



**ORDINARY MEETING OF COUNCIL  
TO BE HELD ON TUESDAY, 13 MAY 2008 AT 7.00PM  
LEVEL 3, COUNCIL CHAMBERS**

**A G E N D A**  
**\*\* \*\* \***

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**

**DECLARATIONS OF INTEREST**

**CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING**

**ADDRESS THE COUNCIL**

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

**DOCUMENTS CIRCULATED TO COUNCILLORS**

**CONFIRMATION OF MINUTES**

**Minutes of Ordinary Meeting of Council**

File: S02131

Meeting held 29 April 2008

Minutes numbered 102 to 138

## MINUTES FROM THE MAYOR

## PETITIONS

## REPORTS FROM COMMITTEES

### Minutes of Ku-ring-gai Traffic Committee

File: S02110  
Meeting held 1 May 2008  
Minutes numbered KTC5 to KTC7

## 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 **Companion Animals Advisory Committee - Minutes of Meeting held 24 April 2008** **1**

File: S02452

To submit the Minutes of the Companion Animals Advisory Committee Meeting of 24 April 2008.

#### **Recommendation:**

That the Minutes of the Companion Animals Advisory Committee Meeting of 24 April 2008 be received and noted.

**GB.2 Parks Sport & Recreation Reference Group - Minutes of Meeting held 13 March 2008 9**

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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 meetings held on Thursday, 1 November 2007 and Thursday, 13 March 2008.

**Recommendation:**

That the Minutes of the Parks, Sport and Recreation Reference Group meetings held Thursday, 1 November 2007 and Thursday, 13 March 2008, be received and noted and that a feasibility study be carried out as to the development of new sporting facilities in the St Ives Showground precinct and Surgeon White Reserve, St Ives, including an economic analysis of the contribution of the sale of land from the B2 corridor lands at South Turramurra to fund the projects.

**GB.3 Turramurra Memorial Park & Karuah Park Draft Landscape Masterplan 21**

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File: S05920

To seek Council's approval to place the Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan on public exhibition.

**Recommendation:**

That Council place the Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan on public exhibition for 28 days plus 14 days for public comments prior to reporting back to Council for consideration and that Council inform all individuals, clubs and stakeholders who participated in consultation about the public exhibition of the draft Landscape Masterplan. The significant changes proposed include an investigation of the suitability of a cafe, trialling Karuah Road as a one-way eastbound road and incorporating two (2) off-leash dog areas.

**GB.4 Zone Rural Fire Service Agreement & RFS Zoning Agreement 43**

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File: S02542

To consider a Zoning Service Level Agreement and Zoning Agreement with the NSW Rural Fire Service.

**Recommendation:**

That Council endorses the Zoning Service Level Agreement in accordance with the recommendations A to D in the report.

**EXTRA REPORTS CIRCULATED AT MEETING****MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

NM.1 **Part U of Minute No 92 of Ordinary Meeting of Council held 8 April 2008** 84

File: S05094

**Notice of Rescission from Councillor A Ryan, Councillor T Hall and Councillor J Anderson dated 29 April 2008.**

We, the undersigned, move that Part U of Minute No. 92 adopted at Council's meeting on 8 April 2008, regarding the proposed land re-classification component from Schedule 4 of Draft Ku-ring-gai Local Environmental Plan (2006) Town Centres –

“U. That Council not proceed with the re-classification for the following land and exclude it from Schedule 4 of Draft Ku-ring-gai Local Environmental Plan [2006] Town Centres:

St Ives Site 2      Memorial Avenue, St Ives being:

Lot A DP 321567  
Lot 1 DP 504794  
Lot A DP 336206  
Lot B DP 322331  
Lot C DP 322331”

**BUSINESS WITHOUT NOTICE - SUBJECT TO CLAUSE 241 OF GENERAL REGULATIONS****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     **Open Space Acquisition Strategy - Identification of Potential Sites for Acquisition by Council**     **1**

*(Section 10A(2)(c) - Information that would confer a commercial advantage)*

File: S04601

Report by Director Strategy dated 17 April 2008.

John McKee  
GENERAL MANAGER

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## MAYORAL MINUTE

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### FUNDRAISING DINNERS

An invitation has been received from the Ku-ring-gai Youth Development Service (KYDS), to attend a fundraising dinner at the Avondale Golf Club, Pymble on Saturday, 26 July 2008. Tickets for the dinner are \$130.00 per person or \$1,300.00 for a table of 10 people.

KYDS is a non-profit community based counselling service that provides support for young people at risk on the North Shore. It is a free and confidential service which aims to support young people and families, provide group-work services, both educational and therapeutic, and encourage community involvement.

An invitation has also been received from the Rotary Club of Wahroonga, to attend a fundraising dinner at Miramare Gardens, Terrey Hills on Saturday 14 June 2008, the Novus Foundation Dinner. Tickets for the dinner are \$125.00 per person or \$1,250.00 for a table of 10 people.

The Novus Foundation supports research on adolescent obesity, carried out at the SAN Hospital and the University of New South Wales. The Foundation is specifically targeting the Upper North Shore, and schools from the Ku-ring-gai area are involved in the research.

I would like to propose that Council reserve a table for 10 people for \$1,300 for the KYDS fundraising dinner, and a table for 10 people for \$1,250 for the Novus Foundation fundraising dinner, and that Councillors and Senior Staff interested in attending the dinners advise me by Friday, 6 June 2008. Should any Councillors' partners wish to attend the dinner, they would be required to pay separately, as per established Council policy and past practice.

### RECOMMENDATION

That Council reserve a table for 10 people for \$1,300 for the KYDS fundraising dinner, and a table for 10 people for \$1,250 for the Novus Foundation fundraising dinner, and that Councillors and Senior Staff interested in attending the dinner advise me by Friday, 20 June 2008. Should any Councillors' partners wish to attend the dinner, they would be required to pay separately, as per established Council policy and past practice.

Cr Nick Ebbeck  
**Mayor**

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## **COMPANION ANIMALS ADVISORY COMMITTEE - MINUTES OF MEETING HELD 24 APRIL 2008**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To submit the Minutes of the Companion Animals Advisory Committee Meeting of 24 April 2008.

**BACKGROUND:**

The role of the Companion Animals Advisory Committee is to provide resident and professional advice to Council on relevant matters relating to the management of companion animals (dogs and cats) within Ku-ring-gai.

**COMMENTS:**

At its recent meeting, the Companion Animals Advisory Committee discussed; an Animal Welfare League cat management education project; animal management statistics for Jan-March 08; standard operating protocols for nuisance barking dogs; and preparations for Dogs Day Out to be held May 25 May 08.

**RECOMMENDATION:**

That the Minutes of the Companion Animals Advisory Committee Meeting of 24 April 2008 be received and noted.

## PURPOSE OF REPORT

To submit the Minutes of the Companion Animals Advisory Committee meeting of 24 April 2008.

## BACKGROUND

The role of the Companion Animals Advisory Committee is to provide resident and professional advice to Council on relevant matters relating to the management of companion animals (dogs and cats) within Ku-ring-gai.

## COMMENTS

At its recent meeting the Companion Animals Advisory Committee:

- endorsed a Animal Welfare League cat management educational project
- discussed the Animal Control CRS statistics for Jan-Mar 08
- discussed the report of the working party on nuisance barking dog standard operating procedures and noted the liaison with Brisbane Council re numeric values for nuisance barking
- discussed preparations for Dogs Day Out to be held on 25 May 2008 at the St Ives Showground

## CONSULTATION

The Committee is a consultative forum, representing the interests of both pet owners and non-pet owning residents within Ku-ring-gai. The Committee membership includes a practising local veterinarian and an animal behaviour specialist.

## FINANCIAL CONSIDERATIONS

Funding for Dogs Day Out is provided within the current animal control budget. No additional expenses are envisaged.

The responsible cat education programme is undertaken free of charge and has no financial cost implications for Council.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENT

Ongoing consultation exists with the Manager Open Space and Council's Sport and Recreation Planner who receive CAAC agenda papers and are invited to submit items as appropriate.



Item 1

**S02452**  
**5 May 2008**

## **SUMMARY**

Dog Day Out 08 is a major community education activity set within the fun context of picnic races held at the St Ives Showground. The focus of the educational activity will be dog registration; that dogs are kept on leash in public places and that dog owners clean up after their dogs.

Nuisance barking dogs are a significant source of resident discomfort and a major drain on Animal Control resources. Review of the standard operating procedures deployed by Council for barking dogs will define nuisance barking in operational terms so as to assist Area Rangers to objectively assess the barking of any individual dog; assist residents affected by barking dogs to submit complaints in terms of the requirements of the NSW Companion Animals Act 1998; protect dog owners from vexatious complaint; and facilitate cost effective deployment of Council resources.

## **RECOMMENDATION**

- A. That the Minutes of the Companion Animals Advisory Committee Meeting of Thursday, 24 April 2008 be received and noted.
- B. That Council endorse and host the responsible cat ownership education programme as conducted by Ms Peggy Brown of Animal Welfare League.
- C. That Officer Dr Paul Hopwood be thanked for his organisational efforts towards Pets Day Out 2008.

Paul Hopwood  
**Companion Animals  
Management Officer**

Anne Seaton  
**Manager Compliance  
& Regulation**

Michael Miocic  
**Director  
Development & Regulation**

**Attachments: Minutes of Companion Animals Advisory Committee Meeting 24 April 2008 - 928038**

**Minutes of Meeting  
Companion Animals Advisory Committee  
Meeting held Thursday 24<sup>th</sup> April, 2008 commencing at 6.35pm**

Cr Hall opened the meeting at 6.35pm.

**Present.**

Cr Tony Hall (Chair)  
Ms Beryl Anderson  
Ms Barbara Bessen  
Ms Jenny Daniel  
Dr Michael Eaton  
Ms Sandra Fry  
Dr Susan Thomas

**Staff Present**

Ms Anne Seaton, Manager Compliance & Regulation  
Dr Paul Hopwood, Companion Animal Management Officer

**CAAC 243 Apologies**

Mayor, Cr Nick Ebbeck  
Ms Sue Hutchins  
Dr Joanne Righetti

**Recommendation:**

That the apologies for non-attendance be accepted.

Unanimous

Cr Hall welcomed Dr Susan Thomas to the Committee

**CAAC 244 Declaration of Pecuniary Interest.**

Nil

**CAAC 245 Minutes of Meeting 28<sup>th</sup> February 2008**

Cr Hall noted that the minutes were adopted by Council without emendation.

Minutes adopted.

Unanimous

**CAAC 246 Matters arising from the minutes.**

**CAAC 246/1. Fencing of cattle rings, St Ives Showground.**

Cr Hall summarised the progress made in identifying funding for the fencing of the cattle rings at the St Ives Showground. Cr Hall advised that a sum of \$37500

had been identified within Council budget; that financial support had been foreshadowed from the Northern Suburbs Dog Training Club; and that Council was to deliberate on a submission for a NSW Sport and Recreation grant.

**CAAC 246/2 Implications of a proposal for development of the St Ives Showground for AFL games on the development of off-leash dog training facilities at the showground.**

Cr Hall briefed the committee on the interest of the AFL in developing the St Ives Showground as a major football ground and possible contraventions by such a development of the Lands Department's management plan for the showground. Committee noted that such a redevelopment would be likely to have major implications for all current showground users

**CAAC 247 Correspondence**

A letter from Peggy Brown , an animal welfare officer with the Warringah Pittwater branch of the Animal Welfare League was tabled. Ms Brown requested recognition by the CAAC of the merit of her demonstrations on cat management, and requested endorsement, by way of engagement of the programme for the Ku-ring-gai community.

The welfare work of Ms Brown was well known to some members and commended. The proposed programme was considered worthy of support as it fits well within Council's adopted Companion Animals Plan, in respect of responsible pet ownership.

**Recommendation**

1. That Council endorse the responsible cat ownership education programme as conducted by Ms Brown and invite her to present a seminar to interested members of the public.
2. That Council provide a suitable meeting room for the event and publicise the activity both on Council's web site and the Mayoral column in the local newspaper.

Unanimous

**CAAC 248**

**COMPLIANCE STATISTICS  
ANIMAL CONTROL JAN-MAR 08**

The Animal Control customer request service (CRS) categories for the period January 08 to March 08 were tabled as per the following.

|             | Jan-08 | Feb-08 | Mar-08 | TOTAL |
|-------------|--------|--------|--------|-------|
| Cat Pick Up | 2      | 0      | 4      | 6     |

|                        |     |    |    |     |
|------------------------|-----|----|----|-----|
| Dead Animal - Domestic | 2   | 3  | 1  | 6   |
| Dog Attack             | 5   | 15 | 4  | 24  |
| Dog Barking            | 17  | 40 | 19 | 76  |
| Dog Barking - On going | 6   | 3  | 6  | 15  |
| Dog Pick Up            | 10  | 17 | 14 | 41  |
| Dog Pick Up - Roaming  | 15  | 7  | 11 | 33  |
| Inspect Ovals          | 35  | 85 | 29 | 149 |
| Nuisance Cat           | 0   | 2  | 5  | 7   |
| Phone Enquiry          | 67  | 54 | 67 | 188 |
| Pick Up Pound          | 5   | 9  | 2  | 16  |
| Roaming Pound          | 2   | 0  | 0  | 2   |
| Other                  | 105 | 8  | 84 | 197 |

### Recommendation

1. THAT the statistical information for the period January – March 2008 be noted.

Unanimous

### CAAC 249 Development of standard operating procedures for barking dogs.

At the 28 February 2008 meeting of the Companion Animals Advisory Committee it was recommended and subsequently resolved by Council, to form a working party to establish standard operating procedures and guidelines for management of barking dog complaints.

The first meeting of the working Party was held on Wednesday 16<sup>th</sup> April 2008.

At the first meeting the working party focussed on:

- defining a nuisance barking dog.
- discussed the development of a Nuisance Barking Dog Kit
- discussed the intellectual input and collaboration with other Councils

A desk top audit of local authorities within Australia and New Zealand revealed that Brisbane City Council currently has a numeric guide stating that nuisance barking is considered to occur when:

“a dog barks for more than 6 minutes in any day light hour or more than 3 minutes in any night, time hour.”

This Brisbane City Council model was considered a good start point for the development of Ku-ring-gai's policy,.

The working party reported to the full committee on its progress to date and presented draft framework for the Ku-ring-gai policy. The draft being for preliminary consideration and feedback by the whole of Council's Companion Animals Committee.

The definition guidelines as developed by the working party to date, include:

*Nuisance barking is considered to be occurring when:*

- A dog barks, howls or otherwise makes persistent noise for greater than ??? minutes in any one daylight hour or greater than ??? minutes in any night time half hour.  
(Discussion as to appropriate time frames included 6 or 10 minutes in daylight hours and 3- 5 minutes in night time hours)
- The noise occurs on three or more occasions in any one week.
- Is recorded barking by a Council officer for greater than ??? minutes in the course of a patrol in daylight hours and ??? minutes in the course of a patrol in night time hours.  
(Discussion as to appropriate time frames included 6 or 10 minutes in daylight hours and 3- 5 minutes in night time hours)
- The barking is clearly heard off the dog's property by a Ranger with normal hearing.

It was considered appropriate that further research be undertaken by Council officers to check the feasibility of using noise recording equipment when longer term monitoring (ie > a 30 minute patrol) is required

### **Recommendation**

1. THAT the progress of the working party be noted.
2. THAT members of the companion Animals Advisory Committee provide feedback to the working party as to appropriate numeric standards to be included within Ku-ring-gai's definition of a nuisance barking dog.
3. THAT the working party updates the next Committee meeting of its progress.

Unanimous

### **CAAC 250 Dogs Day Out Event**

Dogs Day Out 08 will be held at the St Ives Showground, Mona Vale Road St Ives Sunday 25 May 2008. Progress in the organisation of Dogs Day Out is well underway.

Publicity for the event will include placement of advertisements in the North Shore Times and Sydney Weekly Courier, community air- time will be sought on radios 2GB and 2CH, seven banners will be displayed on the community poles around the district, 10,000 fliers will be distributed through local schools, , animal services , veterinarians, and pet shops, and laminated promotional posters will be erected at all leash free parks.

Brian Pickering from Pet Talk Radio will be Master of Ceremonies. Food vendors who have confirmed their attendance will provide gourmet sausages, seafood, ice cream and espresso coffee.

A jumping castle for children has also been arranged.

To date, twenty four stallholders have registered to attend. "Iams", the pet food company has agreed to be our major sponsor, volunteering product for prizes, as well as \$500 contribution towards advertising.

A 50 metre race track is to be erected using star pickets and barrier plastic upon the main dog rings. Races will be held on the half hour and best dressed, best painted, best smile and best bitsa dog competition prizes will be awarded on the hour. Various dog clubs and stallholders will run activities concurrently.

#### **Recommendation**

1. THAT the report be received.
2. THAT Officer Dr Paul Hopwood, be acknowledged and thanked for his organisational efforts towards the event.

Unanimous

#### **CAAC 251      General Business**

It was noted that Council may compete for the AR Bluett Award. Some of the activities of CAAC may be showcased in the award submission.

**Next Meeting**              Thursday 26<sup>th</sup> June 2008

Cr Hall thanked the members of the Committee for their attendance and closed the meeting at 8.05pm

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## **PARKS SPORT & RECREATION REFERENCE GROUP - MINUTES OF MEETING HELD 13 MARCH 2008**

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### **EXECUTIVE SUMMARY**

|                           |  |
|---------------------------|--|
| <b>PURPOSE OF REPORT:</b> | To bring to the attention of the Ordinary Meeting of Council, the Minutes from the Parks, Sport and Recreation Reference Group meetings held on Thursday, 1 November 2007 and Thursday, 13 March 2008.   |
| <b>BACKGROUND:</b>        | The role of the Parks, Sport and Recreation Reference Group (PSRRG) is to provide resident, user group 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.  |
| <b>COMMENTS:</b>          | Twelve (12) items of General Business were discussed. The major item was the findings of the Sportsfields Working Party that undertook an assessment of potential sportsfield sites. It recommended Council's nursery and tree lopping site as the highest ranked locations and that a feasibility study be commenced to look at the viability and funding arrangements for the provision of sportsfields at these sites.  |
| <b>RECOMMENDATION:</b>    | That the Minutes of the Parks, Sport and Recreation Reference Group meetings held Thursday, 1 November 2007 and Thursday, 13 March 2008, be received and noted and that a feasibility study be carried out as to the development of new sporting facilities in the St Ives Showground precinct and Surgeon White Reserve, St Ives, including an economic analysis of the contribution of the sale of land from the B2 corridor lands at South Turramurra to fund the projects. |

## PURPOSE OF REPORT

To bring to the attention of the Ordinary Meeting of Council, the Minutes from the Parks, Sport and Recreation Reference Group meetings held on Thursday 1 November 2007 and Thursday 13 March 2008.

## BACKGROUND

The role of the Parks, Sport and Recreation Reference Group (PSRRG) is to provide resident, user group 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 on 13 March 2008, several items of business were discussed. Comments have been provided on items relevant to Council. Agenda items not referred to relate to matters requiring further consideration prior to recommendation to Council or were items directed towards the sharing of information.

The Parks Sport and Recreation Reference Group discussed various alternatives for new sportsfields in the Local Government Area (LGA). These included:-

- entering into a joint use agreement with St Ives High School for Council management and community access to the school's playing fields;
- retention of UTS Oval. This is currently being proposed by UTS to be dedicated to Council as part of a voluntary planning agreement in return for Council foregoing all Section 94 developer contributions on the site. The contributions are estimated to be worth approximately \$12 million.

Alan Fredericks gave a summary of the findings of the Sportsfields Working Party. This included its assessment of the potential for new sportsfields at the following locations as previously identified in the 1997 Strategic Plan for Sport in Ku-ring-gai and the 2006 Sport in Ku-ring-gai Strategy:

- Cowan Creek Reserve, St Ives
- Abandoned B2 corridor land, South Turramurra
- Council Nursery, Mona Vale Rd St Ives
- Surgeon White Reserve, St Ives
- Former tree lopping tip site, Mona Vale Rd St Ives

### Highest ranked sites

The close proximity of the nursery site and tree lopping site to the Showground were assessed as providing the highest potential for a regional network of sporting facilities (sportsfields and netball courts) with minimal impact on residents in terms of noise and traffic.



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**Medium ranked sites**

Surgeon White Reserve was another site which was considered to have significant potential for sportsfields. However this would require the relocation of Avondale Pony Club, possibly to St Ives Showground.

**Lowest ranked sites**

Cowan Creek Reserve and the B2 corridor land would only have the potential for one sportsfield, so the benefits gained by developing either of these sites was considered to be low for the level of capital required. It was considered that it is generally more economically feasible to develop more than one sportsfield at a site.

The Reference Group discussed the need for substantial funding to construct all of the highest ranked sites. It was estimated that approximately \$6-\$10 million would be required to develop the highest ranked facilities within the St Ives Showground precinct and a further \$2 million would be required to develop the Surgeon White Reserve site.

The Reference Group discussed the advantages and disadvantages of selling the whole of the B2 corridor for low density residential housing and passive open space rather than developing a large proportion of the land for a single sportsfield. The major benefit would be the ability to fund new sportsfields as identified in the high and medium ranked sites. Furthermore the Reference Group noted this potential to provide additional funds to cover some of the current funding shortfall for the development of the three new sportsfields at the North Turramurra Recreation Area.

The Reference Group unanimously supported making the following recommendation to Council:

1. The Parks Sport and Recreation Reference Group supports a holistic approach to the provision of sportsfields in the Ku-ring-gai LGA and believes that opportunities should be sought to develop new facilities at minimal net cost to Council.
2. The Parks Sport and Recreation Reference Group recommends that Council conduct a feasibility study with a view to optimising the value of the disused South Turramurra B2 freeway corridor land for low density residential housing, with Council's share of the sale proceeds to be allocated solely to the funding of active recreation facility development across the LGA.
3. The Parks Sport and Recreation Reference Group recommends that once the feasibility study is completed, a strategy be developed to provide multiple sports fields (possibly six fields) and complementary passive recreation facilities across the LGA, with a focus on the St Ives Showground precinct Master Plan (as proposed in the draft 2008-2013 Management Plan) including, but not be limited to:
  - a. providing a better use of the St Ives Showground, without losing any of the main current Showground activities;
  - b. enhancing Council's Nursery facilities (this Committee supports that Council maintain its Nursery) in St Ives, including adjoining lands;
  - c. re-use of the former tree topping site on Mona Vale Rd, St Ives;
  - d. enhancing Surgeon White Reserve at St Ives (currently used by Avondale Pony Club);
  - e. considering the possible construction of new netball facilities at any of these sites to relieve local traffic congestion caused by Saturday competition netball at South Turramurra.

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This motion is put to Council as the Recommendations in this report. Contingent to progressing any of these recommendations will be the need revisit the plans of management affecting these sites.

## 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. It should be noted that neither of the options nor recommendations of this Reference Group in relation to new facilities are included in Council's long term financial model. As such, any recommendation in support of these would need to consider the financial impact from a capital and maintenance perspective.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation with other departments has not taken place in the preparation of this report.

## SUMMARY

The PSRRG meeting held on 13 March 2008 discussed the opportunity to review in detail alternatives for new sportsfields, West Pymble Pool Redevelopment, Turramurra and Karuah Park Masterplans, and the Open Space Acquisition Strategy.

The major issue discussed at the meeting and subsequent recommendation is the proposal to undertake a feasibility study investigating the proposed sale of the B2 land at South Turramurra for low density residential housing, with Council's share of the sale proceeds to be allocated to the funding of active recreation facility development across the LGA, particularly at the sites which have been previously identified in the 1997 Strategic Plan for Sport and the 2006 Sport in Ku-ring-gai Strategy, as listed in the report.

## RECOMMENDATION

- A. That the Minutes of the Parks, Sport and Recreation Reference Group held on Thursday, 13 March 2008 be received and noted.
- B. Council notes that the Parks Sport and Recreation Reference Group's recommendation "that Council conduct a feasibility study with a view to optimising the value of the disused South Turramurra B2 freeway corridor land for low density residential housing, with Council's share of the sale proceeds to be allocated solely to the funding of active recreation facility development across the LGA" will be referred to Council with the current feasibility work in conjunction with the Department of Planning is completed.

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- C. The Parks Sport and Recreation Reference Group recommends that once the feasibility study is completed, a strategy be developed to provide multiple sports fields (possibly six fields) and complementary passive recreation facilities across the LGA, with a focus on the St Ives Showground precinct Master Plan (as proposed in the draft 2008-2013 Management Plan) including, but not be limited to:-
- i. providing better use of the St Ives Showground, without losing any of the main current Showground activities;
  - ii. enhancing Council's Nursery facilities (this Committee supports that Council maintain its Nursery) in St Ives, including adjoining lands;
  - iii. re-use of the former tree lopping site on Mona Vale Rd, St Ives;
  - iv. enhancing Surgeon White Reserve at St Ives (currently used by Avondale Pony Club);
  - v. considering the possible construction of new netball facilities at any of these sites to relieve local traffic congestion caused by Saturday competition netball at South Turramurra.
- D. That the results of the feasibility study be reported back to Council during 2008/09.
- E. That the investigations also include a financial assessment within Council's long term financial model, preliminary community consultation and a review of the implications to the relevant Plan of Management.

Roger Faulkner  
**Sport & Recreation Planner**

Andrew Watson  
**Director Strategy**

**Attachments: Parks, Sport & Recreation Reference Group Minutes of 1 November 2007 & 13 March 2008 - 922232**

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## Parks, Sport and Recreation Reference Group

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### Minutes from Meeting held on

**Thursday 13 March 2008**

Level 3, Ante Room

7.00pm

**Chair:** Mayor Nick Ebbeck

### Attendees:

| Members                             | Councillors                     | Staff   | Guests |
|-------------------------------------|---------------------------------|---|--------|
| Craig Bryant                        | Cr Nick Ebbeck<br>Mayor (Chair) | Mark Taylor<br>Manager Community &<br>Recreation Property |        |
| Andrew Falk                         |                                 |   |        |
| Alan Fredericks                     |                                 | Roger Faulkner<br>Sport and Recreation<br>Planner         |        |
| Frank Freeman                       |                                 |   |        |
| Matthew Horne                       |                                 |   |        |
| John McFadden                       |                                 |   |        |
| Sandra Van De Water                 |                                 |   |        |
| Julie Garland-McLellan              |                                 |   |        |
| David Howard                        |                                 |   |        |
| John Cecato                         |                                 |   |        |
| Grant Corderoy                      |                                 |   |        |
| Peter Rezek                         |                                 |   |        |
| Miguel Andrade<br>(NSW Sport & Rec) |                                 |   |        |

### Apologies:

| Members           | Councillors               | Staff                                  |
|-------------------|---------------------------|--|
| Ann Smith         | Clr Tony Hall             | Ryan Blouin<br>Booking Liaison Officer |
| Mel Kasem         | Clr Elaine Malicki (late) |  |
| Campbell Wratt    |                           |  |
| Michael Nesteroff |                           |  |
|                   |                           |  |

**Meeting Commenced:** 7.00pm

### Declaration of Pecuniary Interests

None.

## **Confirmation of Previous Minutes**

The PS&RRG meeting of 1 November 2007 did not achieve a quorum. The notes from the meeting were reviewed and carried unanimously for recommendation and are attached to the end of these Minutes.

## **Business Arising**

None

## **General Business**

### **PSRRG 91 – Sportsfields Working Party**

Alan Fredericks gave a summary of the work undertaken by the Sportsfields Working Party, including its assessment of the potential for new sportsfields at the following locations, which have been previously identified in the 1997 Strategic Plan for Sport in Ku-ring-gai and the 2006 Sport in Ku-ring-gai Strategy:

- Cowan Creek Reserve, St Ives
- Abandoned B2 corridor land, South Turramurra
- Council Nursery, Mona Vale Rd St Ives
- Surgeon White Reserve, St Ives
- Former tree lopping tip site, Mona Vale Rd St Ives

### **Highest ranked sites**

The close proximity of the nursery site and tree lopping site to the Showground were assessed as providing the highest potential for a regional network of sporting facilities (sportsfields and netball courts) with minimal impact on residents in terms of noise and traffic.

### **Medium ranked sites**

Surgeon White Reserve was another site which was considered to have significant potential for sportsfields. However this would require the relocation of Avondale Pony Club, possibly to St Ives Showground.

### **Low ranked sites**

Cowan Creek Reserve and the B2 corridor land would only have the potential for one sportsfield, so the benefits gained by developing either of these sites was considered to be low for the level of capital required, as it is generally more economically feasible to develop more than one sportsfield at a site.

The Reference Group discussed the need for substantial funding to construct all of the highest ranked sites. It was estimated that approximately \$6-\$10 million would be required to develop the highest ranked facilities and a further \$2 million would be required to develop the Surgeon White Reserve site.

The Reference Group discussed the advantages and disadvantages of selling the whole of the B2 corridor for low density residential housing and passive open space rather than developing a large proportion of the land for a single sportsfield. The major benefit would be the ability to fund the provision of up to six new sportsfields at the high and medium ranked sites. Furthermore there is potential to provide additional funds to cover some of the current funding shortfall for the development of the three new sportsfields at the North Turramurra Recreation Area. After careful consideration of the options the Reference Group unanimously supported making the following recommendation to Council:

**Motion:**

1. The Parks Sport and Recreation Reference Group supports a holistic approach to the provision of sportsfields in the Ku-ring-gai LGA and believes that opportunities should be sought to develop new facilities at minimal net cost to Council.
2. The Parks Sport and Recreation Reference Group recommends that Council conduct a feasibility study with a view to optimising the value of the disused South Turramurra B2 freeway corridor land for low density residential housing, with Council's share of the sale proceeds to be allocated solely to the funding of active recreation facility development across the LGA.
3. The Parks Sport and Recreation Reference Group recommends that once the feasibility study is completed, a strategy be developed to provide multiple sports fields (possibly six fields) and complementary passive recreation facilities across the LGA, with a focus on the St Ives Showground precinct Master Plan (as proposed in the draft 2008-2013 Management Plan) including, but not be limited to:
  - a. Providing better use of the St Ives Showground, without losing any of the main current showground activities.
  - b. enhancing Council's Nursery facilities (this committee supports that council maintain its Nursery) in St Ives, including adjoining lands
  - c. re-use of the former tree lopping site on Mona Vale Rd, St Ives
  - d. enhancing Surgeon White Reserve at St Ives (currently used by Avondale Pony Club)

Moved: A. Fredericks

Seconded: F. Freeman

**CARRIED UNANIMOUSLY**

**PSRRG 92 – West Pymble Pool Redevelopment**

Community Consultation was held on Saturday 16 February 2008, as resolved at OMC of 13 November 2007. Expression of Interest assessment currently underway.

**PSRRG 93 – North Turramurra Recreation Area**

Report resolved OMC of 13 November 2007 to prepare Plan of Management and undertake detailed design & preparation of DA.

**PSRRG 94 – District Park Masterplans**

Swain Gardens masterplan adopted February 2008

Sir David Martin Reserve masterplan adopted November 2007

Turramurra Memorial Park & Karuah Park – draft masterplan being prepared for Council to consider for exhibition in April/May.

Julie Garland –McLellan pointed out that the Swain Gardens to Seven Little Australian track needed to be maintained much better to encourage more use. Land ownership to be checked to see whether it can be improved.

**PSRRG 95 – Autumn Sports Forum**

Suggested topics for Autumn Sports Forum in May - SMS Cloudmaster, online bookings, synthetic grass, NSW Sport and Recreation Game Plan 2012.

**PSRRG 96 – Standard Licence Agreement**

Mark Taylor discussed

**PSRRG 97 – Draft Capital Works Programs 2008-2012**

Deferred

**PSRRG 98 – Management Plan 2008 -2012**

Deferred

**PSRRG 99 – Open Space Acquisition Strategy**

Dumaresq Street Park purchase completed. Artists impression done. Landscape Masterplan is next stage, followed by incorporation of the park into the Parks generic Plan of Management.

**PSRRG 100 – Proposed sporting season date changes**

John McFadden – consideration has to be given to kids that play a sport other than those that are affected by the change of seasons, eg junior cricket would overlap a lot more with rugby than it does at present.

**PSRRG 101 – BMX Park**

Deferred

**PSRRG 102 – 2008 Meeting Dates**

Item not discussed at this meeting. Item to be listed for next meeting.

**General Business****Motion:**

The PS&RRG supports KMC in its endeavours to fight NSW State Government in its current attempts to change the Section 94 developer contributions scheme.

Moved by Sandra Van de Water

Seconded by Grant Corderoy

**CARRIED UNANIMOUSLY**

**Meeting Closed: 10.00 pm**

**AUTUMN SPORTS FORUM:**

**Venue:**

**Next Meeting:**

**Monday 5 May 2008**

**St Ives Community Hall**

**Thursday 29 May 2008**

**7.00pm – 8.30pm**

**Level 3, Council Bldg, Ante Room.**

## Parks, Sport and Recreation Reference Group

### Minutes from Meeting held on

Thursday 1 November 2007

Level 3, Ante Room

7.00pm

**Chair:** Mayor Nick Ebbeck

### Attendees

| Members             | Councillors | Staff                       |
|---------------------|-------------|-----------------------------|
| Grant Corderoy      | Cr Malicki  | Steven Head                 |
| Andrew Falk         |             | Director Strategy           |
| Alan Fredericks     |             | Roger Faulkner              |
| David Howard        |             | Sport & Recreation Planner  |
| John McFadden       |             | Matthew Drago               |
| Peter Rezek         |             | Manager Open Space Services |
| Sandra Van De Water |             | Ryan Blouin                 |
| Campbell Wratt      |             | Bookings Liaison Officer    |

### Apologies

| Members                | Councillors | Staff |
|------------------------|-------------|-------|
| Craig Bryant           | Cr Ebbeck   |       |
| John Ceccato           |             |       |
| Frank Freeman          |             |       |
| Julie Garland-McLellan |             |       |
| Matthew Horne          |             |       |
| Melanie Kasem          |             |       |
| Birgitte Lund          |             |       |
| Michael Nesteroff      |             |       |
| Ann Smith              |             |       |

Meeting commenced at 7.00pm

**Chair:** Cr Malicki

A quorum of nine members (half plus one) was not achieved and it was agreed by the members present that the minutes would be endorsed at the next meeting of the PSRRG in March 2007 for reporting to Council. It was also suggested that consideration should be given to changing the quorum requirements.

### Declaration of pecuniary interest:

None

### Confirmation of previous minutes:

The minutes of the PSRRG meeting held on Thursday 30 August 2007 were accepted unanimously.



**Business arising:**

None

**Agenda**

1. **Standard licence agreement**  
Deferred.
2. **District parks masterplans**  
Updates were given for Swain Gardens Masterplan, Sir David Martin Reserve Masterplan, and Turramurra Memorial Park & Karuah Park Masterplan.
3. **NTRA preferred landscape masterplan**  
Update provided. Report to Council on 13 November to adopt masterplan.
4. **Alternative sportsfield locations**  
David Howard suggested that Council approach Sydney Water about accessing the disused Pymble Bowling Club site on the Pacific Highway for recreational purposes.

**Motion:**

1. That a working party consisting of 3 Council officers and 3 PSRRG representatives be formed to further examine and investigate those sites previously identified in the 1997 Strategic Plan for Sport and the 2006 Sport in Ku-ring-gai Strategy.
2. The working party to develop a priority listing of these sites based on realistic and feasible outcomes, noting the strengths and weaknesses of each, so that Council may resolve before 30 June 2008 that at least two are committed to be developed as future playing fields for the Ku-ring-gai community.
3. The working party report to first be presented to the PSRRG for comment and recommendation prior to going to Council. It was also recommended that it be included as a line item in the 2008-2012 Management Plan.

Moved by Alan Fredericks

Seconded by Andrew Falk

**CARRIED UNANIMOUSLY**

Three PSRRG representatives were elected to the working party:-

1. Alan Fredericks
2. Andrew Falk
3. David Howard

**5. Open Space Acquisition Strategy****Motion:**

That a working party be established to provide input into the Open Space Acquisition Strategy.

Moved by Sandra Van De Water

Seconded by Alan Fredericks

**CARRIED UNANIMOUSLY**

Two PSRRG representatives were nominated:-

1. Sandra Van De Water
  2. Grant Corderoy
  3. Julie Garland-McLellan
- 
6. **Sportsfield maintenance program**  
Update provided.
  7. **Park asset maintenance program**  
Update provided.

**Motion:**

That Council congratulate Steven Head for recognising the value of Ku-ring-gai's open space and proactively realising its significant improvement across the LGA.

Moved by Sandra Van De Water  
Seconded by David Howard

**CARRIED UNANIMOUSLY**

**8. Spring Sports Forum Review**

Campbell Wratt gave a summary of the 2007 Spring Sports Forum held at West Lindfield Sport and Recreation Club. Problem of amenities left in poor state at the end of a season needs addressing, eg Turramurra Memorial Park. It was agreed that a letter should be written to all clubs reminding them of their responsibilities to leave all facilities in a clean condition at the end of each season as well as at the end of each game.

Andrew Falk suggested more opportunity for discussion and open forum and less presentation time. He also suggested cutting back forums to once per year in late autumn.

9. **Sporting codes season dates**  
Deferred.
10. **KDSA proposal to vary the current limit on field use from 15 Sundays to ¾ of a weekend**  
Deferred.
11. **St Ives Showground improvement plans**  
Deferred.
12. **Meeting dates in 2008**
13. **General business**

Sandra Van de Water suggested that PSRRG recommend that Council write to the state government about the rumoured changes to the S.94 contributions scheme. It was agreed that the PSRRG would develop a recommendation at the next meeting.

**Meeting closed at 9.10pm.**

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## **TURRAMURRA MEMORIAL PARK & KARUAH PARK DRAFT LANDSCAPE MASTERPLAN**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

To seek Council's approval to place the Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan on public exhibition.

**BACKGROUND:**

The Turramurra Memorial Park and Karuah Park draft Landscape Masterplan is the third district park masterplan to be undertaken by Council since Council resolved in 2006 to prepare masterplans for all of Council's fifteen District Parks.

**COMMENTS:**

The Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan provides a vision for the development of the park over the next ten years. It will allow Council to carry out improvements at the park in stages, as funding becomes available.

**RECOMMENDATION:**

That Council place the Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan on public exhibition for 28 days plus 14 days for public comments prior to reporting back to Council for consideration and that Council inform all individuals, clubs and stakeholders who participated in consultation about the public exhibition of the draft Landscape Masterplan. The significant changes proposed include an investigation of the suitability of a cafe, trialling Karuah Road as a one-way eastbound road and incorporating two (2) off-leash dog areas.

## PURPOSE OF REPORT

To seek Council's approval to place the Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan on public exhibition.

## BACKGROUND

The Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan is the third district park masterplan to be undertaken by Council since Council. This follows Council's resolution from 2006 to prepare masterplans for all of Council's 15 district parks.

The preparation of this draft masterplan has been guided by the local community and user groups through an extensive and thorough consultation process.

The project commenced in September 2007. This involved the preparation of background material, two on-site consultations, a survey, and meetings with an RSL representative and sports club committee members. The survey was sent to over 1400 residents in streets surrounding the parks and was available on Council's website. A total of 195 survey responses were received.

The information gained from the initial surveys and meetings was used to develop a preliminary draft Masterplan. This was presented to the community and placed on Council's website in February 2007. Feedback received at this second stage of consultation has had a significant impact on the directions of the draft Landscape Masterplan as provided as Attachment 1.

## COMMENTS

The draft Landscape Masterplan aims to:

1. respect the memorial status of Turramurra Memorial Park;
2. retain its heritage values and existing layout; and
3. create a defined 'sense of place' for Karuah Park.

The plan provides additional leisure and recreation facilities for a wider range of users than exists currently, particularly older people, women and youth who may not participate in organised sport. The proposed new facilities are designed to encourage the interaction of different genders, age groups and cultural backgrounds.

The draft Landscape Masterplan is divided into six sections. Key aspects within these are discussed below.

### 1. Natural environment

The Turramurra Park Bushcare Group and residents made numerous suggestions about the natural environment. In response to some of the key proposals it is proposed that Council:

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- establish a Blue Gum High Forest education walk along the creek area with information integrated into elements and paths;
- investigate the possibility of a stormwater harvesting project to irrigate the parkland and sports fields;
- restore the creek profile where possible and plant Eucalypts with low understorey and grasses;
- dissipate stormwater at the western end of the creek in Karuah Park - near the cricket nets;
- promote regional linkages by investigating a formal walk connecting Turramurra Town Centre with Bobbin Head and the Hawkesbury River; and
- establish a new identity for Karuah Park as a focal point for the new walk.

## 2. Access and circulation

In the initial survey, a number of residents suggested closing Karuah Road to physically and visually link the parks. Concerns were raised in regards to traffic flow in surrounding streets. Residents also raised problems with insufficient parking, the steep shoulder at the Laurence Avenue interface with the Park, and congestion in Laurence Avenue during sporting events.

In response to the initial survey, Council suggested a number of options for further community feedback. The options (and responses in support in brackets) presented at the second stage of consultation included:

1. maintain Karuah Road as is (full access to traffic) with a shared pedestrian/traffic zone at the eastern end (29);
2. close Karuah Road to through traffic (20);
3. implement one-way flow (eastbound) in Karuah Road and provide a shared pedestrian/traffic zone at the eastern end (10); and
4. implement one-way flow (westbound) in Karuah Road and provide a shared pedestrian/traffic zone at the eastern end (3).

While the numbers are low in relation to the traffic volumes and directly affected residents, it can be concluded that more people preferred option 1 than any other option because they believed that changes to the traffic pattern would create congestion. Many people who preferred option 2 believed that it would improve safety and increase parking. Eastbound one-way traffic was favoured over westbound because it would maintain morning traffic flow in peak hour while westbound can result in a right hand turn into Eastern Road at the roundabout if travelling north while the right hand turn from Karuah Rd into Eastern Rd is considered far more dangerous.

Council's response to these suggestions in the draft landscape Masterplan is to trial Karuah Road as one-way eastbound. This would retain traffic flow during the weekday morning peak. In relation to this trial, consultation would be undertaken with the results reported back to Council to determine if it was to continue.

Council's response to some of the other key suggestions from the community relating to access and circulation are that Council:

- highlight and upgrade entrances to Turramurra Memorial Park at the War Memorial area, Eastern Road, Laurence Avenue, and Wolsten Avenue;
- highlight and upgrade entrances to Karuah Park at Gilroy Road and Eastern Road;

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- upgrade existing paths to even surfaces;
- widen path around oval to 1.8 m and shape bank into two-tiered seating where required (to avoid a high retaining wall);
- consider a new picket fence around Turramurra Memorial Oval to be located inside drain;
- install a new path from Eastern Road (under trees nearer Karuah Road) for 'special needs' access through park;
- provide additional angle parking at Karuah Road and Turramurra Road; and
- construct new circuit paths to provide pedestrian/cycle links through the parks

### **3. Facilities**

Council's proposed response in the draft landscape Masterplan to suggestions about activities, facilities or services that people wanted to see implemented or improved at the parks are to:

- upgrade facilities near tennis courts and playground, including removing the existing shelter, providing family/disabled toilets with baby change table (upgrade existing building or new building);
- provide shelter with four tables located in the unshaded area to the north of playground and build up ground level for views of all courts and include disabled access;
- install new playground at the southern end under the trees, lift canopy and include bicycle path for young children around the perimeter of the playground;
- widen gates onto hardcourts for wheelchair access;
- provide a permanent outdoor table tennis table and adjacent seating with two chess/draughts tables;
- introduce lighting for paths and pavilions for security landscape Memorial Gates area;
- provide interpretive information which is incorporated into elements rather than installing signs;
- upgrade existing exercise area and provide softfall floor area adjacent for exercising also suitable for play area (include hopscotch or handball pattern on surface);
- provide seating for spectators and park users;
- landscape and provide seating near the Memorial Gates;
- provide shelter for amenities building in Karuah Park;
- formalise entrance to Karuah Park with landscaping and paths; and
- install new exercise equipment circuit around edge of Karuah Park (Council has a grant from NSW Department of Sport and Recreation for this purpose).

Council staff have sought responses in the initial survey to the idea of a café in Turramurra Park to be located adjacent to, or as part of, the existing amenities building. The results indicated that 91 people supported the concept, 92 people were against the concept and 3 people were unsure. The sports groups stated their support for the café idea, while the RSL stated that they would prefer not to have any commercial activities in the park.

Concerns raised by residents included loss of park ambience, additional noise, parking, commercialism, and not need for a café as they are available at the nearby town centre.

After the second stage of consultation, after people had been given the opportunity to better understand the low-key scale and intensity of the proposed café, the feedback results and general mood at the on-site consultations indicated that a higher proportion of local residents now supported the proposal for a café in Turramurra Park. The feedback results indicated that 32

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people supported the concept, 16 were against it and 17 suggested a coffee cart in the Park at weekends.

In response to the issue of the cafe in the draft landscape Masterplan it is proposed that The cafe should be small-scale with hours restricted to avoid impacting on local residents. It is considered that the cafe would provide an additional dimension to the park for people to enjoy the beautiful park surroundings in a similar way to the café at Firs Cottage in Roseville Park.

#### 4. Dog off-leash areas

The issue of dog off-leash areas within the parks is one of the most contentious issues that this masterplanning process has had to work through. At the Ordinary Meeting of Council on 25 September 2007 Council resolved:

- A. That the matter of off-leash provision at Turramurra Memorial Park be deferred for consideration in the development of a landscape masterplan for Turramurra Memorial Park and Karuah Park.
- B. That consultation be undertaken with all stakeholder groups regarding off-leash areas in the development of the draft masterplan and the results of this consultation be reported to Council when the exhibition of a draft plan is to be considered.
- C. That the sportsfield and associated facilities within the Memorial Park precinct remain on-leash at all times.

Initial survey results regarding dog off-leash areas indicated that:

- about 30% of survey respondents visit the park with a dog;
- objections to dogs being off-leash were common (46)
- support for dogs being off-leash were common (39)

In response to the initial survey, Council identified three options for community consideration which were presented to the community in the second stage of consultation:

**Option 1** – Fence the existing dog off-leash area at Karuah Park/Turramurra Avenue. The advantages of this were unlimited usage, area suitable for fencing, not rejected by all dog owners surveyed. Disadvantages include: the site is cold and damp in winter due to dense canopy, limited space for dogs to run after a ball, falling branches

**Option 2** – Create and fence new dog off-leash area at the top of Turramurra Memorial Park near the Memorial Gates. Advantages include: unlimited usage; area suitable for fencing; open and grassed for dogs to run free; and limited size in area. Disadvantages include: fencing part of this area lessens the amount of open space available for events such as the Food and Wine Fair, which has been held in this space in previous years; open space is important to local communities for informal recreation and events and large, grassed areas such as this area are rare and valuable as a community asset.

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**Option 3** – Create a new unfenced dog off-leash area. Fence one boundary – along Eastern Road to Turramurra Memorial Park and allow dogs off-leash in this top area of the park for limited times (before 7am and after 4.30pm Eastern Standard Time, and before 7am and after 6.30pm Day Light Saving Time and limited on weekends). Advantages include: large, attractive open space; suitable for dogs to run and fetch balls. Disadvantages for this option are that: the space is an integral element of the recreation area and required for childrens' play; dogs can leave the designated area and harass people, particularly children, exercise area, table tennis, picnic and BBQ activities and in the long term dog owners may seek to have Council fully fence this area, resulting in loss of open space for the whole community, time restrictions on usage and ranger intervention.

Community feedback to these options indicated that: 31 people supported Option 1; 12 people supported Option 2; and 16 people supported Option 3.

Option 1 was the most common response received, although this was based on a much smaller sample size than the initial survey. Opinions were divided over whether off-leash dogs should be allowed at the park; particularly the path around the oval.

Options 2 and 3 were rejected because people felt that it is important to retain open space parkland where the whole community can enjoy its facilities and not be restricted because of dog areas, and that fencing would spoil the open and inviting look of the park from Eastern Road.

In response to the number of people who would like to use Turramurra Memorial Park, particularly the path around the oval, for off leash dog walking, it is proposed to allow dogs to be off-leash at the park (including the path around the oval) in the early mornings and evenings when the park is less used, particularly by children and elderly people. The proposed off-leash times are before 7am and after 4.30pm Eastern Standard Time and before 7am after 6.30pm Daylight Saving Time.

The draft plan supports the community's preference for fencing the existing dog off leash area at Karuah Park, and will landscape this off-leash area with comfortable seating in sunny locations to facilitate the 'sense of community' expressed by dog owners, as well as providing gravel/crushed sandstone paths, and a bubbler/tap for dogs and people. It is anticipated that this area would primarily be used during the middle of the day by residents who do not participate in the paid workforce, such as retirees and families with very young children.

This recommendation for two off-leash dog areas is considered the most equitable arrangement for the majority of park users.

## **5. Sports groups and sporting activities**

Meetings with the main sports groups who use the ovals, Hornsby Ku-ring-gai & Hills District Cricket Association, Sydney Pacific Athletics Club, Barker Old Boys Cricket Club and Wahroonga Football Club, raised a number of issues and suggestions. These include problems with the open creek/drainage channel being a hazard for junior players, Karuah Road being dangerous, especially for children, inadequate toilet facilities, the need for floodlights at Karuah Park, lack of secure storage and change rooms for players and officials, the need to redevelop the amenities building at Turramurra Oval, the need for new cricket practice nets at Karuah and Turramurra (Cricket Association will contribute towards funding), and inadequate parking (100 plus families each Saturday for football alone).



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Council's proposed responses in the draft landscape Masterplan to these issues and suggestions from the sports groups are to:

- assist clubs to upgrade amenities building and provide shelter adjacent to Karuah Park clubhouse;
- provide covered area including tables and chairs adjacent to clubhouse/community building in Karuah Park;
- increase parking in Karuah Rd and Turramurra Ave;
- replace fencing along creeks;
- investigate reshaping Lovers Jump Creek and grade sides (comply with Riparian Policy, 2004) to improve aesthetics and safety;
- replace understorey at creek with low plantings for improved surveillance;
- investigate lighting for Karuah Park ;
- assist clubs with funding and grant applications to upgrade cricket nets and improve drainage;
- dissipate water energy in creek to prevent erosion with pools and riffles; and
- assist clubs to upgrade existing clubhouse/community building or provide a new building.

When considering the upgrade or new clubhouse/community building, it is important to maintain a minimal scale of building to lessen its impact on the park. The Ku-ring-gai Heritage Study, 1987 identifies Turramurra Memorial Park as an area of potential significance. It will therefore be necessary to undertake further heritage assessment of the building to determine its heritage status before any decisions can be made.

## **6. Landscape quality and heritage**

Council's key responses to community feedback about the landscape quality and heritage values within Turramurra Park are to:

- conserve the existing landscape character in a manner that respects the memorial status of the park;
- protect and enhance the traditional parkland feel;
- retain tranquil atmosphere - undeveloped, uncluttered, group new facilities;
- retain current spatial organisation - including the location of facilities and balance of lawn, trees and local indigenous vegetation of creek area;
- remove exotic trees that are planted too close together, remove dead wood and lift the canopy where appropriate;
- transplant newer trees that are 'spotted' in the lawn area to retain asymmetrical planting of deciduous trees around the northern side of the oval;
- promote views into the park from Eastern Road - transplant younger deciduous trees that are 'spotted' to the south/east of the oval;
- upgrade facilities using materials that respect existing 1920s parkland character - including reinstating a picket fence to the oval in timber or aluminium (in the longer term and subject to vandal assessment), and landscape entrances and around facilities where appropriate;
- landscape the Memorial Gates area, provide seating and correct dates on the gates;
- upgrade toilets in amenities buildings or replace with new buildings;

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- incorporate sandstone elements where possible to maintain existing landscape character
- bitumen, concrete and crushed sandstone surfaces to retain existing landscape character;
- investigate closure or partial closure of Karuah Road to connect parks;
- create a stronger landscape identity for Karuah Park;
- retain woodland area adjoining Turramurra Avenue and maintain original planting regime with exotic trees at southern end (transplant young eucalypts to northern end) and Blue Gum High Forest at the northern end; and
- consider extending the amenities building with a deck over the creek with views into the woodland.

In the Municipality of Ku-ring-gai Heritage Study, 1987, Turramurra Memorial Park is identified as an "Item of heritage significance requiring conservation management plans".

In response to this study it is recommended that Council undertake heritage assessment of the park and develop a conservation management plan if required. It is also recommended that Council retain and maintain Turramurra Memorial Park's heritage elements and spatial arrangement as representative of the activities associated with the interactions between humans, human societies and the shaping of their physical surroundings.

With respect to the clubhouse/community building at Turramurra Memorial Park it is recommended that a heritage consultant be engaged to assess the heritage significance of the building, while recognising that it does not cater for current user needs.

In response to the RSL suggestion, it is recommended that Council recognise the significance of the memorial gates and the Park as a whole by landscaping and providing seating around the memorial area.

## CONSULTATION

The preparation of draft Masterplan has involved an extensive and thorough consultation process, including two stages of community consultation (September 2007 and February 2008), an information briefing to the Parks Sport and Recreation Reference Group in 1 November 2007, meetings with sports groups, and a Councillors briefing 22 April 2008. Public exhibition will be final stage of consultation for all stakeholders.

## FINANCIAL CONSIDERATIONS

Adopted District Park Masterplans are used to inform the development of the Parks Improvement Program in Council's annual Capital Works Program and future Section 94 (S.94) Plans. Each Masterplan is expected to be implemented over a 10 year period.

The actual financial commitment resulting from this Masterplan is dependent on competing priorities and funding availability, including recurrent budget, S.94 plans, external grants, partnerships with stakeholders and local business, and future Environmental Levy plans.

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An allocation of \$51,000 has been identified in the draft Capital Works Budget for 2008/2009 that is currently on exhibition. Council also has a grant from the Department of Sport and Recreation Capital Assistance Program of \$21,000 for an exercise equipment circuit identified in the draft Landscape Masterplan.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

The Project Team for the development of the draft Landscape Masterplan consisted of staff from Strategy and Operations. Staff from Community have also provided input into the draft Masterplan.

## **SUMMARY**

The Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan provides a vision for the development of the park over the next ten years. It will allow Council to carry out improvements at the park in stages, as funding becomes available, with the knowledge that all projects at the park are in keeping with and will contribute to a long term vision for the park.

The draft landscape masterplan is based on consultation with residents and user groups. Survey data was compiled into strategies which were presented to the community for feedback and the strategies were amended to produce this draft landscape masterplan. While it is not possible to implement everyone's ideas, the draft plan has sought to find the best solution where the community has been divided on issues, particularly for Karuah Road, dogs and the cafe.

The draft plan aims to respect the memorial status of Turramurra Memorial Park and to retain its heritage values and existing layout and to create a defined 'sense of place' for Karuah Park. The plan provides additional leisure and recreation facilities for a wider range of users than the parks currently cater for, particularly older people, women and youth who may not participate in organised sport. The new facilities are designed to encourage the interaction of different genders, age groups and cultural backgrounds. The draft plan also seeks to provide youth with unstructured recreational opportunities and the table tennis table is provided as an alternative to a traditional playground for older children. It is also suitable for parents and grandparents to enjoy with their children.

Careful consideration has been given to grouping the new facilities near Karuah Road to avoid cluttering the landscape and destroying the original 1927 design of Turramurra Memorial Park.

The draft plan presents a concept to guide future planning over the next ten years and is subject to detailed design work following a survey of ground levels and the exact location of existing site features.

## **RECOMMENDATION**

- A. That Council place the Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan on public exhibition for 28 days plus 14 days for public comments prior to final adoption by Council.

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- B. That Council inform all individuals, clubs and stakeholders who participated in consultation about the public exhibition of the draft Landscape Masterplan.
- C. That Council consider a report following the period of public exhibition to formally adopt the Turramurra Memorial Park and Karuah Park Draft Landscape Masterplan.

Roger Faulkner  
**Sport & Recreation Planner**

Andrew Watson  
**Director Strategy**

**Attachments: Turramurra Memorial Park & Karuah Park Draft Landscape Masterplan - 928216**

# draft landscape masterplan

This draft landscape masterplan is based on consultation with residents and user groups. Survey data was compiled into strategies which were presented to the community for feedback and the strategies were amended to produce this draft landscape masterplan. It is impossible to implement everyone's ideas; however Council has sought to find the best solution where the community has been divided on issues, particularly for Karuah Road, dogs and the cafe.

The draft plan aims to respect the memorial status of Turramurra Memorial Park and to retain its heritage values and existing layout and to create a defined 'sense of place' for Karuah Park. The plan provides additional leisure and recreation facilities for a wider range of users than the parks currently cater for, particularly older people, women and youth who may not participate in organised sport. The new facilities are designed to encourage the interaction of different genders, age groups and cultural backgrounds. Council would like to provide youth with unstructured recreational opportunities, and the table tennis table is provided as an alternative to a traditional playground for older children. It is also suitable for parents and grandparents to enjoy with their children.

Careful consideration has been given to grouping the new facilities near Karuah Road to avoid cluttering the landscape and destroying the original 1927 design of Turramurra Memorial Park.

The draft plan presents a concept to guide future planning over the next ten years and is subject to detailed design work following a survey of ground levels and the exact location of existing site features.

## access and circulation

highlight and upgrade entrances: War Memorial area (see panel 3), Eastern Road, Laurence Avenue, Wolsten Ave  
widen path around Turramurra Oval to 1.8m, retain bank with two tier seating where required to avoid creating one high retaining wall.  
Provide a new path from Eastern Road to provide access to the new facilities and onto the oval at Turramurra park.  
Upgrade path along creek at both parks and provide low-level lighting where required.  
Provide a new path around Karuah Park for extended walks /jogging/ children's bicycling within the parkland setting and provide exercise equipment around the path.

## playground and shelter

new pavilion with 4 tables and chairs and consider disabled/family toilet, new playground with bicycle path for young children, new fence with childproof lock on gate, widen gates to tennis courts to provide wheelchair access.

## long picnic table

located under the canopy for summer shade

## small amenities building

upgrade for disabled/family use with baby change table or build new toilets in playground area

## lawn

retain large expanse of lawn as 'open' space for children to play, picnics and community events

## spectator seating

war memorial  
landscape, provide seating and restore flag

## additional recreation facilities

picnic shelter, BBQ, outdoor table tennis table, new seating area with two chess/draughts tables, upgrade exercise equipment area

## path/circuit

## exercise equipment around circuit

## picket fence around oval

## widen path around oval

## clubhouse/community building

obtain professional advice on the heritage value of the building within the cultural context of the park. Upgrade and refurbish or replace building to include change rooms, family/disabled toilets and possibly a cafe. If a large building is required for sporting needs consider the building at Karuah (1947 park/1970s building)

## landscaped pedestrian area

## clubhouse/community building

upgrade, provide covered area with seating and disabled/family toilets with baby change table

## dog off-leash area

fence existing area and provide crushed sandstone path, comfortable social areas with seating, bag dispenser, dog litter bins, and bubbler/tap

## entrance to Karuah Park

formalise entrance from Gilroy Road as main entrance, link from Town Centre and Bobbin Head walk

## provide pedestrian refuge

## Lovers Jump Creek and Blue Gum High Forest

support Bushcare recommendations. Remove understorey and weeds from the creeks, taper banks and meander where possible, plant banks with local indigenous trees and grasses ensuring adequate surveillance and to visually link the parks

## new identity for Karuah Park and the walk to Bobbin Head

formalise a walk from Turramurra Station, through Ku-ring-gai Chase National Park to Bobbin Head. Promote Karuah Park as a focal point for the walk with maps and education information integrated sensitively into the landscape elements

## parking

investigate possible 20 places in Karuah Road and 14 in Turramurra Road

## key issues

### Karuah Road

trial Karuah Road as one-way eastbound, (the narrower width should slow traffic and provide additional parking). Consult the community during the trial, and, only if traffic flows adequately, reconfigure the road permanently as one way eastbound. Link parks with a landscaped pedestrian area.

## dogs

fence the existing dog off-leash area at Karuah Park and provide seating, bag dispenser, dog disposal bins and a bubbler/tap. Allow off-leash dogs at Turramurra Memorial Park (including the path around the oval) in the early mornings and evenings when the park is less used (before 7am and after 4.30pm Eastern Standard Time, and before 7am and after 6.30pm Day Light Saving Time)

## cafe

conduct further investigations on the suitability and viability of a cafe at Turramurra Memorial Park including consultations with the RSL and heritage specialist. It is envisaged that the cafe would be small-scale with restricted hours. The standard of the cafe is to be similar to the Coonanbarra Cafe at Wahroonga (no take-away to litter the park) and provide light meals

# turramurra memorial park and karuah park

*sustainable ku-ring-gai*





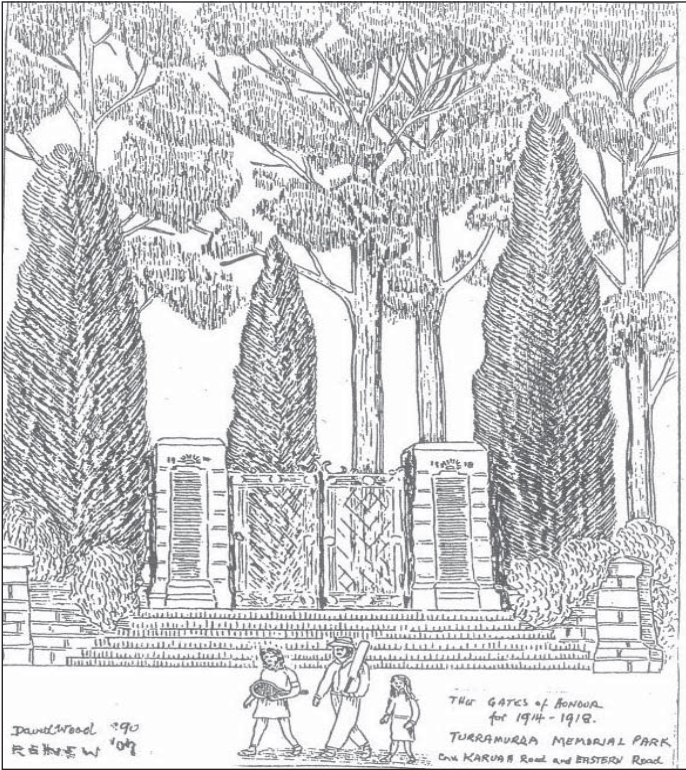
# consultation

## consultation activities undertaken to inform the draft masterplan

- survey of local residents
- public meetings on site
- meeting with sports groups
- discussion with RSL representative

initial surveys received 195

residents represented 639



Drawing by local resident David Woods, author of *Turramurra Memorial Gates and Book of Remembrance*, 2007.

### program



presentation of strategies to community  
community feedback used to prepare draft

## park user profile

### genders

|          |    |
|----------|----|
| female   | 74 |
| male     | 64 |
| unstated | 57 |

### ages

|           |     |
|-----------|-----|
| 0 - 5     | 25  |
| 6 - 15    | 59  |
| 16 - 20   | 32  |
| 21 - 30   | 52  |
| 31 - 40   | 48  |
| 41 - 60   | 135 |
| 61 - 70   | 51  |
| 71 - 90   | 47  |
| over 90   | 2   |
| "ancient" | 1   |

## what you told us

### which park do you visit?

|            |     |
|------------|-----|
| Turramurra | 81  |
| Karuah     | 24  |
| both parks | 110 |

### how often do you visit the parks?

|                      |    |
|----------------------|----|
| daily                | 59 |
| several times a week | 85 |
| weekly               | 23 |
| monthly              | 12 |
| rarely               | 3  |

### how do you travel to the parks?

|               |     |
|---------------|-----|
| walk          | 166 |
| walk with dog | 61  |
| car           | 31  |
| bicycle       | 22  |

### which entrance do you most often use?

|                      |    |
|----------------------|----|
| Eastern Road         | 36 |
| Karuah Road          | 45 |
| Laurence Avenue      | 41 |
| Katina St/Wolston Av | 41 |
| Gilroy Road          | 10 |
| Turramurra Avenue    | 4  |
| all                  | 1  |

### who do you visit the parks with?

|          |     |
|----------|-----|
| family   | 137 |
| yourself | 122 |
| friends  | 62  |

### how long do you stay at the parks?

|               |     |
|---------------|-----|
| under an hour | 141 |
| several hours | 61  |

### when do you visit the parks?

|                              |     |
|------------------------------|-----|
| weekends                     | 124 |
| weekdays                     | 126 |
| early mornings               | 71  |
| both mornings and afternoons | 38  |

## is there anything that prevents you from using the parks?

|  |          |         |
|--|----------|---------|
| several local people have special needs (wheelchair and sight impairment)    |          |         |
| do you feel safe at the parks?   | Yes x 8  | No x 21 |
| do you have problems accessing the park due to lack of parking or transport? | Yes x 15 | No x 25 |



community feedback

draft district park landscape masterplan

turramurra memorial park and karuah park

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# natural environment

## what you told us

### Turramurra Park Bushcare Group suggest

- remove exotic trees in bushland area if possible or appropriate
- stabilise eroded creek banks
- plant barrier between bushland and mown areas to prevent spread of grass in bushland
- create island of bush in grassed areas backing onto residents' properties
- complete primary weed removal, mulch, plant and then maintain
- extend bushland corridor behind tool shed
- remove weeds and undertake bush regeneration along creek lines at Karuah Park
- implement stormwater control measures along eroded creek lines
- remove weeds in Council's drainage reserve between private properties and revegetate with indigenous species

### residents suggest

- continued support for bush regeneration group
- improved maintenance of creek, including erosion from bike tracks

### Council's draft response

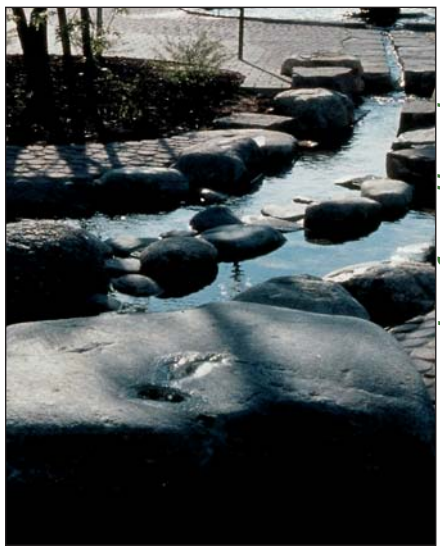
- council will work with bushcare group in line with their suggestions
- establish Blue Gum High Forest education walk along creek area with information integrated into elements and paths
- upgrade bridges where deteriorated and provide a new bridge at the southern end of Karuah Park
- investigate possibility of future stormwater harvesting project

### Lovers Jump Creek

comply with Ku-ring-gai Council's Riparian Policy, 2004

#### create a new emphasis on creekline:

- restore the creek profile where possible and plant Eucalypts with low understorey and grasses
- provide swales and vegetative buffer zone between oval and bushland (above creek area) to prevent water runoff from ovals with high nutrient levels from entering the bushland and creek
- investigate stormwater treatment at the end of Laurence Avenue to prevent sediment from entering the creek
- dissipate stormwater at the western end of the creek in Karuah Park - near the cricket nets
- investigate pollution monitoring and prevention upstream at pipe outflows into Karuah Park
- promote regional linkages by investigating a formal walk connecting Turramurra Town Centre with Bobbin Head and the Hawkesbury River. The walk will highlight local indigenous vegetation. It will begin at Turramurra Station, follow Gilroy Road to a new formal entrance at Karuah Park, through the woodland area of Karuah Park, along the creek and Blue Gum High Forest in TMP, onto Wolsten Ave and then along local streets connecting to existing bushwalks. Apply for grant funding. Also part of the 'access and circulation strategy' see panel 3).
- establish a new identity for Karuah Park as a focal point for the new walk

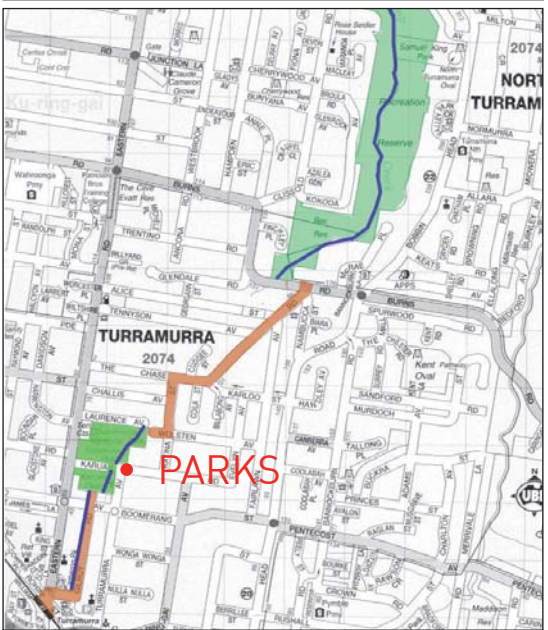


community feedback

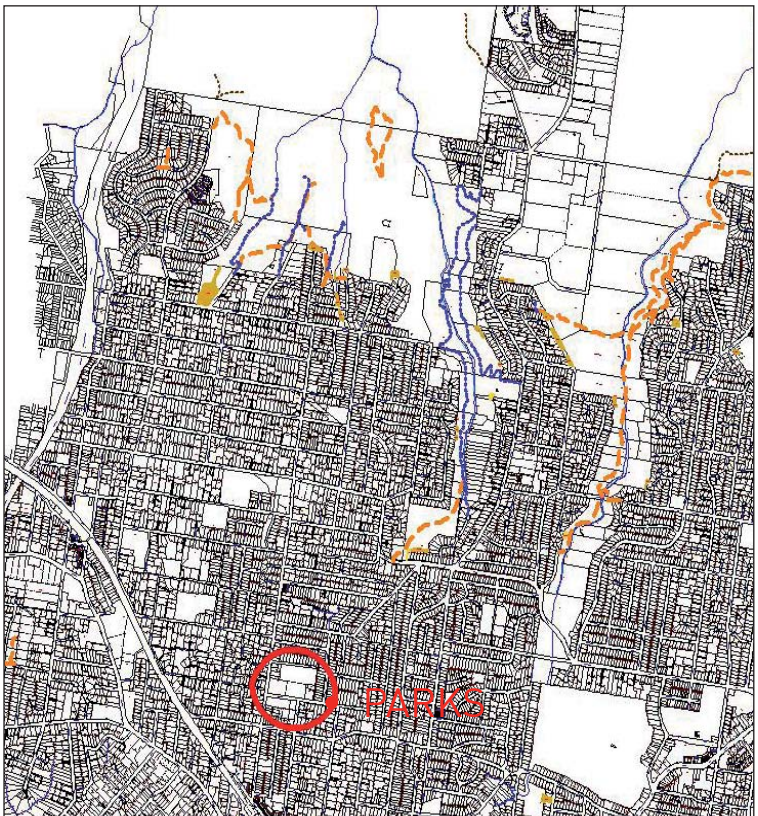
natural areas



connecting walk between Turramurra Station and Bobbin Head Walk



existing walking tracks



turramurra memorial park and karuah park

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# access and circulation

## access and circulation

### what you told us - initial survey

#### residents suggest

- close Karuah Road to visually and physically link parks
- widen existing paths and provide additional paths to resolve usage conflicts between walkers, joggers, dog walkers and bike riders
- upgrade all paths to even surface
- provide access through lawn area of Turramurra Memorial Park for people with special needs
- upgrade and widen existing path around oval
- improve entrances for more welcoming feel

### Council's draft response

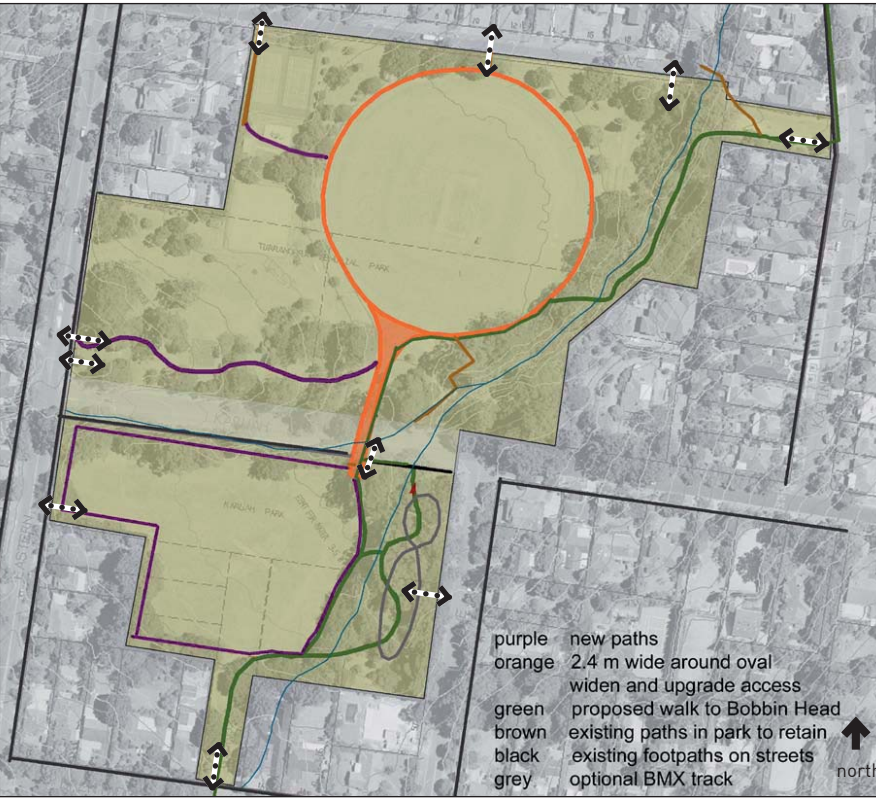
#### Turramurra Memorial Park

- highlight and upgrade entrances: War Memorial area, Eastern Road, Laurence Avenue, Wolsten Avenue
- upgrade existing paths to even surfaces
- widen path around oval to 1.8 m and shape bank into two-tiered seating where required (to avoid a high retaining wall).
- New (picket) fence to be located inside drain
- provide additional gates onto oval to improve access
- install a new path from Eastern Road (under trees nearer Karuah Road) for 'special needs' access through park, provide seating beside path

#### Karuah Park

- highlight and upgrade entrances: Gilroy Road and Eastern Road
- investigate Karuah Road one-way eastward
- provide a wide pedestrian area to link parks visually and physically (widen piped area to access Karuah Park)
- upgrade existing paths to even surfaces
- provide additional angle parking at Karuah Road and Turramurra Road
- install new path beside creek linking to paths in Turramurra Memorial Park to incorporate into the future walk to Bobbin Head
- new paths provide pedestrian/cycle links through the parks
- promote regional linkages by investigating a formal walk connecting Turramurra Town Centre with Bobbin Head and the Hawkesbury River. The walk will highlight local indigenous vegetation. It will begin at Turramurra Station, follow Gilroy Road to a new formal entrance at Karuah Park, through the woodland area of Karuah Park, along the creek and Blue Gum High Forest in TMP, onto Wolston Road and then along local streets connecting to existing bushwalks. Apply for funding grant. Also part of the 'natural environment strategy' see panel 2
- establish a new identity for Karuah Park as a focal point for the proposed walk to Bobbin Head

### circulation



## Karuah Road

### what you told us - initial survey

#### residents' comments

- close Karuah Road to traffic (although concerns remain regarding traffic flow)
- insufficient parking
- steep shoulder of Laurence Avenue
- congestion in Laurence Avenue during sporting events

### Council's response to initial survey

Council suggested a number of options for further community feedback

- 1 maintain Karuah Road as is (full access to traffic) with a shared pedestrian/traffic zone at the eastern end
- 2 close Karuah Road to through traffic
- 3 implement one-way flow (eastbound) in Karuah Road and provide a shared pedestrian/traffic zone at the eastern end
- 4 implement one-way flow (westbound) in Karuah Road and provide a shared pedestrian/traffic zone at the eastern end

### what you told us - community feedback

Option 1 - maintain Karuah Road as is - 29

Option 2 - close Karuah Road - 20

Option 3 - one way eastbound - 10

Option 4 - one way westbound - 3

More people preferred option 1 than any other option - because they believed that changes to the traffic pattern would create congestion. Many people who preferred option 2 believed that it would improve safety and increase parking. Eastbound one-way traffic was favoured over westbound because it maintains morning traffic flow in peak hour while westbound can result in a right hand turn into Eastern Road if travelling north. More people favoured making Karuah Rd one-way or closing it (33) than maintaining as is (29).

### Council's draft response

Council suggests trialling Karuah Road as one-way eastbound to retain traffic flow during weekdays. Consult community during the trial, and only if traffic flows adequately, in surrounding streets, reconfigure road permanently as one way eastbound.



suggestions for tiered seating beside the path around the oval



Karuah Road - highlight pedestrian area with dominant design

community feedback

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## turramurra memorial park and karuah park

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# facilities

## what you told us - initial survey

### recreational facilities, activities or services that you would LIKE to be available at the parks

- leave unchanged - highest response
- retain open space
- opportunities for social contact
- educational - history/horticultural information
- upgrade existing facilities: buildings; toilets; cricket nets; bubblers
- upgrade playground
- upgrade lighting
- install picnic shelters, BBQs and seating
- install additional drinking fountains
- upgrade fencing
- BMX facility - 27 requests, 24 objections
- introduce recycling bins and relocate

### recreational facilities, activities or services that you would NOT like to be available at the parks

- changes to the present character and spatial organisation
- noisy activities that could result in loss of tranquil atmosphere as fitting for a 'memorial' park
- introduction of commercial development, pools or new buildings
- additional sports facilities

## cafe

### initial community survey

Yes 91      No 92      Unsure 3

sportsgroups support cafe

- Concerns - loss of park ambience, additional noise, parking, commercialism, not required because cafes available at Town Centre nearby
- RSL would prefer not to have any commercial activities

### community feedback

yes 32      coffee cart at weekends 17      no 16

## proposed facilities



## Council's draft response

retain existing spatial organisation as a series of rooms with separate functions

### upgrade facilities near tennis courts and playground

- remove existing shelter
- provide family/disabled toilets with baby change table (upgrade existing building or new building)
- new shelter with four tables located in the unshaded area to the north of playground - build up ground level for views of all courts and include disabled access
- install new playground at the southern end under the trees, lift canopy and include bicycle path for young children around the perimeter of the playground
- relocate pedestrian path away from the play area
- upgrade fencing and provide childproof gate
- widen gates onto hardcourts for wheelchair access
- provide long picnic table under the deciduous trees (above oval at Turramurra Memorial Park)

### new facilities area (near existing exercise area)

- provide a landscaped recreation area with picnic shelter and BBQ, one permanent outdoor table tennis table and adjacent seating with two chess/draughts tables
- introduce lighting for paths and pavilions for security
- landscape Memorial Gates area
- provide interpretive information - incorporated into elements rather than installing signs
- provide additional bubblers
- provide additional bins at entrances and provide recycling rubbish bins
- provide seating for spectators and park users

### cafe

Community feedback supported a cafe. Community comments indicate that the RSL should be further consulted. The cafe should be small-scale hours restricted to avoid impacting on local residents. The standard of the cafe is to be similar to the Coonanbarra Cafe at Wahroonga (no take-away to litter the park). Light meals would be welcome.

Council believes that the cafe should provide an additional dimension to the park, for people to enjoy the beautiful park surroundings.



### A - FACILITIES NEAR TENNIS COURTS AND PLAYGROUND

1. picnic shelter
2. playground
3. long picnic table

### B - FACILITIES NEAR EXISTING EXERCISE AREA

4. picnic shelter and BBQ
5. one permanent outdoor table tennis table
6. seating area with two chess/draughts tables
7. upgrade existing exercise area and provide softfall floor area adjacent for exercising - also suitable for play area (include hopscotch or handball pattern on surface)
8. open play space
9. bench seating

### ADDITIONAL FACILITIES

10. Memorial Gates - landscape and seating
11. shelter for amenities building
12. formalise entrance to Karuah Park with landscaping and paths
13. bench seating
14. new exercise equipment circuit (Council has a grant from NSW Department of Sport and Recreation)

## turramurra memorial park and karuah park

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# dog off-leash areas

## what you told us - initial survey

about 30% of survey respondents visit the park with a dog. The presence of dogs in the park is a controversial issue according to the survey.

- objections to dogs being off-leash - 46
- support for dogs being off-leash - 39
- fence existing dog off-leash area at Karuah - 8
- fence dog area, but not existing - 6
- fence dog off-leash area - no location requested - 11

### objections to dogs being off-leash

- dog excrement/hygiene
- difficult to enjoy the park with dogs running free
- dogs not adequately controlled by owners - jumping up on people
- aggressive and disobedient dogs that frighten people
- aggressive dogs that prevent others from taking their dogs to the park (dog owners)

this group requested:

- that dogs are kept on-leash at the park and more responsible dog management

### support for dogs being off-leash

- friendly atmosphere between dog walkers - sense of community
- remove threat of Council's ranger and the fine
- dogs need to be socialised

### In response to the initial survey, Council identified three options for community consideration:

Option 1

fence the existing dog off-leash area at Karuah Park/Turramurra Avenue  
**advantages:** unlimited usage, area suitable for fencing, not rejected by all dog owners surveyed

**disadvantages:** cold and damp in winter due to dense canopy, limited space for dogs to run after a ball, falling branches

Option 2

create and fence new dog off-leash area at the top of Turramurra Memorial Park near the Memorial Gates.

**advantages:** unlimited usage, area suitable for fencing, open and grassed for dogs to run free, limited size in area

**disadvantages:** fencing part of this area lessens the amount of open space available for events such as the Food and Wine Fair which has been held in this space in previous years, open space is important to local communities for informal recreation and events. Large, grassed areas such as this area, are rare and valuable as a community asset

Option 3

create a new unfenced dog off-leash area. Fence one boundary - along Eastern Road to Turramurra Memorial Park and allow dogs off-leash in this top area of the park for limited times (before 7am and after 4.30pm Eastern Standard Time, and before 7am and after 6.30pm Day Light Saving Time and limited on weekends).

**advantages:** large, attractive open space, suitable for dogs to run and fetch balls

**disadvantages:** this space is an integral element of the recreation area and required for childrens' play, dogs can leave the designated area and harass people, particularly children, exercise area, table tennis, picnic and BBQ activities, in the long term dog owners may seek to have Council fully fence this area, resulting in a loss of open space for the whole community, time restrictions on usage and ranger intervention



provide drinking water for people and dogs



consider dog bag dispenser

## what you told us - community feedback

Option 1 - fence existing dog area at Karuah Park - 31

Option 2 - fence new area at the top of Turramurra Memorial Park - 12

Option 3 - unfenced area at the top of Turramurra Memorial Park - 16 (with requests for the path around the oval to be included).

The community voted for option 1. Opinions were divided over whether off-leash dogs should be allowed at the park; particularly the path around the oval. Options 2 and 3 were rejected because people felt that it is important to retain "open space parkland where the whole community can enjoy its facilities and not be restricted because of dog areas" and that "fencing would spoil the open and inviting look of the park from Eastern Road."

## Council's draft response

Council supports the community's preference for fencing the existing dog off-leash area at Karuah, and will landscape with comfortable seating in sunny locations to facilitate the 'sense of community' expressed by dog owners, gravel/crushed sandstone paths, dog disposal bins and a bubbler/tap.

In response to the number of people who would like the to use Turramurra Memorial Park, particularly the path around the oval, for off-leash dog walking, Council suggests allowing off-leash dogs at the park (including the path around the oval) in the early mornings and evenings when the park is less used, particularly by children and elderly people - before 7am and after 4.30pm Eastern Standard Time and after 6.30pm Day Light Standard Time. Council rangers will continue to patrol the park and dogs are to be on-leash at all other times.

## Council's overall position regarding dogs

The Companion Animal Act requires each Local Government Area to have one dog off-leash area. Council is committed to actively planning and promoting areas for dogs and their owners to exercise and socialise and Ku-ring-gai has 20 off-leash areas including the area at the eastern end of Karuah Park off Turramurra Avenue.

Dogs create a conflict for park users, and in response to this, Council has produced a flyer outlining dog owners' responsibilities while in an off-leash area:

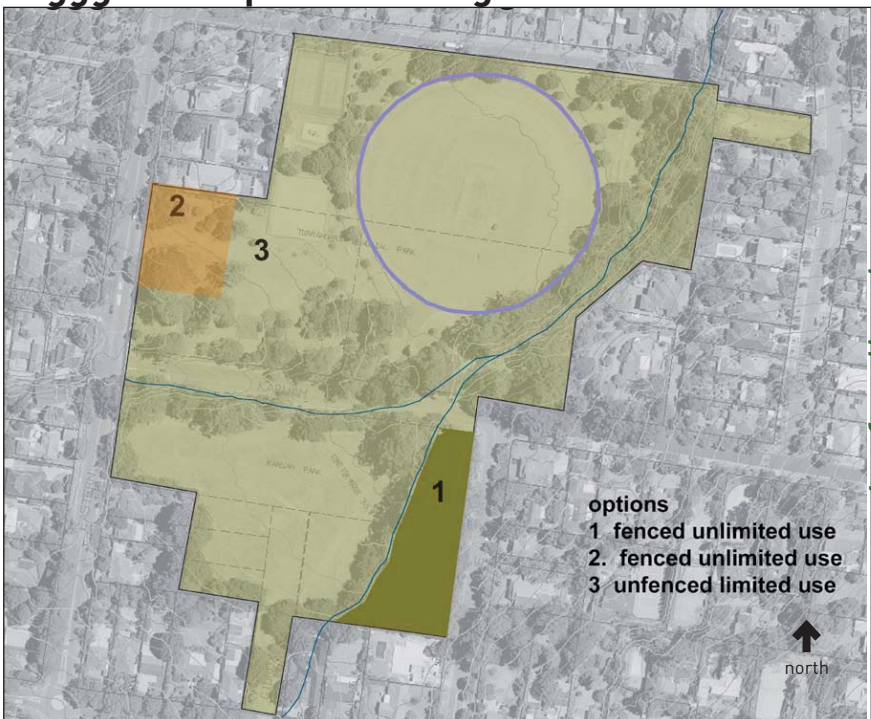
- ensure your dog is leashed on the way to and from the area
- keep your dog in sight at all times
- be able to control your dog by voice
- pick up and dispose of all waste correctly
- ensure your dog does not rush at or harass other dogs and people.

Council rangers regularly patrol these areas and the following fines will be issued for non-compliance:

Not under effective control      \$220

Failure to pick up dog faeces      \$275

## suggested options for dog off-leash areas



community feedback

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# sportsgroups

## Hornsby Ku-ring-gai & Hills District Cricket Association

members - 1,400 juniors and 1,200 seniors - summer season

### difficulties experienced

- open creek/drainage channel is a hazard for junior players
- Karuah Road is dangerous
- inadequate toilet facilities
- lack of secure storage and change rooms for players and officials

### suggestions

- redevelop amenities building at Turramurra Memorial Park for use by sportsgroups and community (designed on Environmentally Sustainable Design principles)
- replace toilet facilities near tennis courts (retrofit building for new uses)
- new cricket practice nets at Karuah and Turramurra (Cricket Association will contribute towards funding)
- Improve drainage around nets

## Sydney Pacific Athletic Club

### difficulties experienced:

- over use in winter with up to five soccer teams and athletics sharing facility
- lack of grass coverage
- trees on northern side of the track have a detrimental effect on the running surface
- the two throw circles are unavailable in winter due to soccer posts

### suggestions

- retain for athletics circular running track, straight running track (western side), second straight track for summer (eastern side), two throw circles, storage area in the change rooms

#### additional facilities

- increase circular track to 400 metres and add an additional inside lane to distribute wear
- provide long jump pit (covered for hygiene) (original pit removed)
- throw circles suitable for all year use
- cross country circuit track (close Karuah Road and connect parks)

## Wahroonga Football Club (WFC) & Barker Old Boys

- WFC are affiliated with the Ku-ring-gai District Soccer Association (KDSA)
- WFC members 1,100 plus football players who use Karuah Park and TMP
- Karuah - WFC small-sided football games for 475 participants for under 6s and under 8s from March to September. TMP - full sized games. Training weeknights at both parks.

## Karuah Park

### difficulties experienced

- open creek is a hazard
- inadequate parking (100 plus families each Saturday for football alone)
- Karuah Road is dangerous for young children
- poor drainage at Karuah Park
- fence creeks for child safety

### suggestions

- permanently close Karuah Road which is dangerous for young children
- if it is not possible to close Karuah Road - improve lighting for safety and introduce traffic calming sense of place:
- retention of trees
- sense of 'home ground'
- facilities: storage, canteen, toilets, water bubblers, security, improve access from Karuah Road to parklands, cricket nets, cover the cricket pitch, water storage for Karuah, lighting at Karuah, seating, picnic and BBQs

## Turramurra Memorial Park

### difficulties experienced

- shared use with rugby during winter creating poor surface - Council to consider if this arrangement is sustainable in the long term
- concurrent training with athletics poses danger to young players, especially from javelin throwing
- cricket pitch area is hazardous because it's rock hard sense of place:
- retain village green ambience, spatial arrangement and stands of trees for the benefit of all local residents and sporting clubs
- improve turfing - particularly cricket wicket block which is very hard facilities:
- redevelop amenities building (similar to Knox's at Curagal), water storage, improved cricket nets, support cafe

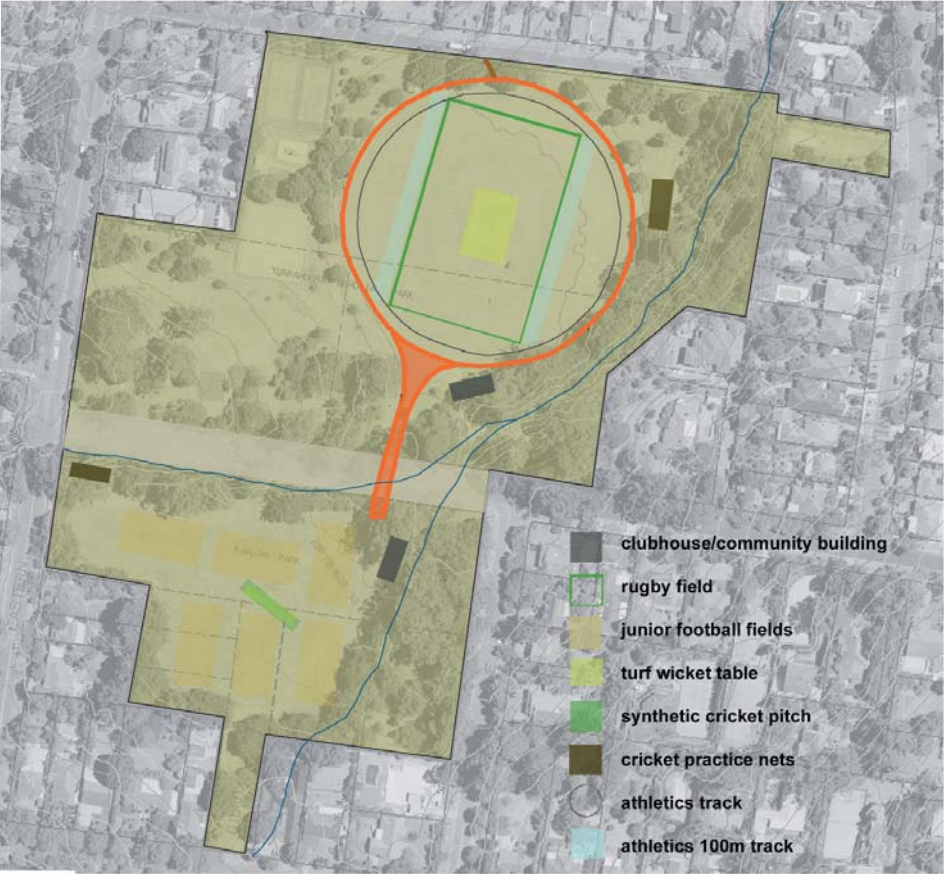
## Council's draft response

### Karuah Park

- assist clubs to upgrade amenities building and provide covered area
- investigate site drainage, and grade to direct stormwater away from amenities building
- increase parking (see panel 3)
- replace fencing along creeks
- investigate reshaping Lovers Jump Creek and grade sides (comply with Riparian Policy, 2004) to improve aesthetics and safety
- replace understorey at creek with low plantings for improved surveillance
- investigate lighting for fields
- assist clubs with funding and grant applications to upgrade cricket nets and improve drainage
- fill ground behind cricket nets and retain - dissipate water energy in creek to prevent erosion with pools and riffles
- provide additional bubblers
- provide bench seating for field
- cover the cricket pitch
- investigate water harvesting in the long term

### Turramurra Memorial Park

- retain parkland feel
- investigate improvements to turf
- investigate hardness (possible drainage issues) of cricket wicket block
- assist clubs with funding and grant applications to upgrade cricket nets and improve drainage
- conceal storage structures around oval with plants
- assist clubs to upgrade existing clubhouse/ community building or provide a new building. Maintain minimal scale of building to lessen its impact on the park. Ku-ring-gai Heritage Study, 1987 identifies Turramurra Memorial Park as an area of potential significance. Undertake further heritage assessment of the building to determine its heritage status
- retain existing athletics facilities
- investigate additional facilities for athletics as suggested by club



community feedback

draft district park landscape masterplan

6



# landscape quality

7

## what you told us

### what you value most about the parks

- traditional parkland feel of Turramurra Memorial Park - grass, open space
- large trees - both deciduous and local indigenous
- landscape qualities that are conducive to creating a strong sense of community
- natural environment
- relaxed feel/quiet atmosphere
- lack of commercialism or development
- Memorial Gates
- spatial organisation - appreciation of original design/layout
- range of recreation activities that caters for all ages
- friendly atmosphere

## Council's draft response

### Turramurra Memorial Park

- conserve the existing landscape character in a manner that respects the memorial status of the park
- protect and enhance the traditional parkland feel
- retain tranquil atmosphere - undeveloped, uncluttered, group new facilities
- retain current spatial organisation - including the location of facilities and balance of lawn, trees and local indigenous vegetation of creek area
- remove exotic trees that are planted too close together, remove dead wood and lift the canopy where appropriate. Transplant newer trees that are 'spotted' in the lawn area to retain asymmetrical planting of deciduous trees around the northern side of the oval
- promote views into the park from Eastern Road - transplant younger deciduous trees that are 'spotted' to the south/east of the oval
- upgrade facilities using materials that respect existing 1920s parkland character - including a picket fence to the oval in timber or aluminium (in the longer term and subject to vandal assessment), and landscape entrances and around facilities where appropriate
- landscape Memorial Gates area, provide seating, correct dates on gates
- upgrade toilets in amenities buildings or replace with new buildings
- improve maintenance, including removing fallen fruit/seeds from trees near Laurence Street (rather than blowing off path onto grass)

### Karuah Park

- investigate closure or partial closure of Karuah Road to connect parks

#### create a stronger landscape identity for Karuah Park

- highlight Lovers Jump Creek and establish Karuah Park as an integral element in the proposed walk to Bobbin Head (see panels 2 and 3)
- retain woodland area adjoining Turramurra Avenue and maintain original planting regime: exotic trees at southern end (transplant young eucalypts to northern end) and Blue Gum High Forest at the northern end. Suggested uses: dog off-leash area, dirt bike/BMX tracks, passive recreation (crushed sandstone paths and seating).
- investigate upgrading the clubhouse/community building as requested by sportsgroups
- provide covered area including tables and chairs adjacent to clubhouse/community building
- consider extending the amenities building with a deck over the creek with views into the woodland
- upgrade facilities, preserve sportsfield character and strengthen the natural environment: reshape the creek where possible and plant with grasses and low vegetation (see panel 2)

## Heritage

*Municipality of Ku-ring-gai Heritage Study, 1987:* Turramurra Memorial Park is identified as an "Item of heritage significance requiring conservation management plans".

Undertake heritage assessment of park and develop a conservation management plan if required. Retain and maintain Turramurra Memorial Park's heritage elements and spatial arrangement as representative of the activities associated with the interactions between humans, human societies and the shaping of their physical surroundings. Heritage consultant to assess clubhouse/community building at Turramurra Memorial Park which is representative of the Georgian revival style with Mediterranean influence similar to the designs of William Hardy Wilson, however it does not cater for current user needs.

## Memorial gates

### examples of residents' comments

"Turramurra Memorial Park is in memory of those who gave their lives for our future. Please maintain the peace and beauty in their honour."

"The overall tranquillity, trees and landscape of the park is truly its greatest aspect which fits the purpose for which Turramurra Memorial Park was dedicated."

## Council's draft response

- support the RSL and resident's recommendations
- landscape memorial area and provide seating

### what you like least about the parks

- existing facilities need upgrading - playground, path, fences
- nothing- leave as is
- Karuah Road divides the two parks - visual/physical, speeding cars
- issues relating to dogs
- toilets require upgrading and improved maintenance
- creek area requires improved maintenance
- poor aesthetics of Karuah Park



bitumen, concrete and crushed sandstone surfaces to retain existing landscape character



incorporate sandstone elements where possible to maintain existing landscape character



wheelchair/baby access to picnic tables



chairs with good back support and arm rests



investigate reinstating a picket fence in the longer term

### RSL suggests

- significance of memorial reflected throughout Turramurra Memorial Park
- landscape Memorial area



community feedback

draft district park landscape masterplan

turramurra memorial park and karuah park

sustainable ku-ring-gai





# social/aesthetics

## CONSTRAINTS & OPPORTUNITIES

### Strengths/opportunities

- The parks are adjacent and located in a central area - 700m from Turrumurra Town Centre and its associated facilities
- TMP - 1930s landscape character providing an established 'sense of place'
- Historic war memorial
- TMP Good spatial qualities - sense of enclosure, facilities well-placed
- Well placed mature deciduous trees providing summer shade and winter sun
- TMP - Walking path around oval
- Valuable vegetation at creek area: Blue Gum High Forest of the Sydney Basin Bioregion which is listed as an endangered ecological community under the NSW Threatened Species Conservation Act 1995 (NSW Scientific Committee 1997).
- Good road access – Eastern Road is an regional road that is linked to outlying areas
- Good public transport - near Turrumurra and Warrawee railway stations and on a direct bus route
- Good relationship between parkland and surrounding streetscapes, opportunity to strengthen this, particularly Gilroy Road and new town centre
- Multiple entry points – linking neighbourhoods and opportunity to improve circulation
- Good existing facilities at TMP
- Co-ordinate palettes of colours, materials and furniture/ fittings over whole site
- New social opportunities to strengthening community
- Improve local ecology and introduce sustainable practices

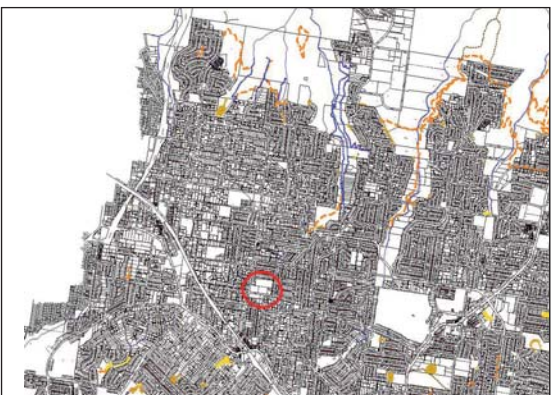
### Weaknesses

- Parkland separated into three areas: Turrumurra Memorial Park , Karuah Park sportsfield, Karuah Park forest
- Limited range of facilities for park users
- Limited areas of undeveloped space to locate new facilities
- Impact of activities at the parks on local residents
- Limited parking
- Conflicts between formal and informal uses
- High demand for sportsfields



Sports reserves

Sports reserves in the local area



Walking tracks

Local tracks follow Lovers Jump Creek to Bobbin Head in Ku-ring-gai Chase National Park

### Zoning

Zoning - 6a

Classification - Community land

### Area

Turamurra Memorial Park - 4.97 ha

Karuah Park - 1.85 ha

## SUSTAINABLE PRINCIPLES

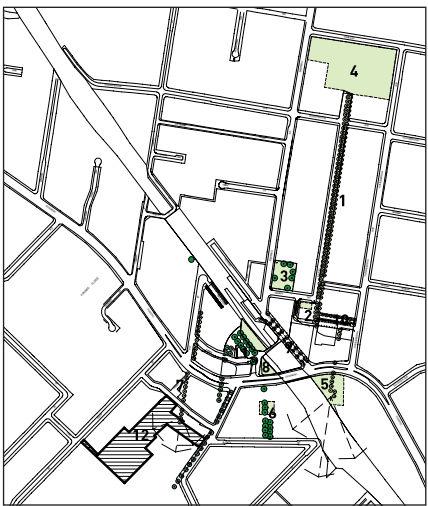
### Social

- Provide access and amenity to all residents
- Offer opportunities for a range of recreational activities, formal and informal, active and passive
- Preserve open space, recognising its value as an important community asset
- Minimise impacts on neighbours such as traffic, parking, noise, light and litter

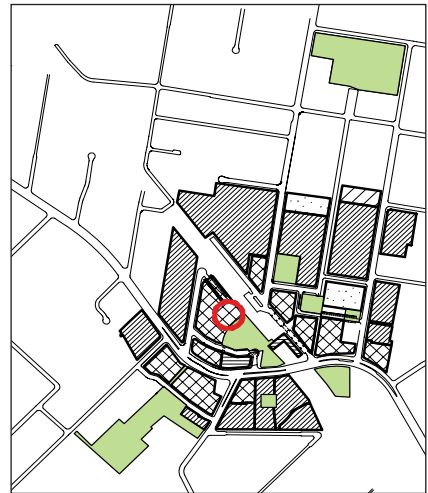
### Economic

- Implement programs to reduce energy and water consumption
- Improve Council operations and maintenance practices within the budget

### Turrumurra Town Centre



Proposed parks and open space



Proposed land use



Proposed bicycle circulation

community feedback

district park landscape masterplan



### Current activities

#### Formal sport

- Athletics
- Cricket
- Rugby
- Soccer
- Tennis (four courts)

#### Informal sport/games

- Walking
- Fitness – jogging, exercising
- Playground
- Dog walking including off-leash area
- Cricket nets at both parks
- Touch football

#### Passive recreation

- Picnics
- Contemplative/quiet seating
- Sport spectator

#### Festivities

- Remembrance and memorial ceremonies
- Food and Wine Fair (previous years)

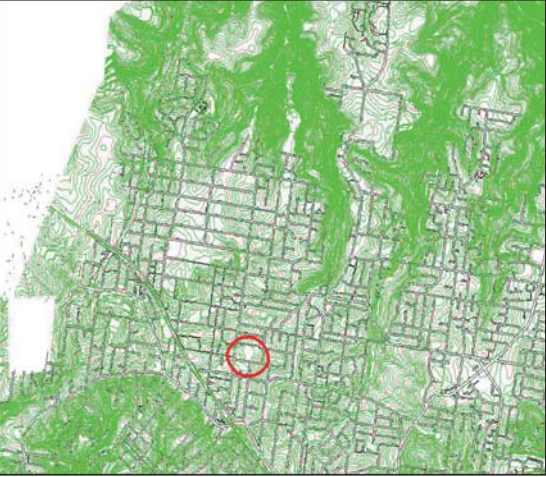
turrumurra memorial park and karuah park

sustainable ku-ring-gai





# regional ecology



## Topography

The parks are located 170m above sea level and to the east of the broad ridge that forms the central spine along the Pacific Highway and railway line.

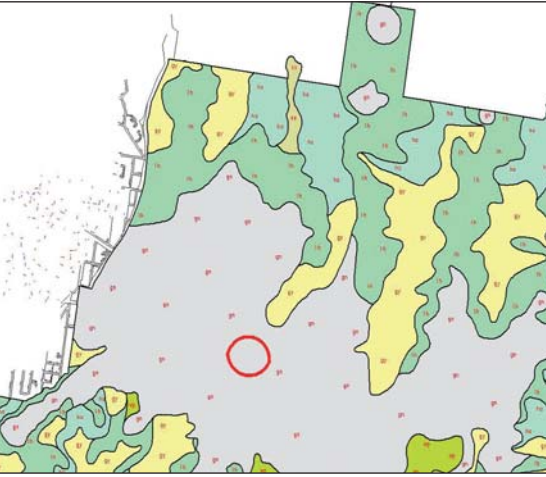


## Natural areas

The parks are located near pockets of natural areas and Ku-ring-gai Chase National Park is close by.

## Sustainable principles - Ecology

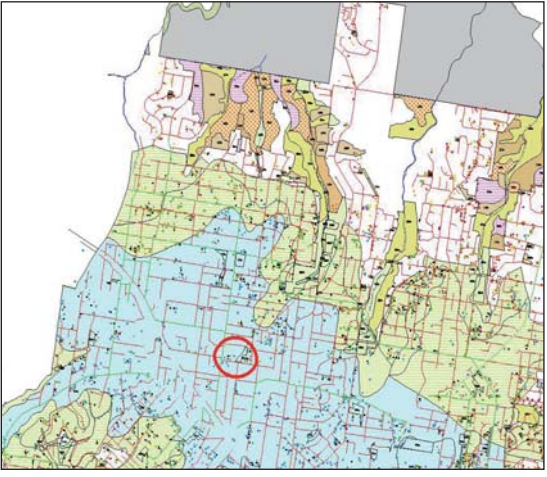
- Protect and enhance endemic plants and provide habitat
- Provide corridors to link bushland areas
- Incorporate water sensitive urban design principles
- Reuse, recycle and reduce waste
- Manage off-site impacts such as noxious weeds and encroachments



## Local soil types

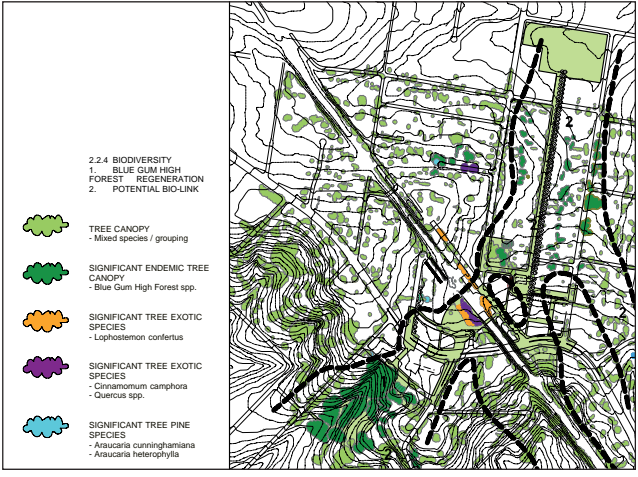
- Glenorie (gn)
- Lucas heights (lh)
- Gynea (gy)
- Hawkesbury (ha)

Source: Soil Landscapes of the Sydney Region 1:100,000 Sheet (Chapman & Murphy, 1989)



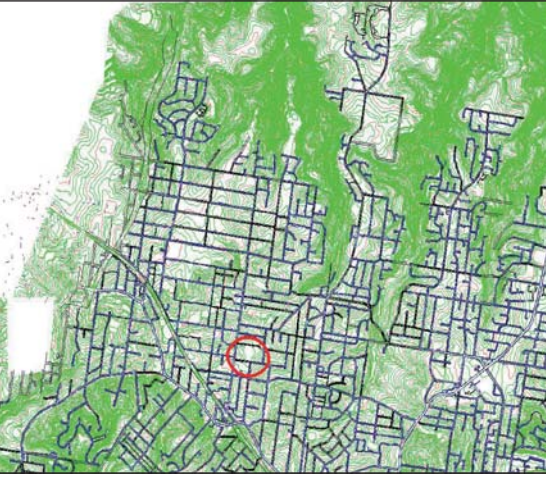
## Vegetation

- Local ecological communities include:
- Sydney Turpentine Ironbark Forest
  - Blue Gum High Forest
  - Natural Areas
  - Remnant canopy (surveyed 2002)



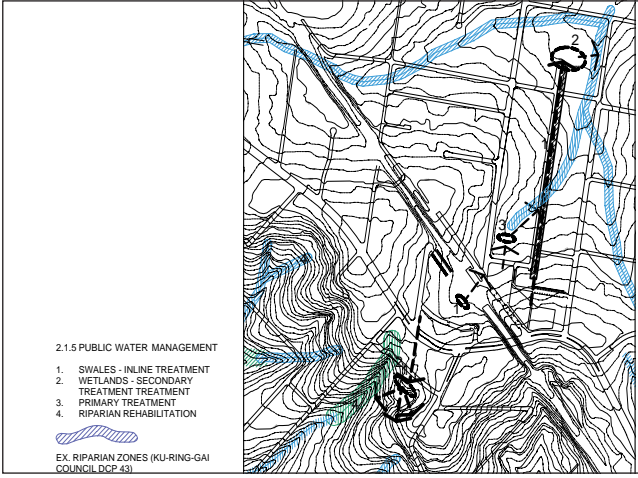
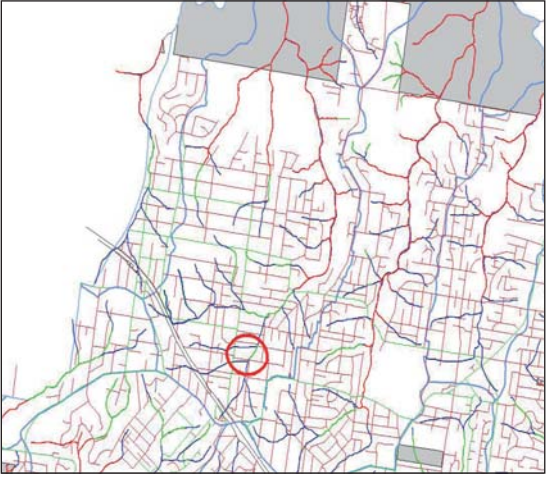
## Town Centre biodiversity

Creating biolinkages from the Town Centre to nearby parkland and bushland increases biodiversity.



## Water catchment and hydrology

Turramurra has a rainfall of 1140 mm annually, the highest average rainfall in the Sydney metropolitan area. The parks are located in the Cowan Creek Catchment. Tributaries of Lovers Jump Creek run through the parks. Lovers Jump Creek flows along the valley west of Bobbin Head Road, North Turramurra towards the Hawkesbury River.



## Town Centre Water management

Water from the Town Centre could be directed into the creek as a series of wetlands to enhance the parks, while maintaining the playing fields.

community feedback

# district park landscape masterplan analysis

turramurra memorial park and karuah park

sustainable ku-ring-gai





# historical background

The indigenous people of Ku-ring-gai, the Cammeraigal, are a clan of the *Kuringgai* whose territory extended from Broken Bay to Tuggerah Lake. Turramurra is an indigenous word meaning 'high hill' or 'big hill'. Robert Pymble, an early settler, was friends with a tribe of indigenous people who travelled from the Lane Cove River to Cowan Waters and he recalled them referring to the hill beyond the present station as *Turramurra* or *Turraburra*.

Turramurra Memorial Park is one of Ku-ring-gai's most beautiful parks because it encompasses the character of a traditional village green and demonstrates the importance of recreation in the social history of Australia. At the turn of the twentieth-century prominent planners and architects resided here<sup>1</sup>, and along with local residents, they created voluntary local government through Progress Associations, to beautify the new suburban landscapes which hugged the railway line. Inspiration came from the Garden Suburb Movement, an English planning model that focused on aesthetics and sought to promote well designed buildings in attractive landscape settings. In 1906 the establishment of shire councils became mandatory and when Ku-ring-gai Shire Council was formed it upheld the ideals of the Progress Associations.

In 1915 councils in NSW acquired the power to manage parks, reserves and commons and soon after, the Local Government Act, 1919 provided provision for councils to buy or resume land for parks. The Parks and Playgrounds Movement of the 1930s inspired park acquisition however, by this time, Ku-ring-gai Municipal Council had acquired 80 parks covering approximately 800 hectares. Most of the parks were in their natural state, but parks nearer to railway stations, and the railway stations themselves, were generally landscaped to complement the garden suburbs. The ideals of the Garden Suburb Movement and the Parks and Playgrounds Movement<sup>2</sup> are encompassed in the landscape character of Ku-ring-gai's parks and particularly evident in Turramurra Memorial Park.

Karuah Park lacks the aesthetic qualities of Turramurra Memorial Park, probably due to the different times that the parks were created. Turramurra Memorial Park was created in 1926 whereas Karuah Park was created in 1946. By this time park design had become based on practicality rather than philosophy due to the impact of the Second World War. It was a time of austere measures due to shortages of tradesmen and materials.

The location of the parks has an interesting early history. European settlement of Turramurra began when Thomas Hyndes was granted a lease of 809 hectares by Governor Brisbane, later known as the Big Island Estate (directly north of Robert Pymble's lease). Hyndes lease was granted in 1822 and with it began a period of timber getting which lasted until 1850 when the forests were felled leaving cleared land for dairies and orchards. In 1920 fruit fly stopped commercial fruit growing on the North Shore and in response a small number of orchardists leased their land to Chinese people for market gardens, including Sainty's Orchards - the site of Turramurra Memorial Park and Karuah Park. (Ku-ring-gai Historical Society, 1996) Two descriptions of the site follow:

"Vegetable gardens in Eastern Road, tended by Chinese, who brought round their products in horse-drawn covered carts . . . the opening of Turramurra Park Memorial Gates . . . Sunday School picnics there under the gum trees - buttered buns, corned beef sandwiches, lemon syrup, oranges and bags of boiled lollies . . . races on the oval . . . tennis clubs and tournaments . . . circuses in the vacant allotment that is now Cameron Park . . . a solid community, with its own inner strength." (Ku-ring-gai Historical Society)

". . . My family came up from Mosman in 1920. We lived in Karuah Road from that time, and at the bottom of the road, where the park is now there was a wonderful market garden with four Chinese running it. Where Turramurra Park is, they had a very nice quite large house near Eastern Road; the whole of the present football field was a market garden. There were two additional houses near Turramurra Avenue under the trees. ..." (Bramble, 1999)

## Plantings and buildings

Turramurra Park's oval is partially surrounded by formal plantings of mature non-indigenous trees. It is unknown who planted the trees, but it is in the tradition of early twentieth-century landscapes, as carried out in Ku-ring-gai's parks and railway stations by Council's building surveyor R. H. Patterson. Richard Patterson had studied architecture and civic design at the University of Liverpool UK and came to Australia where he was associated with the Parks and Playgrounds Movement of N.S.W. and the Town Planning Association. He worked for Ku-ring-gai Council from July 1926 until June 1938.

The parks contain several magnificent 'Blue Gum High Forest' trees and a small forest exists along the creek line. Many mature trees were destroyed during the 1991 storm, and in 1993 the community assisted Council staff in a massive replanting of endemic trees at Turramurra Memorial Park.

It is unknown who designed the buildings at Turramurra Memorial Park, although they demonstrate similities with the Council Depot buildings, which were designed by Gilbert and MacAuliffe, Engineers, Melbourne.



## Remembering the fallen

Turramurra Memorial Park was named to commemorate the fallen of World War 1. The gates, located at the corner of Eastern Road and Karuah Road, were unveiled on "Sunday 1 April 1928 by His Excellency, the Governor, Sir Dudley de Chair who was accompanied by his private secretary Brigadier General A. T. Anderson C. M. G., who was himself a resident of Turramurra. The 18th Battalion formed a Guard of Honour while the band of the 17th Battalion played during the service and provided the bugler who played the Last Post..." The gates were designed by Messrs Power, Adam and Munning and the stone pillars contain the names of 136 men from Turramurra who enlisted in World War 1, including 15 who were killed or died of their wounds - five died at or after Gallipoli and the remaining ten died in France. Recently stars have been placed against those who died. (Wood, 2007)



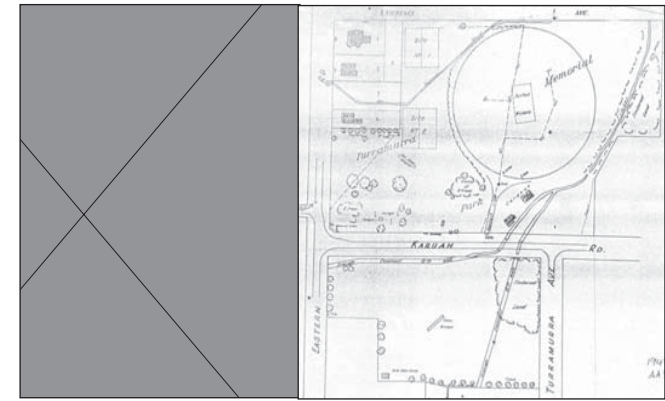
Turramurra Park memorial gates circa 1928  
Series: Ku-ring-gai Shire: Engineering Programmes, 1928.

## Footnotes

1. Original members of the Wahroonga Progress Association: George Collingridge (artist), John Slade (draftsman), John Charles (draper) and John Sulman K.B.E. (architect, Chairman of the Town Planning Advisory Board of the Department of Local Government and lecturer in town planning at the University of Sydney from 1919 to 1926).
2. The Parks and Playground Movement provided guidelines for the quantity and quality outdoor spaces; from playgrounds, playing fields, tennis courts, organised sports associations etcetra to National Parks, and considered recreation essential to good health and wellbeing. The 1932 Report by the Official Consultative Committee described Sydney's Northern Suburbs: *On the 12-mile-long ridge and its spurs on which these lie, considerable areas have been reserved as public park; but almost all these reserves - Ku-ring-gai Chase, Davidson Park and others - consist of rough country which though extremely valuable for nature, reserves and for holiday resorts, are impossible for playing-fields. Space is already difficult to find, and the increase of population following the opening of the Harbour Bridge will render the difficulty acute.*
3. Turramurra Memorial Park was formed by amalgamating four properties - two which were originally part of the grant to John Terry Hughes of 1842, were transferred from The Permanent Trustee Company of NSW to Council of the Shire of Ku-ring-gai on 2/6/1921. While the other two lots were originally part of Thomas Hyndes grant. Lot 6 Section 1 was transferred from John Herbert Sainty to the Shire of Ku-ring-gai on 5/4/1921 and Lot 5 section 1 was transferred from Margaret Nelson Christie on 21/7/1922. Karuah Park was created in 1946 when Council acquired seven adjoining lots, from the Presbyterian Church.

## References

Bramble, N and P. 'John's Welley Good Cabbages' *Chinese Market Gardeners in Australia*. Paper presented at K.H.S. meeting 17. 99 based on extensive research by Nola and Phillip Bramble, The Historian, vol. 28, no. 2, Sept 1999.  
Ku-ring-gai Historical Society, *Focus on Ku-ring-gai, The story of Ku-ring-gai's growth and development*, Ku-ring-gai Historical Society, 1996  
Ku-ring-gai Historical Society, *Turramurra A Resident Remembers 1925-1945*. Document held by Ku-ring-gai Historical Society.  
Official Consultative Committee, *Parks and Playgrounds Movement of NSW, Basic Report*, 1932.  
Ramage, Ian, *One hundred years ago, life on Sydney's Upper North Shore*, Waitara, 1996.  
Sloggett, J., Ku-ring-gai Historical Society, *R. H. Patterson and the Parks of Ku-ring-gai*, The Historian Sept, 2002.  
Wood D. R. V., *Turramurra Memorial Gates and Book of Remembrance*, D.R.V. Wood, 2007.



1945 plan of Turramurra Memorial Park

turramurra memorial park and karuah park

sustainable ku-ring-gai





# bushcare

Council’s Volunteer Bushcare Program provides residents with the opportunity to assist in the preservation and protection of Ku-ring-gai’s natural areas. Council supplies technical and logistical support, while the community supplies the skills and commitment of volunteers.

A group of local residents formed Turramurra Park Bushcare Group in October 2006. They have been working to regenerate a corridor of Blue Gum High Forest along Lovers Jump Creek which runs through the park, joins Cockle Creek and flows through Ku-ring-gai Chase National Park to Cowan Creek at Bobbin Head.

The group has 20 members on its mailing list, with a core group of about seven regularly attending the working sessions which are held on the fourth Sunday of each month. The aim of the group is to restore a healthy bushland corridor along the creek line and they are concentrating on the section of creek between the two pedestrian bridges near the cricket nets. Their long term goal is to link up with other groups working on both public and private land downstream.

Maintaining a healthy bushland in urban settings is very rewarding. Council and community volunteers have planted large numbers of native trees to replace those destroyed by the 1991 storm.

The bushland corridor at TMP has been narrowed by mowing of adjacent grassed areas and the creek continues to be a source of weeds. Council has addressed these issues in the masterplan and if you would like to be involved NOW is a good time.

## WHY SHOULD I JOIN BUSHCARE?

- healthy, weed free bushland adds value to private properties
- provide safe habitat and corridors for local wildlife
- learn more about the beautiful leafy environment in which you live
- learn bush regeneration techniques which will be useful in your garden
- encourage community pride and ownership
- make new friends and be part of a group with common goals and interests

## ASSOCIATED PROGRAMS

- Streetcare - protect and preserve streetscapes
- Parkcare - restore remnant bushland in parks
- Backyard Bushcare - Council assistance to preserve and regenerate native vegetation on private property
- WildThings - promotes, protects and proliferates urban wildlife with a series of imaginative and innovative projects

## BECOME INVOLVED

Contact Council’s Bushcare Officer - Jocelyn Chenu

Email: [bushcare@kmc.nsw.gov.au](mailto:bushcare@kmc.nsw.gov.au)  
Phone: 9424 0811 or 9424 0179  
Fax: 9424 0870  
Mail: Locked Bag 1056, Pymble NSW 2073  
In person: 818 Pacific Highway, Gordon 2072



community feedback

bushcare program

turramurra memorial park and karuah park

sustainable ku-ring-gai





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## **ZONE RURAL FIRE SERVICE AGREEMENT & RFS ZONING AGREEMENT**

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### **EXECUTIVE SUMMARY**

|                           |   |
|---------------------------|---|
| <b>PURPOSE OF REPORT:</b> | To consider a Zoning Service Level Agreement and Zoning Agreement with the NSW Rural Fire Service.  |
| <b>BACKGROUND:</b>        | <p>At a meeting on 6 November 2001, Council approved a District Service Level Agreement (SLA). This Agreement expired on 30 June 2004.</p> <p>The RFS has sought to operate the Hornsby and Ku-ring-gai rural fire districts as a Zone and hence an updated Agreement needs to be endorsed by Council.</p>  |
| <b>COMMENTS:</b>          | <p>This Zone SLA in general reiterates the District SLA, and remains as a commitment of services, responsibilities and duties between the Ku-ring-gai Council, the Fire Control Centre and the Ku-ring-gai Brigade. It is structured with greater emphasis on monitoring and performance.</p> <p>The Zone Agreement underpins the SLA and defines the management, and the SLA defines operational issues such as functions, responsibilities between parties and levels of support.</p> |
| <b>RECOMMENDATION:</b>    | That Council endorses the Zoning Service Level Agreement in accordance with the recommendations A to D in the report.   |

## PURPOSE OF REPORT

To consider a Zoning Service Level Agreement and Zoning Agreement with the NSW Rural Fire Service.

## BACKGROUND

At a meeting on 6 November 2001, Council resolved to enter into a Ku-ring-gai District Service Level Agreement (SLA) with the NSW Rural Fire Service (RFS). This Agreement expired on 30 June 2004, and was recently extended by a letter of agreement signed by both parties to cover an 18 month period from 1 July 2004 to 31 December 2005. A further extension of the agreement was signed by both parties up until December 2007. Before the matter could be referred to Council, further information on the agreement was required from the RFS about the conferring of powers associated with hazard reduction on private land.

The RFS has sought to replace the previous SLA and operate the Hornsby and Ku-ring-gai rural fire districts as a Zone and hence is seeking an Agreement to cover the zone.

## COMMENTS

The bulk of the new Service Level Agreement remains unchanged from the current Service Level Agreement that Council signed in Nov 2001. While the new Agreement is structured with greater emphasis on monitoring and performance, it more accurately reflects the reality of how the rural fire functions are co-ordinated and managed on a day to day basis through the existing structure of the Hornsby/Ku-ring-gai Bush Fire Management Committee and the Hornsby/Ku-ring-gai Bush Fire Risk Management Committee.

It had been envisaged that the new Agreement would be in place from 1 January 2006 to 31 December 2008. However, the Local Government and Shires Association advised all councils to defer signing the Agreement with the RFS until a conflict arising from the wording of the mutual indemnity provisions in the Agreement had been resolved. In May 2007, the Association resolved this matter and has provided an amended mutual indemnity clause that both RFS and Jardine Lloyd Thompson, as insurer, have accepted.

Further delays have occurred simultaneously, due to initial concerns regarding differences in functions imposed on Hornsby and Ku-ring-gai in Schedule 1, with regard to conferring powers, given that the two Districts are to manage and operate as a combined zone. Discussion of this is set out in the heading *Schedules 1-7* below.

### Zone Agreement

The new Agreement now covers two Rural Fire Districts, namely Hornsby and Ku-ring-gai, which have been combined into a zone and covered by a Zoning Agreement.

The Zone Agreement underpins the SLA and defines the management, while the SLA defines operational issues. It provides the basis for Council to enter into an Agreement with the RFS for the Hornsby Ku-ring-gai Rural Fire Zone, covering combined Rural Fire Districts of Hornsby and

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Ku-ring-gai. The Zoning Agreement between the two Councils also provides a platform for resolving a more equitable distribution of costs between the two Councils.

**Updated Service Level Agreement**

The new Agreement still comprises two main components, the Contract and Schedules 1 to 7.

*The Contract*

The contents of this have not been substantially changed from the current Agreement. The operating period is 3 years from 1 January 2008 to 31 December 2010. The key differences are tabled below.

Clause 4

- The additional changes to the wording of the new Agreement result from updates and amendments to the Rural Fires Act. One of the major changes was the inclusion of Section 12A to provide a simple procedure for Councils to transfer some or all of their responsibilities to the Commissioner of the NSW Rural Fire Service. Prior to the introduction of Section 12A, transfer of functions were under Council's power to delegate under the Local Government Act.
- This Clause reflects that Council has transferred most of the functions imposed on Councils by the Rural Fires Act onto the Commissioner. Consequently, Part 1 of Schedule 1 now reflects only those functions that Council has not transferred to the Commissioner, and Part 2 of Schedule 1 lists those obligations Council will undertake as a consequence of the Commissioner assuming responsibility for exercising Council's functions under the Rural Fires Act.
- This Clause also reflects that, whilst the Commissioner may utilise staff and equipment from other rural fire districts, the Commissioner will not change the staffing levels, structure and equipment without the prior agreement of Council.

Clause 6

- This Clause reflects the terms of the occupation of buildings into the body of the Agreement with Schedule 2 now containing the list of buildings and the land they occupy.
- Section 6.9 of this Clause reflects the intention of providing a potential additional local rural fire station. This section also covers Council's obligation to contribute funding towards a new Fire Control Centre, to be located at the old Berowra Toll Gates, Berowra. This building will be made available for Council use as a possible training facility.

Clause 8

- This clause gives more certainty to Council about the preparation of the budget prepared by the RFS each year and Council's contribution.

Clause 9

- This clause establishes the membership of a new single Liaison Committee, with representatives from both Councils. Membership increases from 7 to 9, and includes one Councillor from each Council and the General Manager of each Council or his or her delegate. The charter and responsibilities remain the same as the current Agreement.

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Clause 10

- This is new and relates to monitoring of the Agreement, listing procedures on how this is to operate. It links with clause 12, also a new clause described below.

Clause 11

- Property damage and public liability insurance matters referred to in clause 11.1, part (d), are not applicable to Ku-ring-gai, given these types of assets are not held by the local Brigade.

Clause 12

- This is new and concerns Key Performance Indicators (KPI's) for both parties. The KPI's are specified Schedules 3 and 5.

Clause 13

- This relates to Annual Reports and includes a new Section indicating the RFS will assist Council with its reporting obligations under the Local Government Act.

Clause 24

- Section 24.1 now allows Council in the future to vary conferences. A period of 24 months notice is required to enable the RFS to plan and resource its operations.

*Schedules 1 to 7*

Schedule 1 This lists the functions imposed on the Councils. Specifically, the main differences relate to functions involving bush fire hazard reduction and notices (Section 66-70 & 74 of the RF Act) that Council has not transferred to the Commissioner. All other LGA's in NSW with a Rural Fire District other than Blue Mountains have conferred these roles to the RFS.

Schedule 2 Identifies the premises and is unchanged from the current Agreement.

Schedule 3 Set outs the KPI's. The schedule proposed for 2006-2007 been discussed between Council staff and the district office staff.

Schedule 4 Lists the equipment and plant and is unchanged from the current Agreement.

Schedule 5 Specifies services to be delivered by the Council to the RFS Commissioner. Key points of this schedule to note are:

- Most listing of equipment under *Communications*, whilst not applicable for Ku-ring-gai is shown as a generic statement reflecting that radios are linked into one common system.
- Under *Welfare & Recognition*, Council are to meet reasonable costs to provide (catering) welfare for volunteers for hazard reduction works were they are relevant to the Ku-ring-gai LGA. In the past, this aspect was not clearly defined.

Schedule 6 Unchanged.

Schedule 7 Unchanged.

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## CONSULTATION

Council staff have held meetings and exchanged documentation with the Service District office staff, at the Hornsby Fire Control Centre. Exchange of correspondence has also been made between Hornsby Council staff directly in relation to the Agreement.

## FINANCIAL CONSIDERATIONS

This Agreement will not impact on the existing Council contribution of 13.3% of the amount allocated from the Rural Fire Fighting Fund for the Brigade.

The funding of works associated with fire trail maintenance, hazard reduction and other mitigation works is included in Council's current budget. However, funding for catering is an additional requirement and has been included in the 2008/09 budget.

In regard to Clause 6, section 6.9 indicates the provision of funding for a new Fire Control Centre. For the new Fire Control Centre, an allocation of \$400,000 was established by RFS in the 2007/2008 Rural Fire Fighting Fund, and a further bid allocation of \$400,000 is proposed in the 2008/09 RFFF. Council contribution is 13.3% (\$53,200) per year of the allocated amount. These amounts have now been incorporated into the 2007/08 and 2008/09 budgets. These amounts represent a capital contribution to the construction of the new FCC. In comparison, it is noted that Hornsby Council is contributing \$2.1 million.

Council is also required to contribute funding for services and facilities utilised at the Hornsby/Kuring-gai Fire Control Centre towards the administration and management of the brigade. The portion of funding is approximately \$9,800 annually. Typically, these expenses include, telephone & communications, electricity, water & sewerage, printing, as well as postage and stationary. These additional costs have been included in the 2008/09 budget provisions.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Operations has consulted jointly with Officers of the Strategy Department in regards to the Agreement and specifically funding issues involving the management and operations of bushland areas.

Meetings have been held with Operations staff directly involved with conferring powers for hazard reduction.

## SUMMARY

On the 6 November 2001, Council approved a District Service Level Agreement (SLA). This Agreement expired on 30 June 2004, and has been extended by letters of agreement signed by both parties to cover a series of 18 month periods. Further extensions were signed by both parties, however, the agreement requires Council endorsement and the seal of Council to be applied.

The Zone SLA has not altered significantly from the District SLA. There are three key differences between the new Service Agreement and the current Service Level Agreement:

Item 4

**S02542**  
**16 April 2008**

- The new Service Level Agreement now covers two Rural Fire Districts, namely Hornsby and Ku-ring-gai, which have been combined into a zone and covered by a Zoning Agreement.
- The updated Service Level Agreement now reflects subsequent amendments to the Rural Fires Act.
- Introduction of monitoring and performance targets using Key Performance Indicators for the achievement of operational functions and responsibilities.

It had been envisaged that the new Agreement would be in place from 1 January 2006 to 31 December 2008. This had been initially delayed due to late concerns raised by the Local Government Association of NSW and Shires Association of NSW about the indemnity clause in the Agreement, and was resolved. The new Agreement will have an operating period of 3 years from 1 January 2008 to 31 December 2010.

The changes to the updated contract and agreement are considered reasonable. Council has been required to fund its contribution to the new Fire Control Centre over the next 2 financial years and this amount has been included in the budget review for this year and the proposed budget for 2008/09.

As part of the new Agreement, under clause 9 of the Contract, a Councillor is required to be appointed to represent Council on the Liaison Committee.

## **RECOMMENDATION**

- A. That the General Manager be given delegated authority to sign the new Hornsby Ku-ring-gai Zone Rural Fire Service Agreement and the RFS Zoning Agreement prior to submitting it to the Commissioner of the NSW Rural Fire Service.
- B. That Authority be given to affix the Common Seal of the Council to the RFS Zoning Agreement and the Zone Rural Fire Service Agreement as required.
- C. That Council appoints one Councillor as a member of the Liaison Committee as required under clause 9 of the Contract.

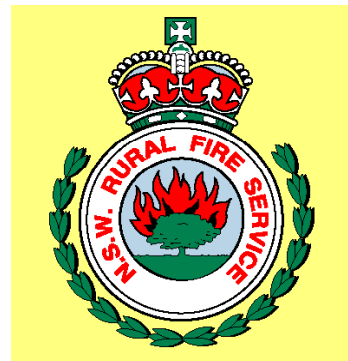
Ian Taylor  
**Manager Support Services**

Greg Piconi  
**Director Operations**

**Attachments:**      **1A. RFS Zoning Agreement**  
                             **2A. Zone Rural Fire Service Agreement - 853792**

**The Council of Hornsby**  
the Hornsby Shire Council

**The Council of Ku-ring-gai**  
the Ku-ring-gai Council



## **HORNSBY/ KU-RING-GAI ZONE**

### **RFS Zoning Agreement**

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## **Annexure A    Staff Structure**

## Agreement made at enter address on enter date

**Parties**                    The Council of Hornsby of 296 Pacific Highway Hornsby in the state of New South Wales ("**the Hornsby Shire Council**") and

                                  The Council of Ku-ring-gai of 818 Pacific Highway Gordon in the state of New South Wales ("**the Ku-ring-gai Council**") and

                                  collectively referred to in this agreement ("**the Councils**")

## Recitals

The Councils have agreed to operate and manage the Rural Fire Districts as a Zone.

The Councils and the Commissioner have agreed to operate and manage the Zone under the terms of a Service Level Agreement (SLA).

The Councils have agreed to delegate certain functions, powers and duties to the Zone Commander (fire control officer) in accordance with the SLA.

The parties agree

---

## 1. Definitions

In this Agreement:

- (a)        "**Act**" means the *Rural Fires Act 1997 (NSW)* as amended.
- (b)        "**Councils' functions**" means the functions that the Commissioner has agreed to exercise on behalf of the Councils
- (c)        "**delegations**" means the delegations made by the Councils to the Zone Commander (FCO).
- (d)        "**Districts**" means the enter Hornsby Shire Council and Ku-ring-gai Council rural fire districts
- (e)        "**fire control officer**" and "**FCO**" means the fire control officer appointed for the Districts by the Commissioner.
- (f)        "**Fire Fighting Apparatus**" means all vehicles, equipment and other things used for, or in connection with, the prevention or suppression of fire or the protection of life or property in case of fire.
- (g)        "**Fire Fighting Equipment**" means the fire fighting apparatus used by the rural fire services operating in the Districts.
- (h)        "**Advisory Committee**" means the Committee of senior field officers established to consult with and advise the Zone Commander.

- (i) **"Minister"** means the Minister responsible for the administration of the Act.
- (j) **"Premier"** means the Premier of New South Wales.
- (k) **"Premises"** means the land and buildings or parts of land and buildings currently occupied or used by the rural fire services operating in the Districts specified in the SLA.
- (l) **"rural fire services operating in the Districts"** means the fire control officer for the Districts, the deputy fire control officers for the Districts, the group officers and the volunteer rural fire fighters forming the rural fire brigades in the Districts.
- (m) **"Service Standards"** means the Service Standards issued by the Commissioner pursuant to the provisions of section 13 of the Act.
- (n) **"Zone"** means the combined area comprising the Districts.
- (o) **"SMT"** means Senior Management Team as per Service level Agreement

---

## 2. Interpretation

In this Agreement:

- (a) headings are for convenience only and do not affect interpretation; and unless the context indicates a contrary intention:
- (b) words importing the singular include the plural and vice versa, and words denoting a given gender include all other genders;
- (c) the expression "person" includes an individual, the estate of an individual, a body politic, a corporation and a statutory or other authority or association (incorporated or unincorporated);
- (d) references to parties, clauses, sub-clauses, schedules, exhibits or annexures are references to parties, clauses, sub-clauses, schedules, exhibits and annexures to or of this Agreement and a reference to this Agreement includes any schedule, exhibit and annexure;
- (e) references to this Agreement, or any other deed, agreement, instrument or document shall be deemed to include references to this Agreement, or other deed, agreement, instrument or document as amended, novated, supplemented, or replaced from time to time;
- (f) a reference to an agreement includes a representation, undertaking, deed, agreement or legally enforceable order or arrangement or understanding, whether or not in writing;

- (g) a reference to a document includes any written agreement and any certificate or note or other document of any kind;
- (h) references to any person or to any party to this Agreement include that person's or party's executors, administrators, successors and permitted assigns;
- (i) where any word or phrase is given a defined meaning any other part of speech or grammatical form in respect of that word or phrase has corresponding meaning;
- (j) where the day on or by which any sum is payable under this Agreement, or any act, matter or thing is to be done is a day other than a Business Day, that sum will be paid and such act, matter or thing will be done on the immediately preceding Business Day;
- (k) where 2 or more parties to this Agreement make a joint covenant, undertaking, representation or warranty, it will be construed to refer to and bind each of such parties jointly and each of them severally;
- (l) references to payments to any party to this Agreement will be construed to include payments to another person upon the direction of such party;
- (m) all payments to be made pursuant to this Agreement will be made by unendorsed bank cheque or other immediately available funds; and
- (n) reference to any legislation or to any section or provision of any legislation include any statutory modification or re-enactment or any statutory provision substituted therefore and all ordinances, by-laws, regulations and other statutory documents issued thereunder.

---

### **3. Commencement and term**

- 3.1 Notwithstanding the date upon which this Agreement is signed the parties agree that the operation of the Agreement will commence on 1<sup>st</sup> January 2008 and continue for a period of 3 years unless it is terminated pursuant to provisions of clause 19.
- 3.2 Prior to the expiration of the Agreement the parties may agree in writing to extend the term of the Agreement for a further period.

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### **4. Name**

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The Zone will be called the Hornsby/ Ku-ring-gai Zone and will incorporate Hornsby and Ku-ring-gai districts.

---

## **5. Staff Structure**

- 5.1 The staff structure for the Hornsby/ Ku-ring-gai Zone is set out in Annexure 1 attached to the Agreement. The structure establishes functional areas of responsibility as specified.
- 5.2 Appointment to positions will be in accordance with Rural Fire Service Policy.
- 5.3 Positions unable to be filled from existing district staff will be advertised and appointed in accordance with Rural Fire Service Policy.
- 5.4 The Councils and the Commissioner have agreed to operate and manage the Zone under the terms of section 28 of Service Level Agreement (SLA) .

---

## **6. Group Officer Structure / Senior Management Team (SMT)**

- 6.1 The district Group Officer Structures will be retained. Selection and appointment of Group Officers will be in accordance with the Service Standards.
- 6.2 The Group Officers will comprise the Senior Management Team.

---

## **7. Brigade Structure**

- 7.1 The current district brigade structures will be retained. Any structural reform will only occur in accordance with the Service Standards and SLA provisions.
- 7.2 Appointment of brigade officers will be in accordance with the service Standards and delegations specified in the SLA.

---

## **8. Brigade Management**

- 8.1 The current communication / information flow systems will continue. Minimum standards to be adopted by brigades for internal communication and intra zone communication. All correspondence is to be referred to the Zone Office.
- 8.2 All brigades will be administered in accordance with the brigade constitution prepared and adopted in compliance with the Service Standards. District staff as delegated by the Fire Control Officer may attend brigade annual general and general meetings.
- 8.3 The Zone Office in accordance with the Service Standards will maintain a brigade membership register. The Firezone management system will be the basis for the membership register.
- 8.4 Discipline and grievances will be managed in accordance with Service Standards. Issues will be referred through the District Liaison Officers to the Zone Manager
- 8.5 Captains meetings will be held in accordance with the Service Standards with the dates set annually. The location of Captains meeting may be varied throughout the

Zone. All Captains are eligible to attend meetings.

---

## **9. Zone Headquarters**

- 9.1 The Zone will initially operate from the Hornsby/ Ku-ring-gai District Office at 143 Galston Road Hornsby Heights.
- 9.2 The establishment of a new office is a high priority. The Office will need to incorporate Control Centre facilities in compliance with Service Standards. A detailed analysis of options will be undertaken.

---

## **10. Equipment**

- 10.1 Current estimates planning and equipment allocation systems will continue initially with a transition to improvement and replacement programs based on Service Delivery Model recommendations.
- 10.2 Rural fire tankers will remain the responsibility of the individual districts in terms of maintenance, replacement and new allocations. Service Delivery Model improvement and replacement programs will be developed for the Zone.
- 10.3 All fleet maintenance, repairs and servicing will be co-ordinated through the Zone Operations Officer. A fleet maintenance agreement will be prepared and put to public tender. A number of fleet maintenance service providers may be selected to service the Zone.
- 10.4 Rural Fire Stations will remain the responsibility of the individual districts in terms of maintenance, replacement and new allocations.
- 10.5 Personal Protective Equipment (PPE) will continue to be issued to volunteer fire-fighters in accordance with Service Standards.
- 10.6 District equipment store facilities will be maintained and reviewed in conjunction with continuous service improvement programs. Stores tracking systems will be implemented for equipment allocation and issue.

---

## **11. Brigade / Volunteer Training**

- 11.1 Training will continue to be provided throughout the Zone in compliance with RFS training standards. Current district based training will be made available to eligible volunteers from brigades throughout the Zone.
- 11.2 All current training venues will be retained. Training venues for specific courses or training activities will be determined to suite the majority needs of the trainee participants.
- 11.3 A one Training Committee will be established with the Training and Development Officer holding the Executive Officer position on the Committee. The Committee will have eight (8) RTC qualified volunteers with a minimum of two (2) per district.
- 11.4 Functional training co-ordinators may be appointed for defined functional training disciplines within the Zone (eg chainsaw, RFD, VF etc).

---

## **12. Community Education**

- 12.1 Firewise programs will be developed and facilitated through the Zone Firewise Committee. The Inspector Community Safety Officer will be the Executive Officer to the committee.
- 12.2 The Firewise Committee will comprise ten (10) active and accredited Community Fireguard Facilitators with a minimum of two (2) per district.

---

## **13. Finance and Accounting**

- 13.1 Estimates will be prepared for the districts annually in consultation with the respective Council. Councils will approve the budgetary limits for estimates each year. Councils will contribute 13.3% of the total estimates approved.
- 13.2 Funding for the Zone will be apportioned to the Districts on the following basis:
- Zone office and fire control centre operating costs – equally shared.
  - Staff Salaries and overheads – equally shared.
  - Brigade operating costs including equipment M & R fuels etc – individual districts.
  - Capital Items and new equipment – individual districts.
  - RFS Program Costs – apportioned pro-rata based on district estimates.
- 13.3 Each district will retain current district arrangements for the insurance of RFS building assets and RFS vehicles.

---

## **14. Zone Service Level Agreement (SLA)**

- 14.1 The Zone Service Level Agreement (SLA) defines the conference of functions and responsibilities between the Councils and the Commissioner of the Rural Fire Service. The SLA specifies the services and level of support provided by each of the organisations to each of the organisations.
- 14.2 The Zone SLA contains schedules listing the premises and equipment assets of each of the districts.
- 14.3 The performance of the SLA is monitored and reviewed by the Zone SLA Liaison Committee. The membership of the committee is established by the Service Standards and is set out in the SLA.

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## **15. Further assurance**

The parties covenant and agree that each will do all acts and things and execute all deeds and documents and other writings as are from time to time reasonably

---



required for the purposes of or to give effect to this Agreement.

---

## **16. Governing law**

This Agreement will be governed by and construed in accordance with the laws of New South Wales.

---

## **17. Waiver**

No waiver of any breach of this Agreement will be held or construed to be a waiver of any other subsequent or antecedent breach of this Agreement.

---

## **18. Review**

- 18.1 The Councils may agree to conduct a review of this Agreement not less than 12 months after its commencement.
- 18.2 The review shall be conducted in such a manner and by such persons as may be agreed in writing between the Councils.

---

## **19. Notices**

- 19.1 All notices, requests, consents and other documents authorised or required to be given by or under this Agreement will be given in writing and either personally served or sent by facsimile transmission ("**fax**") addressed as follows:

### **The Councils**

To: The General Manager  
Hornsby Shire Council

Address: 296 Pacific Highway  
Hornsby NSW 2077

Fax No.: (02) 9847 6999

To: The General Manager  
Ku-ring-gai Council

Address: 818 Pacific Highway  
Gordon NSW 2072

Email: [kmc@kmc.nsw.gov.au](mailto:kmc@kmc.nsw.gov.au)

Fax No.: (02) 9424 0880

- 19.2. Notices, requests, consents and other documents ("**Notices**") will be deemed served or given:
- (a) if personally served by being left at the address of the party to whom the Notice is given between the hours of 9.00 am and 5.00 pm on any Business Day, then in such case at the time the Notice is so delivered;
  - (b) if sent by fax, then in such case when successfully transmitted during business hours, or if not during business hours, then when business hours next commence.
- 19.3 Any party may change its address for receipt of Notices at any time by giving notice of such change to the other party. Any Notice given under this Agreement may be signed on behalf of any party by the duly authorised representative of that party and will be sent to all other parties to this Agreement.
- 

## **20. Counterparts**

This Agreement may be signed in any number of counterparts and all such counterparts taken together will be deemed to constitute one and the same document.

---

## **21. Modification**

This Agreement may not be modified, amended, added to or otherwise varied except by a document in writing signed by each of the parties.

---

## **22. Legal costs**

Each party will bear their own legal costs in relation to this Agreement.

---

## **23. Entire agreement**

This Agreement comprises the entire agreements between the parties and no earlier agreement, understanding or representation, whether oral or in writing, in relation to any matter dealt with in this Agreement will have any effect from the date of this Agreement.

---

## **24. Severability**

In the event that part or all of any clause of this Agreement is held to be illegal or unenforceable it will be severed from this Agreement and it will not effect the continued operation of the remaining provisions of this Agreement.

---

**Signed** as an agreement.

**The Common Seal of the Hornsby Shire Council** was affixed in pursuance of a resolution passed by the Council on the day of \_\_\_\_\_ in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

**The Common Seal of the Ku-ring-gai Council** was affixed in pursuance of a resolution passed by the Council on the day of \_\_\_\_\_ in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

**Signed by  
Shane Fitzsimmons AFSM  
Commissioner,  
NSW Rural Fire Service**  
in the presence of:

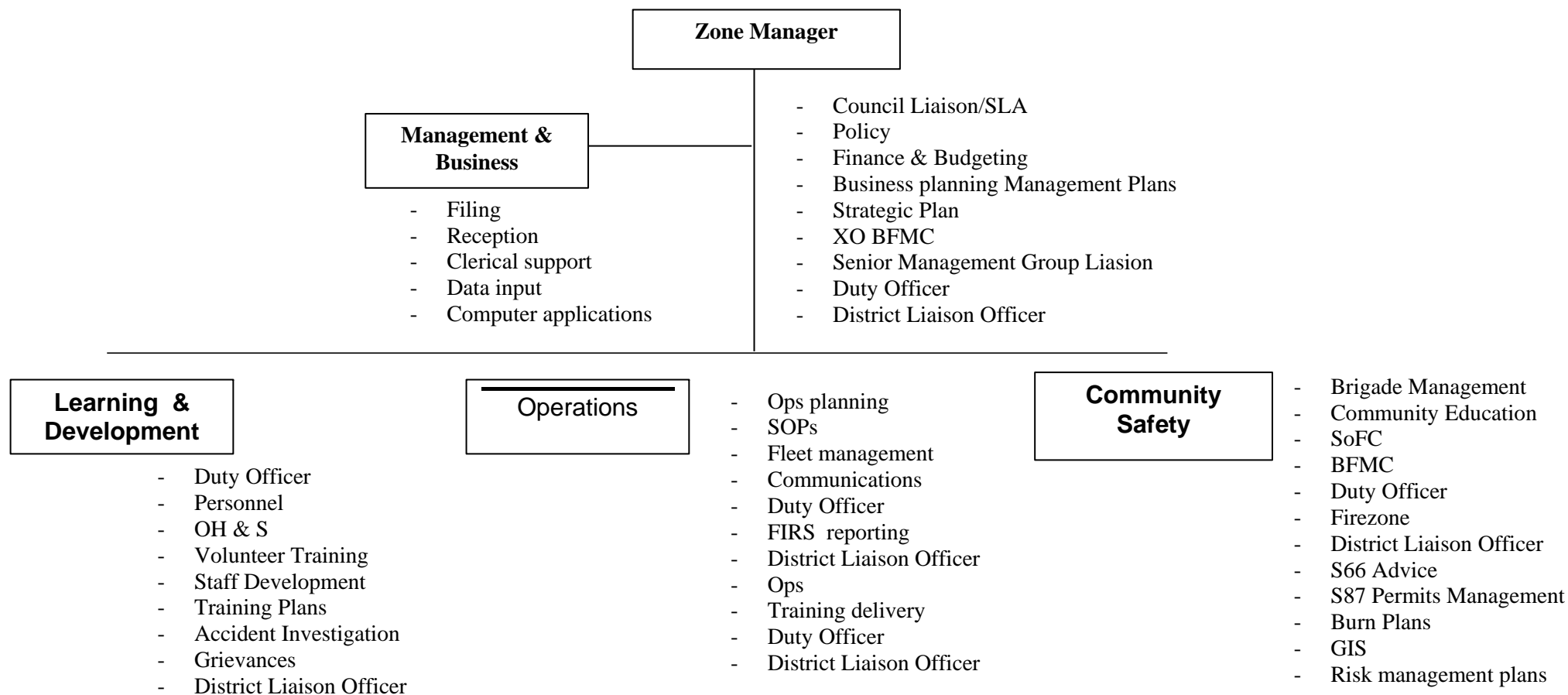
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Name of Witness in full



## Hornsby/ Ku-ring-gai Zone



**The Council of Hornsby Shire**

The Council

**The Council of Ku-ring-gai**

The Council

**The Commissioner of the NSW Rural Fire Service**

the Commissioner



**Zone Rural Fire Service Agreement**

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**This Agreement made at [insert town where document is signed by last party]  
on [insert date]**

**Parties**                      **The Council of the Shire of Hornsby** of 296 Pacific Highway, Hornsby  
2077 in the state of New South Wales ("**The Council**")

**The Council of Ku-ring-gai Council** of 818 Pacific Highway, Gordon in  
the state of New South Wales ("**The Council**")

                                 (collectively referred to in this Agreement as "**the Councils**").

**The Commissioner of the NSW Rural Fire Service** of 15 Carter Street  
Homebush Bay NSW 2127 ("**The Commissioner**")

### **Recitals**

- A.        The parties have agreed to enter into a rural fire district service agreement pursuant to the provisions of section 12A of the *Rural Fires Act* 1997 (NSW).
- B.        The Councils and the Commissioner have agreed to operate the Districts as a Zone.
- C.        The Commissioner has agreed to exercise all of the functions imposed on the Councils by and under the *Rural Fires Act* 1997 (NSW) other than those functions specified in Schedule 1.
- D.        The Commissioner has agreed to undertake the day-to-day management of the Service operating in the Zone on behalf of the Councils.
- E.        The Councils have agreed to provide certain administrative accounting and maintenance services to the Commissioner and to the Service.
- F.        The Councils have agreed to allow the Commissioner and the Service to use the District Equipment.
- G.        The Councils have agreed to allow the Commissioner and the Service to use the Premises.
- H.        The Councils and the Commissioner have agreed to establish a Liaison Committee.
- I.        The Councils have agreed to delegate certain functions, powers and duties to the fire control officer.
- J.        The parties acknowledge and agree that it will be necessary for them to consult regularly in relation to the matters regulated by this agreement, and they further agree to address all such matters in a spirit of cooperation, acknowledging that neither party has a dominant role under the agreement.
- K.        The parties recognise the contribution that each must make to ensure the effective delivery of rural fire services in the District, and agree to respect those contributions and to act openly and in good faith in all dealings that they have with each other.
- L.        The Councils and the Commissioner agree it is the intention of both parties to

conduct consultation on significant events that may impact on this Agreement.

**The parties agree**

---

**1. Definitions**

In this agreement:

- (a) **"Act"** means the *Rural Fires Act 1997* (NSW) as amended.
- (b) **"Councils"** means the **Hornsby and Ku-ring-gai** councils.
- (c) **"delegation"** means the delegation made by the Councils to the FCO, a copy of which is annexed to this Agreement and marked with the letter "A".
- (d) **"Districts"** means the **Hornsby and Ku-ring-gai** rural fire districts.
- (e) **"fire control officer"** and **"FCO"** means the fire control officer appointed for the Districts by the Commissioner.
- (f) **"Fire Fighting Apparatus"** means all vehicles, equipment and other things used for or in connection with, the prevention or suppression of fire or the protection of life or property in case of fire, by the Members of the Rural Fire Service operating in the Districts.
- (g) **"District Equipment"** means the Fire Fighting Apparatus and the other vehicles and equipment used by the Members of the Rural Fire Service operating in the Districts.
- (h) **"Liaison Committee"** means the Liaison Committee established pursuant to clause 9 of this Agreement.
- (i) **"Minister"** means the Minister responsible for the administration of the Act.
- (j) **"Premier"** means the Premier of New South Wales.
- (k) **"Premises"** means the land and buildings or parts of land and buildings specified in Schedule 2.
- (l) **"Members of the Rural Fire Service operating in the Districts"** means the fire control officer for the Districts, the deputy fire control officers for the Districts, the other staff of the Service assigned to the Districts, the group officers and the volunteer rural fighters forming the rural fire brigades and groups of rural fire brigades in the Districts.
- (m) **"Service"** means the NSW Rural Fire Service established by the Act.
- (n) **"Service Standards"** means the Service Standards issued by the Commissioner pursuant to the provisions of section 13 of the Act.
- (o) **"Term"** means the period specified in clause 3.1 for which this Agreement is to continue.
- (p) **"Zone"** means the area comprising the Districts.



- (q) **"Zone Manager"** means the person appointed as fire control officer for the Districts.
- (r) **"SMT"** means Senior Management Team of Group and Deputy Group Captains, FCO and DFCO

---

## 2. Interpretation

In this Agreement:

- (a) headings are for convenience only and do not affect interpretation; and unless the context indicates a contrary intention;
- (b) words importing the singular include the plural and vice versa, and words denoting a given gender include all other genders;
- (c) the expression "person" includes an individual, the estate of an individual, a body politic, a corporation and a statutory or other authority or association (incorporated or unincorporated);
- (d) references to parties, clauses, sub-clauses, schedules, exhibits or annexures are references to parties, clauses, sub-clauses, schedules, exhibits and annexures to or of this Agreement and a reference to this Agreement includes any schedule, exhibit and annexure;
- (e) references to this Agreement, or any other deed, agreement, instrument or document shall be deemed to include references to this Agreement, or other deed, agreement, instrument or document as amended, novated, supplemented, or replaced from time to time.
- (f) a reference to an agreement includes a representation, undertaking, deed, agreement or legally enforceable order or arrangement or understanding, whether or not in writing;
- (g) a reference to a document includes any written agreement and any certificate or note or other document of any kind;
- (h) references to any person or to any party to this Agreement include that person's or party's executors, administrators, successors and permitted assigns;
- (i) where any word or phrase is given a defined meaning any other part of speech or grammatical form in respect of that word or phrase has corresponding meaning;
- (j) where the day on or by which any sum is payable under this Agreement, or any act, matter or thing is to be done is a day other than a Business Day, that sum will be paid and such act, matter or thing will be done on the immediately preceding Business Day;
- (k) where two or more parties to this Agreement make a joint covenant, undertaking, representation or warranty, it will be construed to refer to and bind each of such parties jointly and each of them severally;
- (l) references to payments to any party to this Agreement will be construed

to include payments to another person upon the direction of such party;

- (m) all payments to be made pursuant to this Agreement will be made by unendorsed bank cheque or other immediately available funds; and
- (n) reference to any legislation or to any section or provision of any legislation includes any statutory modification or re-enactment or any statutory provision substituted therefore and all ordinances, by-laws, regulations and other statutory documents issued thereunder.

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### **3. Commencement and Term**

- 3.1 Notwithstanding the date upon which this Agreement is signed the parties agree that the operation of the Agreement will commence on, and continue for a period of three years unless it is terminated pursuant to provisions of clause 15.
- 3.2 This Agreement replaces the previously held with Hornsby (expired 30<sup>th</sup> June 2003), and Ku-ring-gai (expired 30<sup>th</sup> June 2004).
- 3.3 Prior to the expiration of the Agreement the parties may agree in writing to extend the term of the Agreement for a further period.

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### **4. Commissioner to exercise Councils' Functions and manage the Zone**

- 4.1 This Agreement is a rural fire district service agreement under section 12A of the Act.
- 4.2 The Commissioner will, in consideration of an annual fee of \$1.00 payable by the Councils:
  - (a) exercise, for the Term, all of the functions imposed on the Councils by or under the Act other than those functions specified in Part 1 of Schedule 1; and
  - (b) undertake the day to day management of the Service in the Zone.
- 4.3 The Councils acknowledge that, in exercising the Councils' functions pursuant to this Agreement the Commissioner may, but is not obliged to, utilise or provide additional equipment or personnel in addition to the District Equipment and the Members of the Rural Fire Service operating in the Districts. The Commissioner will not
  - a) reduce the number of staff of the Service assigned to the District or alter the profile of the staff from that specified in Schedule 8; or
  - b) change the structure of the rural fire services operating in the District; or
  - c) change the level or type of fire fighting equipment used or available for use in the District;

without the prior agreement of the Council, which agreement will not be unreasonably withheld, provided that nothing in this clause will apply either to directions given by the Commissioner in relation to short term movements of staff or equipment, where such movements are deemed necessary by the Commissioner for operational purposes, or to insignificant changes either to the

structure of the rural fire fighting services in the District or to the level or type of fire fighting equipment used or available for use in the District.

- 4.4 The Councils will, pursuant to sub section 12A (2)(b) of the Rural Fires Act, undertake the obligations set out in Part 2 of Schedule 1.

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## **5. District Equipment**

- 5.1 The Councils agree that they will, during the Term, make available to and allow the Commissioner and the Service to use the District Equipment which is owned by, vested in or under the control of the Councils.
- 5.2 The Commissioner agrees that he or she will, during the term of this Agreement, maintain the District Equipment identified in Schedule 4 on behalf of the Councils in accordance with the applicable Service Standards.
- 5.3 District Equipment acquired after the date of execution of this Agreement may only be added to Schedule 4 by written agreement between the Councils and the Commissioner.
- 5.4 District Equipment may be removed from Schedule 4 by written agreement between the Councils and the Commissioner at any time.
- 5.5 The Commissioner will cause an audit of the District Equipment to be carried out forthwith upon the expiration of each period of twelve months from the date of execution of this Agreement and will prepare a written report, a copy of which will be provided to the Council, detailing the result of that audit.
- 5.6 The Commissioner will notify the Council of any material changes in the District Equipment, whether those changes are disclosed as a result of the yearly audit referred to in clause 5.5, or whether the changes occur at any other time, that may affect the level or type of Insurance cover over the District Equipment that Council maintains or should maintain.

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## **6. Land and Buildings**

The Councils agree that they will, during the Term, allow the Commissioner and the Service to occupy and use the Premises, or such other land and buildings as may be agreed upon in writing between the Councils and the Commissioner, on the following terms and conditions:

- 6.1 Each of the Councils grant in relation to those parts of the Premises over which they have control and the Commissioner accepts a licence to enter and use the Premises during the Term.
- 6.2 The Commissioner has:
1. a personal right of occupation of the Premises on the terms specified in this Licence;
  2. no tenancy, estate or interest in the land on which the Premises are situated.
- 6.3 The legal right to possession and control over the Premises and the land upon

which they are situated remains vested in the respective Council throughout the term of this Licence.

6.4 The Councils will:

- (a) not interfere with the Commissioner's use and enjoyment of the Premises during the Term;
- (b) pay all rates, taxes, electricity, gas, oil and water charges separately metered and charged to the Premises;
- (c) maintain the Premises in good repair in accordance with paragraph 6.6; and
- (d) effect and keep current at all times during the continuance of this Agreement the following insurances:
  - (i) building insurance; and
  - (ii) public risk insurance in an amount of not less than \$5,000,000.

6.5 The Commissioner will:

- (a) not occupy or use the Premises for any purpose other than the provision of rural fire services and any other purpose incidental thereto, without the prior consent of the respective Council, which shall not be unreasonably withheld or delayed;
- (b) not assign the benefit of this licence or grant any sub-licence;
- (c) keep the Premises clean and tidy and carry out minor repairs and maintenance in accordance with paragraph 6.6;
- (d) comply with all statutes, regulations and ordinances regarding its use of the Premises; and
- (e) not deface or alter the Premises without the consent of the respective Council, such consent not to be unreasonably withheld or delayed.

6.6 The Councils will undertake all painting, maintenance and repairs of the Premises involving:

- (a) the roof and external structure of the Premises;
- (b) any internal or external fittings or fixtures placed by the Councils;
- (c) any work that must be carried out by a licensed trades person, including, but not limited to:
  - (i) electrical repairs and maintenance; and
  - (ii) plumbing repairs and maintenance; and
- (d) maintenance and repair of any air conditioning or heating system.

- 6.7 The Commissioner will undertake any painting, maintenance and repairs of the Premises involving:
- (a) the ceiling and internal structure of the Premises;
  - (b) any internal or external fittings or fixtures placed by the Service; and
  - (c) the lawn, garden and grounds surrounding the Premises.
- 6.8 The Commissioner agrees that the Premises are fit for the purposes for which they are intended to be occupied and used by the Commissioner and the Service, in accordance with this Agreement, without the need for any further work to be carried out by the Councils on the Premises. The Commissioner hereby approves the Premises in accordance with section 37(3) of the Act.
- 6.9 The Commissioner and Ku-Ring-Gai Council confirm that:
- (a) it is intended to explore the provision of an additional Fire Station and associated facilities in the District; and
  - (b) it is intended to assist Hornsby Shire Council to develop an improved fire control centre.
  - (c)
- 6.10 The Commissioner and Hornsby Shire Council confirm that:
- (d) it is intended to develop an improved fire control centre and associated facilities in the District; and
  - (e) the Council has allocated funds totalling two hundred and fifteen *thousand dollars (\$215,000)* as the Council's contribution to those facilities; and
  - (f) will take all reasonable steps to assist each other in the execution of the project, provided that the Council will not be required to contribute an amount greater than the amount specified in (b) above, without the Council's prior written agreement.
- 6.11 The Commissioner will cause the Premises to be inspected, in conjunction with the Councils, forthwith upon the expiration of each period of twelve months from the date of execution of this Agreement and will cause an inspection report to be prepared, a copy of which will be provided to the Council. The Commissioner will notify the Councils of any changes in the Premises, including any alterations or additions or upgrading work carried out to the Premises, which may affect the level or type of insurance cover that the Council maintains or should maintain over the Premises.

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## **7. Administrative, Accounting and Maintenance Services**

- 7.1 The Councils will, in consideration of an annual fee of \$1.00 payable by the Service to the Councils, provide, in accordance with Councils policies and procedures, to the Commissioner and the Service the administrative, accounting and maintenance services specified in Schedule 5.
- 7.2 The Councils or their General Manager will delegate to the FCO, and to other members of the Service as nominated by the Councils, the functions, specified in Schedule 5 for the purpose of enabling those persons to utilise the Councils' administrative, accounting and maintenance services.
- 7.3 The FCO will, in exercising the functions delegated to him or her pursuant to clause 7.2, ensure that they are exercised in accordance with the Councils' policy and procedures.
- 7.4 The Commissioner warrants that the FCO and all other members of the Service in whose favour delegations are made by the Council will act faithfully and reasonably in the exercise of those delegations.
- 7.5 The Councils will delegate to the FCO and to such other members of the Service as are nominated by the Council from time to time, the functions, powers and duties specified in Schedule 5 for the purpose of enabling those persons to utilise the Council's administrative, accounting and maintenance services

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## **8. Finance**

- 8.1 The Councils will, in consultation with the Commissioner, by no later than 30 September of each year, submit to the Commissioner an estimate of probable expenditure for the Districts for the next financial year ("**the Bid**"). If the Bid is being prepared by Council with the assistance of Service staff on behalf of Council, then the time limited by this clause shall be extended by such period as Council may reasonably require if the Service staff fail to prepare the Bid within sufficient time to allow it to be submitted to the Commissioner in accordance with this clause.
- 8.2 Following consultation with the Councils, the Commissioner will, by no later than 28 February of each year, submit to the Councils:
- (a) a probable allocation of expenditure for the Districts for the next financial year ("**the probable allocation**"); and
  - (b) a probable contribution ("**the probable contribution**") by the Councils to the New South Wales Rural Fire Fighting Fund ("**the Fund**").
- 8.3 If the Commissioner fails to submit to Hornsby Shire Council both the probable allocation and the probable contribution by 28 February in any calendar year during the term of this Agreement then Hornsby Shire Council's contribution to the Fund for the next following year shall not exceed the Council's contribution to the Fund for the then current financial year.
- 8.4 The Commissioner warrants that the probable contribution will be determined to accurately reflect, and be proportional to, the services that are to be provided within the District by the Service, whether under the Act or in accordance with this Agreement.

- 8.5 In the event that the Commissioner and the Councils cannot agree upon the contribution of the Councils to the Fund within 28 days of the Commissioner delivering the probable allocation and probable contribution to the Councils pursuant to clause 8.2 the parties will ask the Minister to determine the Councils' contribution pursuant to section 110 of the Act.
- 8.6 Where the Councils provide funds for the delivery of rural fire services in the Districts in addition to their statutory contribution to the Fund the FCO will, on behalf of the Commissioner, manage those funds in accordance with any relevant policies or directions of the Councils.
- 8.7 The Councils acknowledges that, in exercising the Council's functions pursuant to this Agreement, the Commissioner:
- (a) has unrestricted access to and may expend, in the Commissioners discretion and following consultation with Council, the monies received by the Councils from the Fund for the delivery of rural fire services in the Districts; and
  - (b) may, but is not obliged to, expend any monies in addition to those referred to in paragraph (a).
- 8.8 The Councils acknowledges that the funding for expenditure under sections B and C of the Fund estimates process shall, with the exception of the salary and travel costs of the Service staff assigned to the District, continue to be provided on a reimbursement basis.
- 8.9 The Councils acknowledges that the funding for expenditure for Additional Items of the Fund estimates process along with claims for s44 expenditure from the Fund shall continue to be provided on a reimbursement basis with claims paid within thirty (30) days of the date on which they are submitted provided that such claims are submitted in the proper format with all necessary documentation.

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## **9. Liaison Committee**

- 9.1 The Liaison Committee will consist of 9 members as follows:
- (a) One Councillor from each of the Councils appointed by resolution of the Councils;
  - (b) the General Manager of each of the Councils or his or her delegate;
  - (c) two volunteer rural fire fighters from Hornsby Rural Fire District appointed by the local branch of the NSW Rural Fire Service Association Inc ("**the RFSA**"), or, in the absence of a local branch of the RFSA, elected in accordance with the applicable Service Standard;
  - (d) one volunteer rural fire fighter from Ku-ring-gai Rural Fire District appointed by the local branch of the NSW Rural Fire Service Association Inc ("**the RFSA**"), or, in the absence of a local branch of the RFSA, elected in accordance with the applicable Service Standard;
  - (e) one member of the Service staff assigned to the Zone nominated by the

FCO and approved by the Commissioner; and

(f) the FCO / Zone Manager who will be the committee's Executive Officer.

9.2 The Commissioner, the Councils and the groups or entities which appoint or elect members of the Liaison Committee pursuant to sub-clauses 4.1(c) and (d) respectively may appoint another person to attend any meeting of the Liaison Committee in the event that the person they have elected pursuant to clause 4.1 is unable, for any reason, to attend that meeting.

9.3 The Liaison Committee will:

- (a) monitor and periodically review the performance of this Agreement by the Councils and the Service;
- (b) review the following documents prepared by the FCO prior to submission to and consideration by the Councils:
  - (i) the annual budget and business plan; and
  - (ii) the quarterly financial and performance reports

9.4 (a) The procedures for calling meetings and the conduct of business at those meetings shall be determined by the Liaison Committee;

(b) meetings can be called by any member of the Liaison Committee

9.5 Minutes of each meeting of the Liaison Committee must be circulated to each of the Councils, the members of the Liaison Committee and the Commissioner within 2 weeks of the meeting.

9.6 The Liaison Committee is not a committee of the Council or of the Service;

9.7 The Liaison Committee agree that a meeting is to be called by both parties if required;

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## **10. Agreement Monitoring**

10.1 During the term of this Agreement, the following procedures will be maintained to ensure the desired outcomes are achieved in accordance with provision of this Agreement;

10.2 The FCO will liaise with respect to the performance of the Service with the following Committees or Groups

- (a) General Manager or his or her delegate
- (b) Budget review meetings to analyse ongoing budgetary position for the Zone
- (c) Bi monthly works program meetings with Building Services Co-ordinator to review all works program
- (d) Prepare reports on the performance of the Service program for Submission to Council



- (e) Rural Fire Service Senior Management Team Bi monthly meetings to report on the progress of the agreement, giving and receiving comments.
- 10.3 Appropriate recording of and at each meeting will be taken and the outcomes and tasks for future meetings prepared. This will be available for review by the Commissioner.

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## 11. Insurance and Related Covenants

- 11.1 The Councils agree that during the Term they will effect and keep current the following insurances **“the Councils' Insurances”**:
- (c) The Councils' membership of the NSW State-wide Local Government Mutual Liability Scheme as set out in Schedule 6;
  - (d) Property damage and public liability insurance in relation to the Premises;
  - (e) Compulsory third party and comprehensive insurance in relation to any motor vehicles which form part of the District Equipment, except where otherwise agreed in writing between the Councils and the Commissioner;
  - (f) property damage and public liability insurance, third party and comprehensive insurance, in relation to all Premises and District Equipment controlled, occupied or managed by the Commissioner or the Service including, but not limited to:
    - (i) fire boats, boat motors, pumps and ancillary marine fire fighting equipment;
    - (ii) wharves, jetties or boat sheds;
    - (iii) radio base stations;
    - (iv) radio transmitting towers;
    - (v) computer paging systems;
    - (vi) pager repeater sites and towers;
    - (vii) fire spotting towers; and
    - (viii) training facilities.
- 11.2 The FCO may authorise the Executive Committee of a rural fire brigade to effect insurance in relation any specified item or items of equipment that have been purchased by the brigade or its members or which have been donated to the brigade.
- 11.3 The Commissioner on behalf of the Service covenants with the Councils that the Service will, during the Term, in respect of the Councils' functions under the Act, which the Commissioner has agreed to exercise, effect and keep current the Service's indemnity coverage with the NSW Treasury Managed Fund (“the TMF Indemnity”) as set out in Schedule 7.

11.4 Indemnity by the Council:

- (a) The council agrees to indemnify the Commissioner, the Service, its members and agents from and against all actions, claims, costs, loses, expenses and damages (including the costs of defending or settling any action or claim) in respect of:
  - (i) Loss of, loss of use of, or damage to property of the Service;  
or
  - (ii) Personal injury (including death) or illness to any person or loss of, loss of use of, or damage to any property;arising out of or by reason any anything deliberately or negligently done or omitted to be done by the Council, the Council's officers or employees.
- (b) The Council's liability to indemnify the Commissioner, the Service, its members and agents is reduced proportionally to the extent that a malicious or negligent act or omission of the Commissioner, the Service, its members and agents (other than of the Council) or a breach of this Agreement by the Commissioner has contributed to the injury, damage or loss.

11.5 Indemnity by the Commissioner and Service:

- (a) The Commissioner and Service indemnifies the Council and its agents from and against all actions, claims, costs, loses, expenses and damages (including the costs of defending or settling any action or claim) in respect of:
  - (i) Loss of, loss of use of, or damage to property of the Council;  
or
  - (ii) Personal injury (including death) or illness to any person or loss of, loss of use of, or damage to any property;arising out of or by reason any anything deliberately or negligently done or omitted to be done by the Commissioner, the Service or its members.
- (c) The liability of the Commissioner and the Service to indemnify the Council is reduced proportionally to the extent that a malicious or negligent act or omission of the Council or employees or agents (other than of the Commissioner or Service) of the Council or a breach of this Agreement by the Council has contributed to the injury, damage or loss

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## 12. Key Performance Indicators

The Commissioner and the Councils will, in carrying out their obligations under this agreement, endeavour to meet the agreed Key Performance Indicators specified in Schedules 3 and 5.

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## 13. Annual Report and Review

13.1 The Commissioner will submit an annual report to the Councils within 6 weeks of the end of the financial year which shall include a performance statement addressing each of the following matters:

- (a) vehicle maintenance;
- (b) equipment maintenance;
- (c) insurance cover for the Service;
- (d) insurance cover for Fire Fighting Equipment;
- (e) premises use;
- (f) premises maintenance;
- (g) occupational health and safety issues;
- (h) Liaison Committee meeting schedule; and
- (i) Finance and expenditure of Council and Service funds.

13.2 Within 6 weeks of the submission of the annual report to the Councils a representative of the Commissioner must meet with the Councils' General Managers or their nominees to review the report and the performance of:

- a) the rural fire services operating in the Zone; and
- b) the Councils in providing the services specified in Schedule 5.

13.3 The Commissioner will, within 3 months of the end of the financial year, submit such reports or information to the Councils as are reasonably required by the Council to allow the Council to comply with their reporting obligations under the *Local Government Act*, 1993, including their obligation under section 428 of that Act.

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## 14. Dispute Resolution

14.1 The parties will use their best endeavours to avoid and resolve any disputes in relation to the performance of their respective obligations under this Agreement including disputes relating to the terms of this Agreement or the performance of the parties' respective obligations under this Agreement.

14.2 In the event that the parties are unable to resolve a dispute, other than in relation to the amount of a Council's contribution to the Fund, the parties will refer the matter in dispute to a qualified and independent mediator ("**the mediator**") agreeable to both the Commissioner and the Councils provided that, in the event the parties cannot agree as to the mediator to be appointed within 14 days, the

question will be referred to the Minister responsible for administering the Act and the Minister responsible for administering the *Local Government Act 1993* (NSW) (“**the Ministers**”) who will appoint the mediator. If the Ministers cannot agree within 14 days, the Premier will appoint the mediator.

- 14.3 The mediator will convene a mediation conference, and conduct the mediation in accordance with the Lawyers Engaged in Alternative Dispute Resolution (LEADR) Rules. Representatives of the Councils and the Commissioner must attend the mediation conference.
- 14.4 If the dispute remains unresolved at the expiration of twenty one (21) days after the date on which the mediation conference concludes then either or both of the parties may request the President of LEADR to appoint a suitably qualified arbitrator to determine the dispute. The Council and the Commissioner shall bear equally the cost of the arbitration, including the arbitrator's fees. The arbitration shall be conducted in accordance with the Institute of Arbitrators Australia Rules for the Conduct of Commercial Arbitrations and the parties agree to be bound by those rules.
- 14.5 In the event that the parties are still unable to resolve the matter in dispute at the expiration of 21 days after the conclusion of the mediation the matter in dispute will be referred to the Ministers who will decide the matter. If the Ministers cannot resolve the matter within 21 days, the matter will be resolved by the Premier.

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## **15. Review**

- 15.1 The Commissioner and the Councils agree to conduct a review of this Agreement in the final six months of the Term.
- 15.2 The review shall be conducted in such manner and by such persons as may be agreed in writing between the Commissioner and the Council, but failing any such agreement the review shall be conducted by two representatives of the Council and by two representatives of the Commissioner, or by such other number of representatives as the Commissioner and Council agree upon, provided that each party has the same number of representatives.
- 15.3 If as a result of that review the Councils or the Commissioner conclude that amendments to this agreement are required then the Commissioner and the Councils shall use their best endeavours to agree upon the terms of any such amendment or amendments.

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## **16. Commissioner's Warranty**

The Commissioner warrants that he is empowered to enter into this Agreement with the Council.

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## **17. Termination**

This Agreement will terminate:

- (a) if either party breaches their obligations under this Agreement and fails to rectify that breach within 21 days of another party giving written notice to the party in default requiring that the breach be rectified;
- (b) immediately upon the revocation of, or failure to renew, the delegation;

- (c) immediately in the event that the Councils or any of them refuse to advance moneys in respect of maintenance of the District Equipment; or
- (d) upon the expiration of six months' notice in writing given by either the Councils or the Commissioner.

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## **18. GST**

- 18.1 The parties acknowledge that the amounts set out in this Agreement as consideration for supplies are calculated without regard to GST.
- 18.2 If any party to this Agreement ("**Supplier**") becomes liable to remit GST in respect of a taxable supply made under or in connection with this Agreement, the person to whom that supply is made ("**Recipient**") shall, in addition to any other consideration, which the Recipient is required to provide to the Supplier in connection with that taxable supply under other provisions of this Agreement, pay to the Supplier the amount of the Supplier's GST liability.
- 18.3 The additional amounts to be paid by the Recipient under paragraph 16.2 will be payable at the same time as the other consideration for that taxable supply is to be provided in accordance with the other provisions of this Agreement.
- 18.4 The Supplier will provide to the Recipient a tax invoice for each taxable supply made under or in connection with this Agreement at or before the time the Recipient is required to provide the consideration for that taxable supply.
- 18.5 The parties will endeavour to minimise the impact of GST on the transactions contemplated by this Agreement and will provide reasonable assistance to one another with regard to the claiming of input tax credits in respect of taxable supplies to which paragraph 16.2 relates.
- 18.6 "GST" and other terms used in this Clause 16 which are defined under the *A New Tax System (Goods and Services Tax ) Act 1999 (Cth)* have the meanings provided by that Act. A reference to a party's liability for GST will include the GST liability of the representative member of any GST group to which that party belongs.

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## **19. Further Assurance**

The parties covenant and agree that each will do all acts and things and execute all deeds and documents and other writings as are from time to time reasonably required for the purposes of or to give effect to this Agreement.

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## **20. Governing Law**

This Agreement will be governed by and construed in accordance with the laws of New South Wales.

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## **21. Waiver**

No waiver of any breach of this Agreement will be held or construed to be a waiver of any other subsequent or antecedent breach of this Agreement.

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## 22. Notices

- 22.1 All notices, requests, consents, and other documents authorized or required to be given by or under this Agreement will be given in writing and either personally served or sent by facsimile transmission ("**fax**") addressed as follows:

### **The Commissioner**

To: The Commissioner  
Address: 15 Carter Street  
HOMEBUSH NSW 2127  
Fax No.: (02) 9737 0170

### **The Councils**

To: The General Manager  
Hornsby Shire Council  
Address: 296 Pacific Highway  
Hornsby NSW 2077  
Fax No.: (02) 9847 6999

To: The General Manager  
Ku-ring-gai Council  
Address: 818 Pacific Highway  
Gordon NSW 2072  
Email: [kmc@kmc.nsw.gov.au](mailto:kmc@kmc.nsw.gov.au)

Fax No.: (02) 9424 0880

- 22.2 Notices, requests, consents and other documents ("**Notices**") will be deemed served or given:

- (a) if personally served by being left at the address of the party to whom the Notice is given between the hours of 9.00am and 5.00 pm on any Business Day, then in such case at the time the Notice is so delivered;
- (b) if sent by fax, then in such case when successfully transmitted during business hours, or if not during business hours, then when business hours next commence.

- 22.3 Any party may change its address for receipt of Notices at any time by giving notice of such change to the other party. Any Notice given under this Agreement may be signed on behalf of any party by the duty authorised representative of that party and will be sent to all parties to this Agreement.

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## **23. Counterparts**

This Agreement may be signed in any number of counterparts and all such counterparts taken together will be deemed to constitute one and the same document.

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## **24. Modification**

This Agreement may not be modified, amended, added to or otherwise varied except by a document in writing signed by each of the parties.

- 24.1 Ku-ring-gai Council will advise the Commissioner 24 months notice of intention to vary conferences to be submitted in writing

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## **25. Legal Costs**

Each party will bear their own legal costs in relation to this Agreement.

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## **26. Entire Agreement**

This Agreement comprises the entire agreements between the parties and no earlier agreement, understanding or representation, whether oral or in writing, in relation to any matter dealt with in this Agreement will have any effect from the date of this Agreement.

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## **27. Severability**

In the event that part of all of any clause of this Agreement is held to be illegal or unenforceable it will be severed from this Agreement and it will not effect the continued operation of the remaining provisions of this Agreement.

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## **28. Staff Levels**

Specified levels of staff to be maintained as follows

- (a) Fire Control Officer (Zone Manager)
- (b) Deputy Fire Control Officer – Operations
- (c) Deputy Fire Control Officer – Community Safety
- (d) Deputy Fire Control Officer – Learning and Development
- (e) Community Safety Officer Level 2
- (f) Development Control Officers x 2
- (g) Operations Officer
- (h) Business Officer
- (i) Fire Mitigation Officer
- (j) Administration Officer

- (k) Clerical Officer
- (l) District Support Officer

28.1 Extra Duties

- (a) Both Council is to be consulted in relation to secondment of RFS staff for any period of time provided that the Commissioner need not consult the Council where any such secondment involves a short term movement of Staff for training or operational purposes
- (b) Both Council is to be consulted in relation to involvement of Hornsby/Kuring-gai District RFS staff with overseas or other projects for any period of time
- (c) Council may require, after reasonable consultation, a back filling of staff positions due to any vacancy that may occur in the case of 28

28.2 The staffing level and staff positions may be varied through consultation and agreement between the Commissioner and General Manager of both Councils



**Signed** as an agreement.

**The Common Seal of the Hornsby Shire Council** was affixed in pursuance of a resolution passed by the Council on the day of  
2006 in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

**The Common Seal of the Ku-ring-gai Council** was affixed in pursuance of a resolution passed by the Council on the day of  
2006 in the presence of:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
General Manager

**Signed by**  
**Shane Fitzsimmons AFSM**  
**Commissioner,**  
**NSW Rural Fire Service**  
in the presence of:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Name of Witness in full

## Annexure A

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### Instrument of Delegation Hornsby Shire Council

I, **Robert John Ball**, General Manager of **Hornsby Shire Council**, pursuant to Section 378 (1) of the Local Government Act 1993, (NSW) **HEREBY DELEGATE** to Angelo John Baldo ("the FCO") the functions of the Council specified in schedule 5 to the Rural Fire District Service Agreement between the Council of the one part and the Commissioner of the NSW Rural Fire Services of the other part dated.....("the RFDSA") for the purpose of enabling the FCO to utilise the Council's administrative, accounting and maintenance services, in accordance with the RFDSA.

Such delegation to take effect from **1 January 2008** and to continue until **31 December 2010**.

**Signed by Robert John Ball** this  
day of \_\_\_\_\_ in the presence of:

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Signature

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Signature of Witness

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Name of Witness in full

## Annexure B

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### Instrument of Delegation KU-RING-GAI Council

I, **John McKee**, General Manager of **Ku-ring-gai Council**, pursuant to Section 378 (1) of the Local Government Act 1993, (NSW) **HEREBY DELEGATE** to Angelo John Baldo ("the FCO") the functions of the Council specified in schedule 5 to the Rural Fire District Service Agreement between the Council of the one part and the Commissioner of the NSW Rural Fire Services of the other part dated.....("the RFDSA") for the purpose of enabling the FCO to utilise the Council's administrative, accounting and maintenance services, in accordance with the RFDSA.

Such delegation to take effect from **1 January 2008** and to continue until **31st December 2010**.

**Signed by John McKee** this  
day of \_\_\_\_\_ in the presence of:

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Signature

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Signature of Witness

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Name of Witness in full

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## OPEN SPACE ACQUISITION STRATEGY - IDENTIFICATION OF POTENTIAL SITES FOR ACQUISITION BY COUNCIL

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### EXECUTIVE SUMMARY

|                           |  |
|---------------------------|--|
| <b>PURPOSE OF REPORT:</b> | The purpose of the report is to recommend to Council preferred locations for new local parkland, within the Priority 1 and 2 areas (as defined in the Ku-ring-gai Open Space Acquisition Strategy (KOSAS), of Gordon, Lindfield and Roseville, Turramurra, Warrawee and St Ives.   |
| <b>BACKGROUND:</b>        | Council resolved on October 2007 to undertake an assessment to identify specific possible locations for new and extended parkland acquisitions within Priority One and Two precincts.  |
| <b>COMMENTS:</b>          | Staff have completed a detailed analysis of over 70 locations for potential new local parklands within priority 1 and 2 areas. Each option has been assessed against a range of criteria taken from the Ku-ring-gai Open Space Acquisition Strategy. The assessment ranks each option as either preferred location; possible location; or a location that is not recommended for parkland. For each town centre a summary has been prepared which shows how the preferred option meets the criteria and will meet future open space demand created by new residents. |
| <b>RECOMMENDATION:</b>    | That Council adopt the recommendations contained in this report.   |

## PURPOSE OF REPORT

The purpose of the report is to recommend to Council preferred locations for new local parkland, within the priority 1 and 2 areas (as defined in the Ku-ring-gai Open Space Acquisition Strategy (KOSAS), of Gordon, Lindfield and Roseville, Turramurra, Warrawee and St Ives.

## BACKGROUND

On 30 October 2007 Council resolved the following:

*"That Council undertake an assessment to identify specific possible locations for new and extended parkland in line with recommendations outlined in the adopted Strategy that will justify open space acquisitions within Priority One and Two precincts".*

*"That a report be prepared with recommendations for potential acquisitions within priority catchments areas of Gordon, Lindfield and Roseville, Turramurra, Warrawee and St Ives for consideration by Council in April 2008".*

This report will address the above Council resolutions.

Throughout this report reference is made to open space catchments that were identified in the report to Council 30 October 2007. **Attachment 1** provides details of the catchments.

## COMMENTS

### Discussion of method and criteria

The method for assessing properties suitable for acquisition for open space involved a two stage process:

- initial screening; and
- detailed assessment of those properties that meet the initial screening criteria.

### Initial screening

During the initial screening process, a desk-top analysis of properties inside each of the identified catchment zones was carried out. Maps of the areas around the town centres of Lindfield/Roseville, Gordon, St Ives and Turramurra/Warrawee were marked with the relevant catchment areas as identified previously. The following screening criteria were used to identify suitable properties:

- Is the potential site located within priority area 1 or 2?
- Is the potential site located towards the centre of the catchment area?
- Is the area of the combined properties greater than 3,000m<sup>2</sup>?
- Are any of the properties identified as having heritage value which would conflict with acquisition for recreational use?
- Are there any properties adjacent existing reserves that could extend these areas?

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- Are there properties that provide potential to create a linkage between residential blocks that are presently isolated?
- Does the site have at least 2 street frontages?
- Is the existing zone appropriate for future use as a park?
- Is the area in the catchment area (400m) of an existing park?

A selection of three or more sites in each of the catchments was made based on the above criteria. A further desk-top analysis of each of these sites was made. This included a walking catchment assessment of each potential site that indicates the maximum number of people with a 400 metre walking radius. The area of each property and any encumbrances on sites were noted.

**Detailed assessment of options**

A site visit was then made to those properties identified as potential open space. Where appropriate, a photo was taken of each property. The following evaluation was made during this visit:

- Does the land provide for maximum passive recreation opportunity?
- Is the area of particularly high visual or landscape quality?
- Is the site in a prominent location and highly visible?
- Does the quality of the existing homes significantly increase the overall value from either a financial or design aspect?
- Do the homes have a significant streetscape value where demolition would be a negative?
- Does the topography and shape of the site provide maximum recreational opportunity without the need for additional earthworks and embellishment works?
- Is the slope, drainage and shape of the site suitable for long term maintenance?
- Does the site have a good aspect?
- Is the land likely to be affected by unacceptable risks such as traffic hazard, contamination or traffic noise?
- Is the location consistent with "Safety by Design" principles in terms of passive surveillance?

During site visits other properties that were not identified during the initial desk-top analysis, but addressed some of the criteria for the initial screening, were noted. This was particularly the case in suburbs where there were a large proportion of heritage listed properties or homes of significant value leaving a very limited choice of properties.

Presentations were made to Councillors at two Planning Forums. Options for Lindfield and Roseville were presented on 19 February 2008 and on 18 March 2008 options for St Ives, Turramurra, Warrawee and Gordon were presented. At these briefings Councillors raised further options which were subsequently included in the review. Other issues by Councillors were also noted and incorporated into this report.

A detailed assessment of all options was made using the following criteria:

- Potential site area (m<sup>2</sup>).
- Does the site provide for a significant proportion of the future demand?
- Does the location have potential to protect or enhance natural areas without compromising recreational uses?

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- Does the site have cultural or social significance?
- Does the site have potential to alleviate use pressure on existing parks?
- Does the walking catchment assessment indicate that the site maximises the number of people within a 400 metre radius?
- Are there any encumbrances on the site?
- Length of rear fencing from adjoining private properties.
- What is the estimated acquisition cost?
- Does the park meet S94 criteria for nexus?

**Final ranking of options**

In order to make a final ranking of options, a spreadsheet containing all of the criteria used during the above process and the potential sites grouped by catchments, was prepared for each town centre. Relevant data and a positive or negative symbol were entered for each potential site. From the results of this spreadsheet a ranking of **Preferred/Acceptable/Not Suitable** was made and noted on the spreadsheet. The assessment tables can be found in **Attachment 2**.

**Key Assumptions**

The calculation of future open space demand is based on a number of assumptions:

1. Dwelling yield - The maximum dwelling yield for the Pacific Highway and Mona Vale Road corridor is 11,546 and the minimum is 10,538 based on Council yield calculations which assume certain sites will not redevelop.
2. The future open space demand does not take into account any further rezoning that may be undertaken by the Ku-ring-gai Planning Panel in the future.
3. Open space provision is based on the ratios in the 2004-2009 Section 94 Contributions Plan which are as follows:
  - Gordon and Lindfield – 5.82sqm per person
  - Roseville and St Ives – 4.37sqm per person
  - Turramurra and Warrawee – 2.91sqm per person

**Preferred options**

The following is a discussion of the preferred options for new and extended parks within priority 1 and 2 areas around the 5 major town centres of Lindfield, Roseville, Gordon, St Ives, Turramurra/Warrawee.

The discussion summarises the detailed assessment of each potential park location undertaken in **Attachment 2**.

***Open space catchment L1 – Clanville Road, Lindfield***

Catchment L1 is centred on the intersection of Clanville Road and Trafalgar Avenue. The catchment extends 400 metres in all directions. There are no existing parks within the area. Part

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of the area is serviced by Roseville Park however this is too far to the east to service new residents around the Lindfield centre.

Table 1 below shows there is a projected population change in the area which will create a demand for up to 2,400sqm of park land.

While the target for the catchment in terms of new residents is about 2,400sqm a new park in this area will also assist with catering for the very high demand created in the adjoining catchment L2 (refer Network Analysis below).

**Table 1: Projected open space demand – Catchment L1**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 229                    | 229                    | 1.78                          | 408                           | 5.82  | 2375  | 0                                     |

The preferred option within this catchment is option 1a with an area of about 4,100sqm. The site is very well located with [REDACTED] frontages; good visibility; relatively flat land; housing of a lower quality than adjoining sites; and exceeds the minimum area of 3,000sqm. There are no significant constraints such as heritage or environmental issues. In addition the site is within 400 metre walk of existing and future high density development sites to the north.

This location has the additional benefit of serving existing residents of an area currently unserved by a local park.

***Open space catchment L2 – Middle Harbour Road, Lindfield***

Catchment L2 is centred at the intersection of Nelson Street and Tryon Lane. The walking catchment extends 400 metres in all directions. There are no existing parks in the area. Part of the area is serviced by Roseville Park however this is too far to the east to service new residents around the Lindfield centre.

Table 2 shows that there is significant future population growth projected in this area. This population will create a demand for between 9,100sqm and 9,400sqm of new local parkland.

**Table 2: Projected open space demand – Catchment L2**

| new units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 882                    | 910                    | 1.78                          | 1570-1620                     | 5.82  | 9137-9428   | 0                                     |



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The preferred option for this catchment is option 2b (3,400sqm) because it is on flat land; close to the town centre; with [REDACTED] frontages; adjoins other community facilities; and provides opportunities for enhanced pedestrian linkages.

A town park is also proposed on [REDACTED] as part of the Town Centre DCP this space is planned to be about 2,000sqm in size.

The two new parks will cater for about 50% of the future demand. The proposed parks in the adjoining catchments (L1 and L3) will provide additional area to fulfil the remainder of the demand (refer Network Analysis Table 9 below).

### *Open space catchment L3 – Nelson Road, Lindfield*

This catchment is located to the north of Lindfield centre near the intersection of Northcote Road and Nelson Road. The catchment area extends 400 metres in all directions. There are large areas of bushland to the north east along with Swain Gardens however none of these areas meet the criteria for a local park.

As shown below the area has very minor projected population growth however the area is in close proximity to catchment L2 which will have significant growth.

**Table 3: Projected open space demand Catchment - L3**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 60                     | 60                     | 1.78                          | 107                           | 5.82  | 623   | 0                                     |

The preferred option within this catchment is option 3a with an area of 6,600sqm. The site has been chosen because it is centrally located; adjoins future high density development; has 3 street frontages; high visibility; and provides opportunities for enhanced pedestrian linkages.

The open space target for this catchment in terms of new residents is around 600sqm however, given the site immediately adjoins the town centre, the park will cater for the shortfall in catchment L2 (refer network analysis Table 9 below).

### **Open space catchment L4 – Wolseley Road, Lindfield**

This catchment is a small area centred around Ibbotson Park, the catchment boundaries are defined by the Pacific Highway to the west; the rail line to the east and Treatts Road to the north. Ibbotson Park is about 1,800sqm in size.

The current park more than caters for the existing population. For new residents an additional 1,900sqm of parkland will be required.

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Table 4: Projected open space demand – Catchment L4

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 189                    | 189                    | 1.78                          | 336                           | 5.82  | 1956  | 1800                                  |

Council has previously adopted a proposed [REDACTED] [REDACTED] [REDACTED]. This extension is about 1200sqm creating a park of over 3,000sqm.

No options were assessed with catchment L4 as the future open space requirements are catered for in the draft Town Centre DCP.

***Open space catchment L5 – Bent Street, Lindfield***

This catchment area is one of the more difficult locations in Lindfield to find suitable sites for parkland given the topography, pattern of development and abundance of potential heritage items. The catchment is centred at the top end of Bent Street, there are no existing parks in the area and the future population will require between 6,000sqm and 7,000sqm of new park land depending on the development take-up of land zoned for high density.

Table 5: Projected open space demand – Catchment L5

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 574                    | 684                    | 1.78                          | 1029-1218                     | 5.82  | 5989-7089   | 0                                     |

The preferred option within this catchment is option 5b. Option 5b is an ideal site for parkland as the land is flat [REDACTED], is close to the centre; and is highly visible. One issue for this site is that a number of the houses are draft heritage items. However all the houses fronting [REDACTED] are identified as draft Heritage Items, all are of a similar age and architectural style and all are of similar quality. The creation of a new park in this location will significantly enhance the remaining draft items on [REDACTED]. Given the difficulty of finding a suitable location for a park in this area it is considered that this is a reasonable trade-off to gain substantial public benefit.

The town Centre DCP also proposes a new village green between [REDACTED] and between [REDACTED]. This proposal was adopted by Council as part of the Town Centre DCP in December 2006 at about 2,500sqm in size.

The Town Centre DCP proposes [REDACTED] as local open space. Further detailed assessment of this site was undertaken including options for expanding the park by including

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adjoining sites. The assessment clearly shows that the site would not be a good location for open space and it therefore recommended that the Town Centre DCP be amended to remove this site.

***Open space catchment L6 - Two Turners Reserve, Lindfield***

The assessment explored options for new parks or extension to the existing park within a 400 metre radius of [REDACTED]. This park is a Council owned park of about [REDACTED] in area providing a range of local park functions.

There is minimal projected future population growth in this area and therefore no anticipated additional demand for parks. In addition the park is within easy walking distance of new residents around [REDACTED].

**Table 6: Projected open space demand – Catchment L6**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 17                     | 17                     | 1.78                          | 30                            | 5.82  | 175   | 4,000                                 |

The possible option for this catchment is a modified version of 6d which provides for a 3,000sqm extension to [REDACTED] including the creation of a pedestrian cycle access through to [REDACTED].

Reference to the Network Analysis (Table 9) below shows that acquisitions in this catchment cannot be justified using funds from the 2004-2009 Contributions Plan. Therefore Council would need to find alternative funding sources.

***Open space catchment L7 – Maclaurin Parade, Roseville***

Catchment L7 is centred between Shirley Road and Maclaurin Parade. The area is within close proximity to future new development along the highway albeit down a relatively steep hill. The area currently has one park on the corner of Maclaurin Parade and the Pacific Highway (Roseville Memorial Park). Given the location of the park it is not considered suitable to provide local park functions and has therefore not been considered as part of this study.

Future new residents will create a demand for between 3,300sqm and 4,100sqm of new parkland.

**Table 7: Projected open space demand – Catchment L7**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 320                    | 400                    | 1.78                          | 570-712                       | 5.82  | 3317-4144   | 0                                     |

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The preferred option is option 7d with an area of about 3,100sqm. The option is preferred because of it is in a central location; adjoins an existing pedestrian access way; provides potential for a pedestrian/cycle link between [REDACTED]. The site is sloping however the topography of the area determines this.

***Open space catchment L8 – Paddy Pallin Reserve, Lindfield***

This catchment is located within the existing service area of Paddy Pallin Reserve. The reserve is primarily drainage reserve with heavy vegetation cover. There is a small local park area on Provincial Road of slightly less than 3,000sqm.

There is no projected future population growth within this catchment under current and draft plans. The current park provides an area of adequate size and Edenborough Park is within walking distance to the south west.

**Table 8: Projected open space demand – Catchment 8**

| New units<br>(60% take-up) | New units<br>(100% take-up) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|----------------------------|-----------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 0                          | 0                           | 1.78                          | 0                             | 5.82  | 0   | 2700                                  |

While there is no additional demand from new residents in this catchment options for [REDACTED] were considered as it is within easy walking distance of high density zones.

A possible option is a modified version of 8a involving [REDACTED].

Reference to the Network Analysis below, shows that acquisitions in this catchment cannot be justified using funds from the 2004–2009 Contribution Plan. Therefore Council would need to find alternative funding sources.

***Network Summary – Lindfield & Roseville***

**Attachment 3** maps the preferred options for Lindfield and Roseville with their walking catchments. Table 4 shows that all parks together exceed likely amount to be funded by about 5-7,000 sqm. This mainly due to the inclusion of options for new parks in L6 and L7 both of which are additional to projected demand and will need to be funded by Council or through other sources.

Catchments L1, L2 and L3 are high priority as all serve the new population. Option 2b, the Town Square, Option 3a and Option 5b are the highest priority locations.

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Table 9: Summary of catchments L1 to L8 Lindfield and Roseville

| Catchment | Preferred option | Proposed park size (Sqm) | Estimated park acquisitions funded by S94 (Sqm) |
|-----------|------------------|--------------------------|---|
| L1        | 1a               | 4100                     | 2400  |
| L2        | 2b               | 3400                     | 9100-9400                                       |
|           | Town square      | 2000                     |   |
| L3        | 3a               | 6600                     | 600   |
| L5        | 5b               | 4100                     | 6,000-7,000                                     |
|           | Civic space      | 2500                     |   |
| L6        | 6d (modified)    | 3000*                    | 175   |
| L7        | 7d               | 3100                     | 3,300-4,100                                     |
| L8        | 8d (modified)    | 1500*                    | 0   |
|           | <b>TOTAL</b>     | <b>30,300</b>            | <b>21,575-23,675</b>                            |

\*extension of existing park

*Open Space Catchment S1 – St Ives*

Catchment S1 is centred on the St Ives Village Green, the extent of the catchment in terms of local park function is very limited as it is surrounded by 3 major roads - Mona Vale Road, Killeaton Street and Cowan Road – which form barriers to surrounding residential areas.

St Ives Village Green is a large district park providing for both active and passive recreation.

The table below shows there is considerable population growth within this catchment. In terms of local park function the Village Green provides for the future new population within its catchment, therefore no options were considered within this catchment. Future work should concentrate on embellishment to provide more local park facilities. In addition two major urban civic spaces are also proposed within this catchment under the Town Centre DCP including a Town Square and Village Green Promenade providing up to 3,500 sqm of new public space.

Table 10: Projected open space demand – Catchment S1

| New units (minimum) | New units (maximum) | Occupancy rate per unit | Future Population range | Open space provision<br><br>Per person/ sqm | New resident demand for open space<br><br>sqm | Total existing parks<br><br>sqm |
|---------------------|---------------------|-------------------------|-------------------------|---|---|---------------------------------|
| 0                   | 978                 | 1.78                    | 1741                    | 4.37  | 7607  | 16000                           |

*Open Space Catchment S2/S3 – Putarri Avenue Reserve and Seven Wives Wood, St Ives*

Catchment S2 and S3 have been combined as together they cover the area south of the St Ives Shopping Village from Mona Vale Road to Link Road.

There are two existing local parks in this area:

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- [REDACTED] on the corner of [REDACTED] with an area of approximately 2,000sqm including an existing small playground;
- [REDACTED] is a small parcel of land around 1,200sqm in size. Currently the area is about 70% drainage reserve with limited recreational value therefore the park does not meet the criteria for a local park.

The table below shows substantial population growth within these catchments with new residents creating demand for up to 6,400sqm of new parkland.

Table 11: Projected open space demand – Catchment S2/S3

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 788                    | 829                    | 1.78                          | 1403-1476                     | 4.37  | 6131-6450   | 2000                                  |

There are two preferred options within this catchment; [REDACTED]

Other options were considered however given the area has two existing parks it is considered preferable to [REDACTED] [REDACTED] [REDACTED] with limited recreation value.

The preferred locations for new parks are as follows:

1. Option 2a – [REDACTED];
2. Option 2c – [REDACTED].

***Open Space Catchment S4 and S5 –St Ives***

Catchment S4 is centred on Bedes Forest Reserve which is a large area (approximately 4,500sqm) of existing parkland with a heavy indigenous tree cover. Currently the area does not have a playground or any other local park facilities. However it is large enough to serve existing residents in both these catchment areas.

Projections indicate that the future population growth for this catchment will not require more parkland and options for new parks were not considered. Future work should focus on embellishment and improvement of the area to create a new local park.

Catchment S5 is centred on the intersection of Killeaton Street and Yarrabung Road on the eastern side of Mona Vale Road.

Currently there are no existing parks within the area however Council owns one piece of land on Carcoola Road which is zoned public reserve but is undeveloped with no facilities. The size is about 900sqm and does not meet the criteria for a local park.

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Table 12 below shows that the future population growth in the two catchments combined will create a demand for up to 2,600sqm of new parkland.

**Table 12: Projected open space demand – Catchment S4/S5**

| new units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 340                    | 340                    | 1.78                          | 605                           | 4.37  | 2,644   | 4,500                                 |

All the options assessed are larger than what is required however Council has adopted a minimum park size of 3,000sqm.

The preferred option is 5a which is 3,700sqm. It is a [REDACTED] a small number of owners. The site is relatively flat with an open north aspect and within easy walking distance of existing high density zones.

Also preferred is a modified version of option 5d utilising a single lot (1,100sqm) as pedestrian link to expand the walking catchment of Option 5a to the north where there are a number of SEPP No. 5 developments. More research is required to determine whether there will be adequate funds to acquire this lot.

It is further noted that Option 5b contains one lot owned by Council which will become surplus to Council needs as a result of these recommendations. Sale of this lot could offset the additional cost of acquiring S2/S3 Option 5a.

***Open Space Catchment S6 – Garrick Road, St Ives***

Catchment S6 is centred around the Council owned St Ives preschool on Garrick Road.

This catchment has a number of existing parks within walking distance including (Memorial Road Reserve) as well as vacant land owned by Council on Garrick Road, the projected population growth is small therefore acquisition of new land for a park cannot be justified. As a consequence no options were considered for this catchment. Future work should focus on the embellishment of Garrick Reserve.

**Table 13: Projected open space demand – Catchment S6**

| new units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 43                     | 43                     | 1.76                          | 75                            | 4.37  | 335   | 0                                     |

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At Council's meeting of the 25 March 2008 a Councillor asked a Question without Notice in relation to the consideration of the [REDACTED] for open space as part of this study. The site was examined however, at the initial screening stage it was discarded for the following reasons:

- The site is [REDACTED] which represent barriers particularly to children who are one of the main users of local parks;
- There is more than adequate parkland in the S6 catchment to the north of Killeaton Street;
- The site is within close proximity to the Village Green which would be the preferred destination for any park user within 400 metres distance.

It is noted that the Council owned vacant land on Garrick Road is surplus to its needs under the current development scenarios.

***Network Summary – St Ives***

**Attachment 3** maps the preferred options for St Ives.

Table 14 below shows that the preferred options described above provide fully for the open space demand that will be created by new residents with a potential small undersupply that can be addressed in the future through additions to preferred options.

It is noted that acquisitions exceed projected demand in catchments S4 and S5. It is likely that Council will be required to fund this oversupply through other sources than the 2004-2009 Contributions Plan such as the potential sale of land in Caroola Road.

**Table 14: Summary of catchments S1-S6 St Ives**

| Catchment | Preferred option                        | Proposed park size sqm | Estimated park acquisitions funded by S94 (Sqm) |
|-----------|---|------------------------|---|
| S1        | Proposed urban spaces (Town Centre DCP) | 3500                   | 7600  |
| S2 and S3 | 2c (modified)*                          | 3500                   | 6100-6400                                       |
|           | 2a*                                     | 2400                   |   |
|           | Proposed Urban Space (Town Centre DCP)  | 1300                   |   |
| S4 and S5 | 5a and 5d (modified)                    | 4800                   | 2600  |
| S6        | -                                       | 0                      | 300   |
|           | <b>TOTAL</b>                            | <b>15,500</b>          | <b>16,600 – 16,900</b>                          |

\* Extension of existing park

***Open Space Catchment T1 – Warrangi Street, Turramurra***



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Catchment T1 is centred on Warrangi Street to serve the new residents in apartment buildings to be built along the eastern side of the Pacific Highway. There are no existing parks in the area, although Bannockburn Oval service area crosses into this catchment.

The area is characterised by large block sizes and large well maintained houses making it a very difficult area to find an appropriate location for new parkland.

Future residents are anticipated to create a demand for up to 1,900sqm of new parkland.

Table 15: Projected open space demand – Catchment T1

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 368                    | 368                    | 1.78                          | 644                           | 2.91  | 1906  | 0                                     |

Option 1f is the preferred option in this catchment with three housing lots and size of 3,600sqm. The park is located [REDACTED]. While the location and shape is not ideal it is considered acceptable because the location is within easy walking distance of new high density developments along the Pacific Highway.

*Open Space Catchment T2 – Finlay Road, Turramurra*

Catchment T2 covers the area to the west of the Pacific Highway between Finlay Road and Duff Street. The area is generally steeply sloping with few opportunities for parks.

Future development will be along the Pacific Highway with up to 740 new residents creating a demand for about 2,200sqm of new parkland.

Table 16: Projected open space demand – Catchment T2

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 425                    | 425                    | 1.78                          | 744                           | 2.91  | 2201  | 0                                     |

Option 2c is the preferred location within this catchment with a size of 4,000sqm. The site is located [REDACTED]; a north aspect; relatively flat land; and good accessibility to new residents.

It is recommended that Option 2c be reduced in size by removing one lot so the future park will be about 3,000sqm.

A further possibility is to include Option 2b (1,920sqm) which would create a new pedestrian link to [REDACTED] thereby expanding the parks walking catchment to the north west linking with

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existing and future residents. Alternative funding sources will need to be found for this acquisition as it cannot be justified based on nexus and demand.

***Open Space Catchment T3 – Winton Street, Warrawee***

Catchment T3 covers the area of Warrawee bounded by the Pacific Highway and the rail line. The area currently has no existing parks. Council owns a reserve area at Warrawee Station; however, it is bisected by a road and does not meet the criteria for local open space.

New residents create a demand for about 1,200sqm of new parkland in this area as shown below.

**Table 17: Projected open space demand – Catchment T3**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 236                    | 236                    | 1.78                          | 413                           | 2.91  | 1222  | 0                                     |

The preferred option in this catchment is option 3e with a size of 3,100sqm. The park is located on an attractive street; within walking distance of new residents; flat land; and provides a new pedestrian/ cycle link.

As noted previously the park size exceeds demand so the additional land to meet the minimum park size will require alternative funding sources. Further noted that Warrawee Park would become surplus to Council's needs if the preferred option is adopted.

***Open Space Catchment T4 – Kissing Point Road, Turramurra***

Catchment T4 covers the area south of the Pacific Highway between Duff Street and Sheldon Forest. There are no existing parks within this area. The area has steeply sloping topography making access to parks difficult.

The new population will create additional demand for up to 1,900sqm of park land. Most of the future residents will live along the highway corridor.

**Table 18: Projected open space demand – Catchment T4**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 266                    | 366                    | 1.78                          | 466-641                       | 2.91  | 1378-1896   | 0                                     |

The preferred option is 4c which is [REDACTED]. The site is close to the Pacific Highway and accessible to all new residents on the south side of the highway. The option has already been

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adopted by Council as part of the Town Centre DCP. [REDACTED] to achieve a park of an approximately 1-2,000sqm in size [REDACTED].

***Network Summary – Turramurra and Warrawee***

Table 19 indicates that collectively the preferred options exceed likely demand by between 4,000-5,000sqm across the two centres. This is largely due to the low provision requirement in the S94 Plan of 2.91sqm per person and Council's minimum park size of 3,000sqm.

The result is that the demand in each catchment T1, T2 and T3 is less than the 3,000sqm minimum.

If Council wishes to maintain a minimum park size of 3,000sqm in areas where demand does not justify that size then the additional acquisition costs will need to be funded through other sources than the 2004-2009 Contributions Plan such as the potential sale of Warrawee Park.

**Table 19: Summary of catchments - T1 to T4 Turramurra and Warrawee**

| Catchment | Preferred option | Proposed park size (Sqm) | Estimated park acquisitions funded by S94 (Sqm) |
|-----------|------------------|--------------------------|---|
| T1        | 1f               | 3600                     | 1900  |
| T2        | 2c (modified)    | 3000                     | 2200  |
| T3        | 3e               | 3100                     | 1200  |
| T4        | 4c               | 1500                     | 1400-1900                                       |
|           | <b>TOTAL</b>     | <b>11,200</b>            | <b>6,700-7200</b>                               |

Refer **Attachment 3** for maps of preferred option 1.

***Open Space Catchment G1 – Gordon Recreation Reserve, Gordon***

This catchment is centred on Gordon Recreation Grounds, an existing park. The catchment is bounded by the Pacific Highway to the west (via rail underpass and over pass) and extends 400 metres eastward along Nelson Road, south to Forsyth Street and north to Park Avenue.

Gordon Recreation Ground is a large park providing for both active (tennis) and passive recreation. In terms of local park function the reserve provides adequate area for the future new population within its catchment. The table below shows only minor increase in population. Future work should concentrate on embellishment to provide more local park facilities.

**Table 20: Summary of catchments – open space catchment G1**

| New units (minimum) | New units (maximum) | Occupancy rate per unit | Future Population range | Open space provision<br><br>Per person/ | New resident demand for open space | Total existing parks<br><br>sqm |
|---------------------|---------------------|-------------------------|-------------------------|---|------------------------------------|---------------------------------|
|                     |                     |                         |                         |   |                                    |                                 |

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|    |    |      |    |            |            |      |
|----|----|------|----|------------|------------|------|
|    |    |      |    | <b>sqm</b> | <b>sqm</b> |      |
| 52 | 52 | 1.78 | 91 | 5.82       | 539        | 7800 |

*Open Space Catchment G2 – Carlotta Avenue, Gordon*

This catchment is centred round the intersection of Carlotta and Pearson Avenues. Mona Vale Road creates a barrier to the north-west; Mount William Lane extends the catchment to the Pacific Highway to the south west. The catchment extends eastward 400 metres almost to Rosedale Road, north to Narelle Avenue and south to Park Avenue.

There are currently two areas of public land within this catchment:

- On the corner Pearson and Carlotta Avenues is a small (area 660sqm) reserve known as Metzlers End with no facilities – this area given its current size does not meet criteria for a local park;
- 25 Mona Vale Road is a public reserve known as Bowes Thistlewaite Park this area given its current location, accessibility and geometry and size does not meet criteria for a local park;
- In addition there are large areas of bushland to the east which have an environmental protection role and do not provide passive open space.

The open space demand for this area created by new residents is estimated to be up to 3,700sqm as shown below.

Table 21: Summary of catchments – G2

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 361                    | 361                    | 1.75                          | 632                           | 5.82  | 3678  | 660                                   |

Following a detailed assessment of all options in this area (refer **Attachment 2**) the preferred option within this catchment is Option 2b. This option is preferred because it is centrally located; large at around 3,700sqm; immediately adjoins new high density zones; provides an open sunny north aspect; has two street frontages; and [REDACTED].

Option 2d (1,600sqm) is a small local park proposed as part of the Council Depot master plan. Whilst it is understood that Council has included this site in its Masterplan documents, detailed assessment has found that this location is not acceptable for public open space as the location is too far to the west to service the future population; the area is also too small and tends to fragment the network; and the proposed park is located largely within a private development. It is therefore recommended that if option 2b is adopted that option 2d be removed from the Council Depot master plan.

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It is further noted that 25 Mona Vale Road (Bowes Thistlewaite Park) will become surplus to Council's needs if the preferred option is adopted.

### *Open Space Catchment G3 – Dumaresq Street, Gordon*

Catchment G3 is centred around an existing park on Dumaresq Street named Gordon Glen Reserve the park is over 2,000sqm in size however a large proportion of the park is Blue Gum High Forest (BGHF) vegetation limiting the useable component of the park to about 900sqm.

The catchment extends west to Vale Street, which is a barrier; east to the Pacific Highway; north to Ryde Road; and south to Moree Street.

The table below shows a significant increase in future population that will create a demand for between 10,300sqm to 12,700sqm of new parkland in this area. Recently Council has purchased 3,200sqm of land on Dumaresq Street for local open space. This acquisition reduces demand to the range of 7,000 – 9,500sqm.

**Table 22: Summary of catchments – G3**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 998                    | 1230                   | 1.78                          | 1776-2189                     | 5.82  | 10336-<br>12740   | 900                                   |

Given the significant demand created by future residents there are two preferred options for new parks within this catchment:

- The preferred option is a modified version of 3c to include two lots (600sqm) as a new pedestrian link between that will complete a pedestrian linkage from [REDACTED] via a network of new streets and open space links.
- Option 3b is a [REDACTED] [REDACTED] by 7,500sqm. This option is preferred because it is centrally located, relatively flat land and enhances pedestrian linkages in the area. It also [REDACTED] almost 9,000sqm.

### *Open space Catchment G4 – Bushlands Avenue, Gordon*

Catchment G4 is a 400 metre radius circle centred near the top of Bushlands Avenue. The catchment extends north to Moree Street where it meets the service area of G3 (discussed above); south to Cecil Street via existing pedestrian access ways; east to the Pacific Highway which is a barrier; and west 400 metres along Bushlands Avenue. There are no existing parks within this catchment however there is Gordon Bowling Club just to the south west.

The table below shows that new residents are predicted to create a demand for up to 2,700sqm of new parkland.

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| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 262                    | 262                    | 1.78                          | 466                           | 5.82  | 2710  | 0                                     |

The preferred option for this catchment is option 4d. This option is preferred for a number of reasons: the location is on [REDACTED]; it has an open north aspect with good visibility; it defines the interface between future high density dwellings; the park is 3,000sqm in size; matching future demand.

Option 4c is an alternative given T3 locations near the [REDACTED]. Selection of this option would result in over supply in Gordon and require a reduction in the size of Option 3b.

It is understood that Option 4c has been previously favoured by Council. This option has been assessed and found to be a possible location. If Councillors choose 4c rather than 4d this will affect catchment G4 which will require reduction in the area of Option 3b.

***Open Space Catchment G5 – Wade Lane, Gordon***

Catchment G5 is an area bounded by Pacific Highway, the railway, Park Avenue and Ravenswood School. The area is a heavily built up area where all future residents will live in mixed use apartment buildings. The area is surrounded by barriers and up to 550 people are projected to live in the area. Currently there is only one small urban park on the corner of the Pacific Highway and St Johns Avenue which does not meet the criteria for local parkland.

The future population will require up to 3,000sqm of new parkland.

**Table 24: Summary of catchments – G5**

| New units<br>(minimum) | New units<br>(maximum) | Occupancy<br>rate per<br>unit | Future<br>Population<br>range | Open<br>space<br>provision<br><br>Per<br>person/<br>sqm | New<br>resident<br>demand<br>for open<br>space<br><br>sqm | Total<br>existing<br>parks<br><br>sqm |
|------------------------|------------------------|-------------------------------|-------------------------------|---|---|---------------------------------------|
| 195                    | 309                    | 1.78                          | 341-550                       | 5.82  | 1985-3201   | 0                                     |

Council has previously resolved to provide a town square for Gordon Town Centre. A range of options have previously been presented to Council's Planning Forum on 23 April 2007.

Council resolved on 8 May 2007 to adopt two options for further investigation and resolved that a final preferred option be reported back to Council.

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The two preferred options for a Gordon Town Square have been assessed as part of this report.

Option 5a is the preferred option because it is centrally located within the block bounded by [REDACTED]; it adjoins the rail station and is in highly visible location; the square could be achieved incrementally as acquisitions progress; [REDACTED]. Council has also resolved in the Town Centre DCP a small park on the corner of [REDACTED]. This option has been assessed as part of this process as Option 5c. Detailed assessment has found the park is suitable as a small urban park with a playground catering for future residents of this area.

**Network Summary - Gordon**

Table 25 shows the preferred options provide 6 new parks with a total of up to 18,000sqm. This total meets the total projected demand of between 17,000 and 19,500sqm of parkland. **Attachment 3** maps the preferred options.

**Table 25: Summary of catchments G1-G4 Gordon**

| Catchment | Preferred option | Size of proposed parks<br>(Sqm) | Estimated park acquisitions<br>funded by S94<br>(Sqm) |
|-----------|------------------|---------------------------------|---|
| G1        | n/a              | 0                               | 500   |
| G2        | 2b               | 3700                            | 3,700   |
| G3        | 3b               | 7500                            | 7000-9500   |
|           | 3c (modified)    | 1600                            |   |
| G4        | 4d               | 3000                            | 2700  |
| G5        | 5a (town square) | 1150                            |   |
|           | 5c               | 1000                            | 3000  |
|           | <b>TOTAL</b>     | <b>17,950</b>                   | <b>16,900-19,400</b>                                  |

**Summary of Preferred Options - All areas**

A total of 74 options have been assessed in detail across the priority 1 and 2 areas of Gordon, Lindfield, Roseville, St Ives, Turramurra and Warrawee. The preferred options together provide up to 75,000sqm of new parkland. This total figure is in line with Council's resolutions from 30 October 2007. The figure also meets the projected demand set out in this report. The following table summarises the preferred options for each catchment.

| Catchment | Preferred Option | Proposed park size (sqm) | Estimated park acquisitions funded by S94 (sqm) |
|-----------|------------------|--------------------------|---|
| L1        | 1a               | 4100                     | 2400  |
| L2        | 2b               | 3400                     | 9100-9400                                       |
|           | Town square      | 2000                     |   |
| L3        | 3a               | 6600                     | 600   |
| L5        | 5b               | 4100                     | 6,000-7,000                                     |
|           | Civic space      | 2500                     |   |

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| Catchment          | Preferred Option                        | Proposed park size (sqm) | Estimated park acquisitions funded by S94 (sqm) |
|--------------------|---|--------------------------|---|
| L6                 | 6d (modified)                           | 3000*                    | 175   |
| L7                 | 7d                                      | 3100                     | 3,300-4,100                                     |
| L8                 | 8d (modified)                           | 1500*                    | 0   |
| S1                 | Proposed urban spaces (Town Centre DCP) | 3500                     | 7600  |
| S2 and S3          | 2c (modified)*                          | 3500                     | 6100 – 6400                                     |
|                    | 2a                                      | 2400                     |   |
|                    | Proposed Urban Space (Town Centre DCP)  | 1300                     |   |
| S4 and S5          | 5a and 5d (modified)                    | 4800                     | 2600  |
| S6                 | -                                       | 0                        | 300   |
| T1                 | 1f                                      | 3600                     | 1900  |
| T2                 | 2c (modified)                           | 3000                     | 2200  |
| T3                 | 3e                                      | 3100                     | 1200  |
| T4                 | 4c                                      | 1500                     | 1400 – 1900                                     |
| G1                 | n/a                                     | 0                        | 500   |
| G2                 | 2b                                      | 3700                     | 3700  |
| G3                 | 3b                                      | 7500                     | 7000 – 9500                                     |
|                    | 3c (modified)                           | 1600                     |   |
| G4                 | 4d                                      | 3000                     | 2700  |
| G5                 | 5a (Town Square)                        | 1150                     |   |
|                    | 5c                                      | 1000                     | 3000  |
| <b>GRAND TOTAL</b> | <b>24 Options</b>                       | <b>74,950</b>            | <b>61,775 – 67,175</b>                          |

\* Extension of existing park

**Methods of Acquisition**

At the Planning Forum held on 18 March 2008, Councillors were presented with a proposal of acquisition methods for acquiring future new park land as recommended in OSAS. All methods discussed have advantages and disadvantages in their application.

Previously, Council requested information on non-compulsory acquisition processes. However, to undertake an ongoing process of purchasing property for new parkland a combination of acquisition methods may be required. Acquisition methods discussed on the evening were:

- Proactive;
- Opportunistic;
- Compulsory.

A brief summary of each follows:

**Proactive**

In this approach Council instigates the acquisition process of preferred sites and approaches property owners to ascertain level of interest to divest, and potential acquisitions in the preferred catchments areas.



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Proactive methodology would be used to instigate the acquisition of multiple sites to achieve site consolidation, and legal documentation would include the use of Options and/or interdependency clauses to progressively obtain adjoining sites.

Although, the Land Acquisition (Just Terms Compensation) Act 1991 does not apply as Council is seeking to acquire the land in the same way as any other interested person, incentives and premiums may be required to achieve total site amalgamation.

Opportunistic

In this approach Council acquires property in preferred locations as it becomes available on the real estate market for disposal. Council acquires properties at market value, however there are not always opportunities to acquire adjoining sites, and timeframes are unknown to achieve consolidated sites.

This approach has the least affect on community perception of property values. However, Council protocols are subjected to market timeframes and an adopted policy on Acquisition is required to support decisions.

Furthermore, the Land Acquisition (Just Terms Compensation) Act 1991 does not apply as Council is seeking to acquire the land in the same way as any other interested person.

Compulsory

This method of acquisition is a statutory process requiring Minister's concurrence though the plan making process. Utilising this method Council instigates acquisition of property for a public purpose and is required to acquire properties under the Land Acquisition (Just Terms Compensation) Act 1991, to affected property owners.

This method guarantees acquisition of amalgamated sites and acquisition timeframes are defined. In most cases sites acquired by Compulsory Acquisition cannot be onsold. However, this method also causes the greatest community angst.

The identification of properties for future parkland would be undertaken as part of the Comprehensive LEP process, as a zoning change or in many cases through the Panel's broader Town Centres LEP. Difficulty in forecasting expenditure timing and inadequate balances in S94 Reserves may require borrowings to address any shortfalls in S94 reserves.

Next Steps

Mostly land identified for acquisition by Council has one of two specific purposes;

- Public and/or community requirement.
- Strategic and/or investment requirement.

The requirement should dictate the method of acquisition to be adopted. Currently, there is no adopted policy on the acquisition of property [land and buildings] that guides or assists Council's decisions when considering methods of acquisition.

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Council requires an adopted policy on Acquisition of Real Property to ensure Council's and the public interest are protected in commercial transactions, and more importantly, to assure probity in Council's dealings and that all transactions are carried out in accordance with legislative and community requirements.

A policy would also consider and address among other things:

- The direct negotiation process.
- Legal requirements and procedures.
- Establishing market value, transparency of transactions and commercial and community expectations.
- Timing and approval processes.

An adopted policy advises the community of Council's requirements and procedures when negotiating property transactions and clarifies responsibilities and expectations of all parties involved to ensure transactions are conducted as transparently as possible. It is the first step in initiating awareness amongst the community of the program for future opportunistic & proactive acquisitions of new parkland.

Equally important as an adopted policy, Council requires an education/awareness campaign/strategy to gauge community attitude towards the future open space acquisition program. The development of the campaign on Council's program to progressively and cost effectively acquire property for new park land will streamline enquiries, address media manipulation and potentially allay mainstream inaccuracies.

In summary, to achieve an ongoing process of acquiring property for new parkland a combination of acquisition methods may be required. Numerous factors dictate the preferred method of acquisition to be utilised. A formally adopted policy supported by a proactive awareness campaign will identify and support selection of the preferred methodology and streamline processes to reduce delays.

## **CONSULTATION**

Due to the confidential nature of this work no resident consultation has been undertaken. However the Open Space Acquisition Strategy was presented to a public forum on 19 June 2007 and then exhibited and reported to Council on 30 October 2007. Staff have undertaken extensive consultation with Councillors as well as the Ku-ring-gai Planning Panel during the process of preparing this report. The following briefings have been undertaken:

- Planning Committee June 2007.
- Planning Committee August 2007.
- Planning Committee September 2007.
- Planning Forum February 2008.
- Planning Forum March 2008.
- Ku-ring-gai Planning Panel 30 April 2008.

## **FINANCIAL CONSIDERATIONS**

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The majority of the preferred options identified within this report will be fully funded through the 2004-2009 Contributions Plan. At this stage the acquisition cost of each option has not been calculated however the 2004-2009 Contributions Plan is currently collecting for acquisition at the following rates:

|                       |                 |
|-----------------------|-----------------|
| Roseville             | \$1,580 per sqm |
| Lindfield             | \$1,630 per sqm |
| Gordon                | \$1,660 per sqm |
| St Ives               | \$1,500 per sqm |
| Warrawee / Turramurra | \$1,400 per sqm |

Currently there is \$8.6m available in the 2000-2003 Contributions Plan and \$13.6m available in the 2004-2009 Contributions Plan (excluding the cost of Dumaresq Street Park).

In a small number of cases the preferred options will require funding from other sources, this situation occurs where:

1. Council's minimum park size requirement of 3,000sqm exceeds the projected demand created by new residents. In this case the area of land above that of the projected demand cannot be funded through the 2004-2009 Plan.
2. Where additional sites have been included to create new pedestrian and cycle linkages through residential blocks. In this case the sites are additional to projected demand and cannot be funded through the 2004-2009 Plan.

It is proposed to provide further details with regard to funding as part of the Acquisition Policy.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultations have been undertaken with senior staff from Sustainability and Strategic Asset Management.

## SUMMARY

This report recommends a total of up to 24 locations for new parks comprising up to 75,000sqm of land. Nine (9) of the 24 sites identified are within the Planning Panel boundaries. A rigorous analysis has been prepared to justify the preferred locations. The projected demand created by new residents for open space will be between 62,000sqm and 68,000sqm depending on the level of development take-up over the next 30 years. This amount will be funded through the 2004-2009 Contributions Plan.

The remaining area of between 7,000 – 13,000sqm of parkland will require funding through other contributions plans, grants and other sources.

## RECOMMENDATION

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- A. That Council adopt Option 1a in Lindfield catchment L1 as the preferred site for a new local park.
- B. That Council adopt Option 2b in Lindfield catchment L2 as the preferred site for a new local park.
- C. That Council adopt Option 3a in Lindfield catchment L3 as the preferred site for a new local park.
- D. That Council adopt Option 5b in Lindfield catchment L5 as the preferred site for a new local park.
- E. That Council adopt Option 7d in Lindfield catchment L7 as the preferred site for a new local park.
- F. That Council adopt Options 2a and 2c in St Ives catchment S2/S3 as the preferred sites for new local parks.
- G. That Council adopt Option 5a in St Ives catchment S4/S5 as the preferred site for a new local park.
- H. That Council adopt Option 1f in Turramurra catchment T1 as the preferred site for a new local park.
- I. That Council adopt Option 2c in Turramurra catchment T2 as the preferred site for a new local park.
- J. That Council adopt Option 3e in Turramurra catchment T3 as the preferred site for a new local park.
- K. That Council adopt Option 4c in Turramurra catchment T4 as the preferred site for a new local park.
- L. That Council adopt Option 2b in Gordon catchment G2 as the preferred site for a new local park.
- M. That Council adopt Options 3b and 3c in Gordon catchment G3 as the preferred sites for new local parks.
- N. That Council adopt Option 4d in Gordon catchment G4 as the preferred site for a new local park.
- O. That Council adopt Option 5a in Gordon catchment G5 as the preferred site for a new local park.
- P. That Council adopt Option 5c in Gordon catchment G5 as the preferred site for a new local park.
- Q. That a further report be prepared to determine appropriate funding for the following options:

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**S04601**  
**17 April 2008**

- Option 6d – Lindfield catchment L6
  - Option 8d – Lindfield catchment L8
  - Option 5d – St Ives catchment S5
  - Option 2b – Turramurra catchment T2
  - Option 3a – Gordon catchment G3
- R. That Council consider disposal of lands identified in this report that have no future potential as open space or open space links including:
- Warrawee Park, Borambil Street Warrawee
  - 18 Carcoola Road, St Ives
  - 25 Mona Vale Road, St Ives (Bowes Thistlewaite Park)
- S. That Council remove Option 2d Gordon catchment G2 from the Council Depot Masterplan, Gordon.
- T. That Council remove the proposed open space at 10A Beaconsfield Parade, Lindfield from the Town Centres Development Control Plan.
- U. That a program be developed of staged acquisition proposals for future new park land in accordance with the adopted sites that afford the systematic utilisation of Section 94 reserve funding to minimise potential borrowings.
- V. That appropriate funding strategies for all preferred options be identified.
- W. That a Draft Acquisition Policy be developed for presentation and consideration at Council's Policy Forum, prior to formal submission to Council.
- X. That a community awareness campaign be developed with a combination of in-house and external specialist skills in line with Council's resolutions of 30 October 2007.
- Y. That Council's Open Space Acquisition Strategy and this report be referred to the Kuring-gai Planning Panel for consideration in the finalisation of the Town Centres Local Environmental Plans.

Bill Royal  
**Team Leader Urban Design**

Antony Fabbro  
**Manager Urban Planning**

Andrew Watson  
**Director Strategy**

**Attachments:**      **1. Open Space Catchments Gordon, Lindfield, Roseville, Turramurra, Warrawee and St Ives - 935182**

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## NOTICE OF RESCISSION

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### PART U OF MINUTE NO 92 OF ORDINARY MEETING OF COUNCIL HELD 8 APRIL 2008

#### **Notice of Motion from Councillors A Ryan, T Hall and J Anderson dated 29 April 2008.**

We, the undersigned, move that Part U of Minute No. 92 adopted at Council's meeting on 8 April 2008, regarding the proposed land re-classification component from Schedule 4 of Draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

- "U. That Council not proceed with the re-classification for the following land and exclude it from Schedule 4 of Draft Ku-ring-gai Local Environmental Plan [2006] Town Centres:

St Ives Site 2      Memorial Avenue, St Ives being:

Lot A DP 321567  
Lot 1 DP 504794  
Lot A DP 336206  
Lot B DP 336206  
Lot B DP 322331  
Lot C DP 322331

is hereby rescinded."

### **RECOMMENDATION**

- A. That the above Notice of Rescission as printed be adopted.
- B. That Council include the following land in Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres, for the purpose of undertaking the statutory public hearing process:

St Ives Site 2      Cowan Avenue, St Ives being:

Lot A DP 321567  
Lot 1 DP 504794  
Lot A DP 336206  
Lot B DP 336206

Providing that in any future redevelopment of the land the existing above ground parking is retained for users of the St Ives Village Green.

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**8 May 2008**

- C. That Council not proceed with the re-classification for the following land and exclude it from Schedule 4 of draft Ku-ring-gai Local Environmental Plan (2006) Town Centres:

St Ives Site 2     Memorial Avenue, St Ives being:

Lot B DP 322331

Lot C DP 322331

Councillor Adrienne Ryan  
**Councillor for Gordon Ward**

Councillor Tony Hall  
**Councillor for St Ives Ward**

Councillor Jennifer Anderson  
**Councillor for Roseville Ward**