Boardmaker Visual System is software which will enable swimming teachers to develop an individual swimming program for children with delayed reading and learning skills. The Club is meeting social needs by providing social/recreation activities to children with disabilities and support to the parents. Although parents pay for tuition the amount collected amounts to about 1/3 of the cost of employing the teachers for the intensive program. The majority of the income is derived from donations raised through the central office.

**AMOUNT RECOMMENDED:** \$500

**SPECIFIC PURPOSE:** To purchase the Boardmaker Visual System

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Royal Blind Society of NSW Inc</b> The Royal Blind Society is the key blindness agency in NSW and ACT. It works in partnership with people who are blind or vision impaired providing specialist services to expand choices and opportunities in daily life, education, employment and recreation.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	To provide a support and training program for children and young people who are blind or vision impaired.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1,100 - 2004</b> <b>\$245 - 2003</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	The Life Stage Program of the Royal Blind Society is designed to support and integrate children and young people who are blind or have a visual impairment. Staff work with individuals and groups to develop life skills social and travel training. The program assist people who are vision impaired to achieve their desired level of independence through breaking down barriers. In this way clients develop their independence quickly and are able to participate confidently in their local community.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution toward the provision of an intensive program for children or young people who live in Kuring-gai.

## DISABILITY SERVICES

**ORGANISATION:** **SHHH Australia Inc (Self Help for Hard of Hearing People)**  
SHHH is a non-profit, volunteer organisation committed to providing information and resources for hearing impaired people who communicate orally. It was established in 1983 and aims to support people holistically through the physical, environmental and social aspects of a persons life.

**AMOUNT REQUESTED:** \$550

**PURPOSE:** Purchase of PowerPoint and Windows 2000 XP Upgrade

**PREVIOUS COUNCIL GRANTS?** \$500 - 2004  
\$500 - 2003  
\$500 - 2002  
\$500 - 2001

**PREVIOUS CONDITIONS MET?** YES

**COMMENTS:** SHHH is a locally based organisation that provides information to people with hearing impairment across Australia. SHHH is meeting a community need by providing a support service. By providing a PowerPoint program the group will be able to increase awareness of people with hearing impairment in the local community. The organisation has applied for a grant from other councils to buy this software. However there is no indication that they have approached Microsoft for a donation of the soft/ware through the Unlimited Potential Program. Under this Program eligible organisation such as SHHH are to apply for free Microsoft Programs. Council staff will send SHHH information about this Program where the software can be provided free. If they are unsuccessful with the application to Microsoft, then Council can consider funding this project next year

**AMOUNT RECOMMENDED:** \$Nil

**SPECIFIC PURPOSE:** An alternate source of funding is available which has not been explored

## DISABILITY SERVICES

**ORGANISATION:**

**St Edmund's School**

St Edmunds is a high school established in 1951 for visually impaired students and other special needs. The School educates students to transition and integrate into further educational, employment or community involvement programs.

**AMOUNT REQUESTED:**

\$1,080

**PURPOSE:**

Purchase of Louis Braille talking books collection, cassettes and c.d.'s.

**PREVIOUS COUNCIL GRANTS?** **\$766.70 - 2003**  
**\$1,066 - 2004**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:**

St Edmund's is requesting funding for talking books to expand the collection in the library. These books will be of particular interest and benefit to students with low literacy and vision.

As St Edmund's is a small school with students with special needs, it has limited opportunities to fundraise without putting additional strain on families. The school is meeting an identified community need by providing support and life skills to students. The school is preparing students for employment by facilitating opportunities for them to participate in work experience placement. Council is currently involved with providing students with office work and library experience as part of their transition from.

**AMOUNT RECOMMENDED:**

\$1,080

**SPECIFIC PURPOSE:**

A contribution towards the purchase of 18 titles of talking books for library collection.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Technical Aid to the Disabled (TAD)</b> TAD provide custom designed aids for clients with disabilities to enable them to enjoy a better quality of life and have been in operation for 28 years.
<b>AMOUNT REQUESTED:</b>	\$1,312
<b>PURPOSE:</b>	Purchase and modify of 2 bikes for children
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1,000 - 2004</b> <b>\$1,080 - 2003</b> <b>\$1,000 - 2000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Technical Aid for the Disabled (TAD) began in 1973 when retired engineers started volunteering to make and modify equipment to assist people with a disability. TAD is now a state wide organisation. The organisation is seeking funds to be able to provide bikes to children with a disability living in the Ku-ring-gai Local Government Area. The bikes will be specially adapted to meet the individual needs of children with a disability. The identified community need is to provide leisure and recreational opportunity to children with a disability. Due to the cost of the modified bikes this project will assist 2 children living in this area.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards a modified bikes to assist two children with a disability living in the Ku-ring-gai LGA

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>The Lorna Hodgkinson Sunshine Home</b> The Sunshine Home supports adults with an intellectual disability to lead active and rewarding life through the provision of an accommodation service, work services and community access programs.
<b>AMOUNT REQUESTED:</b>	\$1,365
<b>PURPOSE:</b>	Purchase of an SVGA Epson S3 LCD Projector, 1600 ANSI Lumens
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1538.90 - 2003</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>YES</b>
<b>COMMENTS:</b>	Sunshine Home has its head office in Pymble and provides accommodation and employment services to people with a intellectual disability across Sydney. The Moving Ahead Program (MAP) operate out of the Community Groups Centre at St Ives. MAP is a transition program assisting people with an intellectual, and multiple disabilities to move from school to further education and eventually into the paid work force. A data projector will be used to teach participants computer and communication skills and enable staff to make presentations to potential employers. The projector will also be used to provide information, raise community awareness and promote the abilities of people with a disability to participate in paid employment. It is hoped that this will lead to increased employment opportunities for participants.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards a data projector to be used in the MAP project at St Ives.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>The Spastic Centre's Hydrotherapy Pool Swimming Club</b> The swimming club is part of the Spastic Centre. The Hydrotherapy Pool Swimming Club provides support to children with special needs
<b>AMOUNT REQUESTED:</b>	\$120
<b>PURPOSE:</b>	Purchase 4 stopwatches.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	The Spastic Centre's Hydrotherapy Pool Swimming Club has requested funds to purchase stop watches to be used as part of their swimming program. The application does not meet guidelines as the program is located outside Ku-ring-gai LGA and there is insufficient information in the application to determine how the donation will assist residents of Ku-ring-gai. Council has contacted the organisation twice requesting additional information but it has not been forthcoming. There is insufficient information provided by which to assess the application.
<b>AMOUNT RECOMMENDED:</b>	\$Nil
<b>SPECIFIC PURPOSE:</b>	Insufficient information provided to assess application.

## DISABILITY SERVICES

**ORGANISATION:** **Vision Impairment Support Group - Lindfield**  
VIP peer support group is to provide an opportunity to people who are visually impaired to meet and share experiences and encouragement.

**AMOUNT REQUESTED:** \$600

**PURPOSE:** Contribution towards the transport and other costs of the VIP Support Group.

**PREVIOUS COUNCIL GRANTS?** **\$600 - 2003**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:** The Lindfield Visual Impairment Group has been meeting once a month since 2002 at the Lindfield Senior Centre. As the members have visual impairments or are blind, they are reliant on volunteers to undertake tasks such as transport, minute taking, reading and making morning tea. The program for the monthly meeting includes a guest speaker and morning tea. The group also organises bus trips to take members to interesting places as many of the members are no longer able to travel independently. Requested funds will be used to address identified community needs by enabling the group to hire a bus to access leisure/recreation, social activities and access to support services.

**AMOUNT RECOMMENDED:** \$600

**SPECIFIC PURPOSE:** Hire of a community bus for 2 group outings.

**COMMUNITY AND CULTURAL  
APPLICATION ASSESSMENTS 2005**

Attachment 2

**CATEGORY: SUPPORT SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>
Aunties & Uncles Co-operative Family Project Ltd	\$1,750	\$1,200
Australian Breastfeeding Association – Turrumurra Group	\$1,600	\$1,200
Dial-A-Mum Inc	\$2,500	\$1,200
English At Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)	\$1,725	\$1,200
Hornsby Ku-ring-gai & Hills Multiple Births Association	\$1,375	\$1,200
Life Education NSW Limited	\$3,415	\$1,200
Lindfield Chamber of Commerce	\$17,000	0.00
South Turrumurra Community Fire Unit MHP-39	\$1,232	\$1,232
St Ives Toastmasters Club	\$3,740	0.00
Ku-ring-gai Neighbourhood Centre Inc	\$2,150	\$1,200
POSIE (Perinatal Outreach Support Information and Education)	\$3,000	\$1,200
Lister Street Community Fire Unit (CFU) NSW FB FHP86	\$1,052	\$1,052
	<b>\$40,539</b>	<b>\$11,884</b>

## SUPPORT SERVICES

**ORGANISATION:****Aunties & Uncles Co-operative Family Project Ltd**

This organisation aims to provide support to families whose children are socially or emotionally at risk, by linking a child to volunteers from the community in a mentoring scheme. The service has been in operation for 30 years in Ku-ring-gai.

**AMOUNT REQUESTED:**

\$1,750

**PURPOSE:**

To provide a volunteer mentors training program based around managing difficult behaviours of children

**PREVIOUS COUNCIL GRANTS? \$1815 - 2004****PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:** The Aunties and Uncles project provides support for disadvantaged children and their families through volunteer mentors. Children will be linked to an "aunt or uncle" (volunteer) for positive role modelling, friendship and growth in self-esteem. The link assists parents with parenting skills, time out, relaxation and support. Caring community members over the age of 21 years are assessed, police checked and trained to be carers. It is anticipated that the capacity of volunteers to assist families will be enhanced through on-going training. There are approximately 15-25 volunteers expected to attend the training and information session. Volunteer mentors are linked to a child for mentoring, encouragement, fun, friendship and support. Once linked to a child, the volunteer commits to regular contact for at least a year with 18% of links continuing for more than 5 years. There are a limited number of family support organisations operating in this area and demand for services is high. In particular, this program will assist families that are socially and emotionally isolated.

**AMOUNT RECOMMENDED:**

\$1,200

**SPECIFIC PURPOSE:**

A contribution towards the provision of a volunteer mentors training program based around managing difficult behaviours of children.

## SUPPORT SERVICES

**ORGANISATION:** **Australian Breastfeeding Association (ABA) – Turramurra Group**  
The ABA is a voluntary organisation established in 1964 to encourage and support mothers who wish to breastfeed their babies and to promote skilled and loving mothering while creating in the community an awareness of the importance of human milk.

**AMOUNT REQUESTED:** \$1,600

**PURPOSE:** To purchase educational resources and provide training for volunteer breast feeding counsellors.

**PREVIOUS COUNCIL GRANTS?** **\$465 - 2003**  
**\$1331 - 2001**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:** The resources, material and information purchased will be distributed locally to new mothers in this area. The information will be distributed through the St Ives Early childhood Centre, Council libraries and SAN Hospital. It is anticipated that 50 new local mothers will have direct access to the breastfeeding booklets and many others will be able to access the resources through the above mentioned services. The training provided will enable the breast feeding counsellors to upgrade their counselling skills and knowledge so they are able to aid the local community. All the work carried out by this group including counselling, workshops, social gatherings, information bulletins and special events are carried out by volunteers who often operate from their own homes. This is a very dynamic local group who are self-sufficient and provide a much needed service to new parents.

**AMOUNT RECOMMENDED:** \$1,200

**SPECIFIC PURPOSE:** To purchase educational resources and provide training for volunteer breast feeding counsellors through attending a breast feeding conference.

## SUPPORT SERVICES

**ORGANISATION:****Dial-A-Mum Inc**

Dial-A-Mum is a volunteer operated telephone community support and referral service. The service is open 7 days a week from 8am to 12 midnight. It has been operating in this area for the past 26 years

**AMOUNT REQUESTED:**

\$2,500

**PURPOSE:**

To assist in the operation of a telephone community support and referral service through assistance with communication costs.

**PREVIOUS COUNCIL GRANTS?**

**\$1,100 - 2004**

**\$1,375 - 2003**

**\$1,650 - 2002**

**\$1,925 - 2002**

**\$2,200 - 2000**

**\$2,000 - 1999**

**PREVIOUS CONDITIONS MET? Yes****COMMENTS:**

Dial-A-Mum provides trained maternal support to callers requiring anonymous personal guidance in times of crisis or distress. Approximately 5,000 calls are received annually covering issues related to spouse/partner conflict, family conflict, isolation and personal health. Approximately 75% of the callers were female and a large number lived alone (35%), 10% were from single parent families. Dial-A-Mum operate on a tight financial budget with a heavy reliance on donations and a support of volunteers. There are no paid staff working for the organisation and all calls are answered by 70 volunteers. They participate in a number of fundraising events throughout the year including raffles, books and bric-a-brac stalls, Christmas cakes, coffee shop and various community functions.

**AMOUNT RECOMMENDED:**

\$1,200

**SPECIFIC PURPOSE:**

To assist in the operation of a telephone community support and referral service through assistance with communication costs.

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>English At Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)</b> This Centre, a part of the Gordon Baptist Church Community Ministry, supports culturally and linguistically diverse people living in the community. It provides practical friendship and assistance with English language, cultural and living skills.
<b>AMOUNT REQUESTED:</b>	\$1,725
<b>PURPOSE:</b>	A contribution towards the purchase of educational resources and equipment.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$1,110 - 2000</b> <b>\$750 - 2001</b> <b>\$880 - 2002</b> <b>\$990 - 2003</b> <b>\$870 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	There are approximately 74 students utilising this service on a regular basis. In setting up the English language component of the program the Gordon Baptist Church consulted with Council staff and sought advice on unmet community needs. Many of the students participating in classes have become sufficiently proficient in English to be accepted in TAFE courses and/or to gain employment. There are eleven small classes operating every Monday with the support of a team of 23 dedicated volunteer teachers and helpers. Students are also introduced to the Australian cultural norms and are provided with practical assistance to adjust and cope with life in a new country.
<b>AMOUNT RECOMMENDED:</b>	\$1,200
<b>SPECIFIC PURPOSE:</b>	A contribution towards the purchase of educational resources and equipment.

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>Hornsby Ku-ring-gai &amp; Hills Multiple Births Association</b> Formed in 1980 offers a support service to families with multiple-birth children either by birth, fostering or adoption
<b>AMOUNT REQUESTED:</b>	\$1,375
<b>PURPOSE:</b>	A contribution towards the printing and distribution of a monthly newsletter and crisis meal service.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>\$2,100 - 1999</b> <b>\$1,800 - 2000</b> <b>\$1,200 - 2001</b> <b>\$1,100 - 2002</b> <b>\$1,375 - 2003</b> <b>\$1,175 - 2004</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
	<b>COMMENTS:</b> This service provides for 150 member families (approximately 650 people and covers the Hornsby, Ku-ring-gai and Hills District). Approximately 50% of their member families reside in the Ku-ring-gai Area. It is the only organisation that provides support specifically to multiple birth families. The Association's monthly newsletter is vital for providing families with information support and assistance to access services. . It is a means of communicating and sharing information on the care and raising of multiple birth children and to provide access to meetings and social functions for the members. The crisis meal service also meets the needs of multiple birth families experiencing significant stress in their lives.
<b>AMOUNT RECOMMENDED:</b>	\$1,200
<b>SPECIFIC PURPOSE:</b>	A contribution towards the printing and distribution of a monthly newsletter and crisis meal service.

## SUPPORT SERVICES

**ORGANISATION:****Ku-ring-gai Neighbourhood Centre Inc**

The Ku-ring-gai Neighbourhood Centre established in 1977 provides information to the community on local services, assists frail aged and disabled people and welcomes new residents to the area. The KNC run a number of services and programs that solely rely on volunteers eg Information Services, Welcome to Ku-ring-gai, Neighbourhood Aid, English conversation classes and multicultural activities.

**AMOUNT REQUESTED:**

\$2,150

**PURPOSE:**

A contribution towards the purchase of a new computer system for use by volunteers to disseminate information to the community.

**PREVIOUS COUNCIL GRANTS?** \$2,135 - 1999  
\$2,800 - 2000  
\$1,000 - 2001  
\$1,000 - 2002  
\$1,100 - 2003  
\$1,650 - 2004

**PREVIOUS CONDITIONS MET?** YES

**COMMENTS:**

The organisation is requesting funds to upgrade their computer system to enable volunteers on the front desk to be able to provide the most up to date information. Currently, the public access computer is in constant use by users of the Neighbourhood Centre and unavailable for volunteers to access for information dissemination purposes. With most information now being available online it is essential for the volunteers to have access to the internet. The organisation provides a wide range of information services to assist the whole community and in particular families, older people, those with a disability and residents from culturally and linguistically diverse communities. The project will be meeting an identified need by providing information in an accessible format.

**AMOUNT RECOMMENDED:**

\$1,200

**SPECIFIC PURPOSE:**

A contribution towards the purchase of a new computer system.

## SUPPORT SERVICES

**ORGANISATION:****Life Education NSW Limited**

Life Education is a community based, non-profit organisation established in 1979 by the Late Rev Ted Noffs. The organisation, through education, aims to reach as many children as possible and provide them with a strong understanding of their bodies, the effects of drugs, alcohol and other substances. Life Education has been operating in Ku-ring-gai since 1991.

**AMOUNT REQUESTED:**

\$3,415

**PURPOSE:**

To purchase a laptop computer to help run the Life education Programs.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

The target group that this project will assist is the primary school children in the Ku-ring-gai area. It is proposed that the Life Education service will visit 31 schools in Ku-ring-gai and the program presented to approximately 9,000 students in this area. Life Education works in partnership with the NSW Health Department and the NSW Board of studies to developing programs dealing with issues related to drugs, tobacco and alcohol, building resilience, dealing with obesity, bullying and changing social behaviours. The Life Education Program travels from school to school and is presented by trained educators. The laptop computer requested will replace an existing laptop and used to run the education programs in the Ku-ring-gai area.

**AMOUNT RECOMMENDED:**

\$1,200

**SPECIFIC PURPOSE:**

As a contribution towards the purchase of a laptop computer to help run the Life Education Programs.

## SUPPORT SERVICES

**ORGANISATION:** **Lindfield Chamber of Commerce**  
Aims of Lindfield Chamber is to improve and promote the services in the Lindfield area and represent the group of local business

**AMOUNT REQUESTED:** \$17,000

**PURPOSE:** To develop, promote and maintain a website for the Lindfield Chamber of Commerce.

**PREVIOUS COUNCIL GRANTS?** No

**PREVIOUS CONDITIONS MET?** N/A

**COMMENTS:** The funds are sought for the development promotion and maintenance of a website for the Lindfield Chamber of Commerce. The website is already in operation, however, the range of information currently available on the site is limited. Although the website is an important communication and information tool for the Lindfield Chamber of Commerce it has not been identified as a priority issue in Council's Social Plan. When compared with other applications, it is not considered a priority area for a grant. The major beneficiary from the website will be local business owners who belong to the Lindfield Chamber of Commerce. A significant proportion of the funding sought would be to pay for salaries which cannot be funded (guideline m) under Council's Financial Assistance to Community Groups Program 2005.

**AMOUNT RECOMMENDED:** \$Nil

**SPECIFIC PURPOSE:**

## SUPPORT SERVICES

**ORGANISATION:****Lister Street Community Fire Unit (CFU) NSW FB FHP86**

The Lister Street Community Fire Unit, established in 2002 is a community based volunteer organisation under the auspices of the NSW Fire Brigade. It covers Lister Street, Wahroonga and surrounding residential areas. The range of services provided by the Unit include community fire fighting, education advice on bushfire prevention and safety, training and community awareness programs.

**AMOUNT REQUESTED:**

\$1,052

**PURPOSE:**

To purchase fire fighting equipment, gloves, pump, pump hose and ball float for pump.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

The unit is comprised of local residents whose aim is to protect life and property from effects of bushfires and educate the community in fire safety. Each fire unit is designated to respond to bushfire emergencies in specific locations. The assistance sought from Council will be used to purchase equipment that will improve the fire fighting capacity of the Unit in the event that the fire breaks out in 2 fronts. Lister Street Wahroonga is considered to be a high risk bushfire area. Approximately 25 local residents provide assistance to the Fire Unit and participate in safety training, first aid and maintenance of equipment.

**AMOUNT RECOMMENDED:**

\$1,052

**SPECIFIC PURPOSE:**

To purchase fire fighting equipment, gloves, pump, pump hose and ball float for pump.

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>POSIE (Perinatal Outreach Support Information and Education)</b> POSIE is a self-funded community support group auspiced by the Schizophrenia Fellowship of NSW Inc. POSIE's mission is to provide perinatal outreach, support, information and education to families in the Hornsby and Ku-ring-gai area in the form of regular support group meetings, occasional home visits by doulas, online and telephone support services.
<b>AMOUNT REQUESTED:</b>	\$3,000
<b>PURPOSE:</b>	To provide training for volunteers and establish a resource library
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	This group has only been established in the past months and is supported by 40 volunteers. The volunteers are women who have experienced antenatal and postnatal depression or anxiety themselves or through a family member or a friend. POSIE's services target women and families residing in the Hornsby and Ku-ring-gai Council areas that are affected by antenatal and postnatal depression or anxiety. Approximately 50% of people who access the service live in Ku-ring-gai. The type of services provided include group meetings twice monthly, evening support or time out for parents once a month, family outings such as picnics, fun days and play time and telephone support as needed. The service does not employ any staff and operates on a tight financial budget. They have also applied for funding from Hornsby Council's donation Program, Hornsby Community Development and Support Expenditure Scheme and NSW Department of Community Services Early Intervention Program. Result of these applications will not be known until later this year.
<b>AMOUNT RECOMMENDED:</b>	\$1,200
<b>SPECIFIC PURPOSE:</b>	A contribution towards training volunteers and establishing a resource library.

## SUPPORT SERVICES

**ORGANISATION:****South Turrumurra Community Fire Unit MHP-39**

The South Turrumurra Community Fire Unit established in 1998 is a community based volunteer organisation under the auspices of the NSW Fire Brigade. It covers Ashburton Avenue, South Turrumurra and surrounding residential areas. The range of services provided by the Unit include community fire fighting, education and advice on bushfire prevention and safety, training and community awareness programs.

**AMOUNT REQUESTED:**

\$1,232

**PURPOSE:**

To purchase fire fighting equipment.

**PREVIOUS COUNCIL GRANTS?**

**\$999 - 2004**  
**\$1124 - 2003**  
**\$881 - 2002**  
**\$2920 - 2001**

**PREVIOUS CONDITIONS MET? Yes****COMMENTS:**

The Unit is comprised of local residents whose aim it is to protect life and property from effects of bushfires in the South Turrumurra and surrounding areas and educate the community in fire safety. Each fire unit is designated to respond to bushfire emergencies in specific locations. The assistance sought from Council will be used to purchase equipment that will improve the fire fighting capacity and effectiveness of the Unit through purchase of new equipment and improved firefighting capacity in the event of bushfires. The items requested will be used to produce greater coverage in the areas (Ashburton Avenue and surrounding streets) that are subject to severe bush areas. The items requested are part of a complete set required for fire mitigation use. Approximately 37 local residents provide assistance to the Fire Unit and participate in fire education and prevention activities. The volunteers participate in training with Fire Brigades each month and individual training sessions throughout the year.

**AMOUNT RECOMMENDED:**

\$1,232

**SPECIFIC PURPOSE:**

To purchase fire fighting equipment including breaching unit, standpipe, and branch (nozzle) firehoses.

## SUPPORT SERVICES

**ORGANISATION:****St Ives Toastmasters Club**

Toastmasters Club provides a mutually supportive and positive learning environment in which all members have the opportunity to develop and practice communication and leadership skills, which in turn, foster self-confidence and personal growth. The group have been in operation for 14 years.

**AMOUNT REQUESTED:**

\$3,740

**PURPOSE:**

To fund speechcraft workshops.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

All community members over 18 years of age are eligible to belong to the St Ives Toastmasters Club. In the application it is stated that 20 people would benefit from the proposed activities although this could increase if new members joined the club. The ability to communicate effectively, experience to prepare and deliver speeches and capacity to read and listen analytically are important skills for individuals development. The St Ives Toastmasters propose to run speech craft workshops for schools aimed at providing students with skill sets necessary in giving speeches. The purchase of equipment will assist in the running and presentation of workshops. However, when compared with other applications it is not considered a priority area for a grant. While acknowledging communication skills are important, the benefit derived from this activity is primarily received by the members of the club and not the community in general.

**AMOUNT RECOMMENDED:**

\$Nil

**SPECIFIC PURPOSE:**

**COMMUNITY AND CULTURAL  
APPLICATION ASSESSMENTS 2005**

**CATEGORY: YOUTH SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought</b>	<b>Amount Recommended</b>
1st Middle Harbour Sea Scout Group	\$1,009	\$1,009
1st North Turramurra Scout Group	\$1,860	\$1,000
Girl Guides - 2nd St Ives Brownie Pack	\$1,400	\$1,000
Killara High School (Duke of Edinburgh Award Scheme)	\$1,989	\$1,000
Killara Scout Group	\$1,000	\$1,000
Ku-ring-gai Little Athletics Inc	\$750	\$750
Lindfield District Girl Guides	\$1,995	\$1,000
Young Achievement Australia (YAA)	\$5,500	0
	<b>\$15,503</b>	<b>\$6,759</b>

## YOUTH SERVICE

**ORGANISATION:****1st Middle Harbour Sea Scout Group**

The aim of 1st Middle Harbour is to encourage the physical, intellectual, emotional and spiritual development of young people through community activities so they can take a place in society as responsible citizens. The organisation has been in operation for 42 years and there are no restrictions on membership.

**AMOUNT REQUESTED:**

\$1,009

**PURPOSE:**

Purchase of folding tables, scout flag, storage boxes.

**PREVIOUS COUNCIL GRANTS? \$1,100 - 2004****PREVIOUS CONDITIONS MET? YES****COMMENTS:**

Scouts contribution to the community on a developmental and volunteer level is extensive. Financial support is required for safety, ceremonial and storage reasons. The tables will replace old and unsafe tresses and be used for craft, community and family related activities. A new Joey has commenced for 6-8 year olds and the new flag is needed to assist with ceremonial activities. The storage boxes are required for storage of equipment and are regularly used by the Group. The major source of income for this Group is derived from member contributions, fund raising events and donations. There are 11 active volunteers who support the activities of this group including camps, social activities, training and jamborees.

**AMOUNT RECOMMENDED:**

\$1,009

**SPECIFIC PURPOSE:**

For the purchase of 6 Folding tables, 1 Joey Scout flag, 2 Folding tables and various sized storage boxes

## YOUTH SERVICE

**ORGANISATION:****1st North Turrumurra Scout Group**

Scouting is aimed at developing physical and mental skills in young people so that they have the ability to become responsible citizens and leaders within the community. The first North Turrumurra Scout group has 80 members, with a high level of volunteer input by adults. They have been in Ku-ring-gai for over 40 years.

**AMOUNT REQUESTED:**

\$1,860

**PURPOSE:**

The purchase of camping equipment to assist with the ongoing development of youth skills.

**PREVIOUS COUNCIL GRANTS?**

**\$900 - 2003**

**\$1,000 - 2004**

**PREVIOUS CONDITIONS MET?**

**YES**

**COMMENTS:**

Ist North Turrumurra Scout Group are requesting funds to purchase equipment for supervised outdoor activities such as camping. The equipment sought i.e., canvass flies for large tents, tent floors and margquee floor will make camping a more enjoyable experience and alleviate some hardship for the scouts. The camping activities are part of programs which focus on the ongoing development of young people particularly in the area of responsibility and life skills. Up to 80 people will benefit from the purchase of these materials.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

A contribution towards the purchase of canvass flies for large tents.

## YOUTH SERVICE

**ORGANISATION:**

**Girl Guides - 2nd St Ives Brownie Pack**

2<sup>nd</sup> St Ives Brownie Pack is managed by volunteer leaders and have been in operation for over 30 years. They strive to assist in developing their member's full potential as members of the community. Their emphasis lies with building relationships, living skills, character and creativity.

**AMOUNT REQUESTED:**

\$1,400

**PURPOSE:**

Camping equipment and utensils necessary for their outdoor programs.

**PREVIOUS COUNCIL GRANTS? No**

**PREVIOUS CONDITIONS MET? N/A**

**COMMENTS:**

Girl Guides is committed to assisting the personal development of girls through outdoor activities such as camping. This equipment is required as their membership has increased. Up to 26 people will benefit from the purchase of this camping equipment. Girl Guides services a wide area including Pymble, St Ives, North and South Turramurra. The activities of this group are managed by 4 volunteer leaders who co-ordinate and supervise the various programs conducted throughout the year. The range of activities include knotting, pet shows, excursions, candle making, cooking, horse riding, bug catching, picnics etc. This Group is also active in undertaking community service work including activities for the Blind Guide Dog Association, Kari Court Old Age Home and the Koala Foundation. The major source of income from this group is derived from member and family contributions, fund raising and donations.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

A contribution towards the purchase of 2 tents, 3 charcoal burners and camping equipment.

## YOUTH SERVICE

**ORGANISATION:** **Killara High School (Duke of Edinburgh Award Scheme)**  
Killara High School has been in operation in the Kuring-gai area for 34 years. Students who are 12 years or older and who reside in Roseville and Gordon are eligible to go to Killara High School.

**AMOUNT REQUESTED:** \$1,989

**PURPOSE:** Expedition equipment for adults accompanying students on Duke of Edinburgh expeditions.

**PREVIOUS COUNCIL GRANTS?** **\$962.95 - 2004**

**PREVIOUS CONDITIONS MET?** **YES**

**COMMENTS:** Killara High supports students undertaking these kinds of activities, and encourages participation in extra curricular activities such as the Duke of Edinburgh Scheme. Killara High School has commenced the conduct of expeditions as part of its curriculum enrichment program. The program is based entirely on the voluntary services of staff and parents outside school hours and self funding. More than 100 students will actively engage in this program. This equipment is needed to ensure safe expeditions and activities and to meet the growing demand of the Duke of Edinburgh programs. The type of activities undertaken by the Scheme are expeditions and bushwalks aimed at developing environmental awareness, living skills, personal responsibility and community service among young people.

**AMOUNT RECOMMENDED:** \$1,000

**SPECIFIC PURPOSE:** A contribution towards the purchase of a MSR Duralite Cookset and fuel bottle/ MSR Dragonfly liquid fuel stove, sleeping mat; thermarest Prolite, Paddy Pallin Jagungal Sleeping Bag, Bushwalking Pack.

## YOUTH SERVICE

**ORGANISATION:****Killara Scout Group**

Killara Scouts is part of the world-wide scouting movement and has been in operation since 1930 (approx). The group offers activities to cubs, scouts and venturers during the week with planned activities on some weekends.

**AMOUNT REQUESTED:**

\$1,000

**PURPOSE:**

The purchase of camping equipment to replace old equipment.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

Killara Scout Group provides young people with opportunities to appreciate the environment through recreational activities and physical development. Killara Scout Group services Ku-ring-gai, predominantly in Lindfield and Killara. All young people aged 8-17 are able to join Killara Scouts and are assisted in building confidence, personal strengths and engage in the community in a personal and professional manner. The various programs of the Group are coordinated by a parent committee and 13 leaders who organise a range of activities for educational and enjoyment purposes.

Equipment is necessary to ensure the camping programs and outdoor recreation activities continue. The current equipment is old and worn and needs to be replaced. The major sources of income for this Group are derived from fund raising, member and family contributions and donations.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

A contribution towards the purchase of 3 man hiking tents, tables and lighting.

## YOUTH SERVICE

**ORGANISATION:****Ku-ring-gai Little Athletics Inc (KLAC's)**

KLAC was established in 1977 with the philosophy of promoting family, fun and fitness in a positive and healthy environment. The mission is to develop children of all abilities by promoting positive attitudes and a healthy lifestyle through family and community involvement in athletics activities.

**AMOUNT REQUESTED:**

\$750

**PURPOSE:**

The purchase of information technology (wireless network, website enhancement) to support the athletes.

**PREVIOUS COUNCIL GRANTS? \$1,000 - 2004****PREVIOUS CONDITIONS MET? YES****COMMENTS:**

KLAC provide extensive, accessible sporting opportunities to young people aged 6 – 15 years. These opportunities are low cost and highly profiled in the school and sporting community of the area. The KLAC activities aim to increase social interaction with its members and provide positive benefits through promotion of a healthy living and an active lifestyle among children and young people. KLAC plans to update its technology so it runs on a wireless network. This will facilitate the recording of competition results and make the work of volunteers easier. Athletes will be able to access their results on a timely basis and improve the website to ensure its both user friendly for athletes and their families. More than 700 local children will benefit from the upgrade of the information technology system as it will assist athlete's access to their results as well as improving communication with athletes and families.

**AMOUNT RECOMMENDED:**

\$750

**SPECIFIC PURPOSE:**

Integration of a wireless network as part of KLA's information technology support

## YOUTH SERVICE

**ORGANISATION:****Lindfield District Girl Guides**

Lindfield District Girl Guides has been in operation for 80 years in Ku-ring-gai. Girls aged between 5 – 18 years are eligible to belong. Lindfield District Girl Guides helps girls and young women grow into confident, self-respecting and responsible community members.

**AMOUNT REQUESTED:**

\$1,995

**PURPOSE:**

Purchase of 5 dome tents for camping - 1 tent per patrol (5-6 girls) and 1 tent for leaders and helpers.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

Lindfield District Girl Guides provides an opportunity for young girls in the community to develop skills through a range of recreational and leadership activities. Guides focus on team building and personal development through camping and associated activities which also assist in educating about the local environment. There is a fundamental focus on leadership and skill development, guiding traditions, promise and law and service to others. This equipment will benefit more than 20 girls and leaders. It will assist with camping and outdoor activities which are a very important part of guiding. There is a need for this equipment to ensure the Girl Guides are participating in outdoor activities as safely as possible. These particular tents are “young women friendly” in their weight and packaging.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

A contribution towards the purchase of five Coleman Riverview 6 tents

## YOUTH SERVICE

<b>ORGANISATION:</b>	<b>Young Achievement Australia (YAA)</b> YAA builds partnerships with government, business, education and community groups to provide access for young people to business enterprise programs.
<b>AMOUNT REQUESTED:</b>	\$5,500
<b>PURPOSE:</b>	Business Skills Program for Year 11 students.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	YAA provides students in Year 11 the opportunity to learn skills in business management. Students participate free of charge and engage in a programme which enhances career prospects, social skills and techniques in business affairs. YAA works with the community in partnership with business and education groups. YAA is not Ku-ring-gai specific, has already operated through schools effectively for sometime and is well funded by the Department of Innovation, Industry & Regional Development (DIIRD). There is no indication as to how many young people in Ku-ring-gai have directly benefited by this program or will in the future should the application for funding be successful. There is no indication how YAA have coursed other funds.
<b>AMOUNT RECOMMENDED:</b>	\$Nil
<b>SPECIFIC PURPOSE:</b>	The set up, training and administration of YAA Business skills program.



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# **OBJECTIVES AND GUIDELINES FOR KU-RING-GAI COUNCIL'S FINANCIAL ASSISTANCE TO COMMUNITY GROUPS PROGRAM 2005**

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## **INTRODUCTION**

The Financial Assistance to Community Groups Program is designed to ensure that financial allocations to community groups reflect Council's commitment to improving and encouraging the provision of community based services which support and enhance the lives of residents of Ku-ring-gai.

## **OBJECTIVES**

Projects funded by Council through the Financial Assistance to Community Groups Program should encourage:-

- a) An increased range and improved quality of community services in the Ku-ring-gai area.
- b) A supportive approach to innovative programs that address identified community needs.
- c) A fair and equitable approach to the funding of community organisations/groups in the Ku-ring-gai area.

## **GUIDELINES**

- a) The community organisation, or its branch, must be based within the Ku-ring-gai area or if not locally based, the program requesting financial assistance must be shown to be addressing identified priority needs of people within the Ku-ring-gai area.
- b) The organisation requesting financial assistance should be properly constituted eg. be registered with the Department of Fair Trading and have a constitution, and encourage participation from all members of the community.
- c) The organisation requesting financial assistance should not be a political party as defined herein and should not be affiliated or associated either directly or indirectly with any political party whether registered or not.

- d) Council encourages organisations to adhere to the principles of access and equity in the way that funded services and activities are administered. This means that organisations take steps to ensure that their services/programs are available to all members of the community including people with disabilities and people from culturally and linguistically diverse communities.
- e) The organisation is community based and has a reasonable level of volunteer involvement.
- f) Organisations acting for private gain will not receive any benefits under this Policy until at least 28 days public notice of Council's proposal to pass the necessary resolution has been given.
- g) Priority is given to organisations addressing identified community needs and making effective use of available resources, and to organisations which are not receiving substantial State or Federal Grants. (Refer to the attached Social Plan Priority Issues table as a guide).
- h) The organisation demonstrates that they have actively sought funds from other sources (*ie fundraising, government grants*) and/or the ability of the organisation to contribute towards costs.
- i) An organisation with substantial financial reserves, which are not allocated for specific purposes essential to the organisation, is not eligible.
- j) The grant is a contribution towards a clearly identifiable purpose or project. Financial assistance will be used only for purposes as detailed in the original application.
- k) If organisations are applying for financial assistance for equipment estimated prices of items of equipment should be included in the application, with a quote attached where possible.
- l) Requests for capital assistance or maintenance of buildings will **not** be considered. This includes items considered to be permanently affixed to the building structure or grounds.
- m) Any financial assistance that is provided by Council will not result in the proposed activity becoming totally dependent on Council for future funds. Therefore Council will **not fund recurrent/ongoing expenses** eg. salaries, insurance, rent etc
- n) The proposed activity should not be duplicating another existing service.
- o) An evaluation of the funded purpose is required, including a breakdown of how the grant was spent including receipts where possible, at the completion of the twelve (12) month period.
- p) The organisation receiving financial assistance will publicly acknowledge Council's contribution on their promotional material where appropriate.

**DEFINITION:**

“Political party’ means a body or organisation, whether or not incorporated, having as one of its objects or activities the promotion of the election to Parliament or to a council of a candidate or candidates endorsed by it or by a body or organisation of which it forms part.”

Local Government Act 1993

**APPLICATIONS MUST INCLUDE:-**

1. A completed application form, ensuring that all details have been provided.
2. The organisation's latest audited financial statement, or where an organisation is not subject to audit requirements, a statement of income and expenditure over the past twelve (12) months must be provided.
4. A copy of the organisation's most recent Annual Report.
5. A copy of the organisation's constitution or Statement of Aims and Objectives if a new applicant, or where these details have changed since a previous application.
6. All other relevant information has been attached e.g. quotes.
7. Completed 2004 Financial Assistance Feedback Form (only applies to organisations that received funding through the Donations Program in 2004).

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## KU-RING-GAI ACCESS POLICY & DISABILITY DISCRIMINATION ACT ACTION PLAN 2005 - 2009

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council the Ku-ring-gai Access Policy and Disability Discrimination Act (DDA) Action Plan 2005 - 2009 for formal adoption.

**BACKGROUND:**

The draft Ku-ring-gai Access Policy (DDA) Action Plan was presented to Council in June. Following public exhibition the Policy and Action Plan is being presented again for adoption.

**COMMENTS:**

The Access Policy and DDA Action Plan have been placed on public exhibition for 28 days. No comments were received from the public. The Ku-ring-gai Access Advisory Committee has been consulted again regarding this Plan. The Committee has endorsed the Access Policy and DDA Action Plan.

**RECOMMENDATION:**

- A. That the Ku-ring-gai Access Policy and Disability Discrimination Act Action Plan 2005 - 2009 be adopted for implementation.
- B. The Ku-ring-gai Access Policy and Disability Discrimination Act (DDA) Action Plan 2005 - 2009 be lodged with the Human Rights and Equal Opportunity Commission.

## PURPOSE OF REPORT

To present to Council the Ku-ring-gai Access Policy and Disability Discrimination Act (DDA) Action Plan 2005 - 2009 for formal adoption.

## BACKGROUND

Over the past few years Council has been committed to taking a leading role to make Ku-ring-gai an accessible community for everyone, including people with disability. This commitment has been demonstrated by providing opportunities, facilities and policies that are user friendly and accessible. Council's aim is to eliminate, as far as possible, discriminative practices which may exclude people from fully participating in their chosen pursuit.

Provision of access for people with disabilities relates to all of Council's activities including planning, participating in events, use of libraries and access to Council buildings. Therefore "a whole of Council" approach has been taken in the development of this document. The cooperation of all staff will subsequently be required for its implementation.

Council is committed to striving towards a fully accessible locality by working in partnership with other authorities and the community. This Access Policy and DDA Action Plan will guide Council in the provision of facilities and services that are equitable and dignified to all people. Given the age of the facilities and the type of terrain in Ku-ring-gai, it is acknowledged that full access cannot be provided in any four year period, but steps can be taken to improve access.

Council's approach to improving access is consistent with other levels of government. In 1992, the Commonwealth Government passed the Disability Discrimination Act (DDA), which made it unlawful to discriminate against a person because they have disability, or they are an associate of a person with disability. The DDA states that an organisation may develop an Action Plan which will include strategies to eliminate discriminative practices and that the plan can be lodged with the Human Rights and Equal Opportunity Commission (HREOC) as a way of demonstrating its commitment to reducing discrimination.

Section 9 of the NSW Disability Services Act (1993) requires public authorities to prepare and implement Disability Action Plans for the provision of services for people with disabilities. The NSW Government Disability Framework<sup>1</sup> requires all State Government agencies and encourages local governments, to develop a Disability Action Plan with strategies to cater for the needs of people with disabilities.

Council's Access Policy and DDA Action Plan were developed within the context of Section 9 of the NSW Disability Services Act (1993).

## COMMENTS

The Access Policy and DDA Action Plan 2005 – 2009 (**attached**) has been on public exhibition for 28 days. It is considered ready for adoption and implementation.

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<sup>1</sup> NSW Government Disability Framework 1998; Ageing and Disability Department

Once adopted the Policy and Action Plan will be a public document. It will be placed on Council's website and will be lodged with the Human Rights and Equal Opportunity Commission.

## **CONSULTATION**

In preparing the Policy and Action Plan advice and input was sort from the Human Rights and Equal Opportunities Commission and disability organisations. Written comment was received from the Spastic Centre.

Representatives from all departments of Council have had input in the development of the Access Policy and Disability Discrimination Act Action Plan 2005 – 2009. The document has been presented to the Access Advisory Committee for comment and endorsement and has been placed on public exhibition.

## **FINANCIAL CONSIDERATIONS**

All the strategies have been costed and most of the strategies have been included as part of normal programs. When the draft document was tabled in June, Council approved the expenditure of \$40,000 over 4 years to fund strategies which are not part of current programs. It was agreed that the first \$10,000 would be included in the 2005/2006 Budget as part of the September review process.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

An interdepartmental working group was established to assist with the review of the previous DDA Action Plan and to develop strategies with the current document.

A representative from each Council Department attends the Access Committee. As improving access requires "a whole of Council approach" it is important that all Departments are involved with the development of this Policy and Plan.

## **SUMMARY**

The Access Policy and DDA Action Plan represents Council's continued commitment to improving access to services and facilities for all residents, in particular, people with disabilities and their associates. The aim of this document is to assist Council to address, as far as possible, discriminative practices which may exclude people from fully participating in their chosen pursuit.

## **RECOMMENDATION**

- A. That the Ku-ring-gai Access Policy and Disability Discrimination Act Action Plan 2005 – 2009 be adopted and steps taken to implement the strategies.

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**13 September 2005**

- B. The Ku-ring-gai Access Policy and Disability Discrimination Act Action Plan be lodged with the Human Rights and Equal Opportunity Commission to demonstrate that Council is committed to improving access in the Ku-ring-gai Local Government Area.

Martin Butcher  
**Community Development Officer**  
**Aged and Disability Services**

Janice Bevan  
**Director**  
**Community Services**

**Attachment: Ku-ring-gai Access Policy and Disability Discrimination Act Action Plan**  
**2005-2009 - 532714**

Ku-ring-gai Council

**Ku-ring-gai Access Policy  
And  
Disability Discrimination Act Action Plan  
2005 - 2009**

# Section 1:

## Introduction

Over the past few years Council has been committed to taking a leading role to make Ku-ring-gai an accessible community for everyone, including people with a disability. This commitment has been demonstrated by providing opportunities, services and facilities that are user friendly and accessible. Council's aim is to eliminate, as far as possible, discriminative practices which may exclude people from fully participating in their chosen pursuit.

Provision of access for people with disabilities relates to all of Council's activities including planning, participating in events, use of libraries and access to Council buildings. Therefore "a whole of Council" approach has been taken in the development of this document and the cooperation of all staff will be required for its implementation.

Council is committed to striving towards a fully accessible locality by working in partnership with other authorities and the community. This Access Policy and Disability Discrimination Act Action Plan seeks to enable Council in the provision of facilities and services that are equitable and dignified to all people. Given the age of the facilities and the type of terrain in Ku-ring-gai, it is acknowledged that full access cannot be provided in any four year period but steps can be taken to improve access.

A service or facility is accessible when it is:

- easy to find accurate information
- easy to understand
- easy to get to, and
- easy to use.

## Who will benefit?

According to Australian Bureau of Statistics <sup>1</sup> almost one in five people living in New South Wales had a disability in 2001. As people get older they are more likely to acquire a disability. Six (6) percent of children aged four (4) years have been diagnosed with a disability. This figure increases to 80 percent of people who are over 85 years old.

Therefore, a significant proportion of the population will directly benefit from changes towards a more accessible locality that reduces barriers and improves their quality of life. Improving facilities and services has many benefits. For

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<sup>1</sup> Australian Bureau of Statistics 2001 ref. 4443.1  
Ku-ring-gai Access Policy and DDA Action Plan

example, lifts or ramps at railway stations and shopping centres are well used by people with disabilities and benefit the wider community.

Anyone in the community may develop or acquire a disability sometime in their life, or have a close relative or friend develop or acquire a disability. This makes access an issue for everyone.

The percentage of older people is predicted to increase in Ku-ring-gai over the next 20 years. The percentage of people over 65 years old is currently 15.9 percent of the total population. By 2022 it is predicted that this will increase to 21.4 percent<sup>2</sup>. The percentages of older people in this area are significantly higher than the Sydney average of 8.6 percent in the same age group.<sup>3</sup>

## **Development of the Access Policy and Disability Discrimination Act Plan**

In 1992, the Commonwealth Government passed the Disability Discrimination Act (DDA), which made it unlawful to discriminate against a person because they have a disability.

Council's Access Policies and DDA Action Plans were developed within the context of Section 9 of the NSW Disability Services Act (1993). The Act requires public authorities to prepare and implement Disability Action Plans for the provision of services for people with disabilities. The NSW Government Disability Framework<sup>4</sup> requires all State Government agencies and encourages local governments, to develop disability action plans with strategies to cater for the needs of people with disabilities.

Ku-ring-gai Access Policy was first adopted by Council in April 1997. This was followed with the Disability Discrimination Act (DDA) Action Plan in 1998. For the first time, the Access Policy and DDA Action Plan are combined to maintain consistency between the documents.

The third Council document relating to this area is the Development Control Plan (DCP) No. 31 Access which was first adopted by Council in April 1997. Although this document is also due to be revised, it has been delayed as new Building Standard For Access To Premises are being developed by the Australian Building Code Board. As the DCP No. 31 is intended to be read in conjunction with the Australian Building Code of Australia, the new standards are being developed to bring them more into line with the Disability Discrimination Act. In February 2004, the draft Disability Standards for Access to Premises were released for public comment. The ABCB is currently considering the submissions and will be making recommendation to the Minister in the second half of 2005.

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<sup>2</sup> Jackson, NO. (2004) Local Government Population Aging Project

<sup>3</sup> Community Portrait of Ku-ring-gai 2004

<sup>4</sup> NSW Government Disability Framework 1998; Ageing and Disability Department  
Ku-ring-gai Access Policy and DDA Action Plan

Until the new standards have come into force Council will continue to use the current Development Control Plan No.31 Access

## Sections of the document

This document is split into four sections consisting of Introduction, Access Policy, Disability Discrimination Action Plan and Evaluation.

### **Section 1: Introduction**

This section provides a background to the Policy and DDA Action Plan.

### **Section 2: Access Policy**

The Access Policy, after being adopted, will define the commitment Council made to improve access for people with disabilities. The objectives in the Policy will be used as a framework for the development of strategies in the Action Plan.

### **Section 3: DDA Action Plan**

The Action Plan outlines the strategies Council will take to improve access over the next three years. By having an action plan, Council can reduce its risks and defend complaints of discrimination made under the Disability Discrimination Act. An action plan will also assist a Council to better meet its objective of providing high quality service to the whole community,

### **Section 4: Review, Evaluation and Report.**

Outlines the process by which the Policy and Action Plan will be reviewed and reported upon. The outcome of the evaluation will be reported to Council, Access Advisory Committee and in Council's Annual Report.

## Acknowledgements

The process taken to update the Access Policy and Action Plan included an internal and external consultation process.

An inter-departmental working group was established to provide advice across the organisation and assist in the review and updating of the Policy and Action Plan. Feedback was also sought from the Ku-ring-gai Access Advisory Committee and disability service providers.

The Access Policy and DDA Action Plan was developed through the analysis of 'best practice' examples. With specific reference to: 'A Guide to Best Practice in Local Government, Australian Local Government Association 1994', 'Advisory Notes on Access to Premises, Human Rights and Equal Opportunity Commission 1997', New South Wales Government Disability Framework 1998, 'Waverley Council DDA Action Plan', 'Rockdale City Council DDA Action Plan' 'City of Ryde DDA Action Plan' and 'Marrickville Access Policy and Action Plan'.



# Definitions

## Access

For the purpose of this document, “access” is defined as the removal, as far as possible: the social, economic, political, physical and organisational barriers which prevent participation due to disability.

## Discrimination

Discrimination can be direct or indirect.

*Direct Discrimination* generally means treating people with a disability less favourably than people without that disability would be treated under the same circumstances.

*Indirect Discrimination* exists where there is a condition or requirement imposed, which may be the same for everyone but which unfairly excludes or disadvantages people with a disability because they are unable, or find it difficult, to comply with the requirement due to the disability.

Different treatment of people with a disability is not unlawful where it is reasonably intended to ensure that they have equal opportunities or to meet their specific needs. The provision of pensions and entitlements or the services offered by charitable organisations are examples of this.

## Disability

There are many different definitions to describe disability. For the purpose of this document The Disability Discrimination Act redefinition will be used. “Disability” in relation to a person, as:

total or partial loss of the person’s bodily or mental functions, or

- total or partial loss of a part of the body, or
- the presence in the body of organisms causing disease or illness, or
- the presence in the body of organisms capable of causing disease or illness, or
- the malfunction, malformation or disfigurement of a part of a person’s body, or
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction, or
- a disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgment, or that results in disturbed behaviour.

The definition includes a disability that:

- presently exists, or
- previously existed but no longer exists, or
- may exist in the future, or
- is imputed to a person (eg, assumes a person has a disease).

This is a wide definition and includes all obvious categories of disability, such as physical, sensory, psychiatric and intellectual disability, and extends to other conditions such as people who are HIV positive or have AIDS-related conditions and people with attention deficit disorder.

## Section 2

# KU-RING-GAI ACCESS POLICY

**Vision:** Council and the community will work together to make Ku-ring-gai accessible for people with a disability.

## This policy applies to:

- Ku-ring-gai Council
- Any organisation or individual undertaking business for or with the Council;
- Anyone undertaking development activities within the Ku-ring-gai Local Government Area.

## The Aim of the Access Policy is to:

Provide all members of the community with equal opportunity to participate in pursuits of their choice within Ku-ring-gai Local Government Area.

## Policy Statement

This Policy is directly linked with the Corporate Management Plan and has the following principles

1. Council is committed to making Ku-ring-gai an accessible community
2. Council recognises that people with disabilities are part of our diverse community and Council's workforce
3. Council will eliminate, as far as possible, discrimination based on disability in any of its own policies, facilities, services or activities.
4. In conjunction with the community, Council will prepare and implement this Access Policy, Disability Discrimination Act Action Plan and Development Control Plan 31 - Access over four years. They will be reviewed annually and the outcome to be reported in Council's Management Plan and Annual Report.

5. Council will advocate for and support actions that will improve accessibility for all people in the local area and promote community awareness of access needs.
6. Council will maintain and resource the Access Advisory Committee to provide advice to Council on access and other issues concerning people with disabilities. The Committee will perform the role as set out in its Charter.

## **Objectives**

1. Facilitate the provision of access to all new buildings and buildings undergoing major renovation in accordance with relevant policies, standards and legislation including:
  - a) Council's Development Control Plan 31 – Access
  - b) Building Code of Australia and Australian Standard 1428 Access
  - c) Building Code of Australia Adaptable Housing
  - d) Disability Discrimination Act (1992 Cmth).
  - e) Disability Services Act (NSW 1993)
2. Provide training to Council staff to increase their awareness of, and have the skills necessary, to provide a level of service which takes into account the needs of people with a disability.
3. Council's own services and facilities are accessible to people with disabilities including:
  - a) Council information is provided in accessible formats
  - b) Access to Council's buildings;
  - c) Directional and informational signage are readable and easily understood;
  - d) Access to Council's open space and facilities, where it is possible and achievable within the landform
  - e) Provide a suitably constructed network of accessible routes through the Ku-ring-gai Local Government Area that link principal nodes, routes and services.
  - f) Accessible car parking is available to authorised people;
  - g) Library services are accessible.
4. Enable all members of the community, including people with disabilities, to participate in Council business, including representation on the Council and advisory committees and events.
5. Provide waste management services which are appropriate to older people and people with disabilities.

6. People with disabilities have equal access to employment within Council and are offered access to facilities, services and opportunities to meet their specific needs.
7. Council to continue resourcing and supporting local organisations and services to provide quality services to people with a disability and continue to facilitate positive change within the community services sector.
8. Council takes a leading role to ensure that all levels of government, local businesses and community organisations provide accessible services.
9. Council's policies and plans are current in terms of access.

## Section 3:

# Disability Act Action Plan

The Disability Discrimination Action Plans outlines the strategies Council will take to implement the objectives of the Access Policy to improve access over the next four years. An outcome for having an Action Plan is that Council can reduce its risks and defend complaints of discrimination made under the Disability Discrimination Act. An Action Plan will also assist a Council to better meet its objective of providing high quality service to the whole community.

Once approved by Council the Action Plan will be lodged with the Human Rights and Equal Opportunity Commission for registration.

**Objective 1:** **Facilitate the provision of access to all new buildings and buildings undergoing major renovation in accordance with relevant policies, standards and legislation.**

### 1.1

**Issues/barriers:**

Utilise the expertise of the Access Committee by inviting them to comment on DA's for major public buildings and developments.

**Action Strategies:**

Where appropriate, development applications will be referred to the Access Advisory Committee for comment.

**Timeframe:**

Within the required D.A. exhibition period and review annually

**Responsible Officer:**

Director Development and Regulation.

**Estimated cost:**

Staff time

**Included in existing budget:**

Yes

### 1.2

**Issues/barriers:**

Building and facilities to meet access standards

**Action Strategies:**

Building and facilities to meet access standards including AS1428 -Design for access and ability - AS 4299; Adaptable housing - AS 2890 Parking facilities.

**Action Strategies:**

Council officers and private certifiers ensure that all conditions of consent are met in regard

	to provision of access before releasing the occupancy Certificate.
<b>Responsible Officer:</b>	Director Development and Regulation.
<b>Timeframe:</b>	Review June each year
<b>Estimated cost:</b>	Staff time
<b>Included in existing budget:</b>	Yes

### 1.3

<b>Issues/barriers:</b>	Regulatory tools include access to development
<b>Action Strategies:</b>	That Council review and update its Development Control Plan 31 - Access to ensure that it complies with current standards and future including AS1428- Design for access and ability, AS 4299- Adaptable Housing, and new Standard for Access to Premises.
<b>Timeframe:</b>	Review June each year
<b>Responsible Officer:</b>	Director Development and Regulation
<b>Estimated cost:</b>	Staff time
<b>Included in existing budget:</b>	Yes

<b>Objective 2:</b>	<b>Provide training to Council staff to increase their awareness of, and have the skills required to, provide a level of service which takes into account the needs of people with a disability with access difficulties.</b>
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### 2.1

<b>Issues/barriers:</b>	Disability awareness training is required for new Councillors and Council staff to increase their knowledge and awareness of disability and access issues.
<b>Action Strategies</b>	Incorporate a disability awareness-training component into Orientation Program and organisational training plan.
<b>Timeframe:</b>	Review December each year
<b>Responsible Officer:</b>	Manager, Human Resources and Training Coordinator.
<b>Estimated cost:</b>	Staff time
<b>Included in existing budget:</b>	Yes

### 2.2

<b>Issues/barriers:</b>	Ongoing training sessions for all Councillors and council staff particularly those identified as providing services to people with a disability.
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<b>Action/Strategies:</b>	Develop a disability awareness training session for staff identified as having a high probability of providing service to people with disability and dealing with issues that impact on people with a disability particularly heritage, planning and development staff.
	Topics to cover include: <ul style="list-style-type: none"> <li>• Communicating with people with a disability</li> <li>• Designing for access for people with various disabilities and use of special equipment</li> <li>• DDA training, including responsibilities for Council.</li> <li>• Types of disability and individual needs.</li> </ul>
<b>Timeframe:</b>	June 2006.
<b>Responsible Officer:</b>	Manager Human Resources and Training Coordinator
<b>Estimated cost:</b>	\$2,000 annually
<b>Included in existing budget:</b>	Yes

<b>Objective 3:</b>	<p><b>Council's own services and facilities are accessible to people with disabilities including:</b></p> <ul style="list-style-type: none"> <li>a) <b>Council's information is provided in accessible formats.</b></li> <li>b) <b>Access to Council's building</b></li> <li>c) <b>Directional and informational signage are readable and easily understood</b></li> <li>d) <b>Access to Council's open space and facilities, where it is possible and achievable within the landform</b></li> <li>e) <b>Provide a suitably constructed network of accessible routes through the Ku-ring-gai Local Government Area that link principal nodes, routes and services</b></li> <li>f) <b>Accessible car parking is available to authorised people</b></li> <li>g) <b>Library services are accessible</b></li> </ul>
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### 3.1

<b>Issues/barriers:</b>	Council's web site is maintained to OICT Government standards and World Wide Web Consortium (W3C) Standards.
<b>Action Strategies:</b>	To assist in the Quality Assurance of Council's web site, consult with a group of web users

<b>Timeframe:</b> <b>Responsible Officer:</b> <b>Estimated cost:</b> <b>Included in existing budget:</b>	with a range of disabilities to monitor the web site. - monitor to ensure accessibility. June 2006 audit June of each year Communication and Events Coordinator Staff time Yes
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### 3.2

<b>Issues/barriers:</b>  <b>Action Strategies:</b>  <b>Timeframe:</b> <b>Responsible Officer:</b>  <b>Estimated cost:</b> <b>Included in existing budget:</b>	Community consultations indicate that people with a disability are not always aware of the services provided by Council. Publicise Council services available to all residents including people with a disability through Information pamphlet, Annual Report, local services directories. Review December each year Community Development Officer (Aged and Disability Services) \$10,000 to produce new material No
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### 3.3

<b>Issue/barriers</b>  <b>Action Strategies</b>  <b>Responsible Officer</b>  <b>Estimated Costs</b> <b>Included in existing Budget</b>	<b>Provision of information in an accessible format</b> Conduct consultation with disability groups to ascertain appropriate formats for information. Community Development Officer (Aged and Disability Services) \$100 Yes
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### 3.4

<b>Issues/barriers:</b>  <b>Action Strategies:</b>  <b>Timeframe:</b> <b>Responsible Officer:</b>  <b>Timeframe:</b> <b>Estimated cost:</b> <b>Included in existing budget:</b>	Approximately 15 percent of the population have an English print disability and cannot always read paper documents Council will produce material in alternative formats. eg CD Roms, publications in contrasting colours and larger font. Review June each year. Communications and Events Co-coordinator. Community Development Officer (Aged and Disability Services) June 2006 Staff time. \$2,000 per year No
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### 3.5

**Issues/barriers:**

Council will depict people with disability in a positive way in its publication including flyers, posters and newsletters by using appropriate Imagery and language.

**Action Strategies:**

Ensure that terminology and imagery used in Council publications including flyers, brochures and newsletters depict a positive and enhanced image of people with disabilities.

**Timeframe:**

Audit current publications with high distribution rated by August 2006 and each year thereafter.

**Responsible Officer:**

Communications and Events Co-ordinator  
Community Development Officer (Aged and Disability Services)

**Estimated cost:**

Staff time

**Included in existing budget:**

Yes

### 3.6

**Issues/barriers:**

Not all people with disabilities are aware of community services available to them.

**Action Strategies:**

Council will update and print the Disability Services Directory listing services available to them.

**Timeframe:**

December 2005

**Responsible Officer:**

Community Development Officer (Aged and Disability Services)

**Estimated cost:**

Staff time

**Included in existing budget:**

Yes

### 3.7

**Issues/barriers:**

Access information is easily accessible

**Action Strategies:**

Develop a page on Council's web site and other communication mediums providing access information including location of accessible toilets and access maps.

**Timeframe:**

December 2006 then review December each year

**Responsible Officer:**

Community Development Officer (Aged and Disability Services) and Communications and Events co-coordinator.

**Estimated cost:**

Staff time

**Included in existing budget:**

Yes

### 3.8

<b>Issues/barriers:</b>	Council's maintenance schedule has identified a number of buildings requiring improved access to its entrance.
<b>Action Strategies:</b>	Implement maintenance schedule to improve access to public buildings, including construction of ramps, handrails and removal of trip hazards.
<b>Timeframe:</b>	July 2009
<b>Responsible Officer:</b>	Director Technical Services
<b>Estimated cost:</b>	\$275,000
<b>Included in existing budget:</b>	Yes

### 3.9

<b>Issues/barriers:</b>	Council's maintenance schedule has identified facilities that do not have accessible toilets or have toilets with fit outs which are not compliant with AS1428.2
<b>Action Strategies:</b>	Install or re-fit an accessible toilet in each building that has been identified as not currently having a compliant accessible toilet.
<b>Timeframe:</b>	June 2009
<b>Responsible Officer:</b>	Director Technical Services
<b>Estimated cost:</b>	\$175,150
<b>Included in existing budget:</b>	Yes

### 3.10

<b>Issues/barriers:</b>	Council's maintenance schedule has identified facilities that do not have tactile indicators compliant with AS1428.2
<b>Action Strategies:</b>	Install tactile indicators to buildings that have been identified as requiring installation.
<b>Timeframe:</b>	June 2009
<b>Responsible Officer:</b>	Director Technical Services
<b>Estimated cost:</b>	\$30,000
<b>Included in existing budget:</b>	Yes

### 3.11

<b>Issues/barriers:</b>	Council signage is to be displayed in a way that is clear, distinct and understandable and readable by most people.
<b>Action Strategies:</b>	Develop and implement a corporate standard for signage that includes use of contrasting colours, large print and international symbols, where appropriate.
<b>Timeframe:</b>	December 2006
<b>Responsible Officer:</b>	Communication and Events Coordinator

**Estimated cost:** Staff time  
**Included in existing budget:** No

### 3.12

**Issues/barriers:** Public areas of Council do not have clear directional signs.  
**Action Strategies:** Place signs on each floor of Council and in the car parks, indicating the level number and directions to Customer Service and exits.

**Timeframe:** December 2005  
**Responsible Officer:** Director Technical Services  
Director Community Services

**Estimated cost:** Staff time  
**Included in existing budget:** Yes

### 3.13

**Issues/barriers:** People are not aware of level of difficulty for walking tracks appropriate to their abilities.  
**Action Strategies:** Undertake an audit of walking tracks and grade them according to accessible ease of use. Identify tracks that are wheelchair accessible and provide the information to the public

**Timeframe:** December 2005  
**Responsible Officer:** Director-Open Space  
**Estimated cost:** Staff time  
**Included in existing budget:** Yes

### 3.14

**Issues/barriers:** Not all bus stops and taxi ranks in the LGA meet the Disabled Standards for Public Transport.  
**Action Strategies:** Council will develop a maintenance program to upgrade bus shelters and taxi ranks to bring them up to Accessible Transport Standard (2000).

**Timeframe:** Review works program June of each year  
**Responsible Officer:** Director Technical Services  
**Estimated cost:** 10,000  
**Included in existing budget:** No

### 3.15

**Issues/barriers:** Improve access to business and retail centres and transport nodes.  
**Action Strategies:** As part of the development of local area master plans, undertake access audits of business centres and transport nodes

<b>Timeframe:</b>	March 2007
<b>Responsible Officer:</b>	Manager Strategic Planning
<b>Estimated cost:</b>	Staff time
<b>Included in existing budget:</b>	Yes

### 3.16

<b>Issues/barriers:</b>	The Building Maintenance Schedule has identified Council facilities with car parks that do not have accessible parking spaces.
<b>Action Strategies:</b>	Implement Council's Building Maintenance Schedule and Plan of Management Car Parks for the provision of accessible parking places.
<b>Responsible Officer</b>	Director Technical Services
<b>Time Frame</b>	June 2007
<b>Estimated Cost:</b>	\$3,000
<b>Included in existing budget</b>	Yes

### 3.17

<b>Issue/barriers</b>	Provision of parking for people with a disability in Council owned car parks.
<b>Action Strategies:</b>	Implement Council's Plan of Management for Council car parks to ensure the provision of accessible parking to standards AS2890.1. including undertaking an audit of Council car parks to ensure that current accessible parking spaces are clearly marked with the international symbol on the ground and on adjacent signage.
<b>Timeframe:</b>	Audit by June 2006 and review annually thereafter.
<b>Responsible Officer:</b>	Director Technical Services
<b>Estimated cost:</b>	To be advised
<b>Included in existing budget:</b>	Yes

### 3.18

<b>Issues/barriers:</b>	Council will maintain an extensive range of talking books and large print books
<b>Action Strategies:</b>	The library to purchase large print or talking books each year.
<b>Timeframe:</b>	Review annually
<b>Responsible Officer:</b>	Manager Library Services
<b>Estimated cost:</b>	\$5,000
<b>Included in existing budget:</b>	Yes

<b>Objective 4:</b>	<b>Enable all members of the community, including people with disabilities, to</b>
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**participate in Council business, including representation on the Council Advisory Committees and participation at events.**

**4.1**

**Issues/barriers:**

Access for people with a disability to voting venues.

**Action Strategies:**

Provide access to at least two booths in each ward, during polling at Council elections.

**Timeframe:**

Leading up to elections September 2008 and at other times as required.

**Responsible Officer:**

Manager Administration Services

**Estimated cost:**

Staff time

**Included in existing budget:**

Yes

**4.2**

**Issues/barriers:**

Current TTY does not have auto-answering mode.

**Action Strategies:**

Purchase a new TTY which will better suit the Call Centre's operations

**Timeframe:**

June 2006

**Responsible Officer:**

Manager Customer Service

**Estimated cost:**

\$750

**Included in existing budget:**

No

**4.3**

**Issues/barriers:**

Access to Council's events

**Action Strategies:**

Organisers of events are to implement Council's Accessible Event Checklist to enable access for people with a disability and carers with children. Audit of Council events.

**Timeframe:**

Review June of each year

**Responsible Officer:**

All Council officers organising events.

**Estimated cost:**

Staff time

**Included in existing budget:**

Yes

**4.4**

**Issues/barriers:**

Access to consultation and meetings conducted by Council

**Action Strategies:**

Organisers of public consultations to implement Council's Accessible Meetings Checklist to enable access for people with a disability and older people.

**Timeframe:**

As required and review annually

**Responsible Officer:**

All Council officers organising events and meetings

**Estimated cost:** Staff time  
**Included in existing budget:** Yes

**Objective 5:** **Provide waste management services which are appropriate to older people and people with disabilities.**

#### 5.1

**Issues/barriers:** People with a disability and older, frail aged people are unable to move garbage on to the footpath for pick-up.

**Action Strategies:** Implement and monitor effective programs for collection and return of bins for people who are unable to manage their own bins due to having a disability or being frail aged.

**Timeframe:** Review annually

**Responsible Officer:** Director Technical Services

**Estimated cost:** To be advised

**Included in existing budget:** Yes

**Objective 6:** **People with disabilities have equal access to employment within Council and are offered access to facilities, service and opportunities to meet their specific needs.**

#### 6.1

**Issues/barriers:** Provide opportunities for employment for people with disabilities.

**Action Strategies:** Review Council's Human Resource Policies including Equal Employment Opportunity and Occupational Health and Safety. Ensure that policies reflect the needs of people with a disability

**Timeframe:** June 2005 and review annually thereafter

**Responsible Officer:** Manager Human Resources and OH&S Coordinator

**Estimated cost:** Staff time

**Included in existing budget:** Yes

**Objective 7:** Council to continue resourcing and supporting local organisations and services to provide quality service to people with a disability and facilitate positive change within the community services sector.

**7.1**

**Issues/barriers:**

Improve access with regard to service development and provision of education.

**Action Strategies:**

That Council undertake to provide accurate information to the community on access and related issues.

**Timeframe:**

June 2005 and annually thereafter

**Responsible Officer:**

Community Development Officer (Aged and Disability Services) and Corporate Communications

**Estimated cost:**

Staff time

**Included in existing budget:**

Yes

**Objective 8:** Council to take a leading role to ensure all levels of government, local businesses and community organisations provide accessible services.

**8.1**

**Issues/barriers:**

Increase awareness of access issues to small business.

**Action Strategies:**

Develop and distribute resources to assist small business to make their services and facilities more accessible

**Timeframe:**

December 2006

**Responsible Officer:**

Community Development Officer (Aged and Disability Services)

**Estimated cost:**

\$3,000

**Included in existing budget:**

Yes

**8.2**

**Issues/barriers:**

Level of awareness among developers regarding access issues at a design phase or pre-development phase.

**Action Strategies:**

Distribute the Access Awareness Kit and brochures to developers, to increase their awareness of relevant legislation and standards.

**Timeframe:**

Review effectiveness of the program annually

**Responsible Officer:**

Community Development Officer (Aged and Disability Services)

**Estimated cost:** \$5,000 to re-print kit  
**Included in existing budget:** No

### 8.3

**Issues/barriers:** Make the community aware of access issues.  
**Action Strategies:** In consultation with the Ku-ring-gai Access

Advisory Committee conduct workshops/displays/ activity with the community to raise the awareness of the access needs of people with a disability.

**Timeframe:** Organise one event each year  
**Responsible Officer:** Community Development Officer (Aged and Disability Services)

**Estimated cost:** \$100  
**Included in existing budget:** Yes

### 8.4

**Issues/barriers:** Inaccessible public transport system.

**Action Strategies:** Council will liaise with Railcorp to improve access to all Ku-ring-gai railway stations.

**Timeframe:** Review June each year.

**Responsible Officer:** Community Development Officer (Aged and Disability Services) and Manager Strategic Planning.

**Estimated cost:** Staff time  
**Included in existing budget:** Yes

### 8.5

**Issues/barriers:** Accessible bus services are not timetabled and limited to weekends only.

**Action Strategies:** Council will liaise with government and private bus operators for the introduction of a timetabled accessible bus services in Ku-ring-gai.

**Timeframe:** Review June each year.

**Responsible Officer:** Community Development Officer (Aged and Disability Services)

**Estimated cost:** Staff time  
**Included in existing budget:** Yes

**Objective 9:** **Council's policies and plans are current in terms of access.**

### 9.1

**Issues/barriers:** Development Control Plan 31. Access is relevant and up to date.

<b>Action Strategies:</b>	Update the Developmental Control Plan 31 to incorporate draft Disability Standards for Access to Premises and revised Building Codes of Australia to ensure that Council documents meets the current building standards for access.
<b>Timeframe:</b>	June 2006
<b>Responsible Officer:</b>	Manager Strategic Planning
<b>Estimated cost:</b>	Staff time
<b>Included in existing budget:</b>	Yes

## 9.2

<b>Issues/barriers:</b>	Access issues will be included in all Council policies and plans
<b>Action Strategies:</b>	When a Council policy, planning instruments or control plan is developed or updated accessibility will be considered and shown to the Access Advisory Committee for comments.
<b>Timeframe:</b>	Review June each year.
<b>Responsible Officer:</b>	Manager Strategic Planning
<b>Estimated cost:</b>	Staff time
<b>Included in existing budget:</b>	Yes

## Section 3: Review, Evaluation and Reporting

The DDA Action Plan will undergo continuous review and evaluation to ensure that the strategies are being implemented. The results will be reported to the Access Committee through progress reports. A summary will be included in Council's Annual Report through the Access and Equity Reporting process. The following template will be used to assist in the evaluation and reporting

**Objective:**

Action Strategies:

Action to date:

Date completed:

Future action required:

Responsible Officer:

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## **PARKS, SPORT AND RECREATION REFERENCE GROUP MINUTES OF MEETING HELD THURSDAY, 1 SEPTEMBER 2005**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To bring to the attention of the Ordinary Meeting of Council the Minutes from the Parks, Sport and Recreation Reference Group meeting held Thursday 1 September 2005.

**BACKGROUND:**

The role of the Parks, Sport and Recreation Reference Group (PSRRG) is to provide resident, user groups and industry expert advice to Council on matters relevant to the types and standards of service and the content of Council's strategic plans, policies and Plans of Management.

**COMMENTS:**

Four (4) items of business were discussed (PSRRG 30 – PSRRG 33), comments have been provided on items relevant to Council and items not referred, relate to general business of the Reference Group.

**RECOMMENDATION:**

That the Minutes of the Parks, Sport and Recreation Reference Group be received and noted.

## PURPOSE OF REPORT

To bring to the attention of the Ordinary Meeting of Council the Minutes from the Parks, Sport and Recreation Reference Group meeting held Thursday 1 September 2005.

## BACKGROUND

The role of the Parks, Sport and Recreation Reference Group (PSRRG) is to provide resident, user groups and industry expert advice to Council on matters relevant to the types and standards of service and the content of Council's strategic plans, policies and Plans of Management in relation to parks, sport and recreation.

## COMMENTS

At the meeting held 1 September 2005, several items of business were discussed. Comments have been provided on the items relevant to Council. Items not referred, relate to matters requiring further consideration prior to recommendation to Council or were items directed towards the sharing of information. In general terms, members were presented information regarding the Open Space Strategy, Parks Plan of Management, the Sport in Ku-ring-gai Strategy, Swain Gardens, Environmental Levy and resident based advisory committees, sports ground capital works projects, Council's planned Centenary celebrations for 2006, "Out in the Open" e-newsletter and the next Sports Forum.

Specifically, the Reference Group considered, in detail, updates on the Open Space sub-group working parties; District Park Master Planning and the draft leasing and licensing policy.

In addition to the above items, the Reference Group was advised of the date for the next Sports Forum, provided information about the recently approved Environmental Levy and three resident based advisory committees that will be set up to assist with review and assessment of the Environmental Levy programs, provided updates on both Barra Brui Oval and the decontamination, remediation and reconstruction works at Queen Elizabeth Reserve Oval.

The main agenda item at the meeting (PSRRG 30) were updates from the sub-groups in regard to both North Turramurra Recreation Area and Pool Feasibility Study.

- 1 North Turramurra Recreation Area:-
  - A consultant brief will be advertised first week September 2005, with a closing date 4 October 2005. Once appointed, the consultant will develop a concept plan for the site which will include extensive consultation including workshops. The concept plan will integrate the existing golf course (in particular 3 holes), the former tip site as well as establish an active sporting facility.

2 Pool Feasibility Study

A further Councillor workshop was undertaken with staff and the Consultant for the study and the Reference Group were updated on progress to date including identified gaps in the provision of aquatic/leisure facilities and also proposed facilities to address these gaps. Further, the Reference Group were updated on identification and assessment of potential locations. Initial concepts have been identified for the existing facility at West Pymble Pool and also for an additional facility. The Reference Group have requested further updates as the development of this project progresses.

The next meeting of the Reference Group is scheduled for Thursday 3 November 2005, 6.30pm-8.30pm, Level 3 Ante Room.

## **CONSULTATION**

The Reference Group is a consultative forum representing the interest of residents, user groups and industry professionals.

## **FINANCIAL CONSIDERATIONS**

There are no direct financial considerations related to this report.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Consultation with other departments has not taken place in the preparation of this report.

## **SUMMARY**

The meeting held on 1 September gave the Group members present the opportunity to review and discuss in detail the progression of both North Turramurra Recreation Area and Pool Feasibility Study.

Four items of Business were discussed at the September 2005 meeting, one item PSRRG 30 was considered significant, with the remaining three (3) items relating to general matters as detailed in this report and the attached Minutes (Refer Attachment 1).

The Reference Group commended Council on progress of the Pool Feasibility and staff involved in the "Out in the Open" e-newsletter initiative.

## RECOMMENDATION

That the Minutes of the Parks, Sport and Recreation Reference Group be received and noted.

Amanda Colbey  
**Manager Parks, Sport and Recreation**

Steven Head  
**Director Open Space**

**Attachments:      Minutes of 1 September 2005 - 538332**

## Parks, Sport and Recreation Reference Group

**Thursday 1 September 2005**

Level 3, Council Building.

7.30pm - 9.30pm

### Attendees:

Members	Councillors	Staff	Guests
Alan Fredericks Hugh Bennett Sandra Van de Water Frank Freeman Andrew Falk Matthew Horne Campbell Wratt	Cr Nick Ebbeck Deputy Mayor Cr Elaine Malicki Cr Tony Hall	Steven Head Director of Open Space Amanda Colbey Manager Parks, Sport and Recreation Morven Cameron Senior Projects Officer Carol Harper Acting Sport and Recreation Planner	

### Apologies:

Members	Councillors	Staff
Ann Smith Gary Foster Peter Duncan Michael Nesteroff Nick Farr-Jones Grant Corderoy Birgitte Lund Col Simpson John Spana	Mayor Adrienne Ryan Cr Michael Lane Cr Ian Cross Cr Anita Andrews	

### Declaration of Pecuniary Interests

No pecuniary interests were declared.

### Confirmation of previous Minutes

Minutes for the previous meeting were confirmed.

Minutes reported to Council 26 July 2005.

### Business arising from previous Minutes

No business arising from previous minutes.

### PSRRG 30

#### Report from Specific Project Groups

1 North Turramurra Recreation Area (NTRA)

Morven Cameron, Council's Senior Projects Officer advised a consultant brief has been prepared which both the NTRA sub-group members and Councillors have reviewed. The advertisement will

be in the Sydney Morning Herald on Tuesday 6, Wednesday 7 and Saturday 10 September 2005, with a closing date for submissions being 4 October 2005.

To recap on the project, once a consultant has been selected, they will develop a concept plan for the location, undertake extensive consultation during the development of the concept plan which will include workshops with Councillors. The project involves the integration of the existing golf course (in particular, the remodelling/moving of 3 holes), the former tip site as well as establish an active sporting complex.

## 2 Pool Feasibility Study

Deputy Mayor Ebbeck advised a Councillor Workshop with the pool consultants and staff had taken place, prior to this meeting, and apologised for the later start to this meeting as a consequence.

Director Open Space recapped on the information as provided at the April meeting, that the brief had several components:

- Research be undertaken to identify what leisure aquatic facilities and services Council is currently not providing.
- Identification of clear community needs.
- Identification of service gaps, ie. what the West Pymble Pool facility can't provide.
- Identification of what services and facilities are needed to fill those gaps and how they can be best provided, taking into high regard other aquatic service providers/competitors.
- Identify a facility to meet our community needs:-
  - All year round experience.
  - Indoor experience.
  - Broader play provision.
  - Hydrotherapy
  - Accompanying facilities, ie. gymnasium, sauna, café etc.
- What is the best way to provide such services and what can be accommodated at West Pymble Pool and what needs to be provided at another site.
- 17 locations across the Local Government Area have been identified, based on pre-set criteria.
- 4 locations demonstrate the most potential to date:-
  - St Ives Village Green/carpark (St Ives)
  - Culworth Avenue carpark (Killara)
  - Ray Street carpark (Turramurra)
  - Karuah Park & Turramurra Memorial Park (Turramurra)
- Each site has its limitations and still much work is required to progress the study including:-
  - Site constraints, multi-storey to fit footprint, funding requirements, traffic and parking issues.
- Director Open Space outlined that Councillors have been actively engaged at every stage of the process, including discussion, feedback on limitations and site constraints, thus providing a more defined direction to the Consultants.

Campbell Wratt enquired if both Councillor Ebbeck and Councillor Malicki believed tender documents for this project were a possibility, in the term of this Council. Both Councillors advised they were very hopeful.

Alan Fredericks commended Council and staff for progressing the project to this stage and encouraged Council to show leadership in making this community facility a reality.

## 3 Open Space Strategy

The Senior Projects Officer advised the strategy had been placed on public exhibition as indicated at the April meeting, with only one submission received. A further report to Council to resolve the strategy is anticipated for 20 September 2005.

**4 Parks Plan of Management**

The Senior Projects Officer advised the Parks Plan of Management was placed on public exhibition during May. No submissions were received and no-one attended the public hearing. A further report to Council to resolve the document is anticipated for 20 September 2005.

**5 Sport in Ku-ring-gai Strategy**

Carol Harper, Acting Sport and Recreation Planner advised, with the help of the sub-group, questionnaires were sent to 36 clubs with approximately 27 responses now received. In addition, 78 on-line surveys have also been completed. Staff will collate the information with an intention to update the 1997 Strategic Plan for Sportsfields and Courts.

As advised at the April meeting, it is intended that the survey/questionnaire will be on-going and be completed on a yearly basis by clubs, to demonstrate trends and to assist with justification of meeting needs via the yearly ground allocation process.

The sub-group will receive a draft copy of the Strategy within two weeks for comment and progression.

**PSRRG 31 –**

**District Park Master Planning**

Director Open Space and the Senior Projects Officer advised this was a Key Performance Indicator (KPI) in the Management Plan and a report will go to Council during November that outlines what District Park Master Planning involves and will suggest a hierarchy for our parks, how they will meet future demands and how Council will achieve the best results utilising funding opportunities including Section 94 Development Funds and Capital Improvement Funding.

Key stakeholders will be involved at each site during the planning process.

Campbell Wratt asked if the intention was to identify a set number of District parks and identify a process to integrate funding opportunities. Director Open Space advised, as with the Sportsground prioritisation process, once staff merged timing of funding opportunities, it impacted on the prioritisation of sportsgrounds that therefore was not consistent with the Sportsground prioritisation process. Similarly, due to the limited number of funding sources, some improvisation of the yet to be developed program may be required to maximise benefits/merge projects with other resolved programs, but with the view that any proposed program matches the prioritisation process as closely as practically possible, to ensure greater consistency with the adopted prioritisation process.

Staff committed to developing a discussion paper to be sent to the Reference Group to progress process before the November meeting and before formal reporting to Council.

**PSRRG 32 –**

**Draft Leasing and Licencing Policy (DL&LP)**

The Acting Sport and Recreation Planner advised no comments had as yet been received from sports groups and reminded participants that a discussion paper was provided at the June meeting. Participants requested a link be resent to review and provide comments to progress the policy. Staff committed to sending the links for both the DL&LP and Sportsground Plan of Management via email on 2 September 2005.

**PSRRG 33 –**

**General Business**

Deputy Mayor Ebbeck advised the group that he and Mayor Ryan had met with representatives of “Friends of Swain Garden” earlier that day and had invited them to give a 20 minute presentation to the Reference Group at the November 2005 meeting.

Deputy Mayor Ebbeck congratulated the “Friends of Swain Garden” for their dedication and commitment to the gardens and looked forward to their future presentation.

Councillor Hall advised that from 1 July 2005, Ku-ring-gai residents will pay a 5% Environmental Levy rate increase. The levy was approved by the Department of Local Government for a seven (7) year period. In order to best utilise these funds, three resident-based advisory committees are to be established:-

1. Environmental Programs Committee
  - Strategic direction.
  - Program development.
  - Promotion and marketing.
  - Consultation.
2. Community Audit Committee
  - Finance
  - Evaluation
  - Process
  - Program delivery
  - Reporting
  - Consultation
3. Small Grants Panel
  - Project selection
  - Project/grant evaluation.

Councillor Hall, Councillor Malicki, Deputy Mayor Ebbeck and Director Open Space encouraged all parties to register interest or to find more information by going to Council’s website.

Director Open Space updated the Reference Group on the Sportsgrounds projects well under way at Barra Brui Sports Field and the soon to commence, Queen Elizabeth Reserve Oval. To recap, works at Barra Brui involve reconstruction of the oval including stormwater harvesting via three large underground tanks of 250,000 litres each, as well as new playground equipment and floodlights. Working with existing material on the site, an 80/20 gravel mix will be incorporated, allowing water infiltration and run-off principles to work effectively. This gravel foundation will support a faster recovery of surface vegetation and turf following each sporting season. Additionally, no soil will be trucked off-site, but rather moved to build up the playground area.

The decontamination, remediation and reconstruction works at Queen Elizabeth Reserve Oval will commence very soon with the now erected perimeter fence in place. Both the tennis court facilities and public amenities will remain open to the community during the works.

The floodlight development approval has been approved and will be connected to the new Cloudmaster control system. The works are anticipated to be completed, weather permitting in 10 – 12 weeks. Director Open Space reiterated Barra Brui and Queen Elizabeth are to be completed as priorities 1 and 2 this and next financial year and that new Sportsground projects are not planned until 2006/07 financial year.

Councillor Hall advised, as part of Council’s Centenary celebrations next year, there is consideration to plan a “Freedom of the City” military process incorporating Ku-ring-gai battalions from the war. Open Space and Community Services staff are assessing and identifying suitable locations and will keep the Group updated.

Councillor Malicki congratulated Open Space staff involved in the “Out in the Open” e-newsletter. The Spring Edition is due out on 19 September 2005. The Reference Group unanimously agreed this has been a very successful and positive initiative.

Acting Sport and Recreation Planner updated the group on the next Sports Forum to be held Monday 10 October 2005, 6.30pm-8.30pm in the Ravenswood Assembly Hall. The focus of the forum will be ‘Assisting Clubs with Projects’. Two guest speakers, one from the Australian Sports Foundation and the other from the NSW Department of Tourism, Sport and Recreation will present information on how they are able to support club driven projects such as new floodlights and upgrades. Staff will also run through the process used to assist clubs from the initial stages, the development approval process through to implementation.

**Future Agenda items** - Frank Freeman requested a review of the 1997 Strategic Plan for Sportsfields and Courts land acquisition opportunities and strategies identified, be reviewed and updated accordingly. This item will be added to the next meeting agenda.

Director Open Space advised that the ‘Sport in Ku-ring-gai Strategy’, a 2005/06 Management Plan Key Performance Indicator (KPI) would include this work as part of the many series of priorities that need to be identified and reviewed as this Strategy further develops. Council resources are committed to the achievement of KPI’s as Deputy Mayor Ebbeck previously explained, at both the sub-group and whole Reference Group.

The sub-group has met on a few occasions and this will be listed as an Agenda item for this group to update in conjunction with the other important works achieved to date as discussed in PSRRG 30 (5).

Meeting Closed: 8.55pm.

**Next Meeting: THURSDAY 3 NOVEMBER, 2005**  
**6.30pm – 8.30pm**  
**Level 3 Council Building.**

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## KU-RING-GAI CENTENARY

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To provide Council with proposals from the Finance Committee meeting held on 28 September 2005, for projects and events related to Ku-ring-gai's Centenary.

**BACKGROUND:**

Council resolved on 20 September 2005 to defer discussions on the Ku-ring-gai Centenary for the next meeting of the Finance Committee. A special meeting of the Finance Committee was held on 28 September 2005 to discuss projects and events for the Centenary, and methods of funding them.

**COMMENTS:**

Council has commissioned a research project documenting 100 years of local government in Ku-ring-gai. It is recommended that this research now be published in book format. A series of events has also been proposed for 2006. Some of the events will be specifically designed to celebrate Ku-ring-gai's centenary, and others will be held in conjunction with existing events.

**RECOMMENDATION:**

That Council proceeds with the publication of a book detailing 100 years of local government in Ku-ring-gai, commences planning for the events listed in this report, and identifies shortfalls in the 2005/2006 budget at the September Quarterly Review.

## PURPOSE OF REPORT

To provide Council with proposals from the Finance Committee meeting held on 28 September 2005, for projects and events related to Ku-ring-gai's Centenary.

## BACKGROUND

Council resolved on 20 September 2005 to defer the projects and events associated with the Ku-ring-gai Centenary to the next meeting of the Finance Committee. A special meeting of the Finance Committee was held on 28 September 2005 to discuss this matter.

## COMMENTS

Council has commissioned a research project documenting 100 years of local government in Ku-ring-gai. It is recommended that this research now be published in book format. A series of events has also been proposed for 2006. Some of the events will be specifically designed to celebrate Ku-ring-gai's centenary, and others will be held in conjunction with existing events.

### Publication of a Book

It has been recommended that the research project be published in book format of approximately 120 pages. Other audio visual formats will also be investigated for use in conjunction with the book. Sections of the history will also be available on Council's web page throughout 2006.

### Draft Centenary Program

A number of events, and their associated budgets, were also discussed at the Finance Committee meeting. It is anticipated, where possible, other events throughout the year will take a "Centenary flavour", for example, Festival on the Green and Local Government Week.

A number of other projects and promotional activities have also been recommended. These include advertising banners, bronze plaques, school projects, and historical displays.

## CONSULTATION

A sub-committee of the Community Development Committee has been established to make recommendations for possible events to celebrate the Ku-ring-gai Centenary. The sub-committee consists of staff, representatives from the Historical Society and local schools and members of the community.

The community has also been invited to submit ideas for possible projects and events and Council's web page will have a section where input for suggestions for the centenary celebrations will be encouraged.

## FINANCIAL CONSIDERATIONS

In the 2004/2005 financial year, an amount of \$50,000 was allocated for the purpose of conducting a research project as a precursor to the publication of a book detailing 100 years of local government, in the Centenary year. As at 30 June 2005, \$33,939 has been spent, leaving fund of \$16,061 to be carried forward into the 2005/2006 financial year. Based on advice received from Community Services these funds will be fully utilised to complete the research stage of the project.

For the current financial year (2005/2006) a budget of \$30,000 has been allocated to celebrate the Centenary year. At the Finance Committee meeting held on Wednesday 28 September 2005, an analysis of items to be funded was tabled and it was generally agreed that the required funding for the current financial year will total \$55,000, broken down as follows:

Item	Amount	Comments
Publication of Book	\$40,000	Based on production of 10,000 copies including editing and design.
Dinner (7 March)	\$5,000	Dinner held to celebrate the first meeting of Council held on 7 March 1906. The original proposal for this event costed at \$8,000 has been reduced to \$5,000 on the basis that attendees will contribute and Council will subsidise tickets to a maximum value of \$50.00 per head based on 100 people attending the dinner.
Education Week	\$2,000	Education Week activities will involve working with local schools to promote Ku-ring-gai Centenary through art competitions and the like. At the Finance Committee meeting it was further suggested that the Historical Society are also invited to participate in this activity.
Festival on the Green	\$2,000	To enable an additional marque to be set up at the Festival on the Green and associated cost for celebrations to accommodate the attendance of the Governor.
Advertising/Plaques	\$6,000	To enable a number of plaques to be placed at Council owned parks, playgrounds etc. across the Council area in keeping with the theme of Ku-ring-gai Centenary.
<b>Total</b>	<b>\$55,000</b>	

As previously outlined, the current budget allocation for the 2005/2005 financial year stands at \$30,000. If Council is to adopt the items and amounts identified above, the budget shortfall of \$25,000 will need to be identified as part of the September Quarterly Review.

### Proposed Budget 2006/2007

Indicative items proposed for the 2006/2007 budget are broadly outlined as follows:

1. Local Government Week (August 2006) - \$5,000.

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4 October 2005

2. Community Grants Program - \$10,000. This amount has been proposed to replace a previous concept to hold a Freedom of the City March in September 2006.

The concept of allocating an amount of \$10,000 under a Community Grants Program as identified above would be to encourage groups of people/organisations across the Ku-ring-gai area to bid for funding to help subsidise a range of community celebrations in keeping with the spirit of the Centenary of Local Government. If Council is to agree in principle to the concept of establishing a Community Grants Program, a further report will need to be submitted to the Community Development Committee outlining a range of criteria to ensure that any funds allocated are clearly associated with celebrations relating to the Centenary of Local Government.

Currently the Community Grants Program is proposed for the 2006/2007 budget. This proposal will be discussed at the next Community Development Committee meeting, as it may be proposed that it be brought forward to the current financial year to allow time for community groups to apply, be assessed, and funding distributed in the first half of the Centenary Year.

3. Income from sale of publication (\$7,500). At the stage it is difficult to ascertain how many books will be sold. Evidence obtained from other Councils that have produced such a publication indicate that Council could reasonably expect income of \$7,500. This money would be offset against expenditure requirements in the 2006/2007 budget.

On the basis of the income amount identified above, the indicative net requirements in the 2006/2007 financial year total \$10,500.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Finance and Business is the joint author of this report. Open Space has been consulted in the planning of events for the Centenary.

## SUMMARY

Ku-ring-gai Council will celebrate 100 years of local government in 2006. Council has resolved to commission a research project to document 100 years of local government in Ku-ring-gai. It is now recommended that this research project be published in a book format which will also include audio-visual attachments.

It is proposed that publication of a book and planning for a number of events proceed in the terms outlined in this report.

## RECOMMENDATION

- A. That Council proceed with the publication of a book within a budget of \$40,000, detailing 100 years of local government in Ku-ring-gai.

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- B. That Council commence planning for the events listed in this report, to celebrate Ku-ring-gai's Centenary.
- C. That the budget shortfall of \$25,000 be identified as part of the September Quarterly Review.

Janice Bevan  
**Director**  
**Community Services**

John McKee  
**Director**  
**Finance and Business**