

## ORDINARY MEETING OF COUNCIL TO BE HELD ON TUESDAY, 19 OCTOBER 2010 AT 7.00PM LEVEL 3, COUNCIL CHAMBERS

# **A G E N D A**

NOTE: For Full Details, See Council's Website – <u>www.kmc.nsw.gov.au</u> 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 12 October 2010 Minutes to be circulated separately

#### MINUTES FROM THE MAYOR

#### MM.1 Proposed Reclassification of Council Land - 5 Ray Street, Turramurra

File: S07624/2

The Ku-ring-gai Local Environmental Plan (Town Centres) 2010, came into effect on 25 May, 2010, with Council adopting the Ku-ring-gai Development Control Plan (Town Centres) 2010 on 8 June, 2010. The Ku-ring-gai Development Control Plan (DCP) provides details of the planning objectives for each of the town centres.

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Council has resolved to reclassify 19 sites within the town centres from Community to Operational land, (including 12 William Street, Turramurra) to make possible the delivery of the planning objectives detailed in the DCP. The first step in the reclassification process is now underway with the Planning Proposal on exhibition by the Ku-ring-gai Planning Panel.

On 30 June 2010, Council hosted a community briefing on the Ray Street, Turramurra precinct. The purpose of the briefing was for Council to gain an appreciation of Coles' potential development options for the site. Adjacent to the Coles site are Council's library and car park facilities (located on two parcels of land including 5 Ray Street and 12 William Street, Turramurra) which are classified community land.

Following further consideration of the options presented to Council, and in an attempt to maximize the community benefits through the redevelopment of our site which has the potential to provide for a range of uses which could include community facilities, retail/commercial areas, and improvements to the public domain.

I am proposing that 5 Ray Street, Turramurra, also be included in the process to reclassify the site from community land to operational land status.

Proceeding with the reclassification has the potential to provide Council with the flexibility to deliver the key community infrastructure that is required to support the new development and population, and also improvements to our facilities, public domain areas and civic places.

#### PETITIONS

#### **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 allowing for minor changes without debate.

#### GB.1 Ku-ring-gai Library Customer Satisfaction Survey

File: S02130

To provide Council with the results from the 2009-2010 Customer Satisfaction Survey conducted in June 2010.

#### **Recommendation:**

That this report be received and noted.

#### **GB.2** Carols in The Park - Sponsorship Proposal

File: S05650

To advise Council of a sponsorship proposal from Carols in the Park.

#### **Recommendation:**

That Council consider whether to sponsor Carols in the Park for \$10,000 as in previous years, or to increase the sponsorship to \$15,000 this year.

#### GB.3 Investment Report as at 30 September 2010

File: S05273

To present to Council investment allocations and returns on investments for September 2010.

#### **Recommendation:**

That the summary of investments and performance for September be received and noted. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

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#### 14

#### GB.4 Sydney Adventist Hospital, Wahroonga - Submission of Environmental 32 Assessment

File: S05913

To provide Council with a draft response to the Environmental Assessment of staged alterations and additions to the Sydney Adventist Hospital (SAN) facilities.

#### **Recommendation:**

That Council make a submission to the Department of Planning as detailed in the draft Submission to the Environmental Assessment for the Sydney Adventist Hospital Alterations and Additions.

# GB.5 Proposed Granting of Drainage Easement affecting Council Land at the 113 rear of Marian Street Theatre (2 Marian Street, Killara)

File: DA0737/09

For Council to consider granting a drainage easement over Council land at Lot A DP329637, 2 Marian Street, Killara in favour of the owner of 16 and 16A Stanhope Road, Killara.

#### **Recommendation:**

That Council give approval to the creation of an easement from the existing stormwater drain located in the rear car park of the Marian Street Theatre through to 16 and 16A Stanhope Road, Killara.

#### GB.6 Sustainability for Projects over \$200,000

120

File: FY00382/1

To advise Council of the sustainability provisions for all projects over \$200,000.

#### **Recommendation:**

That the report be received and noted.

#### GB.7 Receipt and Disposal of Domestic and Other Waste - Tender T27/2010 136

File: S08371

To seek Council's acceptance of the tenders for the disposal of domestic, trade, green and other waste products from Council's services.

#### **Recommendation:**

That Council accepts the tender from Veolia for the disposal of domestic and other waste and that WSN/ES be awarded the contract to receive Council's green waste and street sweepings.

#### EXTRA REPORTS CIRCULATED AT MEETING

#### MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

#### NM.1 Neighbourhood Safer Places in Ku-ring-gai Bushfire Prone Areas

142

File: S02546

#### Notice of Motion from Councillor T Hall dated 6 October 2010

I fully support the call by Ku-ring-gai Mayor Cross to be prepared for the coming bushfire period but Councils too must share the responsibility for the safety of residents and their property, in such dangerous periods.

As a large Council area subject to bushfire threat every summer, Ku-ring-gai Council needs to identify, designate and maintain Neighbourhood Safer Places or NSPs in those areas subject of bushfire intrusion. I recall in the 1994 bushfires in St Ives as a Councillor then, I was asked to open Toolang Road Oval, St Ives for local residents' cars threatened by fire to their homes below the National Park along the bushfire rim, but the Council's staff refused to unlock the gates. Yet there are still no NSPs in North St Ives, along Warrimoo Avenue, for instance.

Since 2009 as a result of the tragic Victorian Bushfires, the NSW Rural Fire Service has implemented "places of last resort" or NSPs as described in the background information under separate cover, in many NSW Councils including Hornsby, Willoughby and Lane Cove Council areas. Ku-ring-gai has been added and a list of sites are included in the Councillors Additional Agenda Information but are not considered to be comprehensive enough.

Designated NSP areas must meet the NSW Rural Fire Service's radiant heat criteria especially in high risk areas on the outskirts of large metropolitan areas such as Sydney and I believe from past experience as already mentioned, Ku-ring-gai too should ensure all its affected bushfire prone areas have accessible NSPs.

#### I move:

"That Ku-ring-gai Council review its involvement with the NSW Rural Fire Service's 'Neighbourhood Safer Places' program for implementation in this 2010 Bushfire Season that commenced on 1 October to assess whether any further accessible sites may be nominated from those already designated and reported back to Council."

# 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

#### C.1 Bessemer v Ku-ring-gai Council - NSW Supreme Court Proceedings

File: S03421

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2)(g) of the Act, and should be dealt with in a part of the meeting closed to the public.

Section 10A(2)(g) of the Act permits the meeting to be closed to the public for business relating to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

This matter is classified confidential under section 10A(2)(g) because it contains advice concerning a legal matter that:

- (a) is a substantial issue relating to a matter in which the Council is involved
- (b) is clearly identified in the advice, and
- (c) is fully discussed in that advice.

It is not in the public interest to release details of the legal advice as it would prejudice Council's position in court proceedings.

Report by General Manager and Corporate Lawyer - to be circulated separately

John McKee GENERAL MANAGER

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S02130 1 October 2010

## KU-RING-GAI LIBRARY CUSTOMER SATISFACTION SURVEY

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To provide Council with the results from the 2009-2010 Customer Satisfaction Survey conducted in June 2010.
BACKGROUND:	For the past three years Ku-ring-gai Library has conducted a Customer Satisfaction Survey to quantify customers perception of library services and to identify issues that are important to library customers.
COMMENTS:	The results of the recent customer satisfaction survey indicate a consistently high level of service satisfaction of 94% with the library service.
RECOMMENDATION:	That this report be received and noted.

S02130 1 October 2010

## **PURPOSE OF REPORT**

To provide Council with the results from the 2009-2010 Customer Satisfaction Survey conducted in June 2010.

## BACKGROUND

The library has been conducting Customer Satisfaction Surveys since 2007 - the overall satisfaction result in 2007 was 94%. This rate has remained stable for 2008-09 and 2009-10.

To provide a measurable indicator of the library's services to customers, the library first introduced a Customer Satisfaction Survey for the 2007-08 financial year. It was conducted over a two week period in June 2008 and involved 1,450 survey forms being issued to customers, of which 83% (1216) were returned. 94% of customers indicated that they were either satisfied or very satisfied with the library's services.

In 2008-09 the library's rating was also 94%. Each year's Council Management Plans have required the library to achieve 70%, and in 2008 Council's Customer Satisfaction Survey, conducted by Environmetrics, participants rated library services as 96% level of satisfaction.

## COMMENTS

The methodology for the survey was based on the State Library NSW endorsed 2002 Metropolitan Libraries Association survey model with additional Ku-ring-gai specific questions. (See Attachment)

For the 2009-2010 Customer Satisfaction Survey there were 550 survey forms issued across all branches at Gordon, St Ives, Turramurra and Lindfield, and the Housebound service. 481 forms were returned, representing 87% of participants for the survey.

Unlike other surveys undertaken by Council where only residents are surveyed, the library survey included residents and non-residents who used the library during the period of the survey. Many of those surveyed may work and shop in other LGAs and reside in Ku-ring-gai and could be expected to use up to three library services, thus providing a response which is more comparable with other library services. For example, of the 145 respondents at Gordon branch, 18 resided outside the Ku-ring-gai area and belong to at least one other library service.

While there were not a large number of written comments received from people surveyed at the branches, there were a substantial number of comments received from the customers at Gordon. In particular, it was anticipated there may have been a significant number of comments about the recently introduced overdue fees, however of the 481 forms returned, only a small number made comment about overdues (only 1% of the total number received). In contrast, the majority of comments reflected the positive attitude customers have toward the library service or focussed on ideas for improvement to the service.

#### Item 1

#### S02130 1 October 2010

The overall results of the survey indicate a consistently high (94%) level of service satisfaction with the library by its customers. Additionally, a number of suggestions from the surveys have been, or are currently being trialled and/or addressed, and some have already been resolved. Examples include earlier opening hours at the Gordon branch, free WiFi access at all branches, reopening the after hours chute at St lves, revolving video display stand and express internet access at Gordon. There have also been other requests which will be addressed this financial year.

Items of dissatisfaction include issues such as more computers, longer opening hours, more study areas, more reading areas and noisy children. A number of these issues however are governed by financial and spatial considerations.

The matter of noisy children/HSC students and more study/reading areas are expected to be better managed following the remodelling and refurbishment of Gordon branch. The incidence of disruptive HSC students has been reduced following pro-active strategies by Community Development and Youth Services staff and should be improved following the space consultancy that is currently being conducted.

## CONSULTATION

550 library customers were approached to participate in the survey at Gordon, St Ives, Turramurra and Lindfield libraries, plus the Housebound service.

## FINANCIAL CONSIDERATIONS

Other than a small printing outlay, there were no additional financial considerations.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Strategy and Environment Department staff were consulted regarding best practice survey methods.

#### SUMMARY

A recent customer satisfaction survey of library services resulted in a 94% satisfaction rating with the library service.

The library service has conducted customer satisfaction surveys since 2008-2009. Each year, including the 2009-2010 survey, the satisfaction rate has been consistent at 94%. Comments received from customers have provided staff with direction for the implementation of a number of improvements, including the trial of earlier opening hours and free WiFi access at all branches.

Item 1

S02130 1 October 2010

## RECOMMENDATION

That the report be received and noted.

Ray Amos Library Manager Janice Bevan Director Community

Attachments: Survey form - 2010/191587



#### Branch\_\_

This survey is part of Ku-ring-gai Library's strategy to improve library services. Your comments will assist us to continually develop our library services in order to meet community needs. Thank you very much.

Please tell us how satisfied or dissatisfied you are with each of the following by ticking the appropriate box.

### **Questions about library services**

Please tick  $\checkmark$  only those items and services that you have used in the past 12 months.

		Not Applicable	Very Dissatisfied	Dissatisfied	Satisfied	Very Satisfied
1.	Opening hours					
2.	Individual seating comfort					
3.	Reading areas					
4.	Study areas					
5.	Library online catalogue					
6.	The arrangement of items in the library					
7.	Range of resources able to be borrowed					
8.	Library facilities					
9.	Library furnishings					
10.	Staff knowledge					
11.	Quality of customer service I receive					
12.	Ezone services eg Word Processing, Email, Internet, printing and photocopying					
13.	Community information, regarding local organisations					
14.	Activities for adults, eg. Author talks, book clubs					
15.	Activities for children, eg. Storytime, holiday activities					
16.	Online tutoring and homework help					
17.	Libraribus service (if applicable)					
18.	Housebound service (if applicable)					

#### **Questions about you**

1. Are you (Tick one)
Male Female
<b>2.</b> What is your age group? <i>(Tick one)</i> □ 12 - 14 □ 25 - 29 □ 50 - 59
$\Box$ 15 - 19 $\Box$ 30 - 39 $\Box$ 60 - 69
20 - 24 $40 - 49$ $70$ or older
3. Which suburb do you live in?
4. Which Ku-ring-gai Library branch do you visit most often?
5. This survey is about service. Do you have any suggestions for how we can improve our services for you?

If you have any questions about this survey or how the results from this survey will be used please contact Ray Amos on phone 9424 0911 or email ramos@kmc.nsw.gov.au

We would ask that you please complete this survey and drop it into the collection box at your branch library anytime up until (insert date)

Thank you for taking the time to complete this library survey.

S05650 6 October 2010

## **CAROLS IN THE PARK - SPONSORSHIP PROPOSAL**

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To advise Council of a sponsorship proposal from Carols in the Park.
BACKGROUND:	Council has supported Carols in the Park - a community Christmas event held in Bicentennial Park, for over 20 years. Presented by the Combined Churches, the events have been very successful, with approximately 5,000 people attending last year.
COMMENTS:	Carols in the Park has requested sponsorship for their major event in December 2010 for \$15,000. This is an increase of \$5,000 on previous years.
RECOMMENDATION:	That Council consider whether to sponsor Carols in the Park for \$10,000 as in previous years, or to increase the sponsorship to \$15,000 this year.

## **PURPOSE OF REPORT**

To advise Council of a sponsorship proposal from Carols in the Park.

## BACKGROUND

Council has received a request from the Combined Churches for sponsorship of \$15,000, for the annual Carols in the Park event, to be held in Bicentennial Park, West Pymble in December 2010. (See Attachment)

Council has supported Carols in the Park - a community Christmas event for over 20 years. The events have been very successful, with approximately 5,000 people attending last year.

Council received significant benefits from the sponsorship including the logo featuring on all promotional material, opportunity to insert a special edition of Council's newsletter, *Ku-ring-gai Update*, into the program and a mayoral speech.

## COMMENTS

Carols in the Park has requested sponsorship for \$15,000, for this year's event. This is an increase of \$5,000 from previous years.

The request for additional funding from Council is because another sponsor for the event, Daylight International, a provider of significantly discounted light, sound and communications equipment, has withdrawn its sponsorship of Carols in the Park for 2010. Combined Churches has indicated that alternative costs for the hiring of such equipment will result in a 50% increase on last year's costs.

Since the introduction of the Sponsorship Policy, Council has provided funding to a number of organisations including the Ku-ring-gai Philharmonic Orchestra (KPO),Carols in the Park, Cumberland Press Local Business Awards and The National Trust advertisements and Corporate Memberships. The largest amount provided to any one organisation under the sponsorship policy is \$10,000 (KPO and Carols in the Park).

## CONSULTATION

Representatives from Carols in the Park were consulted in writing this report.

## FINANCIAL CONSIDERATIONS

Council has a sponsorship budget of \$40,900 for the 2010-2011 financial year. At the time of writing this report there had not been any expenditure from this budget.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

## SUMMARY

Council has supported Carols in the Park for over 20 years. The events have been successful with 5,000 people attending last year and Council well promoted on all promotional material. The loss of a major sponsor, Daylight International, has meant that running the event this year will cost approximately \$5,000 more as discounted lighting, sound and communication equipment is no longer available.

Carols in the Park has requested an increase in sponsorship from \$10,000 in previous years to \$15,000 this year to supplement the previous discounts and help maintain the standard of the event.

## RECOMMENDATION

- A. That Council consider whether to sponsor Carols in the Park for \$10,000 as in previous years, or to increase the sponsorship to \$15,000 for 2010.
- B. That a sponsorship agreement be developed with Carols in the Park, according to Council's Sponsorship and Donations Policy, reflecting the recommended sponsorship amount as determined in Recommendation A of this report.

Tiffiny Kellar Communications Manager Janice Bevan Director Community

Attachments: Carols in the Park request for sponsorship letter - 2010/190472

13 August, 2010



The Board of Church Representatives

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

Attention: Tiffany Kellar

Dear Miss Kellar

#### Council's Sponsorship Policy Funding Request for Carols in the Park, 2010

For the last 21 years the community have enjoyed Council's and the Combined Churches' annual "Carols in the Park" at Golden Grove, Bicentennial Park in West Pymble. Before that for some 25 years the event was held by the Combined Churches at Pymble Park near the Railway Station. As you would be aware, we formally counted about 4,700 people, so that 5,000 is not a bad estimate of the attendance in 2009. This was close to capacity for the venue.

We write as in previous years, to submit to Council the financial needs that Carols has for the Event in 2010. We also acknowledge and praise Council for its contribution towards the significant success last year. All promotional materials of Carols acknowledged Council's participation. The grounds were in fine condition despite the necessary stormwater retention works, lighting was good and the stage had been repaired. The atmosphere on the evening was most friendly, family orientated and happy. The entertainment was good, and the picnic time and jazz before the principal stage program were strongly supported.

Last year the cost of the Event was \$19,292 plus the contribution of a volunteer committee from May onwards and some 60 volunteers over the days before and on the night.

The 2009 expenditure, including Council's sponsorship of \$10,000, is shown set out beside the attached 2010 Budget estimates.

This year we plan to present a similar program for the evening, have one or two additional experienced entertainers, and promote it a little more extensively. The major difference is that Daylight International, who for years rented us the light, sound and communications equipment, has been taken over. For several years they have discounted the hire charge as a contribution to the churches and the community, but this has ceased. Quotes this year for the same equipment are coming in at about 50% above the cost last year, and we cannot see ways to contain them. The equipment is critical to the Event.

The Budget for 2010 attached shows total expenditure of \$23,950, which is \$4,660 higher than for 2009. It contains a suggested sponsorship contribution of \$15,000 by Council in order to supplement the previous generous discounts by Daylight International that we have all benefited from for the last several years. The equipment hire cost is pivotal to the success of the Event and cannot be avoided.

Accordingly, we seek from Council this generous increase to \$15,000 to maintain the standard of last year.

In 2009, the participating churches contributed an average of 25% more than the year before, and they will be asked for more this year.

We are challenged to maintain a high standard for the Event. We can assure you that huge effort, experience and professional skill are contributed freely to achieve this. The rise in the sound and light equipment quotes of some \$5,000 is pressing us severely, and the additional support of Council is truly needed. Good quality entertainment is a strong reflection of Council's performance and attitude to the community. The Churches and Council worked together very well last year, and the Churches are as keen as Council to present a lasting and memorable Event to a capacity crowd again this year.

We shall be very pleased to have the opportunity to discuss the Sponsorship Proposal with you at your convenience.

Yours sincerely

Jim Wiseman Convenor Carols in the Park Ray Barbero Chairman Board of Church Representatives

S05273 8 October 2010

## **INVESTMENT REPORT AS AT 30 SEPTEMBER 2010**

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To present to Council investment allocations and returns on investments for September 2010.
BACKGROUND:	Council's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation 2005 and Council's Investment Policy which was adopted by Council on 20 April 2010.
COMMENTS:	The Reserve Bank of Australia (RBA) retained the official cash rate at 4.50% in September 2010.
RECOMMENDATION:	That the summary of investments and performance for September be received and noted. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

S05273 8 October 2010

## **PURPOSE OF REPORT**

To present to Council investment allocations and returns on investments for September 2010.

## BACKGROUND

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation 2005 and Council's Investment Policy which was adopted by Council on 20 April 2010.

## COMMENTS

During the month of September, Council had a net cash outflow of \$4,044,229 and a net investment gain (interest and capital) of \$631,331.48.

Council's total investment portfolio at the end of September 2010 is \$107,721,128. This compares to an opening balance of \$107,819,678 as at 1 July 2010, a decrease of \$98,550

#### PERFORMANCE MEASUREMENT

Council's investment portfolio is monitored and assessed based on the following criteria:

#### Management of General Fund Bank Balance

The aim is to keep the general fund bank balance as low as possible and hence maximise the amount invested on a daily basis.

#### • **Cash** 11am Cash Rate is used and only applies to the Westpac Business Cheque Plus Account.

Funds Performance against the UBS Bank Bill Index

This measures the annualised yield (net of fees and charges) for Council's portfolio, except for cash. The weighted average return for the total portfolio of funds is compared to the industry benchmark of the UBS Bank Bill Index.

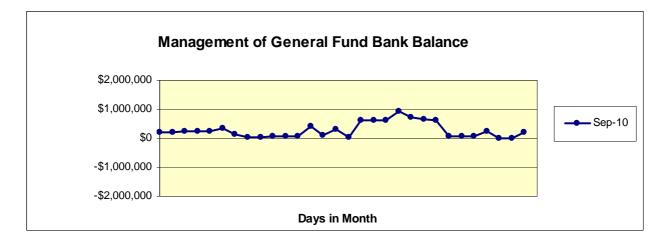
#### • Allocation of Surplus Funds

This represents the mix or allocation of surplus funds in appropriate investments that maximise returns and minimise risk.

#### Item 3

#### Management of General Fund Bank Balance

During September Council had a net outflow of funds of \$4,044,229.



#### **Investment Portfolio**

Council's investment portfolio consists of the following types of investments:

#### 1. Floating Rate Notes (FRN)

FRNs are a contractual obligation whereby the issuer has an obligation to pay the investor an interest coupon payment which is based on a margin above bank bill. The risk to the investor is the ability of the issuer to meet the obligation.

The following investments are classified as FRNs

ANZ sub-debt AA-ANZ sub-debt AA-Bendigo Bank BBB+ ANZ sub-debt AA-HSBC Bank AA-BOQ senior-debt BBB+ Phoenix Notes A (downgraded from AA+ by S&P) St. George Bank FRN AA Royal Bank of Scotland (Australia Branch) senior-debt A+ purchased 18/12/07 at discount purchased 20/12/07 at discount purchased 9/11/07 at par purchased 17/1/08 at par purchased 14/3/08 at par purchased 08/09/08 at discount purchased 31/07/07 at par

purchased 11/09/09 at discount purchased 27/08/10 at par

With the exception of Phoenix Notes, these FRNs are all sub-debt or senior debt which means that they are guaranteed by the bank that issues them with sub-debt notes rated a notch lower than the bank itself. The reason for this is that the hierarchy for payments of debt in event of default is:

- 1. Term Deposits
- 2. Senior Debt
- 3. Subordinated Debt
- 4. Hybrids

#### Item 3

- 5. Preference shares
- 6. Equity holders

In the case of default, the purchaser of subordinated debt is not paid until the senior debt holders are paid in full. Subordinated debt is therefore more risky than senior debt.

These types of investment are classified as Held to Maturity assets and they are therefore measured at amortised cost using the effective interest method in accordance with AASB 139: Financial Instruments: Recognition and Measurement.

In terms of reporting, these investments are shown at their purchase price which is then adjusted up or down each month in accordance with the amortisation of the discount or premium. The effect of this is to show the investment at face value at maturity.

#### 2. Fixed Interest Notes, Term Deposits, Transferable Deposits and Bonds

Fixed interest notes and term deposits pay a fixed amount of interest on a regular basis until their maturity date. The following investments are held by Council:

Westpac Fixed sub-debt AApurchased 25/02/08 at discount Investec Bank Term Deposit BBB Westpac Term Deposit (1 Year) AA National Australia Bank Term Deposit (1 Year) AA Westpac Bank Term Deposit (5 Year) AA St George Bank Term Deposit (3 Year) AA Bendigo Bank (1 Year) BBB+ Commonwealth Bank Term Deposit (3 Year) AA AMP Credit Union Term Deposit (1 Year) AAA SGE Credit Union Term Deposit (13 Month) AAA HUE Credit Union Term Deposit (1 Year) AAA Rural Bank Term Deposit (18 Month) BBB Bank of Queensland Term Deposit (3 Year) BBB+ Southern Cross Credit Union Term Deposit (1 Year) AAA Wide Bay Australia Ltd Term Deposit (1 Year) BBB AMP Credit Union Term Deposit (1 Year) Unrated Suncorp Bank Term Deposit (3 Year) A+ Wide Bay Australia Ltd Term Deposit (13 Month) BBB Rural Bank Term Deposit (13 Month) BBB Rural Bank Term Deposit (2 Year) BBB Community First Credit Union Term Deposit (13 Month) AAA Bank of Queensland Term Deposit (8 Month) BBB+ AMP Bank Term Deposit (13 Month) A AMP Bank Term Deposit (13 Month) A St George Bank Term Deposit (3 Year) AA Suncorp Bank Term Deposit (3 Year) A+ Suncorp Bank Term Deposit (3 Year) A+ Community CPS Credit Union Term Deposit (1 Month) AAA purchased 02/09/10 at par

purchased 03/09/08 at par purchased 03/12/09 at par purchased 04/12/09 at par purchased 12/01/10 at par purchased 18/02/10 at par purchased 01/03/10 at par purchased 05/03/10 at par purchased 17/03/10 at par purchased 19/03/10 at par purchased 22/03/10 at par purchased 22/03/10 at par purchased 31/05/10 at par purchased 01/06/10 at par purchased 01/06/10 at par purchased 01/06/10 at par purchased 04/06/10 at par purchased 16/06/10 at par purchased 16/06/10 at par purchased 16/06/10 at par purchased 17/06/10 at par purchased 18/06/10 at par purchased 18/06/10 at par purchased 18/06/10 at par purchased 28/06/10 at par purchased 03/08/10 at par purchased 04/08/10 at par

#### S05273 8 October 2010

Queensland Country Club Credit Union Term Deposit	
(1 Month) AAA	purchased 02/09/10 at par
Suncorp Bank Term Deposit (1 Month) A+	purchased 02/09/10 at par
St George Bank Business Power Saver Account (at-call) AA	purchased 02/09/10 at par

As with FRNs, these investments are shown at purchase price with the discount or premium amortised over the period to maturity.

A Transferable Certificate of Deposit is a bank deposit (ie fixed interest) that may be transferred from one party to another. Council has three transferable deposits.

ANZ Transferable Deposits AA-	purchased 22/04/08 at par
Deutsche Bank Transferable Certificates of	purchased 04/09/09 at discount
Deposit A+	
Commonwealth Bank Transferable	purchased 11/09/09 at premium
Certificates of Deposit AA	

A bank bond is a debt security, in which the authorised bank owes the holders a debt and is obliged to repay the principal and interest (the coupon) at a later date, termed maturity.

Council has two fixed rate bank bonds with senior debt obligations:

BOQ Bank Bond BBB+purchased 04/09/08 at discountSuncorp Metway Bank Bond A+purchased 04/09/08 at premium

#### 3. Collateralised Debt Obligations (CDO)

The following investments are classified as CDOs:

Titanium A+ (downgraded from AAA by S&P)	purchased at discount
Maple Hill 11 CCC- (downgraded from	purchased at par
AA by S&P)	
Oasis Portfolio Note CCC - (downgraded from	purchased at par
AAA by S&P)	

(Please refer to comments on Individual Investment Performance section for details.)

A CDO is a structured financial product whose returns are linked to the performance of a portfolio of debt obligations. It is split into tranches, whereby the riskiest or lowest tranche, the "equity tranche", receives the highest returns. Higher rated tranches offer protection against the risk of capital loss, but at proportionately diminishing returns.

These investments are also classified as held to maturity assets and are therefore measured at amortised cost using the effective interest method in accordance with AASB 139: Financial Instruments: Recognition and Measurement. These investments are reported in the same manner as FRNs.

#### 4. Constant Proportion Debt Obligations (CPDO)

The following investment is classified as a CPDO:

ABN AMRO CPDO PP AA-

purchased at par

This is an investment whose returns are based on trading credit default swap (CDS) contracts. A CDS is a contract between two parties where one agrees to accept the risk that a company will default on its loan repayment obligations in return for payment of a fee. Only contracts on investment grade organisations in the CDX (US) and ITraxx (Europe) indices are permissible.

#### 5. Growth Investments

Investments that have been purchased on the basis of an anticipated growth in asset value rather than returns being based on an interest coupon have been classified as Growth Investments. The following investments are included in this category:

Longreach STIRM A+ (downgraded from AA- by S&P) KRGC TCorp LTGF unrated

These investments are valued at fair value where the capital gain is credited to the Income Statement and a capital loss is debited to the Income Statement. The Longreach STIRM investment is principal guaranteed and the KRGC TCorp LTGF is not. The value shown in the monthly investment report is based on the redeemable Net Asset Value (NAV). The NAV is the total current market value of all securities plus interest or dividends received to date. This is the price or value of the investment at the time of preparing the report. Although the Longreach STIRM investment is principal guaranteed, reports are based on the NAV even when it falls below the par value.

The principal is guaranteed by the investment issuer monitoring the net asset value and selling the investments if the NAV falls below the level where a risk free investment will return the principal at the maturity date. Thus the worst case scenario, provided that the issuer remains solvent, for this investment is that overall return will be returns received to date plus return of principal at maturity date and no further interest payments for the remaining period.

While accounting and reporting for these investments is in accordance with the above, the following information is provided for each:

**Longreach STIRM**: This investment pays a fixed coupon of 2.5% and a floating coupon of 125% of the quarterly performance. A cap is applied to the total coupon at BBSW+25bps with any additional income going into the NAV. The worst case performance scenario is no coupon is paid due to 100% of investors' funds being redeemed from the STIRM strategy and invested in a discount security to guarantee principal is returned at maturity.

**KRGC TCorp LTGF NSW Treasury Corporation:** This is a fund managed by the NSW Treasury Corporation which invests in a range of Australian shares 31%, international shares 31%, bonds, listed property and cash 38%. The return is based on the fund's unit price at month end supplied by the fund. There is no principal guarantee with this fund and it is unrated.

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#### Cash Performance against the 11am Cash Rate

Issuer	Investment Name	Investment Rating	Invested @ 30th September 2010 \$000's	Period Return (%)	Annualised YTD Return (%)	Performance Since purchase/ inception (%)	% of Total Invested	Valuation M=Mark to Market H=Hold to Maturity	Maturity
Working Capital (0-3 Months)									
Westbac Bank	Council Westpac Business Cheque Plus Account	AA	2,887	0.42	4.62	*	2.68	М	0-3 mths
St George Bank	Business Power Saver Account	AA	5,023	0.50	6.17	*	4.66	М	0-3 mths
TOTAL /WEIGHTED AVERAG	E		7,910	0.46	5.16		7.34		
Weighted Average Overall Return Year To Date (%)					5.16				
11am Cash Rate (%)					4.59				
Variance From Benchmark	(%)				0.57				

The weighted average return for Cash year to date was 5.16% compared to the benchmark 11am Cash Rate of 4.59%.

#### Funds Performance against the UBS Bank Bill Index

Issuer	Investment Name	Investment Rating	Invested @ 30th September 2010 \$000's	Period Return (%)	Annualised YTD Return (%)	Performance Since purchase/ inception (%)	% of Total Invested	Valuation M=Mark to Market H=Hold to Maturity	Maturity
Working Capital (0-3 Months									
BlackRock Investment	BlackRock Diversified Credit	А	976	0.62	8.88	*	0.91	М	0-3 mths
Suncorp Bank	Suncorp Bank 1 Month Term Deposit	A+	3,000	0.45	5.52	*	2.78	М	0-3 mths
Queensland Country Club Credit Union Limited	Queensland Country Club Credit Union 1 MonthTerm Deposit	AAA	1,000	0.46	5.61	*	0.93	М	0-3 mths
Community CPS Credit Union	Community CPS Credit Union 1 Month Term Deposit	AAA	1,000	0.46	5.62	*	0.93	М	0-3 mths
Short Term (3-12 mths)	•		<u>.</u>						
Westpac Bank	Westpac Bank 1 Year Term Deposit	AA	2,500	0.55	6.80	*	2.32	М	3-12 mths
National Australia Bank	National Australia Bank 1 Year Term Deposit	AA	2,500	0.55	6.80	*	2.32	М	3-12 mths
Select Access Investments	Titanium AAA	A+	2,000	0.47	5.85	6.65	1.86	Н	3-12 mths
Bank of Queensland	Bank of Queensland Bond	BBB+	1,994	0.67	8.30	8.29	1.85	Н	3-12 mths
Bank of Queensland	Bank of Queensland FRN	BBB+	1,997	0.50	6.23	5.68	1.85	Н	3-12 mths
Bank of Queensland	Bank of Queensland 8 Months Term Deposit	BBB+	3,000	0.51	6.30	*	2.78	М	3-12 mths
Bendigo Bank	Bendigo Bank Term Deposit	BBB+	500	0.51	6.30	*	0.46	М	3-12 mths
AMP Credit Union	AMP Credit Union 1 Year Term Deposit	AAA	1,000	0.55	6.75	*	0.93	М	3-12 mths
Hunter United Employees Credit Union	HUE Credit Union 1 Year Term Deposit	AAA	1,000	0.53	6.59	*	0.93	М	3-12 mths
State Government Employees Credit Union	SGE Credit Union 13 Month Term Deposit	AAA	1,000	0.57	7.00	*	0.93	М	3-12 mths
Suncorp Metway	Suncorp Metway Bond	A+	2,009	0.65	8.06	8.05	1.87	Н	3-12 mths
Southern Cross Credit Union	Southern Cross Credit Union 1 Year Term Deposit	AAA	1,000	0.52	6.45	*	0.93	М	3-12 mths
Wide Bay Australia Ltd	Wide Bay Australia 1 Year Term Deposit	BBB-	1,000	0.52	6.40	*	0.93	М	3-12 mths
AMP Credit Union	AMP Credit Union Term Deposit 1 Year	UNRATED	1,000	0.55	6.75	*	0.93	М	3-12 mths
Community First Credit Union	Community First Credit Union 13 Months Term Deposit	AAA	1,000	0.53	6.50	*	0.93	М	3-12 mths
Wide Bay Australia Ltd	Wide Bay Ltd 13 Months Term Deposit	BBB-	2,000	0.51	6.35	*	1.86	М	3-12 mths
AMP Bank	AMP Bank 13 Months Term Deposit	А	1,000	0.51	6.31	*	0.93	М	3-12 mths
AMP Bank	AMP Bank Term Deposit 13 Months	А	1,000	0.51	6.31	*	0.93	М	3-12 mths
Rural Bank	Rural Bank 13 Month Term Deposit	BBB	2,000	0.53	6.53	*	1.86	М	3-12 mths

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Issuer	Investment Name	Investment Rating	Invested @ 30th September 2010 \$000's	Period Return (%)	Annualised YTD Return (%)	Performance Since purchase/ inception (%)	% of Total Invested	Valuation M=Mark to Market H=Hold to Maturity	Maturity
Short - Medium Term (1-2 Ye	ears)								
Rural Bank	Rural Bank 18 Month Term Deposit	BBB	1,000	0.57	7.10	*	0.93	М	1-2 yrs
St. George Bank	St. George Bank FRN	AA	3,736	0.44	5.49	4.82	3.47	Н	1-2 yrs
ABN AMRO/Nomura	Pheonix Notes	A	2,000	0.58	7.11	7.73	1.86	Н	1-2 yrs
UBS AG London	Longreach STIRM	A+	1,184	0.43	24.37	5.12	1.10	М	1-2 yrs
ANZ Bank	ANZ Sub FRN	AA-	2,974	0.48	5.93	6.36	2.76	Н	1-2 yrs
Commonwealth Bank	Commonwealth Bank TCD FRN	AA	2,020	0.44	5.39	4.84	1.88	Н	1-2 yrs
Westpac Bank	Westpac Subdebt	AA-	967	0.79	9.78	9.78	0.90	Н	1-2 yrs
Rural Bank	Rural Bank 2 Year Term	BBB	2 000	0.55	6.82	*	1.86	М	
Rulai Dalik	Deposit	DDD	2,000	0.55	0.02		1.00	IVI	1-2 yrs
Medium Term (2-5 Years)									
HSBC Australia	HSBC MTN (Medium Term Notes)	AA-	4,000	0.59	7.29	7.51	3.71	Н	2-5 yrs
ANZ Bank	ANZ Transferable Deposit	AA-	2,000	0.50	6.13	6.29	1.86	Н	2-5 yrs
Investec Bank	Investec Term Deposit	BBB	3,000	0.60	7.48	7.02	2.78	Н	2-5 yrs
Deutsche Bank	Deutsche Bank TCD FRN	A+	1,969	0.52	6.26	5.64	1.83	Н	2-5 yrs
The Royal Bank of Scotland Australia Branch	The Royal Bank of Scotland Australia Branch FRN	A+	1,000	0.60	7.40	7.40	0.93	н	2-5 yrs
CBA/Helix Capital Jersey	Oasis Portfolio Note	CCC-	546	0.51	5.90	-11.69	0.51	Н	2-5 yrs
HSBC Bank	Maple Hill 11	CCC-	3,000	0.54	6.65	7.80	2.78	Н	2-5 yrs
St. George Bank	St. George Bank 3 Year Term Deposit	AA	3,000	0.57	7.10	*	2.78	М	2-5 yrs
Commonwealth Bank	Commonwealth Bank 3 Year Term Deposit	AA	3,000	0.57	7.00	*	2.78	М	2-5 yrs
Bank of Queensland	Bank of Queensland 3 Year Term Deposit	BBB+	1,000	0.57	7.00	*	0.93	М	2-5 yrs
Suncorp Bank	Suncorp Bank 3 Year Term Deposit	A+	1,000	0.60	7.40	*	0.93	М	2-5 yrs
St. George Bank	St George Bank Term Deposit 3 Year	AA	1,502	0.53	6.50	*	1.39	М	2-5 yrs
Westpac Bank	Westpac Bank 5 Year Term Deposit	AA	5,000	0.64	8.00	*	4.64	М	2-5 yrs
Suncorp Bank	Suncorp Bank 3 Year Term Deposit	A+	3,000	0.60	7.40	*	2.78	М	2-5 yrs
Suncorp Bank	Suncorp Bank 3 Year Term Deposit	A+	3,000	0.60	7.40	*	2.78	М	2-5 yrs
Bendigo Bank	Bendigo Bank FRN	BBB+	500	0.50	6.14	6.57	0.46	Н	2-5 yrs
ANZ Bank	ANZ Sub FRN	AA-	2,986	0.49	8.40	8.19	2.77	Н	2-5 yrs
ANZ Bank	ANZ Subdebt 2013	AA-	1,000	0.50	6.07	6.42	0.93	Н	2-5 yrs
Long Term (5 Years+)									
ABN AMRO Bank London	CPDO PP	AA-	6,000	0.45	5.62	5.73	5.57	Н	5 yrs +
TOTAL /WEIGHTED AVERAG			97,860	6.96	7.25		90.85		
Matured/Traded Investmen	ts - Weighted YTD Average	Return (%)			5.20				
Weighted Average Overall		. ,			6.19				
0					4.85				
	nchmark Return: UBSWA Bank Bill Index(%) iance From Benchmark (%)								

\* Cannot be calculated with 100% accuracy

The weighted average return for the total portfolio (except Cash & TCorp) year to date was 6.19% compared to the benchmark of the UBS Bank Bill Index of 4.85%.

### NSW Treasury Corp against the Long Term Growth Facility Trust

Issuer	Investment Name	Investment Rating	Invested @ 30th September 2010 \$000's	Period Return	Annualised YTD Return (%)	Performance Since purchase/ inception (%)	% of Total Invested	Valuation M=Mark to Market H=Hold to Maturity	Maturity
Short - Medium Term (1-2 Yea	ars)								
NSW Treasury Corp	KRGC Tcorp LTGF	UNRATED	1,951	2.36	19.64	-0.62	1.81	М	1-2 yrs
TOTAL /WEIGHTED AVERAG	E		1,951		19.64		1.81		
Weighted Average Overall Return Year To Date (%)					19.64				
Long Term Growth Facility Trust (Annualised) (%)					17.83				
Variance From Benchmark (	%)				1.81				

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The weighted average return for TCorp year to date was 19.64% compared to the benchmark Long Term Growth Facility Trust of 17.83%.

#### **Comments on Individual Investment Performance**

**<u>Cash At-Call Account</u>**: The following investment was purchased in September 2010.

• St. George Bank Business Power Saver Account at 6.00% p.a.

**Term Deposit**: During September 2010, the following term deposits were purchased.

- Community CPS Credit Union Term Deposit AAA \$1,000,000 at 5.62% pa for 1 month
- Queensland Country Club Credit Union Term Deposit AAA \$1,000,000 at 5.61% pa for 1 month
- Suncorp Term Deposit A+ \$3,000,000 at 5.52% pa for 1 month

**Longreach Series 23 STIRM:** This investment is a capital protected note with exposure to a short term interest rate yield enhancement strategy. The redeemable NAV of the notes is estimated at \$118.42 whereas at the end of last month it was \$117.92. An annualised year to date return on the investment is 24.37% and 5.12% since inception. General information on the fund is included in the monthly Noteholder Performance Report **attached**.

**NSW Treasury Corporation**: The investment was made in October 2006. This is a fund managed by the NSW Treasury Corporation which invests in a range of Australian shares 31%, international shares 31%, bonds, listed property and cash 38%. The fund's annualised return is 19.64% and is -0.62% since purchase.

**Blackrock Diversified Credit Fund**: In August 2008, Blackrock Investment Management informed Council of its decision to close the Blackrock Diversified Credit Fund. This action was taken due to the Cole Report recommending removal of the option for local councils to invest in managed funds. The fund was specifically created for and targeted towards NSW local councils' requirements. At that time Council had approximately \$9.5M invested in the fund.

Since then, the fund has been slowly winding down by selling its assets, however the illiquidity of markets over the past year or so has resulted in the wind down taking considerably longer than first anticipated.

In closing down the fund, BlackRock is required to conduct the sell down process in an orderly fashion to achieve the best possible outcome. Whilst liquidity has not improved dramatically, BlackRock has managed to sell down more of the portfolio.

BlackRock is still attempting to sell down the remaining portfolio which is comprised of largely domestic assets. The domestic credit markets are still highly illiquid and BlackRock will liquidate this portfolio at the earliest opportunity being cognisant of getting "reasonable" value for the securities sold. All the securities held within the portfolio will continue to pay coupons and BlackRock sees no further credit impairment of the portfolio.

There was no distribution during September 2010 and the balance of funds in Blackrock at the end of the month was \$976,448.

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**ABN AMRO CPDOS PP**: This is an investment whose returns are based on trading credit default swap (CDS) contracts. Only contracts on investment grade organisations in the CDX (US) and ITraxx (Europe) indices are permissible. The risk to Council is that if enough of the companies default on their loan payment obligations, Council's regular payments of interest would be reduced or cease. In the event of this occurring (cash-out event), the note reverts to a risk free bond investment to guarantee principal on maturity.

**<u>CDOs</u>**: The risk of losing principal in a CDO is based on the number of defaults in the portfolio of debt obligations combined with weighting of the entity in the portfolio and the recovery rate of the entities that default. The following information is provided for Council's three CDOs:

#### <u>Maple Hill 11</u>

As a result of the global financial market crisis, in particular the collapse of Lehman Brothers, and the release of S&P CDO Evaluator 5.0 (a set of analytical tools that evaluates an entire CDO transaction), Maple Hill II was downgraded to CCC - from AA by S&P.

- Losses absorbed: 2.37%
- Losses remaining: 3.37%
- Recovery: Floating
- Portfolio: 139 (unequal weight)
- Credit events to date: 5 (Lehman Brothers, Fannie Mae, Freddie Mac, Idearc & CIT Group)
- Credit events supported: 11.5 average sized, assuming average 33% recovery
- Credit events remaining: 7 average sized, assuming average 33% recovery. The note can withstand 5% of the portfolio defaulting, resulting in 3.3% loss after recovery.
- Maturity: 20 December 2014

#### <u>Oasis Portfolio Note</u>

As a result of the global financial market crisis and in particular the collapse of Lehman Brothers, Oasis has been downgraded to CCC - from AAA by S&P.

- Losses absorbed: 3.17%
- Losses remaining: For the AAA tranche 1.13%
- Recovery: Fixed Rate at 40%
- Portfolio: 118 reference entities (unequal weight and started with 120)
- Credit events to date: Lehman Brothers, Fannie Mae, Washington Mutual, Kaupthing Bank & CIT Group
- Credit events supported: Variable = 14 minimum sized; 8.5 average weightings; 4 maximum sized
- Credit events remaining: Depends on the weighting of the credit event, 1 maximum size (1.5% exposure) or 2 more minimum size (0.5% exposure). The note can withstand 1.9% of the portfolio defaulting, 2% before recoveries
- Maturity: 04 September 2014

As this note has a 40% fixed recovery the default of Fannie Mae had a much larger impact on the note's subordination. Fannie Mae and Kaupthing Bank each represented 1.50% of the references and Lehman Brothers was 1.25%, both Washington Mutual & CIT Group were 0.50%.

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The finalisation of the 2009/10 financial statements and application of AASB 139 (Financial Instruments – Recognition and Measurement) resulted in a write down of OASIS by \$1,454,325 due to impairment. The Standard requires a calculation of the present value of estimated future cash flows discounted at the financial asset's original effective interest rate rather than a straight writedown of its face value. Oasis is now valued at \$545,675 after the impairment.

#### <u>Titanium</u>

Following the release of S&P CDO Evaluator 5.0 (a set of analytical tools that evaluates an entire CDO transaction), Titanium was downgraded to A+ from AAA by S&P on 24 November 2009.

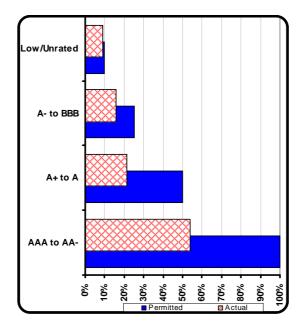
- Losses absorbed: 0.28%
- Remaining losses supported: 6.99%
- Recovery: Floating
- Portfolio: 125 names (unequal weight)
- Credit Events Supported: 13.6 average sized, assuming 33% recovery
- Credit Events Remaining: 13.0 average sized, assuming 33% recovery
- Credit Events Supported: 18.6 average sized, assuming the higher 51% recovery historically achieved by Deutsche Bank
- Credit Events Remaining: 17.8 average sized, assuming 51% recovery
- Credit events to date: Lear Corp, CIT Group and FGIC Corp
- Maturity: 14 December 2010

There were no credit events in Council's CDOs during the month.

#### Allocation of funds

The following charts show the allocations of Council's investment funds by various categories:

1) **Credit Rating:** Actual level of investment compared to proportion permitted by policy.



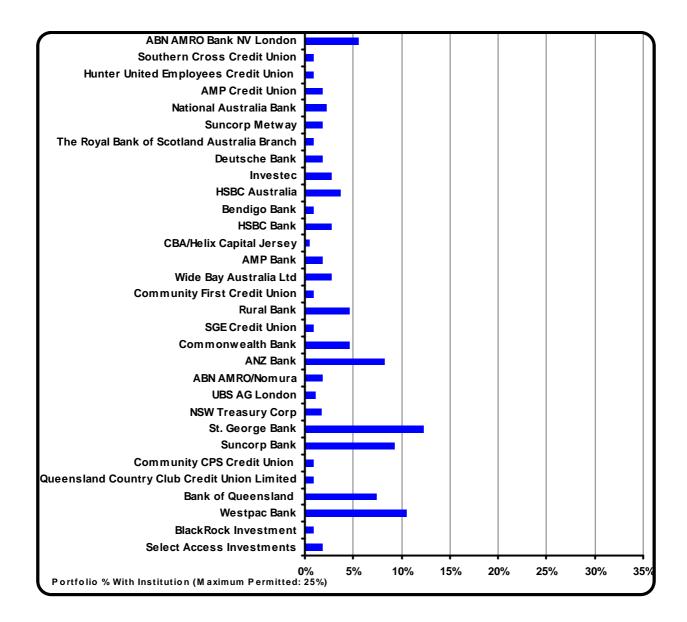
#### **Investment Rating - Proportion**

L

AAA to AA-	53.93%
A+ to A	21.48%
A- to BBB	15.77%
Less than BBB	8.82%

2) **Proportional Split of Investments by Investment Institution**: Actual portion of investments by investment institutions.

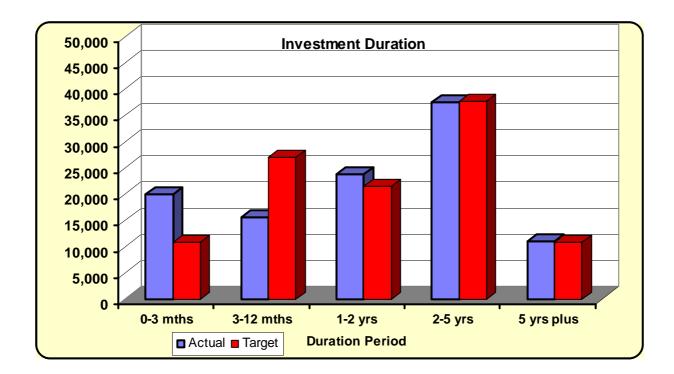
Council's Investment Policy requires that the maximum proportion of its portfolio invested with any individual financial institution is 25%.



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- 22.0% Grow th Term Deposit 6.7% 5.4% Cash At Call 8.9% Managed Cash Plus Fund 6.8% FRN/CDO ·5.0% 5.0% 15.0% 25.0% 35.0% 45.0% 55.0% Portfolio Proportion YTD Return
- **3) Investment type and YTD return**: Actual proportion of investments by type and year to date return.

4) **Duration:** Strategic allocation of investments by duration.



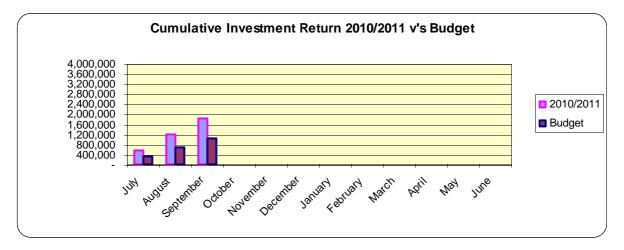
#### S05273 8 October 2010

#### **Cumulative Investment Return**

The following table shows Council's total return on investments for September and financial year to date, split into capital and interest components and compared to budget:

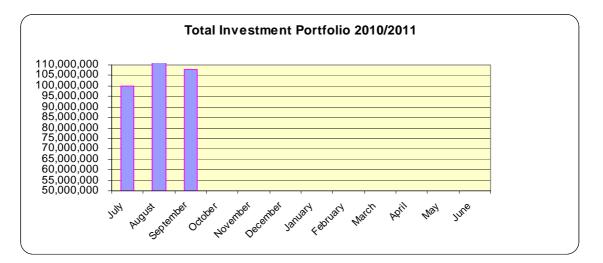
\$000's	Month	Financial YTD
Interest	568	1,651
Cap Gain	66	216
Cap Loss	-2	-23
Net Return	632	1,844
Budget	358	1,074
Variance	274	770

At the end of September 2010, the net return on investments totalled \$1,844,000 against a budget of \$1,074,000, giving a positive variance for the year of \$770,000.



#### **Total Investment Portfolio**

The following chart compares the year to date investment portfolio balances for 2010/2011.



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During September 2010 Council's investment portfolio decreased by \$4,044,229.

#### Some key points in relation to investments and associated markets during September are:

#### International Market

- A growing realisation that Asia is indeed Australia's saviour rippled through the various financial markets during September. Asia accounts for approximately 45% of Australia's exports as opposed to around 10% combined for Europe and the U.S. A growing per capita income in India above the US\$3,000 per annum is seen as a precursor to a potential "China like" period of investment and industrialisation. Australia stands to be a major beneficiary of this and fears of a double dip recession receded.
- In the US, calls for further rounds of market support and stimulus were based largely on continuing fears of deflation and a stagnating economy.
- US housing starts were at levels higher than expected (598,000 versus the expected 550,000) which provided some hope for the beleaguered homebuilder sector.
- Data seen in late September regarding the US labour market was mildly positive with new jobless claims falling to 453,000 (this time last year 546,000) which is the same level as at the start of the year.
- Eurozone inflation came in at +1.8% in the year to September (up from 1.6% in year to August). This reading remains at a level below that at which the European Central Bank would desire as achieving price stability. There are concerns that any growth in the Eurozone will be more modest in the second half thus further placing downward pressure on price growth.

#### Domestic Market

- Official interest rates were unchanged at 4.5%. There seems little inclination to raise rates again despite some stronger data.
- Commodity price rises and sustained selling of the US Dollar has seen a run up in the Australian Dollar towards parity. This move up negatively affects our tourism sector and export products, which haven't seen large upward movements to counteract the currency.
- Unemployment in August was recorded at 5.1% (-0.2%), this continues the trend down from a year ago where the level was 5.8%. The economy added about 50,000 new full time jobs during the month.
- GDP data released in early September exceeded market expectations. The Second Quarter reading of 1.2% (expected at 0.9%) helped generate a year-on-year GDP reading of 3.3%.

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## CONSULTATION

None undertaken or required.

## FINANCIAL CONSIDERATIONS

The budget for interest on investments for 2010/2011 is \$4,296,700. Of this amount approximately \$2,851,100 is restricted for the benefit of future expenditure relating to developers' contributions, \$702,300 transferred to the internally restricted Infrastructure & Facility Reserve, and the remainder of \$743,300 is available for operations.

At the end of September 2010, the net return on investments totalled \$1,844,000 against a year to date budget of \$1,074,000 giving a positive variance of \$770,000.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

None undertaken or required.

## SUMMARY

As at 30 September 2010:

- Council's total investment portfolio is \$107,721,128. This compares to an opening balance of \$107,819,678 as at 1 July 2010, a decrease of \$98,550.
- Council's year to date net return on investments (interest and capital) totals \$1,844,000. This compares to the year to date budget of \$1,074,000, giving a positive variance of \$770,000.
- The weighted average return for the total portfolio (except Cash & TCorp) year to date was 6.19% compared to the benchmark of the UBSWA Bank Bill Index of 4.85%.

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## RECOMMENDATION

- A. That the summary of investments and performance for September 2010 be received and noted.
- B. That the Certificate of the Responsible Accounting Officer be noted and the report adopted.

Tony Ly	Ti
Financial Accounting Officer	M
-	Re
	-

Tino Caltabiano Manager Finance & Responsible Accounting Officer John Clark Director Corporate

Attachments: Investments arranged by Longreach Capital Markets and held by Ku-ring-gai Council - Valuation 30 September 2010 - 2010/191344

ABN:         27 080 373 762           AFSL:         247 015			estments arranged by Longreach Capital Markets and held by Ku-ring-gai Council Valuation Date 30-Sep-10				LONGREACH 06-Oct-10		
Phone: Email:	(02) 9241-1313 info@longreachcp.com.au						Email to:	tly@kmc.nsw.gov.au	
Capital Prote Issue Des	ection Status scription	Maturity Date	lssuer Calculation Agent	S+P Rating	Principal Outstanding:	NAV:	Issue Status Allo act	cation to Comment ive asset Class	
Capital Pro	otection at Maturity								
	5 year Capital Protected Short Term Interest Rate Model (STIRM)	10-Feb-12	UBS AG, London Branch UBS AG, London Branch	A+/Stable	\$1,000,000	118.42000 Hold to Maturity	Exposed to Active asset class	100 Hold to Maturity NAV. Exit price available upon request	

#### **Important Information**

Unless otherwise indicated, the valuations in this report represent the mid point valuations provided by the Calculation Agent and do not take into account any unpaid fees due on the issue or any other costs that the issuer may charge by way of a bid/offer spread to buy back the stock. Redemption prices can be obtained from Longreach Global Capital Pty Limited.

All issues can be redeemed early. Issues identified as Capital Protected At Maturity will be subject to market prices at that time and redemption prices may be below par.

Issues that have been fully delevered will not pay any further interest. Other issues still may pay interest, subject to the issue's terms and conditions. Please refer to issue documentation for more information.

This monthly report has been prepared by Longreach Global Capital Pty Limited (ABN 27 080 373 765, AFSL 247015) exclusively for use by wholesale clients (within the meaning of section 761G of the Corporations Act 2001) of Longreach CP Limited, Longreach Capital Markets Pty Limited and Longreach Global Capital Pty Limited and may not be distributed to external parties without the prior written consent. The report has been prepared solely for informational purposes and includes certain information that has been obtained from independent sources that Longreach considers to be both accurate and reliable. To the maximum extent permitted by law, neither Longreach Capital Markets Pty Limited nor Longreach Global Capital Pty Limited will be liable in any way for any loss or damage suffered by you through use or reliance on this information. Our liability for negligence, breach of contract or contravention of any law, which can not be lawfully excluded, is limited, at our option and to the maximum extent permitted by law, to resupplying this information or any part of it to you.

S05913 17 September 2010

## SYDNEY ADVENTIST HOSPITAL, WAHROONGA -SUBMISSION OF ENVIRONMENTAL ASSESSMENT

## **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To provide Council with a draft response to the Environmental Assessment of staged alterations and additions to the Sydney Adventist Hospital (SAN) facilities.
BACKGROUND:	The Department of Planning gazetted the rezoning and increases in floor space for the hospital area of the SAN site in Wahroonga in December 2009. Planning consultants for the SAN have submitted a plan for staged alterations and additions to the hospital facilities and an Environmental Assessment (EA), which was exhibited by the Department from 15 September 2010 to 15 October 2010. The application was declared to be development identified under SEPP (Major Development) 2005 and is to be assessed under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> . The Director General's Requirements were issued on 10 June 2010.
COMMENTS:	A draft submission in response to the proposal has been prepared for the consideration of Council. Whilst this application is an EA, the level of documentation received is more akin to a Development Application and hence comment given is also of a more detailed nature.
<b>RECOMMENDATION:</b>	That Council make a submission to the Department of Planning as detailed in the draft Submission to the Environmental Assessment for the Sydney Adventist Hospital Alterations and Additions.

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## **PURPOSE OF REPORT**

To provide Council with a draft response to the Environmental Assessment of staged alterations and additions to the Sydney Adventist Hospital (SAN) facilities.

## BACKGROUND

The Department of Planning (DoP) gazetted the rezoning and increases in floor space and building height for the hospital area of the SAN site in Wahroonga in December 2009, as part of the approval process for a major project for the whole Sydney Adventist site, described as the Wahroonga Estate (Attachments 1, 2 and 3). Following this, the Minister approved a concept plan for the Wahroonga Estate (on 31 March 2010). The concept plans, while including some planning for the hospital area, such as gross floor area breakdowns and access and circulation routes, did not include detailed concept plans for the hospital portion of the site. It did however moot a future major project for the detailed hospital redevelopment.

An application for consideration of staged alterations and additions to the main hospital precinct as a major project was submitted to the DoP, and in January 2010, the Minister declared the project to be development identified under State Environmental Planning Policy (SEPP) (Major Development) 2005 and to be assessed under Part 3A of the Environmental Planning and Assessment Act 1979. The Director General's Requirements (DGRs) were issued on 10 June 2010. The Environmental Assessment (including the project) must be consistent with the DGRs (Attachment 4).

Urbis Planning Consultants, on behalf of the SAN, submitted an Environmental Assessment (EA), which was placed on exhibition by the DoP from 15 September 2010 to 15 October 2010 at its information centre and website, and at Ku-ring-gai Council Chambers.

A draft submission (Attachment 5) in response to the EA has been prepared for the consideration of Council. Whilst this application is an EA, the level of some of the documentation received is more akin to a Development Application and hence comment given is also of a more detailed nature. Issues raised in the submission are considered in light of the DGRs, and format of the submission is based on these requirements.

### COMMENTS

The Wahroonga Estate is located at the corner of Fox Valley Road and the Comenarra Parkway Wahroonga and extends through bushland to Mt Pleasant Avenue Normanhurst. The majority of the proposal is for works on the area zoned SP1 Special Activities- Health Services Facility under SEPP (Major Development). Works related to the temporary car park are also proposed to the north-east in the R4- High Density Residential zone, and a small portion of the E2 – Environmental Conservation zone (Attachment 1 for zoning).

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The subject area of this proposal is relatively level and is located between Fox Valley Road and the bushland corridor (zoned E2) which falls steeply away to Coups Creek. The SP1 zone also includes a boundary to the Comenarra Parkway. This zone contains the existing hospital and existing facilities with a gross floor area of 66,000m<sup>2</sup>:

- Inpatient beds 345 beds
- Intensive care unit 12 beds
- Coronary care unit 11 beds
- Day beds 96 beds
- Renal dialysis chairs 14
- Birthing 8 suites
- Cardiac catheter laboratory 3
- Endoscopy theatres 2
- Operating theatres 12
- Clinical activities including dental care
- Faculty of Nursing including auditorium, conference space and library
- Australasian research unit
- Nurses residence
- Child care centre
- Chapel
- Staff cafeteria
- Staff amenities including swimming pool.

#### **DESCRIPTION OF PROPOSAL**

According to the EA, the proposal involves the staged alterations and additions to the existing hospital and facilities, including a total additional gross floor area of 27,993m<sup>2</sup> for the hospital, 3,490m<sup>2</sup> for the education centre, 750 additional car parking spaces and landscaping. With a capital investment value of \$283.3 million for the combined works, the project is expected to generate a significant number of employment opportunities, including an additional 375 staff, 166 doctors and 236 nurses on a normal peak day.

The proposal includes demolition, building and accessway construction, refurbishment works, car parking, landscaping and associated site works, including excavation and stormwater infrastructure. **Attachment 6a-Attachment 6o** includes the overall site plan and a sample of the elevations, sections and perspectives provided by the planning consultant.

The proposed works will be undertaken in stages, as summarised below:

- Stage 1A construction of first stage of Clinical Services Building (CSB) extension (10 storeys), multi-deck car park (2- 4 or 5 storeys excluding roof parking) and extensions to at grade car parks, temporary car park and perimeter road, landscaping works, upgrading of services and refurbishment works.
- Stage 1B construction of second stage of CSB (6 storeys), regrading and resurfacing of loading dock and landscaping.
- Stage 2 construction of concourse, arrival podium and main entry road works, education centre (3-4 storeys) and refurbishment works. The Arrival Podium will provide a new entry to the hospital and a link between the multi-level car park to the CSB and SAN Clinic. The Concourse is an open, covered walkway between the existing CSB and San Clinic buildings.

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It will provide a linkage to the main hospital entry and patient admissions area in the existing building via a series of stairs and escalators connecting Level 2, 3 and 4.

• Stage 3 – demolition of existing Shannon Wing and replacement with new wing (11 storeys) and ancillary car parking (3 storeys excluding roof parking), relocation of Bethel House and Memorial Fountain and refurbishment works.

A more detailed description of the facilities by building level is included at Attachment 7.

#### **KEY ISSUES**

#### Relationship with overall concept plan

SEPP (Major Development) 2005, provides the overall parameters for development on the Wahroonga Estate as a whole, with the concept plan approval providing greater detail. The hospital plan sits within this overall development. However, while the plans do, to some extent, show the relationship between the hospital proposal and the existing development on the site, they fail to completely show the relationship between the future development under the concept plan approval and the hospital proposal. This makes it extremely difficult to assess the impacts of the proposal. For instance more information and plans setting the hospital works and staging into the wider context of the future relocated school and new commercial and high density residential areas is required, in order to avoid conflicting land requirements, and to assess pedestrian, cycle and vehicular access, parking and safety issues – both to the hospital and to the surrounding development in the future.

Similarly, the staging plan relates only to the hospital use, and does not demonstrate how the staging will integrate with the development of the site as a whole. Again, the assessment of potential impacts in the absence of this information is not possible. Particular areas of concern are the accessways, the relationship with the commercial area on the corner of Fox Valley Road and the Comenarra Parkway and potential new nursing accommodation, along with the future development to the east of the hospital, in the vicinity of the very large temporary car park and bioretention pond.

#### Urban design and long term planning

The sweeping continuous line of bushland landscape is unique and is one of the strengths of the hospital setting that the proponent claims to have actively incorporated in the integrated design of the buildings and landscaped areas. However, the proposal as lodged is very different:

- The arrival podium is a strong design element, which is claimed to have a visual connection to the bushland but is interrupted by the backdrop to the multi deck car park building;
- The views from the wards in the Shannon Building will be interrupted by the new Clinical Services Building (CSB) extension;
- The new CSB extension is oriented such that it turns its side to the bushland, rather than facing it directly to the north.
- The open spaces reflect the 'left over' character as identified in the assessment of the existing landscape character. Most of the identified open space areas suffer from large amounts of overshadowing and are not connected with each other. Some areas currently dedicated to at-grade parking should be used as linking corridors of landscaping and/or to consolidate an outdoor landscaped area sited in an optimal location for solar access and amenity.

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The proposal has been designed, without incorporating the principles of Ecologically Sustainable Development (ESD) up front. This is evident in the fact that to achieve a 4 star Green Star Design rating the proposal relies very heavily on credits for on-going management measures, rather than credits for the design of the buildings. Given the scale of the development, the likely life and cost of the structures, the number of patients and other people using the facility and the significant opportunities within such a site, a Design Rating of 5 star Green star rating should be the absolute minimum standard.

The proposal is not consistent with one of the key objects of the *Environmental Planning and Assessment Act 1979*, namely the orderly and economic use of the land. The hospital zone (SP1) is limited to a smaller area than the previous zoning and it is important that the existing hospital site be used to gain the best outcome for the hospital for the long term. The inclusion of extensive at grade, and above ground multi level parking is not the most orderly use of the land. The proposal claims to address short to medium term hospital needs only. In the long term, further hospital facilities will be required, and the proposed use of the land in this way would compromise more intensive use of the land.

Other issues identified within the submission include:

- Encroachment of the temporary car park to the east of the hospital on the E2 Environmental Conservation lands. Such a use is not permissible under the SEPP;
- Strong disconnect between the objectives and statements in the documentation and plans for the built and landscaped forms;
- Lack of biodiversity plan (as required by the concept plan approval) makes it impossible to assess whether the proposal is consistent with the biodiversity plan and its various components. In addition the absence of the Conservation Interface Plan exacerbates this;
- Inadequate consideration of ESD higher Greenstar rating and water quality outcomes sought;
- Potential for improved pedestrian entry to the site;
- Potential long term impact on Sydney Turpentine Ironbark Forest, a threatened ecological community, at the secondary entry to the site;
- Need for additional car parking provided to the west of the site to have through access for emergency vehicles such as fire trucks;
- Inadequate scale, inconsistencies and lack of detail in plans and EA to allow for adequate assessment of:
  - o access and circulation,
  - location and scale of various facilities such as fire pumps, fire control centre, water tanks,
  - o water re-use and bio-retention systems;
  - impact on the E2 Environmental Conservation land, the Coups Creek corridor, from stormwater management system and earthworks;
- Inadequate standards for construction in bushfire prone lands for some of the buildings, such as the Clinical Services Building.

#### Next steps in the Part 3A process

At the end of the exhibition period the proponent will review and summarise all the submissions, and if considered necessary, prepare and submit a preferred project report (revised plans and environmental assessment) to the DoP addressing concerns raised. The proposal will then be assessed by the DoP and be determined by the Minister of Planning.

# CONSULTATION

The EA, including the plans for the hospital redevelopment was exhibited by the Department of Planning from 15 September 2010 to 15 October 2010. Comments from the public are to be made directly to the Department of Planning.

### FINANCIAL CONSIDERATIONS

The cost of preparing the submission is covered by the Urban Planning Budget.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

A multi-disciplinary approach has been taken in the preparation of the draft submission. Staff from various sections of Council provided input into the submission.

### SUMMARY

The Minister for Planning has declared the proposal to be Major Development and therefore a project with Part 3A of the *Environmental Planning and Assessment Act 1979*, applies. An Environmental Assessment (EA) has been submitted to the Department of Planning to support the plan for the staged alterations and additions to the hospital and its facilities. The EA is on exhibition till 15 October 2010.

The proposal seeks the demolition of a number of buildings, the relocation of the museum, the construction of new and refurbished hospital buildings along with accessways, car parking, an educational centre and landscaping.

A draft submission is attached for Council's consideration.

#### CONCLUSIONS

To enable accurate assessment of the impacts of the proposal, to improve long term planning and provision of health infrastructure both within the region, and within the site, and to improve economic, social and environmental outcomes of the project; the following key recommendations are provided to guide the preferred project report:

- Plans clearly showing the relationship between the hospital masterplan and the approved Wahroonga Estate masterplan, and an outline of the staging in relation to the overall masterplan, and consideration of the relationship between them;
- A more integrated proposal that includes considerations of ecologically sustainable development at the very start of the design process;
- The undergrounding of the major car parks and provision of well designed recreation spaces, with up front consideration of good connectivity for pedestrians and cyclists.

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### RECOMMENDATION

- A. That Council adopt the draft submission titled *Sydney Adventist Hospital (SAN)* Wahroonga Environmental Assessment for the Staged Alterations and Additions Application MP10\_0070.
- B. That Council forward the submission titled *Sydney Adventist Hospital (SAN) Wahroonga Environmental Assessment for the Staged Alterations and Additions Application MP10\_0070* to the Department of Planning.
- C. That Council provide a copy of the submission titled *Sydney Adventist Hospital (SAN) Wahroonga Environmental Assessment for the Staged Alterations and Additions Application MP10\_0070* to the Sydney Adventist Hospital.
- D. That Council offer to discuss the issues raised in the submission with representatives from the Sydney Adventist Hospital and the Department of Planning.

Rthna Gill Urban Planner Terri Southwell Senior Urban Planner

Antony Fabbro	Deborah Silva
Manager Urban Planning & Heritage	Acting Director
	Strategy & Environment

<ol> <li>Gross Floor Area map under SEPP Major Development) 2005 - 20</li> <li>Height of Buildings map under SEPP (Major Development) 2005 -</li> <li>Director General's Requirements - 2010/190503</li> <li>Draft Submission to the Environmental Assessment for the SAN Alterations and Additions - 2010/179642</li> <li>Perspective - View of CSB Expansion from the West - 2010/1908</li> <li>Concourse Sections and Elevations Sheet 2 - 2010/190897</li> <li>Aerial from north-east - 2010/190898</li> <li>CSB North Elevation - 2010/190899</li> <li>CSB Section 5 - 2010/190900</li> <li>CSB West Elevation - 2010/190902</li> <li>Demolition site plan - 2010/190903</li> <li>Education Centre Elevations - 2010/190907</li> <li>Landscape Amenity and Access Strategy - 2010/190908</li> <li>Multi deck car park Sections (1) - 2010/190909</li> <li>Multi deck car park - elevations north and south - 2010/190910</li> <li>Overall Staging Site Plan - 2010/190892</li> <li>Shannon East and West Elevation - 2010/190893</li> <li>Shannon Section Sheet 1 - 2010/190894</li> <li>Project Description - 2010/190688</li> </ol>	-
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# Director-General's Requirements

Application number	MP 10_0070
Project	Sydney Adventist Hospital – Staged Alterations and Additions
Location	185 Fox Valley Road, Wahroonga (Lot 62 in DP 10175814)
Proponent	Sydney Adventist Hospital
Date issued	10 June 2010
Expiry date	If the environmental assessment is not exhibited within 2 years after this date, the applicant must consult further with the Director-General in relation to the preparation of the environmental assessment.
Key issues (Core)	<ul> <li>The Environmental Assessment (EA) must address the following key issues:</li> <li><b>1. Relevant EPI's, Policies and Guidelines to be Addressed</b></li> <li>Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including:</li> <li>Objects of the EP&amp;A Act;</li> <li>State Environmental Planning Policy (Major Development) 2005;</li> <li>State Environmental Planning Policy No.55 – Remediation of Land;</li> <li>State Environmental Planning Policy No.53 – Hazardous and Offensive Development;</li> <li>State Environmental Planning Policy No.33 – Hazardous and Offensive Development;</li> <li>State Environmental Planning Policy No.19 – Bushland in Urban Areas</li> <li>NSW State Plan;</li> <li>Sydney Metropolitan Strategy 'City of Cities';</li> <li>Draft North Subregion Draft Subregional Strategy;</li> <li>Ku-ring-gai Planning Scheme Ordinance</li> <li>Relevant Development Control Plans; and</li> <li>Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.</li> <li><b>2. Concept Plan</b></li> <li>Consistency with the terms of approval of Concept Plan MP07_0166 and justify any areas of inconsistency.</li> <li><b>3. Built Form and Urban Design</b></li> <li>Height, bulk and scale of the proposed development within the context of the Sydney Adventist Hospital Campus and adjoining development;</li> <li>Details of proposed open space and landscaped areas; and</li> <li>Design quality with specific consideration of the façade, massing, setbacks, building articulation, appropriate colours/materials/finishes, landscaping, safety by design and public domain.</li> <li><b>4. Environmental and Residential Amenity</b></li> <li>Impacts of the proposal on solar access, acoustic privacy, visual privacy, view loss and wind impacts on surrounding development and environment; and</li> <li>Details of the measures to be implemented to achieve a high level of environmental and residential amenity.</li> <l< th=""></l<></ul>

6. •	<ul> <li>Transport and Accessibility Impacts (Construction and Operational)</li> <li>Provide a Transport &amp; Accessibility Study prepared with reference to the Metropolitan Transport</li> <li>Plan – Connecting the City of Cities, the NSW State Plan, the NSW Planning Guidelines for</li> <li>Walking and Cycling, the Integrated Land Use and Transport policy package and the RTA's Guide to Traffic Generating Development, considering the following:</li> <li>Demonstrate how users of the development will be able to make travel choices that</li> </ul>
	<ul> <li>support the achievement of relevant State Plan targets;</li> <li>Detail the existing pedestrian and cycle movements within the vicinity of the site and determine the adequacy of the proposal to meet the likely future demand for increased public transport and pedestrian and cycle access;</li> <li>Identify potential traffic impacts during the construction stage of the project, and</li> </ul>
	<ul> <li>measures to mitigate these impacts;</li> <li>Describe the measures to be implemented to promote sustainable means of transport including public transport usage and pedestrian and bicycle linkages in addition to addressing the potential for implementing a location specific sustainable travel plan;</li> <li>Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need / associated funding for upgrading or road improvement works (if required). The traffic impact assessment should consider base models with future traffic generated by the Sydney Adventist Hospital; and</li> <li>Appropriate levels of on site car parking for the proposed development having regard to the Concept Plan Approval (MP07_0166), local planning controls and RTA guidelines (note: The Department supports reduced parking provisions, if adequate public transport is available to access the site).</li> </ul>
7. • •	Ecologically Sustainable Development (ESD) Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development; Include a description of the measures that would be implemented to minimise consumption of resources, water and energy, including an Integrated Water Management Plan which details any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design; and Demonstrate that the development can achieve a minimum 4 Green Star rating, or any other suitably accredited rating scheme.
8. •	<b>Contributions</b> Address Council's Section 94 Contribution Plan and/or details of any Voluntary Planning Agreement.
9. •	<b>Contamination</b> Demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.
10. •	Heritage Consider any potential impacts of heritage, including a Heritage Impact Statement in accordance with the NSW Heritage Office publication "Statements of Heritage Impact".
11. ●	Aboriginal Heritage The EA shall address Aboriginal Heritage in accordance with the Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation 2005.
12. ●	<b>Drainage</b> Drainage issues associated with the proposal including stormwater and drainage infrastructure;

and

• Detailed plans of the proposed erosion and sediment control measures during demolition, construction and operation.

#### 13. Flooding

 An assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, sea level rise and an increase in rainfall intensity.

#### 14. Bushfire

 Demonstrate compliance with the relevant provisions of Planning for Bushfire Protection (PBP) 2006.

#### 15. Utilities

In consultation with relevant agencies, the EA shall address the existing capacity and any
augmentation requirements of the development for the provision of utilities including staging of
infrastructure works.

#### 16. Staging

• Details regarding the staging of the proposed development including impacts within the context of Sydney Adventist Hospital Campus and surrounding development.

#### 17. Flora and Fauna

- Address impacts on flora and fauna, including threatened species, populations and endangered ecological communities and their habitats and steps taken to mitigate any identified impacts to protect the environment; and
- Consistency with Biodiversity Management Plan as required under the approval of Concept Plan MP07\_0166 (as modified).

#### 18. Noise and Vibration

 Provide a quantitative assessment of the potential demolition, construction, operation and traffic noise impacts of the project.

#### 19. Waste

- Identify, quantify and classify the likely waste streams to be generated during construction and operation;
- Describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste;
- Describe the measures to be implemented to manage the disposal of nuclear waste, if required; and
- Describe the measures to be implemented to manage the disposal of contaminated and potentially contaminated biological and sewage waste.

#### 20. Hazards

- An assessment against State Environmental Planning Policy No 33 Hazardous and offensive Development; and
- A description of the proposed storage, use and management of any hazardous material and measures to be implemented to manage hazards and risks associated with the storage.

#### 21. Consultation

Undertake an appropriate and justified level of consultation in accordance with the Department's Major Project Community Consultation Guidelines October 2007.

Deemed	60 days
refusal period	

# Plans and Documents to accompany the Application

General	<ol> <li>The Environmental Assessment (EA) must include:         <ol> <li>An executive summary;</li> <li>A thorough site analysis including site plans, areal photographs and a description of the existing and surrounding environment;</li> <li>A thorough description of the proposed development:                 <ol> <li>An assessment of the key issues specified above and a table outlining how these key issues have been addressed;</li> <li>An assessment of the potential impacts of the project and a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimise any potential impacts of the project;</li></ol></li></ol></li></ol>
Plans and Documents	The following plans, architectural drawings, diagrams and relevant documentation shall be submitted; 1. An <b>existing site survey plan</b> drawn at an appropriate scale illustrating;
	<ul> <li>the location of the land, boundary measurements, area (sq.m) and north point;</li> <li>the existing levels of the land in relation to buildings and roads;</li> <li>location and height of existing structures on the site; and</li> <li>Location and height of adjacent buildings and private open space.</li> <li>All levels to be to Australian Height Datum.</li> </ul>
	2. A <b>Site Analysis Plan</b> must be provided which identifies existing natural elements of the site (including all hazards and constraints), existing vegetation, footpath crossing levels and alignments, existing pedestrian and vehicular access points and other facilities, slope and topography, utility services, boundaries, orientation, view corridors and all structures on neighbouring properties where relevant to the application (including windows, driveways, private open space etc).
	<ul> <li>3. A locality/context plan drawn at an appropriate scale should be submitted indicating:</li> <li>significant local features such as parks, community facilities and open space and heritage items;</li> <li>the location and uses of existing buildings, shopping and employment areas;</li> <li>traffic and road patterns, pedestrian routes and public transport nodes.</li> </ul>
	<ul> <li>4. Architectural drawings at an appropriate scale illustrating:</li> <li>the location of any existing building envelopes or structures on the land in relation to the boundaries of the land and any development on adjoining land;</li> <li>detailed floor plans, sections and elevations of the proposed buildings;</li> <li>elevation plans providing details of external building materials and colours proposed;</li> <li>fenestrations, balconies and other features;</li> <li>accessibility requirements of the Building Code of Australia and the Disability Discrimination Act;</li> <li>the height (AHD) of the proposed development in relation to the land;</li> <li>the level of the lowest floor, the level of any unbuilt area and the level of the ground;</li> </ul>

	<ul> <li>any changes that will be made to the level of the land by excavation, filling or otherwise;.</li> <li>5. Other plans (to be required where relevant):         <ul> <li>Stormwater Concept Plan - illustrating the concept for stormwater management;</li> <li>Erosion and Sediment Control Plan – plan or drawing that shows the nature and location of all erosion and sedimentation control measures to be utilised on the site;</li> <li>Geotechnical Report – prepared by a recognised professional which assesses the risk of Geotechnical failure on the site and identifies design solutions and works to be carried out to ensure the stability of the land and structures and safety of persons;</li> <li>View Analysis - Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposed building envelopes in particular having regard to the siting, bulk and scale relationships from key areas;</li> <li>Landscape plan - illustrating treatment of open space areas on the site, screen planting along common boundaries and tree protection measures both on and off the site.</li> <li>Shadow diagrams showing solar access to the site and adjacent properties at summer solstice (Dec 21), winter solstice (June 21) and the equinox (March 21 and September 21) at 9.00 am, 12.00 midday and 3.00 pm.</li> </ul> </li> </ul>
Documents to be submitted	<ul> <li>1 copy of the EA, plans and documentation for the Test of Adequacy;</li> <li>12 hard copies of the EA (once the EA has been determined adequate);</li> <li>12 sets of architectural and landscape plans to scale, including one (1) set at A3 size (to scale); and</li> <li>1 copy of the Environmental Assessment and plans on CD-ROM (PDF format), not exceeding 5Mb in size.</li> </ul>

# DRAFT KU-RING-GAI COUNCIL SUBMISSION October 2010

# SYDNEY ADVENTIST HOSPITAL (SAN) WAHROONGA

# Environmental Assessment Staged Alterations and Additions Application MP 10\_0070

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# **Executive Summary**

This submission provides comment from Ku-ring-gai Council to the Department of Planning on the *Environmental Assessment* (EA) for project MP 10\_0070 *Staged alterations and additions to the Sydney Adventist Hospital* (described as the SAN for the purposes of this document).

Council strongly supports the expansion of the hospital facilities on the site. The Ku-ring-gai area, like much of Sydney, has an aging population, which will result in increased demand for such services. The SAN hospital however, draws from a much wider area than this LGA, and supports the health and recovery of people from the surrounding areas and much of the northern part of Sydney, extending to the Central Coast. There is a significant need for increased health services across this area, and the expansion of the SAN hospital is therefore an important component in the development of health services in Sydney.

In addition, as a large local employer, the expansion will support an increase in local employment and training opportunities, which will benefit the local community.

The capital value of the proposed works is estimated by the proponent to be \$283.3 million. The proponent states that these works are expected to meet the needs for the short to medium term. The works involved will be part of the site, and the community for the long term and it is important that the best outcome for the site, and the community be achieved, taking into consideration: the setting of the hospital; the adjoining bushland and watercourse; climate change; the potential functional, social, recreational, employment and health connections to the surrounding community; the overall amenity of future users of the SAN site, and existing and future residents, students and businesses in the locality; and the economic and financial constraints and opportunities, including the ongoing financial costs to the hospital over the long term. As further intensification of the hospital facilities will be required in the long term, the site layout and design must also ensure that future expansion is not compromised - physically, or economically, by the satisfaction of shorter term needs.

The Director General's requirements (DGRs) set out the parameters for the EA, to guide the achievement of the above outcomes. This submission provides Council's comments on the potential to achieve the above desired outcomes, by considering the proposal in light of the DGRs. The submission is set out in the same structure as the DGRs.

While Council supports the expansion of the hospital facilities, it nevertheless has significant concerns that the proposal, as it stands, will fail to meet the requirements of the Director General and the above outcomes.

Council's key concerns relate to urban design and long term planning, and the relationship with the overall Wahroonga Estate concept masterplan.

Key issues include the following:

- The lack of key documentation such as the Biodiversity Management Plan and its components. This plan is required to be approved by DEWHA prior to the lodgement of an application for the site. Without this plan it is impossible to consider the consistency of the proposal with the approved measures in relation to weed and pest management, vegetation management, stormwater and fire management and management of public access to the E2 Environmental Conservation lands.
- The lack of plans clearly showing the relationship, spatially and in terms of staging, between the hospital masterplan and the approved Wahroonga Estate concept plan, the

lack of required detail on a number of plans, and inconsistencies between plans, make it difficult from a comprehensive professional planning point of view to comment. If this were a DA, Council would be seeking further information. This information should be submitted prior to minister making a determination.

- The proliferation of car parks and the concentration and massing of the built form, which result in the lack of adequate and useable outdoor areas and the poor amenity of the open space areas for patients, visitors and staff, including staff who live on site. The overall concept appears to be more appropriate in a densely urban environment and does not capitalise on its unique setting.
- The proposal has been designed, without incorporating the principles of ESD up front. This is evident in the fact that to achieve a 4 star Green Star Design rating the proposal relies very heavily on credits for on-going management, rather than design credits for the design of the structures within the landscape, almost half of which are 'to be confirmed'. Given the scale of the development, the likely life and cost of the structures, the number of patients and other people using the facility, the large ongoing financial running costs and the significant opportunities within such a site, this is unacceptable.
- The proposal is not an orderly and economic use of the land. The inclusion of extensive at grade, and above ground multi-level parking, rather than basement parking below the building footprints, limits, spatially and financially, the future long potential for further hospital development.

Nevertheless the proposal also contains some positive elements. The arrival podium, the concourse and the loggia improve the visual and functional connection to and between the main hospital buildings. The internal layout generally improves the legibility of the hospital functions and its elements. The consideration of indoor air quality within the hospital buildings is also a positive element, for patients and staff. The re-use of the Bethel house within the site and the proposed interpretative strategy show a positive consideration for the heritage of the locality.

It is recommended that a Preferred Project Report be submitted addressing the concerns outlined in this submission. The amendment of the proposed expansion taking into account the concerns outlined in this submission, will not only support good planning outcomes, but the stated mission of the SAN - *'caring for the body, mind and spirit of our patients, colleagues, community and ourselves'.* 

# **Comments against the Director General's Requirements**

#### DGR 1: Relevant EPIs, Policies and Guidelines to be Addressed

Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including:

- Objects of the EP&A Act;
- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy No.55 Remediation of Land;
- State Environmental Planning Policy No.33 Hazardous and Offensive Development;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy No.19 Bushland in Urban Areas
- NSW State Plan;
- Sydney Metropolitan Strategy 'City of Cities';
- Draft North Subregion Draft Subregional Strategy;
- Ku-ring-gai Planning Scheme Ordinance
- Relevant Development Control Plans; and
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

#### **Environmental Planning and Assessment Act 1979**

The proposal is not consistent with the objects of the Act:

#### The orderly and economic use of the land:

The hospital zone (SP1) is limited to a smaller area than the previous zoning and it is important that the existing hospital site be used to gain the best outcome for the hospital for the long term. The inclusion of extensive at grade, and other above ground parking is not the most orderly use of the land. The proposal claims to address short to medium term hospital needs only. In the long term, further hospital facilities will be required, and the proposed use of the land in this way would compromise, or make extremely expensive, more intensive use of the land. For instance, the Shannon car park should be relocated under the main Shannon wing, freeing up valuable area for more appropriate uses, such as landscaping and recreation areas, with potential in the long term for further redevelopment.

The protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats:

A Biodiversity Management Plan was required as an approval condition for the concept plan for the Wahroonga Estate. The plan and its components are critical to any understanding of the future management of the conservation values of the site. It is not possible to assess whether the proposal is consistent with any approved Biodiversity Management Plan in its absence, and therefore to assess whether the proposal is consistent with the objects of the Act.

#### Ecologically sustainable development:

- The proposal is not ecologically sustainable development:
  - It fails to take into consideration the impacts of future climate change, by depending on management rather than design to meet minimal Green Star standards.
  - It fails to consider the long term ongoing financial costs of this short sighted approach.

- It fails to properly integrate external areas with the built form to support social and recreational outcomes, for the public generally, for patients and their families, or indeed for the staff who live in dormitory accommodation on the site.
- This issue is further discussed under DGR 7.

#### State Environmental Planning Policy (Major Development) 2005

SEPP (Major Development) 2005 provides the overall parameters for development on the Wahroonga Estate as a whole. The concept plan approval provides greater detail. The hospital plan sits within this overall development. However, while the plans do, to some extent, show the relationship between the hospital proposal and the existing development on the site, they totally fail to show the relationship between the future development under the concept plan approval and the hospital proposal. This makes it extremely difficult to assess the impacts of the proposal. For instance more information and plans setting the hospital works and staging into the wider context of the future relocated school and new commercial and high density residential areas is required, in order to avoid conflicting land requirements, and to assess pedestrian, cycle and vehicular access, parking and safety issues – both to the hospital and to the surrounding development in the future.

The proposal fails to comply with the following standards:

Land Use Zoning (Clause14):

The temporary carpark to the east of the hospital encroaches on the E2 lands. Such a use is not permissible under the SEPP. Car parking should be set back from the bushland to avoid adverse impacts on the bushland.

Height and Gross Floor Area Restrictions (Clause 18)
 It is not possible to verify the gross floor areas specified in the EA.

The maximum building height of the education centre does not appear to comply with the maximum 14.5m height allowed under the SEPP. It appears to be more than 15m high, based on the sections. However, the drawings lack the detail required to accurately assess the height. For instance the sections do not include any RLs, and are not all to the stated scale. Council cannot confirm that the new Shannon building and the CSB expansion comply with the height standard.

Public Utility Infrastructure (Clause 25):

The proposal only states that it is in the process of seeking formal acknowledgement from the various providers regarding the requirements for this development. It is imperative that the required bodies be consulted and any structures that are required to be placed on the site are done so in an ordered manner. As mentioned already, it is unacceptable for any service elements such as substations, plant areas, water tanks, oxygen tanks to be placed above ground in full view of the surrounding areas of the hospital. All service structures must be placed within basement structures to avoid their negative impact on the campus style of the hospital. This is further discussed under DGR 15.

#### State Environmental Planning Policy 55 – Remediation of Land

The reports submitted as part of the EA appear to be preliminary only, and therefore are unlikely to meet the requirements of a Phase 2 Detailed Site Contamination Assessment in accordance with the SEPP and condition B13 of the consent for the concept plan. Site contamination is discussed under DGR 9.

#### State Environmental Planning Policy (Infrastructure) 2007

The application states that the proposed electricity substations do not require separate development consent. This is agreed, however the opportunity to consider the location of any

significant objects of infrastructure, such as the electricity substations discussed above under *Public Utility Infrastructure (Clause 25)* at the design stage, would ensure that they are located appropriately to avoid their impact on other aspects of the development such as the urban design and visual amenity.

#### State Environmental Planning Policy No 19 – Bushland in Urban Areas

The SEPP requires the consent authority to be satisfied that any disturbance to bushland zoned for open space is essential for a public interest and there is no reasonable alternative. It also requires that development adjoining such bushland take into account the need to retain any bushland on the land and the effect of the proposed development on that bushland, especially on the erosion of soils, the siltation of streams and waterways and the spread of weeds and exotic plants within the bushland.

The works proposed in this Project Application are setback from the established bushland, which is located within an E2 Conservation Zone under the provisions of the Major Development SEPP. A number of conditions of consent for the concept plan approval relate to the protection of these areas of bushland. Non-compliance with the condition requiring the prior lodgement of a biodiversity plan, with a number of components, means that it is impossible to accurately assess the impacts on this bushland.

As stated by the proponent, a number of trees in the area of the multi-deck carpark are to be removed. The relocation of the car parking under the new buildings, would improve the interface with the bushland as well as providing an appropriate amount of open area that can be landscaped into meaningful, accessible and useable garden/amenity areas for the workers, patients, visitors and local community.

Similarly, the Controlled Activity Approval requires the lodgement of a Conservation Interface Plan (CIP). While the CIP is not required to be lodged until the Construction Certificate state, the submission of a draft CIP prior to the lodgement of any Preferred Project Report would ensure that consistency is achieved between the plans and the Biodiversity Management Plan and the CIP. This will avoid future conflicts and poor development outcomes in relation to the natural values of the site.

As stated by the proponent, a number of trees in the area of the multi-deck carpark are to be removed. The relocation of the car parking under the new buildings, would improve the interface with the bushland as well as providing an appropriate amount of open area that can be landscaped into meaningful, accessible and useable garden/amenity areas for the workers, patients, visitors and local community.

This is further discussed under DGRs 7, 12 and 17.

#### **NSW State Plan**

The proposal states a number of key points from the *NSW State Plan*, however there is little or no delivery on these in the submission. The following three in particular have not been considered despite being aligned with the SAN mission statement:

- *Rights, Respect and Responsibility* the justice system and services that promote community involvement and citizenship.
- Fairness and Opportunity services that promote social justice and reduce disadvantage.
- Environment for Living planning for housing and jobs, environmental protection, arts and recreation.

The NSW State Plan also promotes 'Stronger Communities' and a 'Green State'.

In terms of strengthening the community links, the proposal states that the links with the surrounding community include the yearly 'carols by candlelight' and possible fetes on the village green. While it appears that there is an intent to engage the community, providing them with recreation opportunities alongside the hospital staff, patients and visitors, plans identifying communal uses such as bike/walking tracks provide insufficient detail in regard to their location, design or staging and these facilities do not actively link with high quality open spaces within the grounds. This issue is further considered under DGR 3. It is positive however, to see that it is proposed to link the recreation trail with the track through Coup's Creek.

Provision of a well landscaped garden to the north of the site, offering the unique bushland views, areas of respite and open playground facilities that staff, patients, visitors and the local community could enjoy, would foster the level of *respect, opportunity and environment for living* that the *NSW State Plan* seeks in its fostering of stronger communities.

The proposal states that the 'Faculty of Nursing will result in improved education opportunities', however successful education facilities provide basic on site ancillary facilities. Facilities such as underground carpark in the basement of the education centre and on site quality leisure breakout/park areas are required.

The proposal does not make any contribution to the *NSW State Plan's 'Green State'* which looks to development incorporating innovations that improve its functioning and productivity. The proposal fails to incorporate environmental design measures, let alone innovation that support the reduction of greenhouse emissions. This is further discussed under DGR 7.

#### Sydney Metropolitan Strategy

The proposal is not in accordance with the Strategy objectives of protecting the environment and making Sydney climate change ready. The scale and nature of the development mean that is extremely important to take the opportunity to reduce reliance on fossil fuel and reduce water use. This would also be most cost effective at this early stage of the development process. However, the proposal fails to provide adequate design based measures to address this. This is further discussed under DGR 7.

#### **Draft Subregional Strategy for North Subregion**

The expansion of the hospital, and the increase in employment opportunities are consistent with the Draft Strategy. However, the proposal poorly addresses the Draft Strategy in terms of *Transport* and *Environment, heritage and resources:* These issues are discussed under DGRs 6 and 17.

#### Ku-ring-gai Planning Scheme Ordinance

With regard to the KPSO, there are no specific statutory controls that apply to hospital development, however, given the zoning of the site and surrounding sites, it is appropriate to consider its general aims and objectives. The overarching objective of the KPSO is to maintain a reasonable proportion of any development as soft landscaping to ensure that predominant landscape character of the locality is maintained or enhanced. Central to this aim is the minimising adverse impacts of car parking on landscaping character. It is considered that the proposal has not responded appropriately and instead shows a proliferation of car parking structures.

It is also considered that the locations of these structures have been less than optimal and have effectively alienated the site from its natural surrounds.

#### **Development Control Plans**

The proposal fails to comply with the following DCPs:

- Ku-ring-gai Development Control Plan No 31 Access: The proposal fails to comply with the
  objectives of DCP 31 in that accessibility, including accessible parking is inadequate. This is
  further discussed under DGR 6.
- Ku-ring-gai Development Control Plan No 43 Car Parking Code: The proposal fails to comply with DCP 43. In particular the provision of accessible parking spaces is grossly inadequate, and the design of the spaces does not comply with the relevant standards. This is discussed under DGR 6.
- Ku-ring-gai Development Control Plan No 47 Water Management: The proposal fails to comply with the stormwater management controls in DCP 47 – Water Management. In addition, it is unclear whether the setbacks to the temporary carpark comply with the requirements for riparian setbacks. These issues are discussed under DGR 12 – Drainage and DGR 7 – ESD.

#### DGR 2: Consistency with concept plan approval

 Consistency with the terms of approval of Concept Plan MP07\_0166 and justify any areas of inconsistency.

The documentation on the proposal acknowledges the SAN hospital as a part of the Wahroonga development Concept Plan, however no connections are illustrated within the submission. Insufficient information has been provided to assess the proposal on social, economic and environmental grounds, particularly in relation to the overall Wahroonga development.

Additionally the proposal states that this submission deals with the short to medium term with a mind to expansion in the long term. The proposal needs to give due consideration to future expansion. This will enable the inevitable future development to be executed in a manner that is orderly and beneficial to the site by building on the structures and infrastructure now being proposed.

The proposal has a number of inconsistencies with the Concept plan approval:

 The proposal is required to be consistent with the preferred project report for the Wahroonga Estate describes the landscaping for the hospital area as campus style (Wahroonga Estate Redevelopment, pg 51). This is described as:

'the landscape treatment across these areas will help to create a 'campus' feel with high levels of pedestrian accessibility. Retention of existing vegetation together with avenue tree planting and larger areas of open lawn will provide a strong green structure within the wider forest setting. A number of key focal spaces related to the hospital church and residential communities will be inter-linked by a strong network of paths and cycle ways placing an emphasis on pedestrian movement.'

The proposal fails to achieve this. This is discussed in detail under DGR 3.

- Condition A2 Development in Accordance with Plans and Documentation
  - The proposal is required to be consistent with the preferred project report and concept plan for the Wahroonga Estate, which describes the landscaping for the hospital area as campus style (Wahroonga Estate Redevelopment, pg 51). This is described as:

'the landscape treatment across these areas will help to create a 'campus' feel with high levels of pedestrian accessibility. Retention of existing vegetation together with avenue tree planting and larger areas of open lawn will provide a strong green structure within the wider forest setting. A number of key focal spaces related to the hospital church and residential communities will be inter-linked by a strong network of paths and cycle ways placing an emphasis on pedestrian movement.'

The proposal fails to achieve this, as discussed in detail under DGR 3.

The proposed development is not located within the existing footprint of the existing hospital development, including the ancillary car park. The proposed Shannon building and the proposed Shannon carpark building have a significantly larger footprint than the original Shannon building, male nurses' residence and workshops that are being demolished for their placement. The proposed CSB buildings are completely outside the existing hospital footprint and are replacing land currently used for recreation purposes. The proposed multi level carpark is completely outside the existing hospital footprint and requires the removal of established mature trees. The proposed at grade parking to the north and to the west of the site far exceed the footprint of the original surface parking, and along with the service roads require considerable retaining walls and landscape mitigation to deal with their regrading.

The demolition of the Shannon wing (retained on the Concept Plan) is supported in part only. Support is given for the rebuild of the hospital rooms and the benefit to the hospital is acknowledged; however, it is not accepted that the footprint of the Shannon building be extended to provide above ground parking adjacent to the building housing the hospital rooms. It is feasible for this parking to be provided under the new Shannon building within its basement levels, and be linked with additional parking provision under the adjoining truck service turning area and within the basement levels of the two new CSB buildings.

The provision of above ground parking is not supported. The new footprint of the two new CSB buildings is not supported unless the sizeable landscape amenity area that it replaces is relocated to an area equally accessible from the hospital and of equal high standard of the current space in terms of aspect and views/connections with the surrounding bushland.

Condition A3 – Gross Floor Area

There is insufficient detail on the plans to confirm the proponent's assessment of the gross floor area for the hospital and for the education centre.

It is noted that the proposal includes non-hospital uses. Of particular concern are retail areas. The terms of the approval provide for a maximum of 2,000m<sup>2</sup> for retail in the Central Hospital Precinct. Retail areas are incorporated within the hospital buildings. While the specific uses may be appropriate, the amount of gross floor area for the retail uses is not provided. Further, the plans do not easily enable the calculation of the GFA in relation to the retail areas (let alone the overall GFA). However, Plan No A/E-011 for Level 2 of the CSB includes approximately 160m<sup>2</sup> of retail space on this plan alone. The retail uses should be specified and calculated separated from the hospital uses. This would ensure that future retail on the corner of Fox Valley Rd and the Comenarra Parkway is not excessive, while at the same time freeing up some GFA for strict hospital uses.

#### Condition B1 - Urban design

The proposal is inconsistent with footprint requirements of this condition:

- The footprint of the two new CSB and Shannon buildings are greater and additional to the existing building footprint. It is accepted that this is necessary, however it is unacceptable that a large proportion of new footprint is above ground parking located adjacent to the Shannon building and to the north of the site.

- It is vital that all new car parking, including both multistorey and at grade parking, be housed within the footprint of the two new CSB buildings, the new Shannon building and the new Education Centre, within their basement levels.

The proposal is inconsistent with the concept plan approval which requires buildings to be sited to avoid critically /endangered ecological communities, achieve balance between cut and fill and to minimise earthworks:

- The new fire centre and oxygen tanks are proposed to be located within an area of Sydney Turpentine Ironbark Forest, a threatened ecological community. This is further discussed under DGR 17.
- While contours are shown on engineering drawings, existing ground levels are not shown on the survey plan. Further the survey plan does not include the area of the extensive temporary eastern carpark. The engineering drawings only state that minor regrading will be required for the new road adjacent to the E2 land behind the multi level car park, and for the large temporary carpark; however, this does not appear to be the case when looking at the contours and the extent of cutting across them. This is therefore also inconsistent with *condition B12 Geotechnical issues*, and *B6 –Road design and construction* (1).
- Heights of retaining walls or berms are required to assess the extent or potential impact of earthworks on the E2 conservation areas. It is likely that these areas are too close to the bushland and should be setback further to towards Fox Valley Rd. The underground relocation of the at grade parking to the bushland side of the multi-deck carpark would allow the road to be further setback from the bushland.
- Again, it is unknown whether the proposal is consistent with the Biodiversity Management Plan in this regard, or indeed with the Conservation Interface Plan (CIP) required by DEWHA as part of the approval for the Controlled Activity. No CIP or draft CIP has been sighted.

The proposal is inconsistent with the condition requiring buildings with frontage to Fox Valley Rd to have an active street frontage. The fire centre and oxygen tanks are not active uses, but services that should be located where they do not visually intrude on the landscape or streetscape.

- Condition B2 Proposed hospital facilities
  - The documentation on the proposal acknowledges the SAN hospital as a part of the Wahroonga Estate Redevelopment Concept Plan, however the relationship between the proposal and the concept plan is not illustrated within the submission. Insufficient information has been provided to assess the proposal on social, economic and environmental grounds, particularly in relation to the overall Wahroonga Estate development. Even the relationship with future development within the Hospital precinct itself is not included, such as with new nursing accommodation, highlighted by the SAN at a site visit, as urgently needing replacement.
  - Further the plans do not include the level of detail required to enable accurate assessment of compliance with the conditions of consent, such as GFA and height and earthworks. The drawings are not true in their elevations, the lines of bulk of building and structure beyond are omitted. Including these would show the irregularities that occur upon turning the corner and looking at a different elevation. The drawings are not cross referenced to written documentation with items stated in the written documents not evident in the drawings. In addition spot levels are not shown on the plans making it difficult to determine the relationship between internal-external, and accessibility and slope across the site.

- It is recommended that plans at a scale sufficient to understand the overall layout of the buildings by floor, in relation to each other be included within the Preferred Project Report. 1:400 may be suitable.
- Additionally the proposal states that this submission deals with the short to medium term with a mind to expansion in the long term. The proposal needs to give due consideration to future expansion. This will enable the inevitable future development to be executed in a manner that is orderly and beneficial to the site by building on the structures and infrastructure now being proposed.

The relationship of the proposal with the surrounding development and the visual impact are poorly addressed through the design of the buildings and surrounding open space and landscaping. This is discussed in detail under DGRs 3, 4 and 5.

- The proposal's traffic management lacks information on upgrades that are to be made to items that need consideration in light of the increase in the flows of pedestrian/vehicles. Such as bustop waiting areas on Fox Valley Road, a separate and safe pedestrian access into the hospital that links into the new pedestrian concourse, pedestrian/vehicular pathway separation and crossings on the site.
- Condition B4 Biodiversity

The proposal is inconsistent with B4 of the Concept plan approval in that no *Biodiversity Management Plan* is included. While it is understood that negotiations are underway with DECCW in relation to some of the land to be transferred for conservation, and that the finalisation of the plan will require these and potentially other negotiations to be completed, it is not possible to assess the consistency of various measures with the *Biodiversity Management Plan* without access to the plan. This applies to a number of aspects of the proposal in relation to specific components of the plan, including the *Vegetation Management Plan*, *Fire Management Plan*, the *Hydrology and Nutrient Management Plan* and the *Management Plan* relating to public access to the E2 Conservation lands. At the least, a draft Biodiversity Management Plan should have been submitted. It is noted that a number of sections of the EA claim that the proposal is consistent with the Biodiversity Management Plan. This seems somewhat farfetched, when no such plan has been made. This omission is a critical issue in relation to the proposal.

Condition B5 - Bushfire protection

The Clinical Services Building does not comply with the APZ requirements. There are also a number of other concerns in relation to compliance with Planning for Bushfire Protection are outlined under DGR 14.

 Condition B6 - Road design and construction As previously stated, concerns with Planning for Bushfire Protection, flora and fauna and earthworks, are discussed under DGRs 6 and 14 and DGR 17.

#### Condition B8 – Transport

Issues in relation to the Work Place Travel Plan and Transport Access Guide and pedestrian and bicycle linkages and other transport infrastructure are discussed under DGR 6.

#### Condition B9- Car parking

The proposal fails to consider Council's DCP 43 – car parking. This is discussed under DGR 6.

- Condition B11 Stormwater Management The proposal fails to comply with Ku-ring-gai's DCP 47 – Water Management. These issues are discussed under DGR 12 – Drainage and DGR 7 – ESD.
- Condition B13 Contamination
   No Phase 2 Detailed Site Contamination assessment appears to have been provided.
- B14 Construction management and staging The proposal fails to comply with this condition, as the staging plans are inadequate, and no construction management plan has been submitted. These issues are discussed under DGRs 16 and 18.

#### DGR 3: Built Form and Urban Design

- Height, bulk and scale of the proposed development within the context of the Sydney Adventist Hospital Campus and adjoining development;
- Details of proposed open space and landscaped areas; and
- Design quality with specific consideration of the façade, massing, setbacks, building articulation, appropriate colours/materials/finishes, landscaping, safety by design and public domain.

#### Height, Bulk and Scale

The new CSB, Shannon, and Education Centre buildings are of necessity at a large scale. They will be seen from Fox Valley Road, from the surrounding areas and from the site itself. It is therefore vital that the buildings are designed in an interesting way to present their bulk and scale in an aesthetic manner.

It is imperative that the infrastructure of underground parking levels be constructed as part of this development when large substantial buildings are being constructed with substantial foundation works. Creating a carpark under the entire new expansion CSB footprint stage 1a and 1b spanning across the at grade service area and joined underneath to the basement of the new Shannon building, would not only be efficient in utilisation of ramping and access, but enables the ground level areas to be clear of structures whose bulk against the bushland cannot be mitigated at the higher levels through the proposed screening, planting or otherwise.

The Visual Impact Analysis recognises that the bulk of the development impacts on the view from local streets and residences in a one-two kilometre radius, to a greater or lesser extent. The analysis states that there is opportunity to 'reduce building bulk towards the top of the development, thereby reducing the visual bulk adding to the merit to the proposed development'. Reducing the floor plate of the higher elements of the CSB and Shannon wing, providing articulation and/or stepping back the top floor/s would assist in reducing the bulk of these buildings.

The design of the CSB expansion and the Shannon Wing façades should reduce the visual bulk and to break down the monolithic structures into smaller components through the use of significant façade articulation. The vertical rhythm as expressed currently acts to mask the lack of significant articulation within the design of both the Shannon Wing and CSB expansion. The façade should be designed with significant articulation to break down the bulk and scale of the two new wings to minimise the visual impact of the development.

Currently the open spaces reflect the 'left over' character as identified in the assessment of the existing landscape character. Most of the identified open space areas suffer from large

amounts of overshadowing and are not connected with each other. Some areas currently dedicated to at-grade parking should be used as linking corridors of landscaping and/or to consolidate an outdoor landscaped area sited in an optimal location for solar access and amenity.

#### Open space and landscaped areas

There are a number of issues that this proposal has not addressed in the landscape documents and that are not acceptable in terms of the landscape of this site. These include the following:

#### **General Issues**

- It is not possible to accurately check whether the maximum heights comply with the standards in the SEPP (Major Development) 2005. The education centre appears to be too high, exacerbating the impact of the poor façade presentation to the Comenarra Parkway.
- In general the hospital site lacks areas of quality open space directly accessible to hospital users, for recreation and for respite/rehabilitation.
- The structure of the existing core hospital buildings, and the proposed expansion, does not lend itself to establishing a direct relationship between external areas and various wards/ hospital functions and public areas.
- Apart from the village green, the most significant areas of open space are located in a piecemeal fashion between roads/ existing car parks, which physically isolate these areas from the hospital.
- The proposed scheme does not improve the existing situation. The hospital core area will continue to be dominated by multistorey buildings and surrounded by car parks and roadways with minimal quality centrally located, well oriented or accessible open space adjacent to the main hospital buildings or elsewhere within the hospital precinct.
- Areas around the hospital are dominated by roads, service access ways, multi-storey hospital buildings, with open space largely the areas leftover rather than planned spaces.
- The hospital setting currently contains extensive areas of bushland and a perimeter edge containing open grassed open space, to the north and west. These areas are physically remote from the core areas of the hospital. The surrounding bushland and perimeter open spaces, provide visual amenity rather than practical and accessible recreational / rehabilitation opportunities for the majority of hospital users. This opportunity needs to be provided on the site.
- The majority of the perimeter open space is located between areas between existing and proposed carparks, roads and bushland, and is are relatively narrow. Some areas quite steeply sloping towards the bushland and or have significant detention structures located within them, thus limiting their potential as useable open space.
- The landscape design statement indicates that a key objective of the landscape design is to reinstate the original values of the site, in which the landscape setting and extensive access to recreational opportunities within the landscape played a key role. The idea of a "sanatorium", an area for healing and rehabilitation by way of a direct relationship to the natural environment. The landscape design and the design fails to achieve this objective with key areas of potential open space built upon (tennis court precinct and car park area to the north), minimal areas of easily accessible open space provided adjacent to the main hospital complex, and areas surrounding the main complex dominated by buildings, roads and new and existing car parks.
- The proposal mentions the importance of the landscape setting but has not preserved it on the immediate site, nor acknowledged it through the placement of the design elements. In particular, the above ground carparks turn their backs on the greater landscape setting and they create a barrier at ground level where good landscaping could be provided.
- The amount and quality of landscaped areas falls far short considering the size of this development and the potential for landscape to assist in the healing and wellbeing of

patients and their visitors. Consideration of a variety of quality landscape gardens with varying degrees of access and enclosure should be considered for this site.

- No consideration is given to the provision of rooftop gardens that have the best potential to provide private recuperation areas for patients and visitors, particularly as the lower roof tops have the best site aspect to the north with its associated views. Rooftop gardens can also be utilised as staff breakout areas, particularly important in this type of high pressure hospital environment. Rooftop landscapes are synonymous with many practices of green building and should be incorporated into this proposal. Coupled with this is the inevitable future expansion of the hospital and the necessity to consider open and landscaped areas in an innovative way for that future expansion.
- The new CSB courtyard appears very unlikely to be used in the manner stated by the proponent. It is unclear how this small landscaped area adjacent to the new CSB building area can be utilised 'to provide a useable outdoor area to be enjoyed by staff and visitors' as stated in the proposal. The only room opening onto it is a small portion of the day infusion centre, and the two blank walls of doctor's suites 9 and 12 flank the other side of it. Whilst the elements of the garden may be thought out, the access to the garden is limited and its small size and location adjacent to a frequently used roadway, alongside the placement of three substations at its northern end, make it a poor space and unlikely to fulfil the 'recuperation, relaxation and respite for patients, staff and visitors' that the proponent seeks to provide.
- The proposal document states that "the Sydney Adventist Hospital is a campus-style hospital development with a series of buildings of various ages, heights and configurations located within a landscaped setting". Innovative landscaping is an important requirement on this site to maintain the 'campus style' that the proposal documents describe. In addition good landscape is necessary to acknowledge the historical bush connection and setting. The landscape provision and initiatives on this site are minimal.
- Apart for usage for large community functions (eg fetes, carols by candlelight) the Village Green appears unlikely to be utilised by the patients/visitors/staff as an area for relaxation and recuperation.
- The landscape design does not show how the existing and proposed/expanded drainage bio-retention basins will be integrated into the landscape design. These structures have implications in regard to finished earthworks, recreational use, access, vegetation impacts.
- No detail has been provided in relation to landscape planting. It is considered that use of native locally occurring species form the two local endangered vegetation communities which occur nearby, (Sydney Turpentine Ironbark Forest and Blue Gum High Forest), would be appropriate from an ecological and environmental standpoint.

#### Earthworks for car parks

- Insufficient detail has been provided in relation to earthworks necessary for the construction of the new on grade carparks (both temporary and permanent) and associated perimeter roads. This is important in relation to open space design particularly in the narrower and steep areas to the northern perimeter adjacent the new roadway and car parks.
- The proposal indicates that earthworks will be minimal. However given the steep nature of some of the edge areas and the need to integrate drainage structures (bio retention basins and the like) as well as the proposed pathways/cycle ways recreational areas, it is considered that significant change to the topography of the area will be necessary. Indeed, the Geotechnical Investigation report by Jeffery and Katauskas Pty Ltd states that:

'We note that significant earthworks and stormwater diversion works will be required, particularly for the lower new ring road extension and the temporary parking.'

It is essential that the area of new earthworks and associated structures be designed to ensure no impact or encroachment to the bushland edge.

#### Northern car parks Stage 1A

- The proposed on grade car park and multi storey car park building to the north of the CSB building physically and visually isolates this building from the bushland to the north.
- There is excellent potential for a large high quality open space area within this zone, which could benefit both hospital users and future residents of the Wahroonga precinct. It is considered that the location of on grade and multilevel car parks within this area is a substantial lost opportunity in relation to open space provision.
- Provision of car parking elsewhere on site, as an underground facility and the provision of an integrated area of open space to the north of the CSB building directly connected to the CSB should be explored.

#### Tree removal/ impacts/ tree protection

- The Director General's Requirements included (under Landscape Plan) "tree protection measures both on and off the site. The documents provided do not address this issue.
- No tree management plan/ tree protection plan or environmental site management plans have been provided with the submitted documentation.
- A tree management plan developed with the site management plan is essential in this regard to ensure appropriate tree protection measures are undertaken throughout the demolition and building stages.
- No arborist report has been provided with the documentation detailing trees on the site, tree impacts.
- Numerous trees both exotic and native will require removal as part of the proposed works. While it is acknowledged that this is necessary and that the majority of these trees are planted specimens with few being of particular significance, it is considered essential that remnant native and other significant trees on site are retained wherever possible.
- Due to a lack of detail in relation to the drawings submitted and an absence of a detailed arborist report and Tree Management Plan is not possible to analyse tree impacts and the feasibility of the proposed tree retention in any detail.

#### Impacts on STIF vegetation

- These trees are large and prominent remnant native specimens and form part of the state listed endangered vegetation community. The location of tanks and the fire control centre within this area will damage the trees over the medium term, even if their immediate removal is not required. This issue is further discussed under DGR 17.

#### Inconsistencies

- There are other inconsistencies, such as the retention of trees in seating area between the concourse and San Clinic (Trees D34 – 39 Spotted Gums, Corymbia maculata) is in conflict with the proposed bio retention basin within this area indicated on the hydraulics drawings.

#### CSB expansion / Existing tennis court precinct

- Opportunity exists for a functionally meaningful open area to be developed within the site in relation to the existing tennis court precinct, which is more centrally located within the site, and also the area to the north of the hospital where the existing on grade parking is located.
- The redevelopment of the hospital will result in virtually all of the tennis precinct being developed for expansion of the CSB stages 1A &1B.

#### Courtyard to the North West corner of the CSB building

- Given the size of the CSB building this new courtyard, which is the only on ground courtyard/ passive outdoor space for this building, is very small. The courtyard is not centrally located and is not well located (functionally to the majority of the users of the building.
- Electrical substations located immediately adjacent to the north could also detrimentally impact the courtyard. The courtyard has less than ideal orientation due to overshadowing

from the CSB building to the east and north east during the morning ,and exposure to afternoon sun during summer

#### **Village Green**

- The existing village green area to the front of the hospital is the only large area of developed open space immediately adjacent to the main hospital buildings. Currently this area is isolated from the CSB building by roadways and is therefore not particularly easily accessed, nor does it relate well to the hospital in general as a key open space.
- While the loop road has been deleted from this area as a part of the proposal, the fundamental problems with the village green as a key area of open space for the hospital remain. That is that this area remains relatively inaccessible for rehabilitation or passive recreational purposes, nor does it easily service or flow onto areas which patients and families might use, eg hospital wards or a cafeteria/ café. The design will result in the removal of all but one of the existing trees within the village green area.
- In relation to the design concept the lawn area lacks a human scale and , is overlooked / dominated visually by the large scale hospital buildings. There is an absence of trees(most existing trees are removed)/ furniture and space articulation which could create comfortable places for individuals or small groups.
- Rather it appears that the design intent is to continue its visual function as a entry feature and for the use of this area for larger community events.
- While these functions are acknowledged, the provision of useable well oriented and intimate open space close to the core hospital buildings and users is not therefore well addressed by the village green design.
- Further there appears to be no access for wheel chairs to the two turfed upper terraces from the concourse. There appears to be only access to the lower village green area for wheelchairs, and this would be by way of the pathway past the clinic building. The length of this route is of concern ie in excess of 50m – 70m. No proposed levels for the village green have been indicated to assist in confirming access/ useability of this area.

#### Landscape /sitting area north of San Clinic

- This area east of the concourse and north of the San Clinic will conflict with the proposed bioretention area indicated on the hydraulics drawings.
- The area comprises existing tall spotted gums (noted as large tall canopy trees in the (landscape opportunities plan) to be retained and a gravel seating area. The bio-retention area would result in removal of these trees and seating area and access would not be able to be installed.

#### Upgrade of existing open space corridor

- Area between maternity wing and nurses' residence is indicated on landscape design proposal drawing as being upgraded. This appears to conflict with the provision of nine water tanks within this area.

#### **Design Quality**

The concourse and arrival podium are ideally located to take advantage of the sweeping continuous line of bushland landscape that is unique and is one of the strengths of the hospital's historical setting. The proposal acknowledges this with a good strong design element in the arrival podium. However, the reality of this visual connection does not exist when the proposed context is considered: the landscape is only a backdrop to the proposed carpark building which sits in the view forefront when exiting the hospital entry.

The concourse is a link connecting to the village green and the entry forecourt however it is unclear how it "provides a direct engagement with the natural environment in line with the hospital philosophy" as stated in the submitted documents. It does not connect any natural environment element to the hospital, nor does it strengthen the connection with Fox Valley Road into the hospital. These could be done through the placement of a high standard landscape garden to the north instead of a carpark, giving weight to the nodal points of the concourse.

However the concourse itself, is a positive element, providing clear access and connection through the main hospital buildings. It is recommended that this element be extended to link to Fox Valley Road to provide a separate and visually distinct entry gate from Fox Valley Road, close to the bus stop area for pedestrians entering the site from public transport, other parts of the san site and neighbourhood.

The provision of the loggia at ground level is a positive element creating connections between the buildings, however consideration must be given to ensure that weather canopies provided for rain/sun shielding are functional. If they are too high they do nothing to protect people from the weather.

The provision of at grade parking, above ground parking structures and above ground parking within the new parking stations is not appropriate in this high profile development. All car parking should be provided underground within multi-level basement parking. Parking can be linked below ground between the new blocks to provide more than the required parking area that is provided in the new northern car park structure, the new Shannon car park, and the at-grade car parking to the west of the site, as well as removing existing at grade parking on the site. This will enable these lands to revert to landscaped gardens that will improve the hospital building setting and provide spaces for the casual meeting or relaxation of staff and patients. It is vital that open areas are not taken up by services or car parking, which essentially prevent the potential for direct access to, and visual links with, the site and its setting.

As with any new buildings or substantially altered on-site buildings, the Faculty of Nursing/Education Centre building also needs to design and incorporate underground basement parking for staff, students and visitors. Council requires basement parking to maximise the landscaped area for all residential flat buildings of three storeys and above. This project is at a much larger scale, and there is no reason that this cannot also be done.

The height and blank façades of the Education Centre are not compatible with the character of the low density residential area on the opposite side of the Comenarra Parkway. The education centre is over 15m high, and up to 16m in some locations, beyond the maximum height permitted under the SEPP. It is recommended that the building be lowered and greater articulation and interest in the facade be provided. Stepping back the building above the second floor would also improve this interface.

The arrival podium between the hospital building and the proposed multi-deck car park contains blank walls to both sides. It is recommended that the hospital building include more activation along this facade. The relocation of parking underground would open this area up to the bushland views, making it into a dramatic but peaceful entrance to the hospital, consistent with the documentation in the proposal.

Internally the main entry from the podium to the main reception desk and then to the lifts is excessively long, and likely to result in confusion for patients and visitors. It is recommended that the main reception area be located at the podium entry.

In general, waiting areas are internalised and not adjacent to daylight/outlook/garden areas. Where natural light cannot be provided, consideration should be given to the use of innovative design techniques such as light wells, atria, and recessing portions of the façades to provide landscaped terraces giving access to natural ventilation and outdoor spaces to upper levels.

These types of innovations would ensure a healthy internal environment and quality break out areas for staff and patients.

A perimeter road is required for bushfire however, this road can serve as bike trails and walking track connecting to open spaces on the hospital site when there is no emergency. This would allow for a reduction in hard surface areas. This is discussed under DGR 14.

Since this is a "campus-style" design proposal, it must be considered visually from all angles, there is no particular front or rear elevation treatment; therefore, the placement of services elements (fire water tanks, oxygen tanks, substations etc) in full view of the site access roads and from Fox Valley Road is not congruent with the basic design composition and has adverse impacts on the streetscape. For example, the location of tanks and fire services in view of the approach from the Fox Valley and Comenarra Parkway crossroad, as well as in view of the internal roadway will create a poor visual impact from the existing school, and what will eventually be a housing and retail area. Further, their location does not comply with the requirement for all new building facing Fox Valley Rd to provide for active uses. All services must be located within building basements or underground with clear signage for their use and maintenance.

Plant rooms would be better located in building basements or within the central core of buildings, allowing external facades and rooftops to be utilised by patients/staff who would benefit from the amenity of natural light and environment, as well as and improve the appearance of building. Location of plant rooms in building basements would enable the use of tri-generation technology, and allows the best floors to be used by patients/staff and potential for access to a staff amenity cafeteria rooftop garden and patient recuperation areas.

The bunker spot levels need to be shown at every level including the top of the roof slab. It appears that the roof is external and exposed. It unclear how this fits into the building apart from being wrapped in precast concrete panels and having a flat roof that has not been resolved, therefore appearing as a 'left over' area that is looked down upon from the upper levels.

#### **DGR 4: Environmental and Residential Amenity**

- Impacts of the proposal on solar access, acoustic privacy, visual privacy, view loss and wind impacts on surrounding development and environment; and
- Details of the measures to be implemented to achieve a high level of environmental and residential amenity.

In general the proposal appears not to consider the amenity afforded by the design to people on or off the site. The proposal has focussed on the provision of the required hospital accommodation and has not provided any meaningful facilities for the amenity of the users of the site. The application has failed to properly address amenity impacts for outdoor areas. It is virtually silent on solar access and wind impacts on outdoor areas.

An entire section of the *Social and Economic Benefits Assessment* is highly misleading. The section on architectural design of new buildings, claims that the architecture of new and refurbished buildings is based on the principle of providing 'healing and healthy environments,' as was specified in the hospital's brief to Morris Bray Architects. While some of the principles for 'wellness and healing' outlined in this section, are clearly included in the design, such as through the provision of ample space in patient rooms for family and visitors, the new concourse design and a mix of casual meeting places for patients and visitors, other principles are poorly addressed. The principles outlined also require:

- High quality landscaped areas inside and outside the hospital buildings, to support good design of these spaces
- Taking advantage of the natural beauty of the bushland at the rear of the concourse through the design of the building and placement of openings
- Maximisation of the flow of light and fresh air through the building
- The use of natural materials.

Indeed the claim that the hospital redevelopment uses 'biophilic architecture' is not substantiated, as these claims are far from being borne out in the design:

- Due to the large amount of at grade parking, the amount of open space is only those remnant spaces between buildings. A particularly poor example of one of these spaces is the 5m very long strip between the Shannon Wing and the existing annexe to the Clifford Building. The amenity for both the annexe and the Shannon wings will be poor along these portions of the buildings, while the space between the buildings is a poor outcome both from an amenity point of view and from the perspective of Crime Prevention through Environmental Design.
- Inadequacies in regard to light and ventilation and views to the bushland are discussed under DGR 7.

The proposal alludes to "large landscaped spaces". There is only one large area retained on the entire site, this is the existing Village Green which is proposed to be terraced and grassed. Its use for occasional large functions such as 'carols by candlelight' or a village fete are commended, however, given its location and aspect to busy roadways and thoroughfares, it is unlikely to be used as a peaceful breakout area by patients, staff or visitors. The second landscaped area is the garden adjacent to the new CSB building which has little merit of size or quality. It is therefore vital that the application provide actual meaningful large landscaped areas.

Assessment of the shadow diagrams shows them to be inaccurate and not a true representation of the shadow patterns on this site. Of particular concern is the shadow on the existing childcare centre.

Neither does the proposal adequately consider the impact on the amenity of the nursing accommodation, either the existing accommodation, or as redeveloped in the future. The poor open space provision will have a significant impact for nurses living on the site.

While the noise and vibration of plant is considered, the sites used to test noise during construction do not include the nursing accommodation or the childcare centre. This is also discussed under DGR 18.

While the provision of a new playground area for young children is supported, the location of the proposed play area to the south of the existing SAN Clinic building is not desirable. The playground will lack sun for substantial portions of the day due to overshadowing from the clinic building and this will affect the amenity of this area in general, but particularly during autumn, winter and spring . This falls short of the type of modern imaginative children's playgrounds, such as a 'Fairy Garden' or 'Secret Garden', located in bright, uplifting settings within hospitals.

No indication of wind impact along the concourse through the building is given; being a pedestrian and seating area, wind studies should indicate what standards will be created for pedestrian movement and seating. In addition, wind impact around the site along pathways and bike and vehicular roadways should be mitigated using trees which also serve to create shading on hard surfaces reducing heat build up.

The open, continuous design of the pedestrian link combined with the characteristics of the site could combine to create an unpleasant wind-tunnel. Wind mitigation measures need to be implemented down the length of the pedestrian link.

Growth in the use of the hospital requires a proportional growth in supporting facilities and growth in on site amenities. Given the large increase in population utilising this site as a result of the proposed expansion, insubstantial amenity and facilities have been provided to ensure the support of the people when on the site working, visiting or as a patient.

#### **DGR 5: Visual Amenity**

#### Impacts on views into / out of the site.

The view line analysis from a distance from the site is generally supported. The proposed built form, by virtue of its size, height and placement on a site that has an elevated position in the local landscape, will be visible and therefore should be treated as such. Visual amenity can be preserved and enhanced through the creation of a visually inspiring collection of building forms and facades; rather than, the impossible task of merging such a large collection of buildings into the landscape by trying to use sympathetic colours, material and finishes.

The buildings cannot provide an interface with the surrounding bushland as is proposed. The only interface that is meaningful on this site is the provision of landscaping and green areas around the buildings and connecting to the bushland beyond. This interface creates the setting for the hospital and has more meaning in its treatment than a token effort to create interface through the buildings materials and colours.

The proposal states it seeks to "retain existing vegetation and individual valuable trees on site where possible and practical, to soften the visual prominence of development from edges of site and retain the existing visual character", however there is no evidence of this having been considered.

The views to the hospital from approach road, across the valley to the north and walkways around the building are ill considered. Placing an above ground parking station to the north of the building presents poorly to the northern side, it is a poor and insensitive element of interface between the built and bush environment. The Shannon carpark presents poorly to the site in general. Since the site is not of urban/industrial character, elements such as metal mesh screening, blank facades, green walls covering walls that lack interactive and personable qualities more akin to this site location and use.

The visual impact of the façade of the Education centre has been discussed under DGR 4.

Views from the upper levels of the hospital buildings have been considered in the documentation provided. Views from and connections with ground to second levels have not been considered. Views across and around the site itself to the hospital buildings have not been considered. The placement of blank facades to primary movement and visually prominent areas such as the arrival podium facing the car park façade of the new above ground parking station, and the carpark façade of the Shannon building parking facing the new education centre and existing childcare centre and what will eventually be nurses living quarters with communal areas, are ill considered. The experience of people passing through the site is as important as those viewing the hospital from afar, and needs consideration. Equitable visual amenity needs to be ensured for all groups including the community, patients, staff and visitors, in line with the hospital ethos.

#### DGR 6: Transport and Accessibility Impacts (Construction and Operational)

- Provide a Transport & Accessibility Study prepared with reference to the Metropolitan Transport Plan – Connecting the City of Cities, the NSW State Plan, the NSW Planning Guidelines for Walking and Cycling, the Integrated Land Use and Transport policy package and the RTA's Guide to Traffic Generating Development, considering the following:
- Demonstrate how users of the development will be able to make travel choices that support the achievement of relevant State Plan targets;
- Detail the existing pedestrian and cycle movements within the vicinity of the site and determine the adequacy of the proposal to meet the likely future demand for increased public transport and pedestrian and cycle access;
- Identify potential traffic impacts during the construction stage of the project, and measures to mitigate these impacts;
- Describe the measures to be implemented to promote sustainable means of transport including public transport usage and pedestrian and bicycle linkages in addition to addressing the potential for implementing a location specific sustainable travel plan;
- Daily and peak traffic movements likely to be generated by the proposed development, including the impact on nearby intersections and the need / associated funding for upgrading or road improvement works (if required). The traffic impact assessment should consider base models with future traffic generated by the Sydney Adventist Hospital; and
- Appropriate levels of on site car parking for the proposed development having regard to the Concept Plan Approval (MP07\_0166), local planning controls and RTA guidelines (note: The Department supports reduced parking provisions, if adequate public transport is available to access the site).

#### **Transport and Accessibility**

The Sustainable Transport Initiative sets out opportunities to increase travel choices for the SAN population. While visitors, some nurses and some patients would be the prime targets for behavioural change and mode shift, the nature of hospital work and timing of work shifts are generally not conducive to alternative modes of transport, particularly where morning/night shifts are involved and where relatively high numbers of elderly day patients/visitors are present. As a result, the population of the proposed development is still likely to be highly vehicle dependent for their travel needs, and may result in the failure of the proposal to achieve the relevant State Plan targets.

An analysis of bicycle and pedestrian paths within the hospital site has been provided as part of the Transport Access Guide and Workplace Travel Plan. However, this should have also been considered and integrated with the pedestrian and cycle needs of the rest of the Wahroonga Estate, including the portion of the Estate on the south-east side of Fox Valley Road. In fact, it is not clear how the hospital development transport plan fits into the overall concept plan and what the final configuration of the roads/paths/bike tracks would be.

While the draft statement of commitments includes a commitment to pedestrian and bicycle connections shown in the Sustainable Transport report, the Pedestrian and Cycling Opportunities Plan is at too high a level to adequately understand how pedestrian and cyclists will access the hospital, or its facilities. The Preferred Project Report should clearly show these linkages in the site plans. Details are required for clear pedestrian access from Fox Valley Rd, as well as within the site. Similarly, clear routes for cyclists to bike parking and showers are required. Distances should be minimised.

The series of road upgrades that form part of the Department of Planning approval of the Wahroonga Estate concept plan (subject to further assessment) includes the requirement to provide two southbound travel lanes on Fox Valley Road, from Pacific Highway to the site.

Consideration needs to be given to the impact this may have on the space requirements for bicycle riders, and allowance should be made where possible, for a dedicated bicycle lane or other equivalent bicycle facility on Fox Valley Road.

Appropriate bicycle secure parking (both staff and visitors) and shower/locker/change room facilities (for staff) should also be provided for the proposal, to encourage bicycle use. Austroads guidelines suggest 1 space per 15 beds (for employees) and 1 space per 30 beds (for visitors).

There is some public bicycle parking shown outside the Medical Records section of the CSB Floor Plan (Level 1), but this is unlikely to be adequate. Also, bicycle parking for visitors should be located in an area where there is sufficient casual surveillance. The type of parking facility provided should be in accordance with Austroads guidelines, and should enable the whole bicycle frame to be locked, not just a wheel. Separate facilities should also be provided for staff/employee bicycle parking.

The main entry to the hospital is at the rear of the building and therefore not obvious from the street. A clear pedestrian path from the Fox Valley Rd and the bus stop on Fox Valley Rd is required.

There should also be direct and convenient access from the new concourse/main pedestrian entrance to the bus stops on Fox Valley Road, to encourage bus use. Details and a schedule of public transport infrastructure improvements (e.g. bus stop signage, shelter upgrades, improved timetable information, lighting and security upgrades) should be included as part of the requirements of the Sustainable Transport Initiative.

#### Temporary car park

The temporary car park to be constructed in the north-east corner of the site at Stage 1A (256 spaces) is indicated (in Appendix F of the Assessment of Traffic and Parking Implications) as being in place until the completion of the hospital (2020). The Masterplan, however, indicates that this area will be occupied by proposed residential and school uses. The number of spaces in this car park is being relied on as contributing to the total availability of parking according to the Assessment of Traffic and Parking Implications, yet the effects of its future removal to accommodate the residential and school development has not been considered. Its removal would reduce the total parking provision from 2058 spaces to approximately 1,800, but there is no analysis of whether this is adequate provision.

#### Promotion of alternative transport modes

The sample Access Guide ("How to Find Us") shown in the proposed Workplace Travel Plan should highlight and prioritise alternative modes of transport over private vehicles. Also, walking/cycling distances from nearby rail stations (including Warrawee and Normanhurst stations) should be indicated, to encourage integration of walking/cycling and rail.

Commitments to increase public transport access, access by alternative modes, and reduce private vehicle use should be clear and measurable, and a monitoring program should be implemented and the results reported and reviewed to ensure the projected benefits are achieved. The proposed Workplace Travel Plan indicates how the program is to be implemented, measured and monitored, but the Plan should also indicate some remedial measures should the indicated targets not be met, and the results of the various surveys and monitoring should be shared with Ku-ring-gai Council, for information.

#### Traffic and parking implications

It is difficult to agree with the statement at the top of p21 of the Assessment of Traffic and Parking Implications, which suggests that there will generally be no increase in clinical services, and that this is one of the factors that would not justify a pro-rata increase in traffic generation. Clearly, from the material provided, floor area related to clinical services is set to expand by over 18,800m<sup>2</sup>. Furthermore, it is also considered that this would result in the need for additional staff and nurses to service the expanded uses, and as such, would also attract additional visitors. The projected SAN Population Schedule is also unclear, and this makes it difficult for Council to undertake its own traffic generation assessment (see "Appropriate levels of on site car parking..." below). Clearly, a detailed combined assessment of the whole Wahroonga Estate and the SAN should be undertaken so that the cumulative effects of both proposals can be known. It is not adequate to consider either in isolation. However, a series of road upgrades form part of the Department of Planning approval of the Wahroonga Estate concept plan (subject to further assessment), and this, to some degree, governs the extent of road improvements. Therefore, the scope for additional roadworks, or expansion of the approved works may be limited if traffic impacts are higher than those forecast in the Assessment of Traffic and Parking Implications.

A clear indication of where any gates are to be installed, where parking fees or limited entry is to be allowed, is also required, to assess the impacts of the proposed access routes on the surrounding development now and in the future.

A new access point to the site has been shown to the north-east of the existing traffic signals on Fox Valley Road. Due to its proximity to the traffic signals, it is likely that access to Fox Valley Road would need be restricted to a left in/left out arrangement to avoid potential conflicts.

The changes to parking numbers at the bottom of the table after page 7 in the Assessment of Traffic and Parking Implications are not consistent with the timings and the sum of the changes shown in Appendix F (Stage Car parking) of the Assessment of Traffic and Parking Implications. As a result, it is unclear and difficult to independently ascertain the quantity of parking spaces that would be provided at the various stages, and whether these spaces would be adequate to cater for the needs of the development at that point in time.

Furthermore, there are inconsistencies in the upper and lower sections of the SAN Population Schedule shown in Appendix B of the Assessment of Traffic and Parking Implications. This makes it difficult for Council to undertake its own assessment of the parking needs (based on travel mode splits and vehicle occupancies) and to determine what the potential impacts may be of the adopted 9% reduction in traffic generation due to the proposed travel demand management measures.

Accessible parking on the site should be provided at a minimum rate of 3-4% of total parking provision, or more (subject to needs analysis). Therefore, for a total provision of 2,058 spaces, there should be approximately 62-82 accessible spaces. However, the only accessible spaces shown are the 26 spaces on level 2 of the multi-deck car park, which would be inadequate. Also, the design of these spaces should be in accordance with AS2890.6 (2009), which requires a shared area adjacent to parking spaces. In other parking areas, such as that within the Shannon building, there are no accessible parking spaces indicated, not is there any lift access or direct access from the car park to the adjacent building.

Differentiation of parking needs to be made: for example, hospital paid parking for visitors, long and short term parking, staff parking, student parking, service vehicles, bicycle and motorcycle parking.

The Environmental Assessment acknowledges the need to reduce the impact of the northern multi-deck car park and the multiple at-grade car parks. The assessment provided states:

'The proposed treatment of the multi-deck car park and the permanent and temporary atgrade car parks are also considered in detail, taking into account opportunities to soften their potential visual appearance.'

The EA recognises the visual impact of the carpark to the extent that they intend to consult on how to reduce its impact with screens etc.

As previously stated, the provision of at grade parking, above ground parking structures and above ground parking within the new buildings is not supported in this high profile development as they prevent the potential for direct access to, and visual links with, the site and its setting, and in some cases, may compromise future intensification of hospital uses on the site. Issues in relation to the location of carparking are discussed under DGR 3.

#### Accessibility

The accessibility report includes the following statement:

'Notwithstanding the accessibility of the design it is also evident that further detailing of various areas shall be undertaken by construction certificate stage to ensure compliance with AS1428.1, AS1428.2, AS1735.12 to satisfy Parts D3, F2.4, E3.6 of the BCA, Council's DCP 31 and the DDA.'

A condition of consent in relation to internal design of accessible toilet facilities, evaluation of slip resistant floor materials, lift specification, door schedule, tactile ground surface indicators, lighting levels, decor, signage, hearing augmentation facilities, furniture/counter fitout and the like, is required to address this requirement.

#### DGR 7: Ecologically Sustainable Development (ESD)

- Detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases of the development;
- Include a description of the measures that would be implemented to minimise consumption of resources, water and energy, including an Integrated Water Management Plan which details any proposed alternative water supplies, proposed end uses of potable and non-potable water, and water sensitive urban design; and
- Demonstrate that the development can achieve a minimum 4 Green Star rating, or any other suitably accredited rating scheme.

#### General

The proposal is on a major land use site and the hospital, being the largest employer in this area, will be a large scale development with long term usage which will both impact on and be affected by future climate change. There will be very high ongoing energy and water consumption, and waste output and emissions. Therefore it is recommended that this development achieve a minimum 5 Star Green Star Rating, but preferably a 6 Star Green Star Rating, under the GBCA Green Star Healthcare Tool.

This would then encourage the provision of energy reduction measures, such as trigeneration, that were included for consideration in the initial proposal for state significant development. It is short-sighted (from an energy and financial viewpoint) not to incorporate such measures within a development of this scale and expected life. The CSB floor plate, approximately 55m wide for the first five levels, cannot possibly meet the principles in relation to the flow of light and fresh air through the building. While the higher ward levels are on a narrower plate of about 25m wide the north/south orientation turns its side to the natural beauty of the bushland and the best aspect from an energy and light point of view. The fact that these principles are not well incorporated into the design is noted in the environmental assessment in regard to ESD, in which less than half the required credits are achieved through the actual design of the buildings. In particular, to meet the indoor environmental quality to achieve only 4 Green Stars, can only be achieved with a number of add-ons yet to be confirmed.

A better outcome would result from increased basement parking. The CSB wing could then reduced in height and oriented east/west to capture the views of bushland without impacting on the views from the Shannon Wing and to gain design credits under GBCA Green Star design rating. However it is acknowledged that these buildings have been located so that views are predominantly maintained for the wards in the existing building, and if retained in this manner, other measures to deal with the E-W aspect and heavy thermal load need to be employed.

The Statement of Commitments should require evidence that the works, as a whole, meet the requirements of the appropriate Green Star rating, rather than one building at a time. There is no equivalent rating available, and only Green Star should be specified.

The proposal outlines 20 possible façade systems. It is unclear how these facades relate to the creation of a green building as they are referring to construction rather than implementation of ESD principles. No mention is made of any of the façade materials being from sustainable sources.

The proposal states that the 'façade is to implement clever climate control technology to heat and cool the interior of the building, maximising the amount of light entering the building without compromising energy efficiency' and mentions overhangs/sunshades, recesses, angled glazing or external louvers, however none of these are indicated on the drawings.

The proposal states the provision of '*natural ventilation to rooms – as patients may have little or no mobility, natural ventilation is to be integrated into each room to avoid any feeling of claustrophobia*' but no indication is given on how this is proposed to be achieved.

Other aspects, such as acoustic considerations, safety glazing, wind loading and maintenance are mentioned in the proposal's ESD section, but they seem to be related more to safety and maintenance than aiding in the creation of a green building.

### NSW Health: Technical Series TS11 - Engineering Services & Sustainable Development Guidelines

The proposal fails to demonstrate how it meets the *NSW Health* key sustainable development aims and objectives of:

- a more innovative approach to engineering services design
- making buildings healthier
- reducing the impact of buildings on the environment
- reducing pollutants and greenhouse gas emissions
- comfortable and healthy indoor environment (in terms of thermal comfort, visual comfort and indoor air quality)
- minimising non-renewable resource consumption (e.g. energy, water) and environmental impacts (e.g. greenhouse, other air and water emissions, solid waste)
- cost-effectiveness over its whole life cycle.

The foundation of *NSW Health* and *Green Building Council* thinking and alliance lies in the incorporation of ESD principles at the design onset to achieve a green building. It is not about how a building once designed can be made to achieve a minimal star rating through stating broad concepts that can be slotted into the existing design as this proposal does. It is about designing and developing systems in the buildings that address short, medium and long term ESD issues. This consultant has failed to create integral systems that will deliver the best outcome. The options presented in this proposal are ad hoc and disjointed and have no real value or ability to deliver the best outcome for the site or the environment.

Both *NSW Health* and the *Green Building Council* see the primary value of the Green Star tool as one that enables the building's passive design and engineering services to complement each other through an integrated design process involving all disciplines right from the beginning, to achieve the sustainable design outcomes for the whole building. The approach of this proposal is in direct contrast to this. It takes the attitude of outlining initiatives in its ESD Concept Report, then stating that they "have been broadly adopted and incorporated into the other specialist documentation to enable a cohesive and rational approach to achieving an Ecologically Sustainable Development". However, there is little evidence of meaningful ESD measures in the plans for the development. The proposal's building form, floor plate size and E-W orientation does not incorporate passive design considerations or integrated design systems to minimise the intervention of engineering services and to minimise energy use.

The proposal has not provided evidence of the proposed use of environmentally sound materials (with minimal impact on the environment, minimised use of non-renewable resources, non-hazardous substances, minimised impact on indoor air quality and high recycled/recyclable content).

The proposal has not demonstrated responsibility according to the NSW Health Guidelines which aims to achieve greater definition of engineering services at an earlier stage of the project and to clearly define the responsibilities of both user groups/briefing teams and the engineering designers. Neither has it sought to justify variation from the guidelines.

*NSW Health* requires a minimum 4 star Green Star rating for all healthcare projects valued over \$10m. This 4 star requirement is a base rating aimed at smaller healthcare facilities that are at the lower end of the spectrum and do not have the capacity in terms of economy of size to meet the higher 5 or 6 star rating. Such projects would include developments that may cost between \$10m to \$100m, that may have restrictions on them such as small sites, congested locations, limited aspect and limited finance that is needed to ameliorate poor sites.

The SAN hospital is a \$283.3m + GST, about 30 times greater than the \$10M threshold. In addition to this, it does not have any major constraints that justify the absence of significant measures in building sustainability being incorporated into the design.

The size of the proposed hospital development, its use, the necessity for mechanical systems to control the internal environment, the reliance on high energy usage to ensure the high quality functioning of the institution to name a few, will create an extremely high burden on energy and water usage at the least. Equally, the sheer size of the development will have a very high emissions output even if the best air conditioning/heating units, low voltage lighting etc are utilised. The Green Star requirement does not mandate that all systems across the existing hospital be altered, therefore it can be assumed that the old hospital will retain its low level of sustainability. In light of this it is imperative that the new development aim for a minimum 5 star Green Star rating to ensure that meaningful systems are incorporated into the proposal.

Further, the reliance on management systems to achieve a 4 star Green Star rating means that energy and water consumption are not minimised. The proposal therefore fails to comply with the Director General's requirements in this regard.

Serious and genuine consideration must be given to the long term impacts of this large institution, and due responsibility must be taken to address the NSW Government's aims at reducing emissions as stated in the NSW Government Energy Efficiency Strategy and the NSW State Plan 2000.

### Integrated Water Management Plan and minimisation of water use

The MUSIC model includes a 150 000 litre rainwater tank for Area 2, and a 50 000 litre tank for Area 1. These tanks are not dimensionless. It is not clear where they are to be located and what the captured rainwater is intended to be re-used for. Items WAT-3 and WAT-6 of Table 2 of the ESD Report state that landscape irrigation is proposed (since a xeriscape is not listed in the Landscape Design Statement) and that non-potable water may be used to cool medical and lab equipment. Elsewhere in the documentation, toilet flushing in selected areas is mentioned.

Issue 7 of the Director General's Requirements requires an Integrated Water Management Plan which details any proposed alternative water supplies and proposed end uses of potable and non-potable water. The Stormwater Management Plan does not detail the proposed end uses of potable and non-potable water, but just states:

'We expect that daily usage can be achieved via a number of various uses such as irrigation of lawns and other landscaped areas, hosing in wash down areas and for toilet flushing in selected areas. The appropriate uses of rainwater will be determined during the detailed design phase of the project in conjunction with the Hospital to achieve the water quantity objectives for the project.'

The Environmental Assessment states: "Non potable water will be used for irrigation purposes and sanitary flushing throughout the CSB extension." The Environmental Assessment does not specify the re-use of the rainwater in the 50 000 litre tank for Area 1.

A development application for a single dwelling, accompanied by a BASIX Certificate, is required to show proposed rainwater tanks on the DA drawings and list the re-use commitments. There should be no reason why a large development such as this should not also show the locations of proposed rainwater tanks and list the proposed re-use purposes.

The approved Statement of Commitments for the concept plan includes a commitment to investigate sewer mining opportunities. No reference to sewer mining has been found in the documentation, and it is therefore assumed that no such investigations have taken place. This should be undertaken as part of the preparation for any Preferred Project Report, as it has the potential to significantly reduce water use for the life of the project.

Permeable pavements for car parks at grade would have been desirable as part of a water sensitive design.

Aspects of the IWMP related to drainage are considered under DGR 12 – Drainage.

### **Green Star Rating**

A well known consultant has been employed to consider the ESD of the hospital development. It is recognised that they have achieved a 6 star Green Star rating for an office interior project in Melbourne, and taken further initiatives in line with the Green Building Council. In light of the company's competence in this area this submission is extremely disappointing as it fails to reflect the ethos and approach that the Green Building Council have to the design of Green Star rated projects.

The proposal mentions the use of the Green Star Healthcare and Green Star Education Tools to achieve ESD within the proposal. The Green Star Office Interiors Tool should also be utilised in the internal fitout of the new and existing buildings.

The proposal mentions seeking confirmation from *NSW Health* as to whether the Green Star *Design Rating* or the Green Star *As Built Rating* is required; however the achievement of the latter without the former is unlikely at best. The Preferred Project Report should be submitted with the relevant Green Star Design Rating from the GBCA. A condition of consent could be imposed to require the As Built Rating prior to the issue of an occupation certificate.

The Green Star Rating healthcare tool has been developed to design systems that deal with environmental, social and economic sustainability of such developments, and this is the reason only qualified *Green Building Council* recognised consultants are used to create submissions for buildings seeking Green Star rating. Without a qualified consultant doing this in accordance with their training, any ESD effort is tokenistic and not in line with the NSW climate change strategies which Green Star is seeking to address.

The proposal mentions items such as solar hot water collectors, but there is no evidence of them in the design or documentation, further, the ESD documentation tells us how things could be done but does not explain how this development will fulfil those criteria. There is no evidence of any overall ESD concept, nor the integrated servicing that a development of this size requires.

The Green Star framework establishes nine categories of ESD principles with points being awarded across each category for credits that are incorporated into the project. The nine environmental categories are indicated on the horizontal axis of Figure 3 below. Figure 3 (from the proposal's ESD report)

Figure 3 from the consultant's report illustrates how the assessment across each of the Green Star categories. The dark blue is the maximum achievable within each category. The dark grey indicates what this development is achieving. The light grey are the ambiguous 'possibly achievable' areas and cannot be counted on at this stage. When Green Star principles are integrated into a building development it is clear what the measures achieved will be with a small margin of extras. Where no systems are integrated into the design there is no real measure for what can be achieved. At this stage, the level of documentation should have clear indications of what the incorporated systems are, where they are located and how they will function.

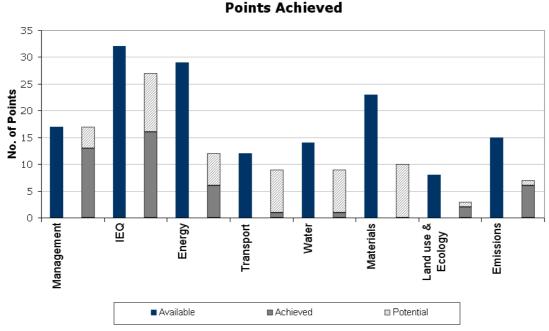


Figure 3 The projected points by category.(source: pg 6 App K)

The Green Star tool also allocates additional points in the following categories:

- Innovative strategies and technologies
- Exceeding Green Star benchmarks
- Environmental design initiatives

This development makes no attempt in these areas and has scored zero points for these.

The proposal's ESD report assessment has stated "that 27 points can be achieved with little or no additional impact on the project" with an additional 32 "points to be confirmed" being identified as potentially achievable across the eight categories. The 27 points required for the 4 star Green Star rating appear to have been achieved by designing a building apparently devoid of any consideration of integrated systems and design features to create a sustainable building, which is far from the intent of both *NSW Health* and *Green Building Council*. This assessment appears to have been done on a preconceived design whose primary aim appears to be the achievement of accommodation required to maximize the financial value of the facility, and little consideration of the long term and broader costs to the environment or to the ongoing running costs to the hospital.

It is concerning that the highest proportion of Green Star points are gained only through credits for 'management' and 'indoor environmental quality' categories rather than the design of the buildings within the landscape. While the incorporation of these measures is supported, the important areas of alternative energy production, water usage reduction, material selection, transport and environmental considerations all score extremely low, as indicated in Figure 3. Given the scale of the development, the likely life and cost of the structures, the number of patients and other people using the facility and the significant opportunities within such a site, and the on-going financial running costs from energy and water use, this is unacceptable. The most cost-effective method for the long term, is to ensure that the credits are achieved in the first instance through building and landscape design, as these features, achievable at a reasonable cost in the short term, would be likely to be prohibitively expensive to retrofit.

A Design Rating of 5 star Green star Design rating, incorporating high energy, water, materials and transport credits, should be the absolute minimum standard.

### **DGR 8: Contributions**

 Address Council's Section 94 Contribution Plan and/or details of any Voluntary Planning Agreement.

As a hospital this development does not fit the categories of contribution in the 2004-2009 Contributions Plan and are not in the area of the Town Centres Contributions Plan. The site provides childcare and car parking which are the only elements still live for commercial development in the 1993 Contributions Plan.

### **DGR 9: Contamination**

 Demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.

The two reports which have been reviewed are:

- Report to Sydney Adventist Hospital LTD on Stage 1 Environmental Site Assessment for Proposed Hospital Upgrade development (Stage 1) at 185 Fox Valley Road, Wahroonga. By Jeffery & Katauskas P/L
- Contamination Assessment : Sydney Adventist Hospital, 185 Fox Valley Road, Wahroonga NSW. Prepared by Coffeey Geotechnics P/L for Taylor Thomson Whitting (Project reference: GEOTLCOV23462AA)

### Jeffery & Katauskas report:

This report was developed to assess the likelihood of contamination of the subsurface soils and ground water for Stage 1 of a proposed hospital upgrade. The investigation was confined to two separate areas of the hospital grounds. Investigation area one included the central north visitors car park located to the north west of the San Clinic and the area between and to the north west of the San Clinic and A.K. Tulloch Theatre Block, into the central north visitors' car park. Investigation area two was located in the north section of the hospital grounds and included an existing car park area and surrounding unpaved areas.

Potential contamination at the site identified in the report would be anticipated to be associated with:

- Potentially contaminated, imported fill material
- Historical use of pesticides in areas of former agricultural use
- Migration of contaminants associated with storage of fuel in the central section of the site.

Findings in the report include:

- An above ground fuel storage tank (possibly containing diesel) was located to the east of the physiotherapy/maternity building, adjacent to the emergency bays.
- Information provided by site staff indicated that a former bowser and underground fuel storage tank was located in the vicinity of the north-west section of the Maintenance and Engineering Building. However, no evidence of the bowser, storage tank or any other fuel infrastructure was identified during the site inspection.
- The stratigraphy of the site is expected to consist of residual clayey soils overlaying relatively shallow bedrock. Based on these conditions groundwater is not considered to be a significant resource in the immediate area of the site.

The boreholes drilled for the investigation have enabled an assessment to be made of the existence of significant, large quantities of contaminated soils. The conclusions based on this

investigation are that, while major contamination of the site is not apparent, problems may be encountered with smaller scale features between boreholes.

### **Coffey Geotechnics Report**

This report was developed to carry out a Geotechnical Investigation and Contamination Assessment at the SAN hospital site. The report identified four areas where works were proposed:

- Building 1: A new five story multi-deck car park to be built in the same area as an existing car park at grade
- Building 2: A new four storey reinforced concrete framed building to replace an existing car park at grade
- Building 3: A new building with possible three storey basement
- Building 4: An existing three storey brick building with modifications to load bearing internal walls within the eastern corner. The building will appear unchanged from the outside.

Findings in this report include:

- No obvious evidence of contamination was noted and samples selected for analysis for a suite of potential COCs did not record concentrations exceeding the adopted SILs for a commercial land use.
- A direct assessment of the groundwater quality was not made as part of the study. Based on the soil laboratory results, the anticipated depth to ground water and lack of nearby contamination sources, the likelihood of groundwater contamination adversely affecting the proposed development is considered low.
- No breaches or notices have been issued for the site under Section 308 of the Protection of the Environment Operations Act 1997.
- Site history information suggested that fuel or chemical storage was unlikely within or in very close proximity to the proposed building sites.
- A WorkCover search of the Stored Chemical Information Database for licences to keep dangerous goods indicated that a licence (No. 35/0174066) for the SAN hospital to store a number of dangerous goods at various locations throughout the SAN hospital for hospital related activities. The closest (non gaseous) storage area to the current study area is approximately 100m.
- Fill of unknown origin and quality: Buildings 1 and 2 have a low likelihood of contamination from fill and Building 3 has a low to moderate likelihood of contamination
- Based on anecdotal evidence and a review of historical aerial photographs, the western areas of the study area appeared to possibly have been previously used for agricultural purposes such as the growing of crops. Low likelihood of contamination due to the activities and also due to the time lapsed since these activities took place.

Based on the results of this study it is considered that the potential for the areas assessed to be affected by land contamination that would adversely affect the proposed de elopement is low and therefore the areas are considered suitable for proposed commercial use.

### Conclusion

Each of the reports conclude that the likelihood for the areas assessed to be affected by contamination is low and the sites are suitable for the proposed use.

Key recommendations from these reports include:

 Any unexpected problems during the proposed construction activities areas that are encountered between boreholes should be immediately inspected by experienced environmental personnel.  During demolition and excavation works, the site should be inspected by experienced environmental personnel to assess any unexpected conditions or subsurface facilities that may be discovered between investigation locations.

However, neither of these reports appears to meet the requirements for a phase 2 contamination assessment under SEPP 55 – Remediation of Land, as required by condition B13. It is recommended that the Department of Planning seek the advice of a contamination specialist in relation to the adequacy of the contamination reports.

### **DGR 10: Heritage**

 Consider any potential impacts of heritage, including a Heritage Impact Statement in accordance with the NSW Heritage Office publication "Statements of Heritage Impact".

### Heritage significance

The hospital site has been identified as having strong attachments to the local environment and a strong sense of place. The following is taken from the Heritage Impact Statement (HIS) for the proposal:

The opening of the Sydney sanitarium, not the Sydney Adventist Hospital, represents the beginning of the health industry in the northern suburbs of Sydney. The Sanitarium was the first hospital in Australia to train male nurses, and played an important role in developing alternative approaches to good health, based on the Seventh Day Adventist philosophy of healthy living and holistic wellbeing. The extension of the environment to include accommodation for the medical and church community on Fox Valley Road; the timber-framed weatherboard cottages, villas, hostels, and, the Administrative Headquarters, was a contributing factor in the establishment of the township of Wahroonga. The Seventh Day Adventist community continues to have a strong attachment to their local environment and a strong sense of place.

The historic buildings within the site are important in demonstrating aesthetic characteristics which are uncommon in the local area. In particular, the historic Shannon, Bethel, Administrative Headquarters, and the residential and accommodation buildings on Fox Valley Road are demonstrative of the historical development of the Seventh Day Adventists in Wahroonga, as well as the prevailing tastes at the time of their construction. The archaeological resources associated with the Sydney Adventist Hospital site have a high degree of integrity and a high research potential. The artefact assemblage at the site has the potential to provide an insight into the daily lives of the people who lived and worked at the hospital, school and church as well as those who used services provided by the hospital and mission accommodation.

### **Administration Building**

The site contains one listed heritage item at 146 – 148 Fox Valley Road, the Administration Building on opposite side of road from the hospital. The proposal is acceptable with regard to the impact on the Administration Building.

### **Shannon Wing**

The Shannon Wing, built in 1920 represents an early phase of expansion of hospital services. It currently houses offices. It is a handsome tree-story face brick building, originally with a veranda on at least three sides. Brick pillars support the first floor veranda while the upper floor veranda and roof is supported by turned timber columns. The upper verandah has a pressed-metal ceiling, deep timber fascia and the balustrades are simple timber posts. The building retains much of its original fittings and fixtures, including moulded plaster ceilings, staircase balustrades, windows, floors, skirting boards, and some doors.

The HIS submitted with the application states the building has lost its original setting and context and the integrity has been eroded by a series of additions, including removal of the balcony wrapping around the eastern façade, to allow construction of the Clifford Block, the removal of the roof level, replacement roofing, the portico and Radiation/Oncology additions, and covered links to the other hospital buildings.

It is agreed that the demolition of the Shannon Wing is supportable and that photographic recording is appropriate. The submission includes an archival photographic recording prepared in accordance with the Heritage Council guidelines.

### **Bethel House**

This building is probably the earliest surviving hospital building on the site, dating from 1915. It was built as a maternity building but has been modified and re-used as a museum for the hospital's collection.

The HIS states that its original setting, context and integrity has been compromised and supports its relocation on this basis.

While it acknowledged that Bethel House is not listed as a heritage item, it is important to the site and its re-use on the site is encouraged. It is a lightweight framed building and easily capable of relocation on the site. Conservation principles discourage relocation of buildings as the location and setting of a building is part of its significance, however in this case it is proposed to retain it on the hospital site and undertake conservation works. Its relocation in the circumstances can be supported.

The existing position of the building allows it to be viewed from recreational and residential areas. However, the proposed location does not consider its curtilage. It appears to be relocated to a 'left-over' space. It is recommended that Bethel House be relocated to a more prominent place on the hospital site, for instance near a pedestrian entry to the site.

### **Photographic Archive**

### The EA states that:

An archival photographic recording of 'Bethel' House and the Shannon Wing has been completed in accordance with the Statement of Commitments for the Wahroonga Estate Concept Plan. It is considered that this adequately mitigates the impact of the relocation and demolition. A Copy of the Archival Recording Report is attached as **Appendix P**. Hard copies of the photographs are provided for the public exhibition of the Project Application. Digital copies are also submitted with the documentation package.

While the Interpretation strategy (Appendix Q) contains some photos, the list of photos outlined in Appendix P was not provides as part of the exhibition. The statement of commitments has not been met in this regard. It is recommended that they be included in the Preferred Project Report.

### Archaeological resources

There is a high potential for archaeological resources on the site. A detailed archaeological survey should be prepared and all excavation works undertaken with appropriate archaeological management. It is recommended that an archaeological management plan for the site be prepared.

### Agricultural/natural setting

The agricultural use of the site and its natural setting was important a key component in the Seven Day Adventist concept of wellness and healing. While the agricultural use of the site ceased many years ago, the setting of the site in a treed and landscaped environment remains. As proposed the development includes large multi level car parking structures that have

considerable visual impacts on the landscape quality of the site. While necessary, they should have minimal impact on the landscape and it is recommended that they be located below ground.

The SAN could also investigate the inclusion of community gardens, not only for the benefit of improving links with the community and potential good quality food supplementation for the hospital, but also for its connection to the past.

### Interpretation Strategy

The Wahroonga Estate Redevelopment Preferred Project Report and Concept Plan, dated January 2010 includes a commitment to provide an interpretation strategy. It states:

An Interpretation Strategy is to be prepared for the Sydney Adventist Hospital and associated buildings. It is to refer to identified historic themes and provide guidance in the development of a meaningful interpretation of the site. Contributing interpretative elements, including archival photographic recording and recovered relics, are to be housed on site, preferably in the "Bethel Museum".

The Interpretation Strategy Plan was prepared by a recognized heritage consultant and included in the Masterplan submission for the Part 3A Wahroonga Estate Redevelopment.

The report makes a series of recommendations that interpretative devices should include:

- Relocated Bethel House with museum
- Provision of interpretative signage and sculpture elements in the perimeter open space network.
- Relocation of the memorial sundial, rose garden and memorial element from Jacaranda Lodge.
- Grid planting of small trees to reflect the previous vineyard and orchard.
- Interpretative text fixed to mesh at southern façade of the car park
- Interpretative panels, pavers, mosaic, mural or text along the new concourse
- Naming strategy "Shannon" for the Stage 3 Ward Building
- Graphic etching near the main public entrance
- Plaque or paver graphics
- Interpretative panels or pavers in foyer or entrance of stage 2 Faculty of Nursing and proposed Stage 3 Shannon building
- Brochures in reception foyer area
- Displays of archaeological artefacts in publicly accessible areas
- Mural depicting Sanitarium activities/landscape
- Re-issue of "The San" to be available for sale
- Online historical material

In general, these are supported. However the treatment of the southern side of the multi-deck car park as an interpretive element is considered inappropriate.

The first four strategies need to be clearly resolved and identified on the plans in the Preferred Project Report.

### **DGR 11: Aboriginal Heritage**

 The EA shall address Aboriginal Heritage in accordance with the Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation 2005.

The site contains one and one identified aboriginal site (in vicinity of Coups Creek). This will not be disturbed as part of this development.

However, the potential for impacts from erosion and sedimentation from the proposed works has not been considered, particularly where there are earthworks adjacent to the bushland. This needs to be addressed in one of the elements in the *Hydrology and Nutrient Management Plan* that is to form part of the required *Biodiversity Management Plan* and the *Conservation Interface Plan*. It is unclear whether the proposed stormwater and construction management plans are consistent with these plans. It is not appropriate for these impacts to be addressed at construction certificate stage.

Similarly any increased pedestrian activity as a result of the intensified use of the site must be considered in the *Management Plan outlining public access and impacts on the conservation land*, which is to form part of the *Biodiversity Management Plan*. In the absence of these plans, and details in regard to the extent of earthworks, the impact cannot be adequately assessed.

### DGR 12: Drainage

- Drainage issues associated with the proposal including stormwater and drainage infrastructure; And
- Detailed plans of the proposed erosion and sediment control measures during demolition, construction and operation.

The following comments are generally limited to the Stormwater Management Plan and Civil Engineering Report, both by C&M Consulting Engineers and other documents as relevant to this issue.

The reports and plans do not contain the level of detail which would be expected of a development application lodged under Council's DA Guide. Therefore the comments below are of a broad nature and are based more on what is not included than on what has been included. Also some apparent inconsistencies are highlighted.

### Water management

Under Council's DCP 47 *Water management*, the site is Location B (drains to a watercourse), however given the setback requirements of Council's Riparian Policy, new direct connections to Coups Creek or its tributaries would not be encouraged. Therefore effectively, the site is Location C as stated in the Stormwater Management Plan.

A Category 2 watercourse flows from the area behind the houses on Comenarra Parkway. This is mapped on Council's Riparian Map. The bioretention basin discharge from Area 1 is shown as being a level spreader near this watercourse. No details are given to show the location of the proposed level spreader in relation to the watercourse. A dispersal trench should be provided instead of a level spreader, to limit seepage into the riparian area. Opportunities for remediation of the riparian zone should be taken.

The Civil Engineering Report states that internal piped stormwater drainage system will be designed for 20 year ARI event. This is not consistent with Section A7.1b) of DCP 47 which states:

'The piped property drainage shall capture and convey the 50 year ARI storm runoff...'

The Stormwater Management Report states that OSD is provided to limit flows to predevelopment (ie present conditions, not pre- any development) flows, and the Flora and Fauna Report endorses this approach. Significant weed growth is noted in the creek lines etc though, so should the aim be to restrict discharges even further?

The Stormwater Management Plan also refers a number of times to *'the proposed Biodiversity Management Plan'* eg:

'Rainwater retention and re-use for this project is proposed and will be an effective measure in reducing the frequency and volume of stormwater runoff post-development. This is consistent with the objectives of the proposed Biodiversity Management Plan for the area'.

### However:

a. Consistent details of the proposed rainwater retention and re-use are not included in the documents.

b. The Environmental Assessment states "The Biodiversity Plan is continuing to be progressed", so it is not clear how the objectives can be known at this stage.

Some sort of path around the new ring road is shown on the Landscape Plan but not on the Concept Stormwater Plan (sheet 2 of 3 Drawing C602). This path could affect the proposed bioretention basin.

Is there gravity fall from the new Area 2 bioretention basin to the stilling basin? Are slope stability issues likely to arise from this new basin in the steep bank? Where is the outlet from the stilling basin?

All existing and proposed outlets should be shown. Where a direct point discharge into bushland exists, then a dispersal trench or raingarden or similar device should be provided. The feasibility of such devices may depend on the gradient of the downstream land.

The landscape plans fail to incorporate the bioretention basins. In fact the basin to Area 4, which is stated in the Stormwater Management Plan to have an area of 100 square metres, is shown in an area which contains a number of existing trees. The construction of the basin and its subsoil drains would result in the removal of all the trees in that area. This is not addressed in the Landscape Design Statement.

The area which is not included in the Catchment Plan, which includes the existing CSB, Clifford, existing SAN clinic, existing maternity and the school, must currently be draining somewhere – is this going to be affected by the new works? If these areas are connected into the existing or reworked bioretention basins, then how will their function be maintained?

Under Section A5.3e) of DCP 47, the typical bioretention basin section would require childproof fencing if a depth greater than 300mm were proposed, since the side slope is shown as 1 in 3 (33%).

Rather than the growth centres commission targets, the proposal should address the targets for pollutant reduction in Council's DCP 47 – Water Management. It is noted that the Civil Engineer's Report by C & M Consulting Engineers Pty Ltd recommends that the statement of commitments should include:

*...Stormwater Quality Improvement Devices (SQIDs) will be designed in accordance with Ku-ringgai Council's requirements for pollution reduction'* 

but the proponent's statement of commitments does not include this commitment. Development of this scale should be striving for the maximum possible benefits.

A KPI in the Waste Management Report is "No runoff directed into the Helena River" – should perhaps refer to Coups Creek?

### Topsoil

Stockpiling and re-use of topsoil is a basic requirement of many specifications (eg RTA), yet no topsoil stockpiles are shown on the Concept Sediment and Erosion Control Plans.

There is an inconsistency between the ESD Concept Design report and Morris Bray Architects Waste Management Report in relation to topsoil. Item ECO-1 of Table 2 in the ESD Report states "this credit requires a careful study into the quantity of topsoil present on site and a management plan describing the extent of construction works and its effect on topsoil. Plan must demonstrate how the integrity of the topsoil will be protected throughout the works."

The Landscape Design Statement does not reference stockpiling and re-use of topsoil even though it has a section titled "BASIX and ESD Principals (sic)" and the Civil Engineering Report also does not commit to any re-use of topsoil but refers to the EIS report, which states that excavated material may generally be disposed of as VENM. The Notes on the Concept Stormwater Drainage Plan Sheet C100 state "Surplus material including topsoil shall be removed and disposed of lawfully off site".

### DGR 13: Flooding

 An assessment of any flood risk on site in consideration of any relevant provisions of the NSW Floodplain Development Manual (2005) including the potential effects of climate change, sea level rise and an increase in rainfall intensity.

The findings of the Stormwater Management Plan that the site is unlikely to be affected by flooding of Coups Creek are supported, even taking into account future sea level rise and increase in rainfall intensity.

### DGR 14: Bushfire

 Demonstrate compliance with the relevant provisions of Planning for Bushfire Protection (PBP) 2006.

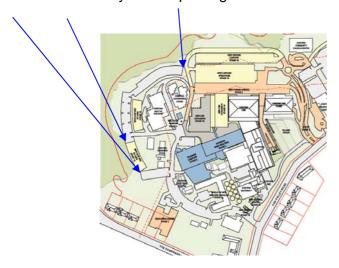
There are a number of concerns in relation to bushfire risk, and compliance with Planning for Bushfire Protection, 2006.

### Evacuation

- Development will require a Bush Fire Evacuation Plan (BEP) as identified in clause 46 of the Rural Fires Regulation 2002
- Reference required to AS4083 -1997 Planning for emergencies health care facilities
- Need to consider possible safe refuge areas should there be a need to evacuate.
- Evacuation constraints within this site have been recognised through mapping within the "Bushfire Evacuation Risk Map" (2008). Whilst this map applied directly to Seniors Living and Dual occupancy development, the importance and constraints of evacuation within this area need to be addressed. This should include whether evacuation will be on site or off site. Should off site evacuation be required then consideration of road capacity to facilitate this action should be addressed.
- Plans must show how buildings will meet the structural requirements to justify the conclusion that large scale evacuation of the Estate will not be needed in the event of a bush fire.

### Access and egress for emergency vehicles

• The proposed car parks and access roads form a good perimeter access around the hospital and serve to provide additional defendable space from the bushland interface. Council requests that the additional car parking provided to the west of the site (on the western side of the pool) should have through access to form a continuous thoroughfare for emergency vehicles. Similarly the car parking located behind Jacaranda Lodge should contain a similar



thoroughfare to ensure that emergency vehicle response is not compromised. The new carpark access road should facilitate emergency access, through-flow from the existing carpark (as shown below). This access could double as a recreation trail.

- Council would like to see two access points to the temporary car park to the north east of the site so that the safety of visitors/ patients or emergency vehicles are not compromised.
- All access ways should be well sign posted. With directions to Fox Valley Road and specified evacuation points.

• Along the perimeter roads Council requests that roll and kerb guttering be put in place that provides easy access for fire vehicles to access the Asset Protection Zone (APZ) and bushland interface.

### **Construction standards**

• The construction standards of the proposed development need to be reviewed to ensure that recent changes to Australian Standard AS3959 – *Construction in Bush Fire Prone Areas* have been taken into account.

For example - the report states (pg 46):

"The core hospital component of the Stage 1A, 1B; Stages 2 & 3 Hospital Development consists of buildings which are located more than 100 metres......there is no requirement to provide additional protection against burning ember impact on the structure however, smoke filters shall be fitted to any new air-conditioning system."

This is incorrect as the rating of <12.5kw/m2 developments still need to meet construction requirements of BAL - Low (AS3959 – 2009). It is also noted that the north western corner of new CSB expansion (stage 1B), extends in to 100m APZ. Construction standards would therefore need to be increased.

- The new podium arrival stage 2 is located directly adjacent to (<10m from) the new stage 1A and 1B core hospital buildings. As such this podium should comply with the adjoining buildings required level of construction (BAL – Low).
- Car park construction (if retained adjacent to the bushland) needs to demonstrate that any proposed shielding devices and mesh to reduce radiant heat levels and entry of embers into the structure have the ability to withstand exposure to radiant heat.

### **Building foot prints**

- Whilst at grade car and above ground car park areas provide open hard stand areas, and some buffer from radiant heat, it is considered that the natural setting of the site would be better respected through the provision of underground car parking. This would facilitate the retention of open space areas (managed as Asset Protection Zones for recreation, aesthetic and ecological buffer areas as well as defendable space).
- An alternate method of providing for fire access / perimeter roads for the hospital may be achieved through the extension of the proposed recreational trail located to the bushland side of the northern carpark (Landscape design proposal 005A) through to meet the road in the vicinity of the existing child care centre. To meet fire requirements, this recreational / fire trail should be a 4m wide (1meter on either side), all weather trail. This trail may be used as a recreational trail (including wheel chair access) for patients and visitors. Provision of non combustible seating would be recommended.
- Whilst the proposed multi storey car park would provide a radiant heat barriers to core hospital buildings, the existing APZ (separation) distances from unmanaged vegetation are considered to generally meet PBP 2006, APZ requirements (with the exception of the north west corner). If the separation distance were to comply with the 100m APZ for the entire building, a construction level of BAL low (requiring minimal construction constraints), would be adequate. Radiant heat protection from the multi deck car park would not be required.
- Increasing construction standards within the new CSB expansion (stage 1B and 1A) would further reduce the risk to these structures. Vegetation, such as gardens (rooftop or deep soil) in the APZ should be strictly maintained to not compromise the ability of the APZ to provide the intended protection.

• There are also some discrepancies between various maps are noted where additional car parking which has been proposed and has not been included on some maps. All maps should be revised to include the locations of the proposed car parks.

### Landscaping

- On the Site Changes and Key Landscape Issues where it states that "New mass planting areas against the road will assist visual integration of the roadway with bushland...ensure new planting is suitable in terms of bushfire management and safety requirements", should note: *'in accordance with APZ requirements'*.
- Development must demonstrate ongoing management of APZ's.

### **Fire Management Plan**

• A Fire Management Plan is required as part of the Biodiversity Management Plan. It is not possible to assess consistency with this plan in its absence.

### Oxygen tanks

• Oxygen tanks are considered a Class 2.2 non flammable non toxic gas. Oxygen is, however, required for combustion to take place (high concentrations of oxygen greatly increase the intensity and rate of combustion).

The following construction requirements should be considered regarding oxygen tank location and design:

- The structure should be caged / shielded to contain potential explosions and prevent/protect from combustion
- Piping and connections to and from cylinders are metal.
- The proposed location is 10m away from the physiotherapy / maternity ward, this distance is acceptable but should be no closer than 2metres, so that it does not act as a catalyst to combustion.

### Static water supply

• The draft Statement of Commitments proposes static water supply tanks that double as potable water storage. However, for potable water the draft Statement commits only to a minimum storage of 3 hours for maintenance. Water from these tanks is therefore unlikely to be available during a bushfire.

### **DGR 15: Utilities**

 In consultation with relevant agencies, the EA shall address the existing capacity and any augmentation requirements of the development for the provision of utilities including staging of infrastructure works.

The application has not indicated building service locations apart from the generic plant rooms and 3 new sub-stations indicated on the drawings. The documentation states that the applicant is yet to apply for formal indications, from Sydney Water or Energy Australia. The applicant needs to clearly state what the service requirements of the site are, so that they can be satisfactorily accommodated into the overall design. Service elements should be shown on the plans as they may result in visual, environmental or safety impacts. For example the current placement of 3 substations on prime open space area in clear view, instead of underground within basements as is becoming commonplace with large buildings, is clearly unacceptable. Similarly, it is unacceptable for any service elements such as water tanks and oxygen tanks to be placed above ground in full view of the surrounding areas of the hospital. Without definite indications of what infrastructure is required from the appropriate authorities, the result is likely to be ad-hoc and ill placed service elements that detract from the overall development.

### DGR 16: Staging

 Details regarding the staging of the proposed development including impacts within the context of Sydney Adventist Hospital Campus and surrounding development

The Sydney Adventist Hospital project is the first stage of development that was approved by way of the Wahroonga Estate Concept Plan. It is our understanding that there are no immediate plans to advance any other elements of the Concept Plan at this stage.

Whilst a number of stages have been indicated, there are a number of issues that remain unclear. For example, it is not clear how the proposed staging of the hospital site maintains the serviceability of the existing on site and surrounding development such as the school, the church, on-site hospital buildings serviced by the existing internal roadways.

From the Wahroonga Estate Concept Plan, there is the indication that the main access road to the hospital will also share access with the proposed residential development and places of worship to the north-east of the site. Yet, the proposal does not clearly identify how the connection is to occur between the shared use of the road between the hospital and these residential precincts.

The proposal should show all retail, commercial, administrational and educational uses surrounding the site, both existing and proposed. Any retail or commercial uses that are directly linked with the hospital development, such as onsite shops/cafes, need to be included in the overall development staging, and hence associated transport/parking/pedestrian routes should form a part of the hospital Masterplan. The staging of adjoining residential areas should also be indicated. In this way these developments will be well integrated into the overall development upon completion.

Whether or not the multi-deck carpark is lowered or removed, the north-western perimeter road may not be required. With the creation of the new podium arrival area and its significant width, there is the opportunity to remove the north-western perimeter road and include that access way for large vehicles and emergency vehicles into a periphery section of the podium roadway. Fire trucks could use the widened recreation trail, as discussed under DGR 14.

The proposal should include details of measures to ameliorate potential impacts arising from the construction of the development, including management of vehicular and pedestrian traffic during construction. Details of staging of the development and methods of ensuring adequate safety, amenity and access for continuing uses should be included. Particular attention is to be paid to existing child care and school facilities near the site.

There is a lack of clarity in relation to the two proposed temporary carparks to the west of the site for 40 and 46 spaces. They are described both as temporary and as permanent. The following excerpt from the EA describes these as permanent, with the only temporary car parking the larger area to the north east:

- Expansion of existing staff surface car parks to the west to provide an additional 86 spaces on a permanent basis.
- Provision of a temporary car park accommodating 258 cars during the construction of the staged development. This car park is located to the north east of the San Clinic and will be used by patients, visitors, staff and construction personnel. It is anticipated that it will be used for between four and seven years, depending on the final phasing of the restaged development.

Provision of permanent at grade parking is not supported, particularly as there is a feasible option of providing all carparking underneath the footprint of substantial buildings that are being constructed alongside the roadways and hard surfaces proposed for service vehicles and at grade parking adjacent to the hospital building.

### The EA includes the following statement:

'It is acknowledged that the future development will be planned to enable the retention of the temporary car park until such time as the multi-deck car park is complete and sufficient car parking is available on-site to meet the demand generated by both the operational and construction activities'.

However, no statement was found about the staging of the demolition of these car parks. It is important that these temporary carparks be demolished on completion of the permanent parking, to avoid unrealistic expectations from the staff, visitors and the community in relation to the extent of permanent parking. The preferred project report should include this demolition in the staging plans and the demolition site plan. A clear plan and timetable for reinstatement of the land proposed for temporary parking to its original or permanent state must be included in the proposal.

Issues in relation to the adequacy of the number of car parking spaces in relation to the temporary car park, and the staging of development in this area have already been discussed elsewhere in this submission.

Also, the eventual timing of the redevelopment of the Wahroonga Estate may accelerate the timing for road upgrades, and therefore the staging of the SAH should be considered in conjunction with a staging plan for the Wahroonga Estate. Also, some of the intersection improvement proposals require acquisition of private land to accommodate localised road widening, and could be stifled by the landowners.

Whilst this proposal meets immediate and short to medium term needs, it is a given that the hospital will continue to grow as the general and aging population continues to increase and place demand on health facilities. Although the submission mentions this, no consideration is indicated in the design proposal. It is accepted that future growth would remain on the existing building footprint; however, of real concern is the current and future pattern of parking provision on the site. It is considered vital that this proposal provide substantial underground car parking that accommodates current and new workers, visitors, students, but that it is also designed to allow its expansion in the future.

### DGR 17: Flora and Fauna

- Address impacts on flora and fauna, including threatened species, populations and endangered ecological communities and their habitats and steps taken to mitigate any identified impacts to protect the environment; and
- Consistency with Biodiversity Management Plan as required under the approval of Concept Plan MP07\_0166 (as modified).

Blue Gum High Forest and Sydney Turpentine Ironbark Forest (STIF) (listed under the Threatened Species Conservation Act 1995) occurs within the proposed development site.

The flora and fauna assessment (Appendix V, page 6), states

'Retained vegetation resembles predominantly landscaped gardens and lawns. There is however a small occurrence of STIF and BGHF. These threatened communities exist within the subject site as canopy trees only (refer to Appendix B) and represent the state listing (TSC Act). It is anticipated that footprints of new constructions will generally not impact flora and fauna. It should be noted the position of the "new oxygen tanks" (Appendix C) are located among the STIF canopy trees are indicative only. There is scope to relocate the tanks to miss these trees. Provided that these trees aren't removed there will be no impact upon native vegetation within the subject site.'

It is noted that the patch of STIF adjacent to Fox Valley Rd of the proposal includes both canopy species, as well as *Pittosporum undulatum* and *Dichondra repens* (based upon Ku-ring-gai's Mapping and Assessment of Key Vegetation Communities Across the Ku-ring-gai Local Government Area [2010]). However it is acknowledged that this area is highly disturbed.

However it is noted that the proposed new oxygen tanks and also pump room, some of the proposed new water tanks and associated underground utility services are located in close proximity to a stand of remnant trees (G41,50,51,52,68,69,70) from the Sydney Turpentine Ironbark Vegetation Community(STIF) including large Grey Ironbark – *Eucalyptus paniculata and Red* Mahogany *Eucalyptus resinifera*, and that the Landscape Design notes that *: Tree removal is likely required given the density of trees in this area*. This issue is also noted within the Fauna and Flora Report page 6 "Subject Site"

The Flora and Fauna Assessment (Cumberland Ecology, July 2010) fails to adequately address the impact upon STIF proposed by works within the eastern edge of the site. The report addresses the *"new oxygen tanks"*. It does not however address the creation of a Fire Control Centre as proposed within the Environmental assessment (URBIS, August 2010) and the Masterplan Overall Siteplan Stage 1A (Dwn no: A/EA-004), or the proposed pump room (as outlined within figure 13, of the fire assessment by Australian Bushfire Protection Planners Pty Limited, 2010).

The report states that provided these trees are not removed there will be no impact upon native vegetation on the site. This is misleading as impacts may occur through root damage resultant from construction of hard stand and other built assets as well as requirements to prune branches to remove leaf drop (fuel loads) from over / within built structures (such as the oxygen tanks). Access to these tanks from the access road should also be addressed.

These trees are large and prominent remnant native specimens and form part of the state listed endangered vegetation community. It is considered unacceptable to further compromise or remove them for this facility without properly exploring options for location of this facility outside of the tree protection zones of these trees.

Given the value of STIF within this area it is recommended that the oxygen tanks, fire station and pump house be located outside the canopy area of these trees.

The flora and fauna assessment has not addressed any impacts resultant from Asset Protection Zone requirements, along the western edge of the site, nor has it addressed the impacts of the earthworks along the interface with the bushland. As noted previously, these are expected to be significant.

The assessment refers to compliance with the Biodiversity Management Plan (BMP) (as required within the Director General Requirements), it is again noted that this BMP has not been made available and as such this is impossible to assess. A similar situation exists with the Conservation Interface Management Plan (required within the Controlled Action Approval granted by the Federal Department of the Environment, Water, Heritage & the Arts (DEWHA) in June 2010). The Conservation Interface Management Plan is required to address direct impacts within the development site and indirect impacts upon E2 lands. Provision of this plan is required to fully assess the impacts and proposed ongoing management for the site.

### DGR 18: Noise and Vibration

 Provide a quantitative assessment of the potential demolition, construction, operation and traffic noise impacts of the project.

The *Construction Noise Impact Statement* prepared by Heggies dated 14 July 2010 indicates that both the proposed demolition and construction activities are likely to exceed the construction noise goals by clear margins, resulting in anticipated moderate noise impacts at the nearest noise affected residential receivers and high noise impact at the SAH.

The sites selected for assessment of noise impacts did not include the existing child care centre or the nurses' accommodation, which are to be retained under this proposal. The preferred project report should include data on the impact on these facilities, and specifically include consideration of this facility within any noise and vibration management plans and monitoring programmes.

The consultants have recommended as a solution, that a noise and vibration management plan be produced identifying reasonable and feasible noise mitigation measures to reduce the noise to acceptable levels. There is also a recommendation for noise and vibration monitoring during construction activities at the nearest and most impacted noise and vibration sensitive receivers during construction works. However, the proposed measures need to be considered for adequacy prior to approval of the proposal.

Should the Department not require this consideration at the Preferred Project Report stage, it is recommended that any conditions of development consent include the following or similar based on the consultants' recommendations:

• A specific noise and vibration management plan which covers all stages of construction and demolition works for the development must be developed by an appropriately qualified person, such as an acoustic engineer/consultant, and a copy submitted to the Principal Certifying Authority prior to the release of any construction certificate/s for the site. The noise and vibration management plan must incorporate all measures identified in Section 8 of the *Heggies* report dated 14 July 2010 as well as compliance with the NSW Industrial Noise policy and DECCW Interim Construction Noise Guidelines including setting specific hours of operation. A copy of the management plan is also to be kept on-site during all construction and demolition phases to provide guidance to the construction/demolition contractor relating to noise and vibration issues;

• Noise and vibration monitoring must be carried out by an appropriately qualified person, such as an acoustic engineer/consultant, throughout the demolition and construction works. Should the monitoring identify a major non-compliance with the noise management plan, recommended actions must be developed and provided to the project manager and construction/demolition contractor for their action. A copy of all noise and vibration monitoring results must be submitted to the construction/demolition contractor and project manager at weekly intervals for continuous monitoring; and

• The Project Manager and/or Construction/demolition Contractor is to provide information to the Hospital and surrounding residents of the nature of the work to be carried out as well as the expected noise levels and duration of the proposed works at least 7 days prior to the work being carried out. Contact details must also be provided and a log of complaints should be kept to ensure the noise assessment monitoring and any relevant recommendations for control measures address the community's concerns.

### Noise – Operational phase

The Acoustic Report to support Staged Alterations and Additions by Heggies dated 14 July 2010 indicates that with appropriate measures in place the noise impacts from the operational phase

will not result in unacceptable impacts on hospital patients and surrounding residents (Karen Boulter).

Again, if no specific measures are sighted prior to any approval, conditions of development consent could include the following or similar based on the consultant's recommendations:

• Specific noise control measures must be developed by an appropriately qualified person, such as an acoustic engineer/consultant, during the design stages to ensure that noise from all new noise generating mechanical equipment will meet the noise criteria when measured at the property boundaries. This includes the installation of appropriate noise attenuators; acoustic louvres; barriers; enclosures; careful consideration of the orientation of air inlets/outlets and items of plant; and mechanical isolation and other recommended measures in Section 7 of the acoustic report so that equipment is located away from sensitive receivers and residential premises. Details of the noise generating equipment to be installed and any required noise control measures must be submitted to the Principal Certifying Authority prior to release of the Construction Certificate.

• A compliance inspection including noise monitoring and assessment must be carried out by an appropriately qualified person, such as an acoustic engineer/consultant and a report demonstrating compliance with the NSW Government noise criteria must be submitted to the Principal Certifying Authority for all stages prior to release of the occupation certificates for each stage. The report should include an indication that any noise control measures recommended in the design phase have been installed.

• The operation of the premises must comply with the noise criteria of the:

(a) NSW Department of Environment, Climate Change and Water's (DECCW) *NSW Industrial Noise Policy* for intrusive noise and amenity criteria to protect both external and internal receivers. Where plant equipment is to operate continuously, the night-time criterion shall be the governing factor in terms of noise control treatment;

(b) NSW DECCW Environmental Criteria for Road Traffic Noise;

(c) NSW DECCW Environmental Noise Control Manual - Chapter 151 – Noise control guideline: Generators, Emergency in relation to noise from the Hospital's emergency generators; and

(d) The Building Code of Australia and relevant Australian standards for recommended internal sound levels and reverberation times for building interiors to protect the sensitive receivers inside the development.

It is understood, as per the acoustic report, that the route for emergency vehicles and the proposed service vehicle routes are unchanged and that the loading dock is well shielded by Hospital buildings. It is also understood that helicopter flights are infrequent and unlikely to change. In regards to traffic:

• Traffic noise generated by the operation of the premises must comply with the NSW DECCW's "*Environmental Criteria for Road Traffic Noise*" and not lead to an increase in existing noise levels of more than 2 dB;

• Appropriate hours should be considered in any noise management plan for the site limiting the times that service vehicles/loading docks are used and visitor/patient vehicles are allowed onsite along with appropriate noise mitigation measures to protect the amenity of neighbouring residents; and • Helicopter operations should be conducted with due regard to the Air Services Australia – *Environmental Principles and Procedures for minimising the impact of Aircraft Noise* (2002) and the *Flying Neighbourly Guide* (USA) and any relevant NSW Government legislation.

### DGR 19: Waste

- Identify, quantify and classify the likely waste streams to be generated during construction and operation;
- Describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste;
- Describe the measures to be implemented to manage the disposal of nuclear waste, if required; and
- Describe the measures to be implemented to manage the disposal of contaminated and potentially contaminated biological and sewage waste.

All waste and recyclable material generated by the premises, including biological waste, hazardous and non-hazardous substances, must be appropriately stored in an enclosed area which is separated from public areas and view and kept clean at all times. The commitment in the draft Statement of Commitments in regard to waste are supported.

### DGR 20: Hazards

- An assessment against State Environmental Planning Policy No 33 Hazardous and offensive Development; and
- A description of the proposed storage, use and management of any hazardous material and measures to be implemented to manage hazards and risks associated with the storage.

The proposal includes a Biological and Trade Waste Review and Waste Management Report. The EA claims that SEPP 33 does not apply to the site. There does not appear to be a detailed breakdown of the quantities of hazardous materials in relation to their location to justify this conclusion.

Of particular concern is the location of a number of oxygen tanks above ground, within a treed area on bushfire prone land. This issue is further discussed under DCR 14.

### **DGR 21: Consultation**

 Undertake an appropriate and justified level of consultation in accordance with the Department's Major Project Community Consultation Guidelines October 2007.

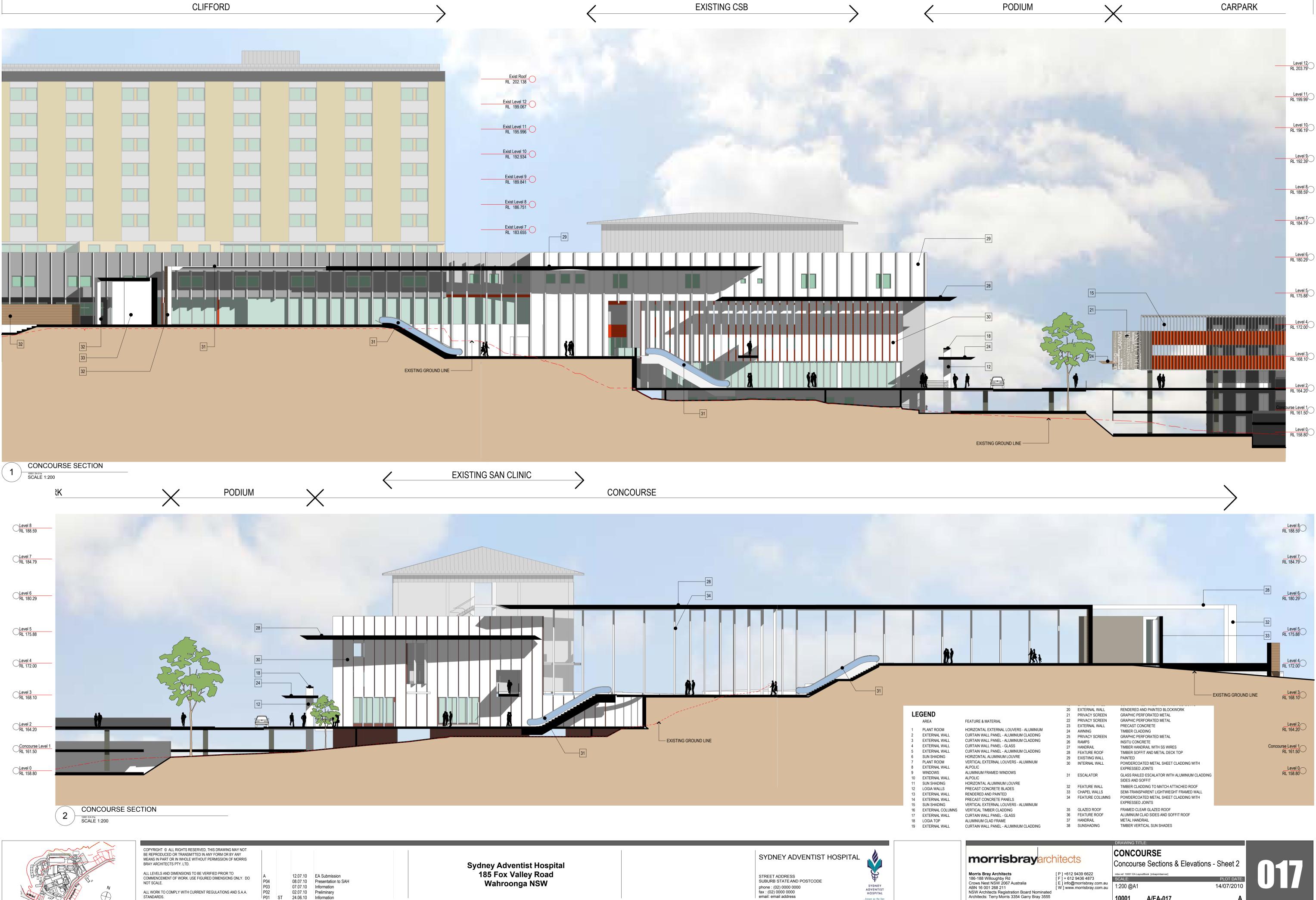
To comply with the conditions of consent, consultation with DECCW, DEWHA and local councils should have taken place to ensure that the Biodiversity Management Plan was in place prior to the lodgement of the hospital proposal. This needs to be completed prior to the lodgement of any preferred project report. This is further discussed elsewhere in this submission.

The inclusion of the detailed comments from the various agencies as part of the consultation for this stage of the project would be helpful.

Council is willing to discuss the key issues raised above with the Department and representatives from the SAN, to assist in the preparation of a preferred project report.



Expansion from the west **PERSPECTIVE - VIEW OF CSB** 



STANDARDS.

NOTES

P01 ST 24.06.10 Information

No. Initial DATE REVISION / ISSUE DETAILS

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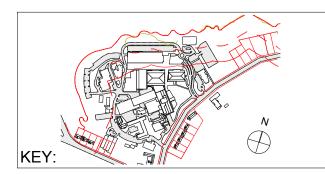
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# **PERSPECTIVE - Aerial from north-east**



CSB NORTH ELEVATION 01 10001 EA 01a SCALE 1:200

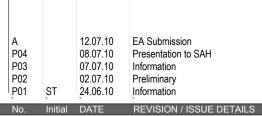


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12.07.10 EA Submission 08.07.10 Presentation to SAH

### LEGEND AREA

	AREA	FEATURE & MATERIAL
1	PLANT ROOM	HORIZONTAL EXTERNAL LOUV
2	EXTERNAL WALL	CURTAIN WALL PANEL - ALUM
3	EXTERNAL WALL	CURTAIN WALL PANEL - ALUM
4	EXTERNAL WALL	CURTAIN WALL PANEL - GLAS
5	EXTERNAL WALL	CURTAIN WALL PANEL - ALUM
6	SUN SHADING	HORIZONTAL ALUMINIUM LOU
7	PLANT ROOM	VERTICAL EXTERNAL LOUVER
8	EXTERNAL WALL	ALPOLIC
9	WINDOWS	ALUMINIUM FRAMED WINDOW
10	EXTERNAL WALL	ALPOLIC
11	SUN SHADING	HORIZONTAL ALUMINIUM LOU
12	LOGIA WALLS	PRECAST CONCRETE BLADES
13	EXTERNAL WALL	RENDERED AND PAINTED
14	EXTERNAL WALL	PRECAST CONCRETE PANELS
15	SUN SHADING	VERTICAL EXTERNAL LOUVER
16	EXTERNAL COLUMNS	VERTICAL TIMBER CLADDING
17	EXTERNAL WALL	CURTAIN WALL PANEL - GLAS
18	LOGIA TOP	ALUMINIUM CLAD FRAME
19	EXTERNAL WALL	CURTAIN WALL PANEL - ALUM

CURTAIN WALL PANEL - ALU

morris Morris Bray Architects 186-188 Willoughby Rd Crows Nest NSW 2067 Australia ABN 16 001 268 211 NSW Architects Registration Board Nominated Architects: Terry Morris 3354 Garry Bray 3555

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### SYDNEY ADVENTIST HOSPITAL

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SYDNEY ADVENTIST HOSPITAL

...known as the San

STREET ADDRESS SUBURB STATE AND POSTCODE

Sydney Adventist Hospital 185 Fox Valley Road Wahroonga NSW



	20	EXTERNAL WALL	RENDERED AND PAINTED BLOCKWORK
	21	PRIVACY SCREEN	GRAPHIC PERFORATED METAL
FEATURE & MATERIAL	22	PRIVACY SCREEN	GRAPHIC PERFORATED METAL
	23	EXTERNAL WALL	PRECAST CONCRETE
HORIZONTAL EXTERNAL LOUVERS - ALUMINIUM	24	AWNING	TIMBER CLADDING
CURTAIN WALL PANEL - ALUMINIUM CLADDING	25	PRIVACY SCREEN	GRAPHIC PERFORATED METAL
CURTAIN WALL PANEL - ALUMINIUM CLADDING	26	RAMPS	INSITU CONCRETE
CURTAIN WALL PANEL - GLASS	27	HANDRAIL	TIMBER HANDRAIL WITH SS WIRES
CURTAIN WALL PANEL - ALUMINIUM CLADDING	28	FEATURE ROOF	TIMBER SOFFIT AND METAL DECK TOP
IORIZONTAL ALUMINIUM LOUVRE	29	EXISTIING WALL	PAINTED
/ERTICAL EXTERNAL LOUVERS - ALUMINIUM	30	INTERNAL WALL	POWDERCOATED METAL SHEET CLADDING WITH
LPOLIC			EXPRESSED JOINTS
LUMINIUM FRAMED WINDOWS	31	ESCALATOR	GLASS RAILED ESCALATOR WITH ALUMINIUM CLADDING
LPOLIC			SIDES AND SOFFIT
ORIZONTAL ALUMINIUM LOUVRE	32	FEATURE WALL	TIMBER CLADDING TO MATCH ATTACHED ROOF
RECAST CONCRETE BLADES	33	CHAPEL WALLS	SEMI-TRANSPARENT LIGHTWIEGHT FRAMED WALL
ENDERED AND PAINTED	34	FEATURE COLUMNS	POWDERCOATED METAL SHEET CLADDING WITH
PRECAST CONCRETE PANELS	94		EXPRESSED JOINTS
ERTICAL EXTERNAL LOUVERS - ALUMINIUM			
ERTICAL TIMBER CLADDING	35	GLAZED ROOF	FRAMED CLEAR GLAZED ROOF
CURTAIN WALL PANEL - GLASS	36	FEATURE ROOF	ALUMINIUM CLAD SIDES AND SOFFIT ROOF
ALUMINIUM CLAD FRAME	37	HANDRAIL	METAL HANDRAIL
CURTAIN WALL PANEL - ALUMINIUM CLADDING	38	SUNSHADING	TIMBER VERTICAL SUN SHADES

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### **CSB EXPANSION** CSB NORTH ELEVATION

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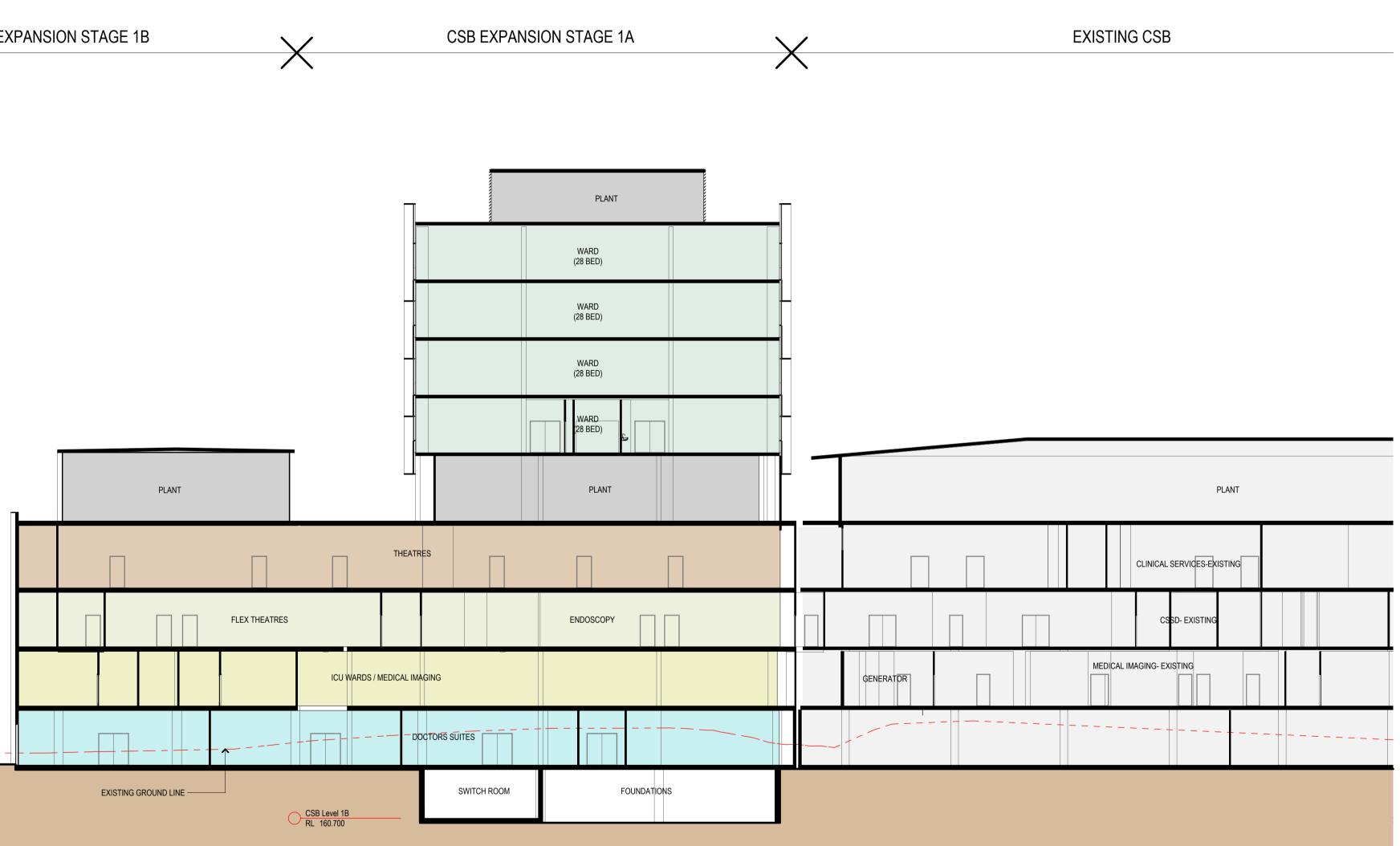
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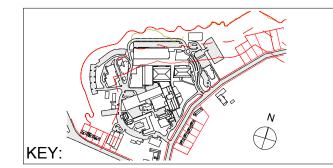
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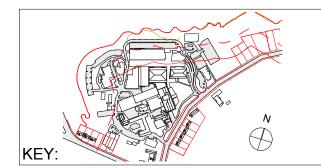
Morris Bray Archite 186-188 Willoughby Crows Nest NSW 20 ABN 16 001 268 21 NSW Architects Reg Architects: Terry Mo ARCHITECTS

STREET ADDRESS SUBURB STATE AND POSTCODE phone : (02) 0000 0000 fax : (02) 0000 0000 email: email address

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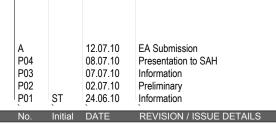


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### LEGEND AREA

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SYDNEY ADVENTIST HOSPITAL

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AREA	FEATURE & MATERIAL
PLANT ROOM	HORIZONTAL EXTERNAL LOUVE
EXTERNAL WALL	CURTAIN WALL PANEL - ALUMIN
EXTERNAL WALL	CURTAIN WALL PANEL - ALUMIN
EXTERNAL WALL	CURTAIN WALL PANEL - GLASS
EXTERNAL WALL	CURTAIN WALL PANEL - ALUMIN
SUN SHADING	HORIZONTAL ALUMINIUM LOUVE
PLANT ROOM	VERTICAL EXTERNAL LOUVERS
EXTERNAL WALL	ALPOLIC
WINDOWS	ALUMINIUM FRAMED WINDOWS
EXTERNAL WALL	ALPOLIC
SUN SHADING	HORIZONTAL ALUMINIUM LOUVE
LOGIA WALLS	PRECAST CONCRETE BLADES
EXTERNAL WALL	RENDERED AND PAINTED
EXTERNAL WALL	PRECAST CONCRETE PANELS
SUN SHADING	VERTICAL EXTERNAL LOUVERS
EXTERNAL COLUMNS	VERTICAL TIMBER CLADDING
EXTERNAL WALL	CURTAIN WALL PANEL - GLASS
LOGIA TOP	ALUMINIUM CLAD FRAME
EXTERNAL WALL	CURTAIN WALL PANEL - ALUMIN

### PRECAST CONCRETE PANELS VERTICAL TIMBER CLADDING CURTAIN WALL PANEL - GLASS ALUMINIUM CLAD FRAME CURTAIN WALL PANEL - ALUN morrisbrayarchitects

Morris Bray Architects 186-188 Willoughby Rd Crows Nest NSW 2067 Australia ABN 16 001 268 211 NSW Architects Registration Board Nominated Architects: Terry Morris 3354 Garry Bray 3555

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	Level 11 RL 199.99
	Level 10 RL 196.19
	Level 9 RL 192.39
	Level 8 RL 188.59
	Level 7 RL 184.79
	Level 6 RL 180.29
	Level 5 RL 175.88
	Level 4 RL 172.00
	Level 3 RL 168.10
	Level 2 RL 164.20
9	Concourse Level 1 RL 161.50
	Level 0 RL 158.80

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CURTAIN WALL PANEL - ALUMINIUM CLADDING	26	RAMPS	INSITU CONCRETE
CURTAIN WALL PANEL - GLASS	27	HANDRAIL	TIMBER HANDRAIL WITH SS WIRES
CURTAIN WALL PANEL - ALUMINIUM CLADDING	28	FEATURE ROOF	TIMBER SOFFIT AND METAL DECK TOP
HORIZONTAL ALUMINIUM LOUVRE	29	EXISTIING WALL	PAINTED
VERTICAL EXTERNAL LOUVERS - ALUMINIUM	30	INTERNAL WALL	POWDERCOATED METAL SHEET CLADDING WITH
ALPOLIC			EXPRESSED JOINTS
ALUMINIUM FRAMED WINDOWS	31	ESCALATOR	GLASS RAILED ESCALATOR WITH ALUMINIUM CL
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PRECAST CONCRETE PANELS	34	FEATURE COLUMNS	POWDERCOATED METAL SHEET CLADDING WITH EXPRESSED JOINTS
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VERTICAL TIMBER CLADDING	35	GLAZED ROOF	FRAMED CLEAR GLAZED ROOF
CURTAIN WALL PANEL - GLASS	36	FEATURE ROOF	ALUMINIUM CLAD SIDES AND SOFFIT ROOF
ALUMINIUM CLAD FRAME	37	HANDRAIL	METAL HANDRAIL
CURTAIN WALL PANEL - ALUMINIUM CLADDING	38	SUNSHADING	TIMBER VERTICAL SUN SHADES



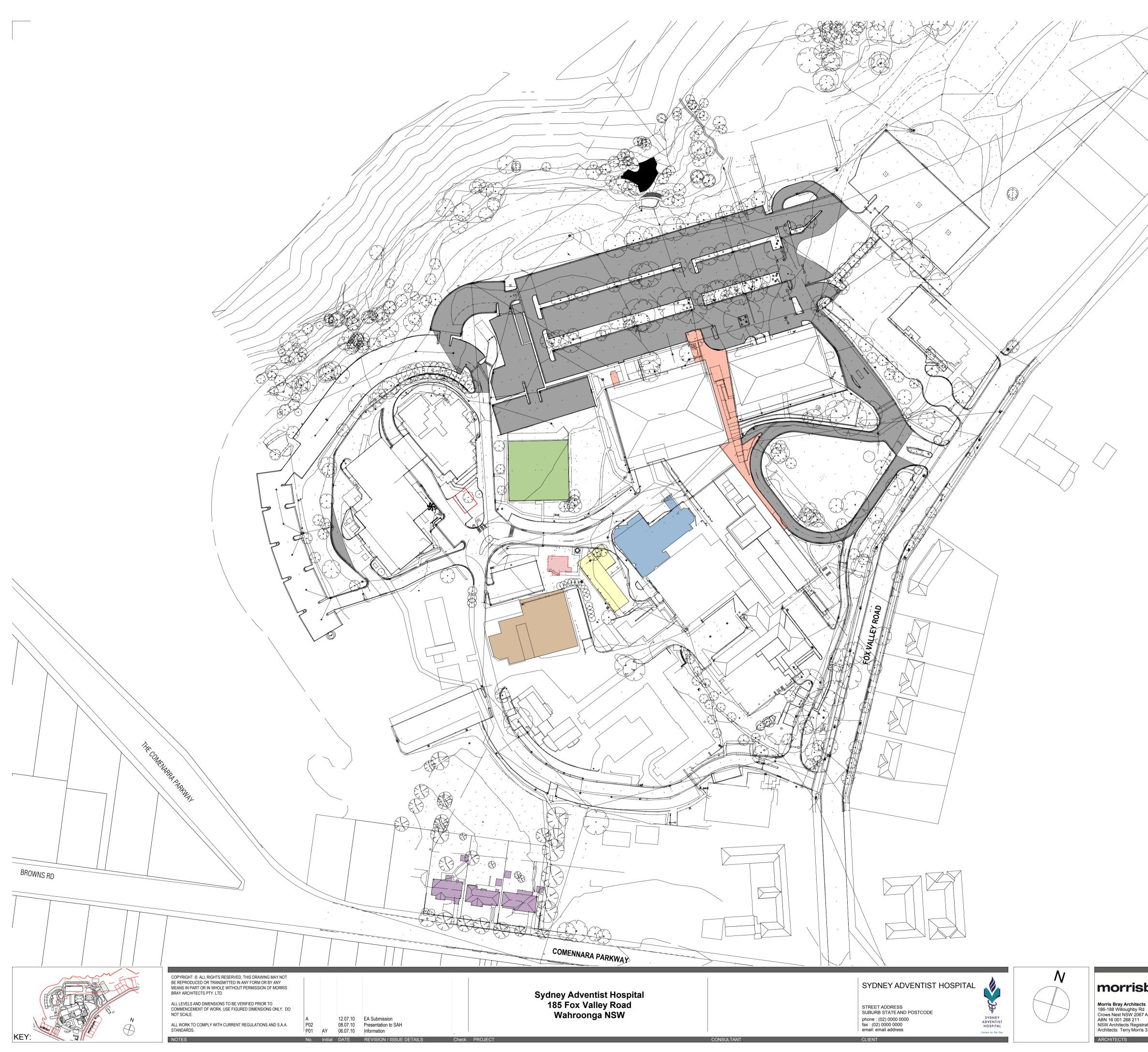
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DRAWING TITLE:

JOB NO. DRA

PLOT DATE: 14/07/2010



### DISCLAIMER

- Demolition to Australian Standard AS 2601
  Make inspections and prepare Dilapidation Survey Reports
  Comply with all Authority Requirements
  Prepare a Hazardous Substances Report and Management Plan to AS 2601 and NOHSC 2002 Code of Practice of the Safe Removal of Asbestos
- On completion of demolition audit adjacent structures against Dilapidation Report and make good any damage arising out of demolition work

### LEGEND



EXISTING MUSEUM TO BE RELOCATED



EXISTING CARPARK AND ROADS TO BE RE-GRADED



WING TITLE:

MASTERPLAN

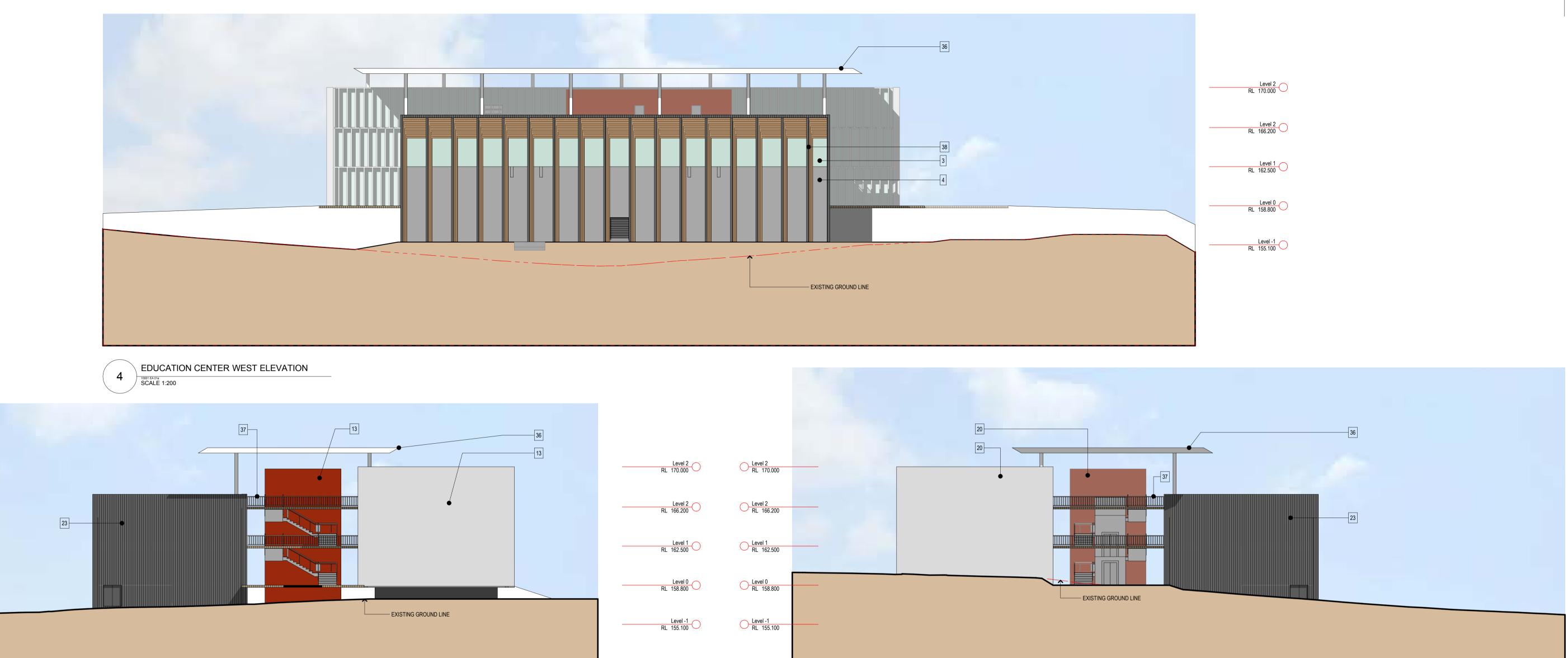
NEW MUSEUM LOCATION

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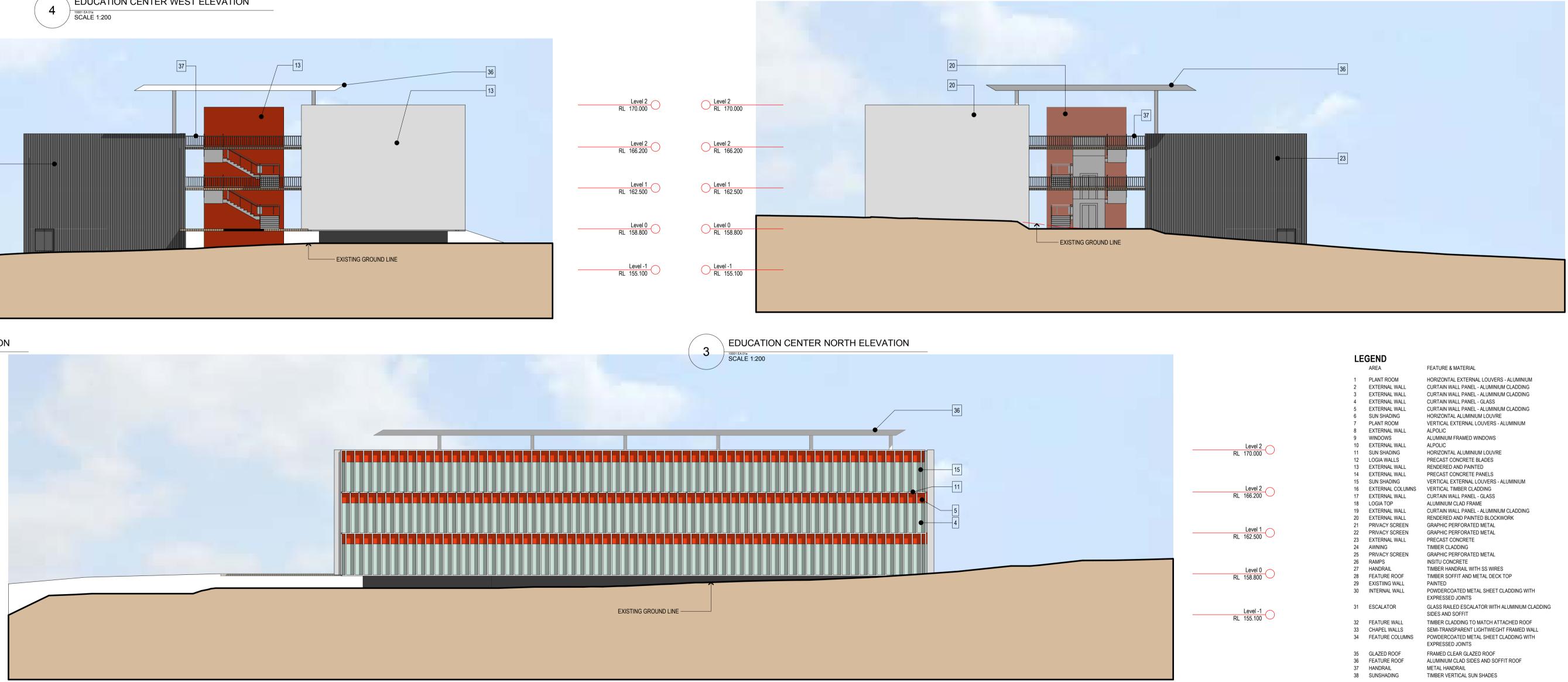
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PLOT DATE: 14/07/2010



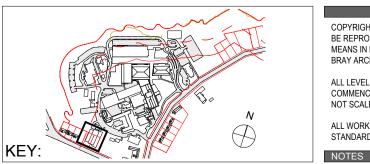


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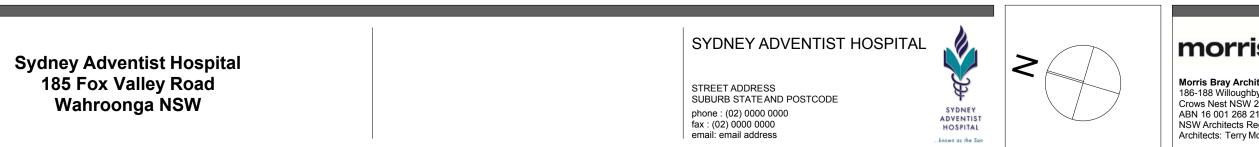


EDUCATION CENTER EAST ELEVATION 10001 EA 01a SCALE 1:200

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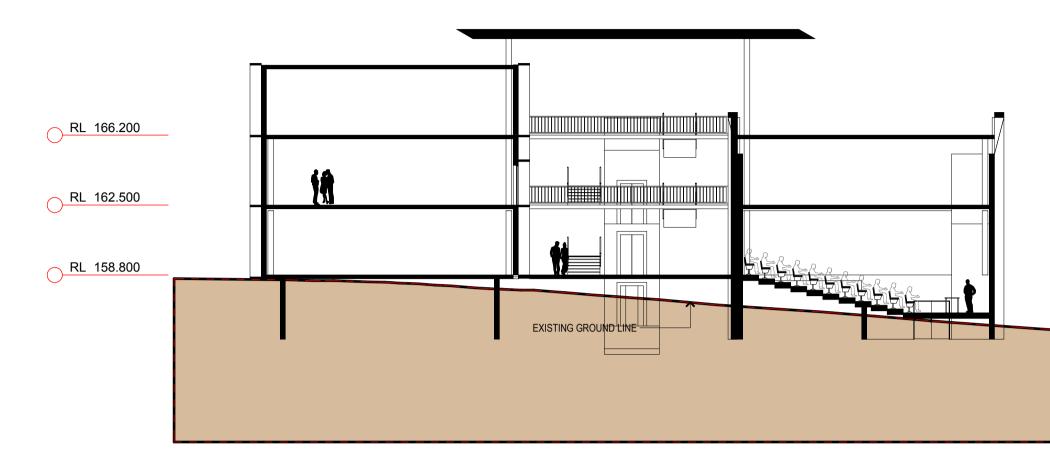
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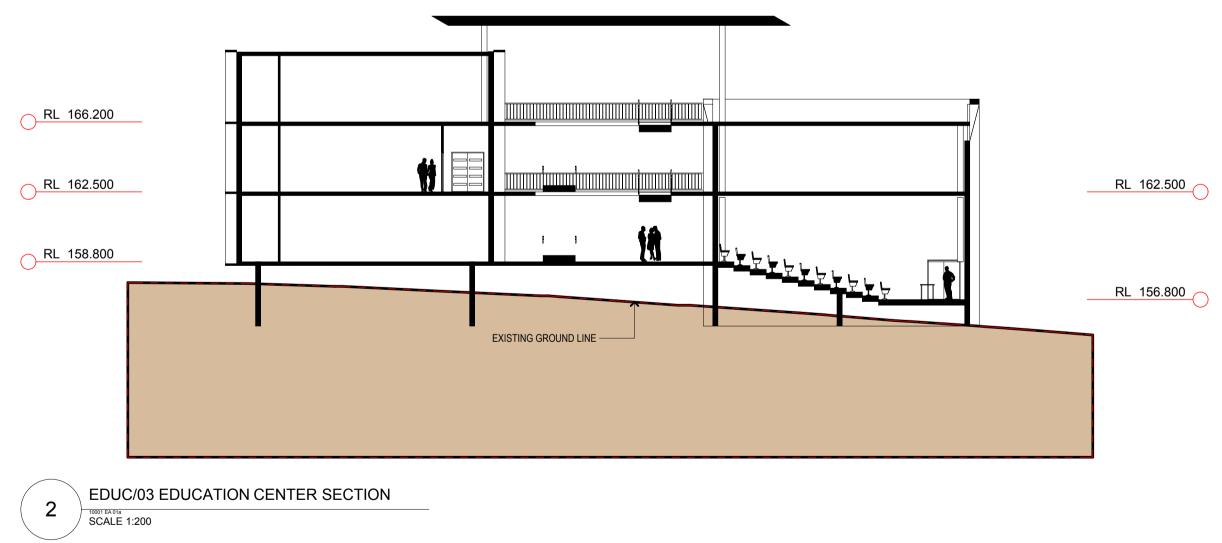
	AREA	FEATURE & MATERIAL
	PLANT ROOM	HORIZONTAL EXTERNAL LOUVERS - ALUMINIUM
	EXTERNAL WALL	CURTAIN WALL PANEL - ALUMINIUM CLADDING
	EXTERNAL WALL	CURTAIN WALL PANEL - ALUMINIUM CLADDING
	EXTERNAL WALL	CURTAIN WALL PANEL - GLASS
	EXTERNAL WALL	CURTAIN WALL PANEL - ALUMINIUM CLADDING
	SUN SHADING	HORIZONTAL ALUMINIUM LOUVRE
	PLANT ROOM	VERTICAL EXTERNAL LOUVERS - ALUMINIUM
	EXTERNAL WALL	ALPOLIC
	WINDOWS	ALUMINIUM FRAMED WINDOWS
0	EXTERNAL WALL	ALPOLIC
1	SUN SHADING	HORIZONTAL ALUMINIUM LOUVRE
2	LOGIA WALLS	PRECAST CONCRETE BLADES
3	EXTERNAL WALL	RENDERED AND PAINTED
4	EXTERNAL WALL	PRECAST CONCRETE PANELS
5	SUN SHADING	VERTICAL EXTERNAL LOUVERS - ALUMINIUM
6	EXTERNAL COLUMNS	VERTICAL TIMBER CLADDING
7	EXTERNAL WALL	CURTAIN WALL PANEL - GLASS
8	LOGIA TOP	ALUMINIUM CLAD FRAME
9	EXTERNAL WALL	CURTAIN WALL PANEL - ALUMINIUM CLADDING
0	EXTERNAL WALL	RENDERED AND PAINTED BLOCKWORK
1	PRIVACY SCREEN	GRAPHIC PERFORATED METAL
2	PRIVACY SCREEN	GRAPHIC PERFORATED METAL
3	EXTERNAL WALL	PRECAST CONCRETE
4	AWNING	
5	PRIVACY SCREEN	GRAPHIC PERFORATED METAL INSITU CONCRETE
6 7	RAMPS HANDRAIL	TIMBER HANDRAIL WITH SS WIRES
8	FEATURE ROOF	TIMBER HANDRAIL WITH 35 WIRES
9	EXISTIING WALL	PAINTED
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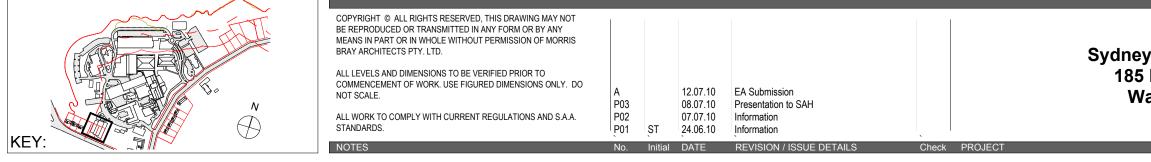
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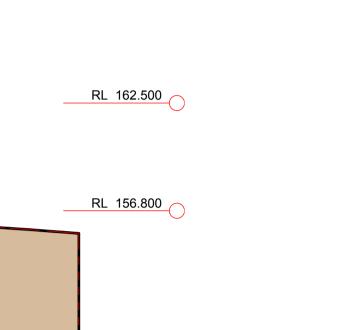


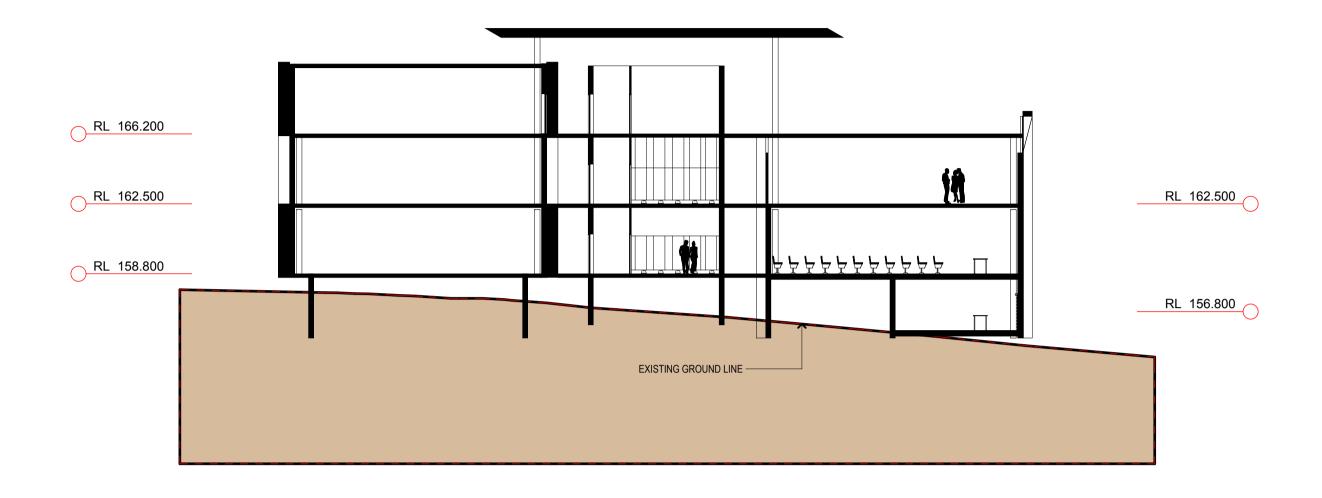


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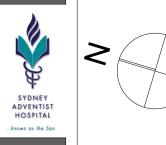






Sydney Adventist Hospital 185 Fox Valley Road Wahroonga NSW

SYDNEY ADVENTIST HOSPITAL





ARCHITECTS

STREET ADDRESS SUBURB STATE AND POSTCODE phone : (02) 0000 0000 fax : (02) 0000 0000 email: email address

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### Landscape Amenity and Access Strategy

This plan has been prepared to indicate the general scope and intent to provide a comprehensive pathway network across the site, that suitably provides access from the core functional areas of the

hospital to a broadly distributed range of passive and active amenity open spaces. The philosophy of the Sydney Adventist Hospital espouses that health care should be aligned with general well-being through exercise and experience of nature, and the outdoors.

The array of open space and recreational amenity opportunities identified on the plan includes:

- Open lawn areas and courtyards suitable for general recreation and relaxation;

 Potential for playground and or exercise areas or circuits associated with a loop or link walkway; - Potential for smaller break-out spaces and courtyard areas where seating, paving, planting and the like can create a place for respite;

 Formal courtyard areas, terraces associated with eating or formal seating, and formal lawn and stair areas suitable for seating and a range of informal as well as organised activities and / or events;

- Sensory garden areas and interpretive herb and agricultural / orchard type spaces that reflect upon the heritage of the Adventist Hospital and specifically upon the history of this site as a Sanitarium. This includes the provision of interpretive signage and potentially sculptural or art elements.

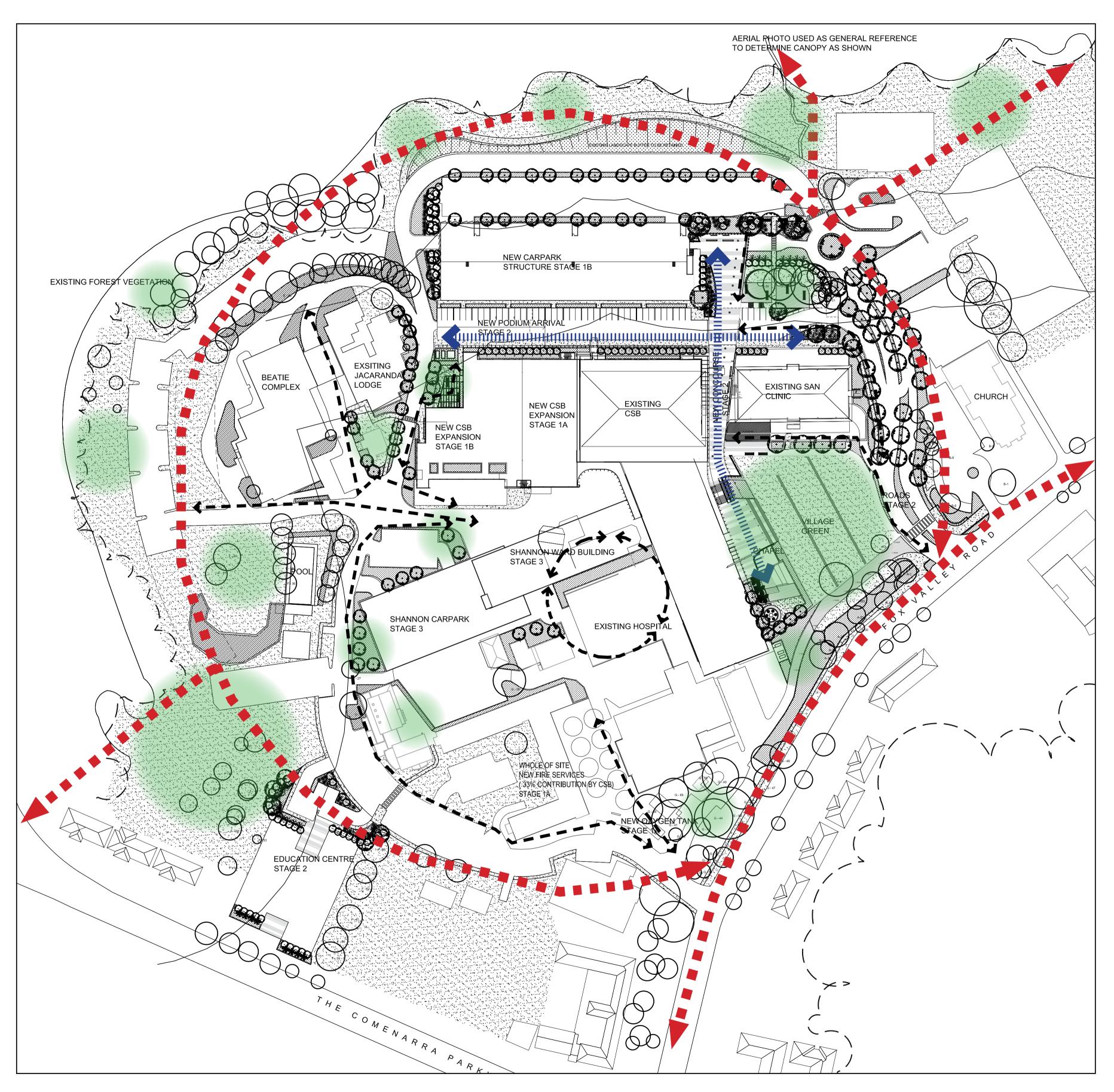
The indication of pathways is indicative given the need to develop beyond the detailed masterplan stage for some areas of the site, but the intention is to provide:

- Suitable number of accessible areas for patients and visitors with limited mobility;

- Suitable provision of linkage to external transport links, including present and likely future links given The Wahroonga Estate Masterplan;

- Provision for shareway routes that provide access to the site for cyclists, and access across the site where appropriate to assist regional linkages where logical and reasonable;

In terms of sustainable transport strategy, development of the landscape, architectural and site planning proposals are being assisted by GTA Consultants. Please refer to their accompanying report assessing opportunities that are provided for by the plan, and further opportunities that they identify for sustainable transport initiatives.



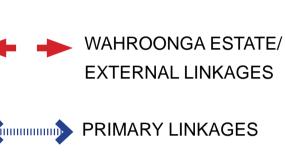
Part 3A Application Landscape Amenity and Access Strategy Scale 1:1000 @ A1

# Landscape Amenity and Access Strategy

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The contractor shall check and verify all work on site (including work by others) before commencing the landscape installation. Any discrepancies are to be reported to the Project Manager or Landscape Architect prior to commencing work. Do not scale this drawing. Any required dimensions not shown shall be referred to the Landscape Architect for confirmation.

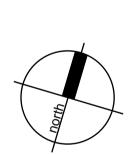
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EXTERNAL LINKAGES PRIMARY LINKAGES

← → SECONDARY LINKAGES

EXISTING/PROPOSED POTENTIAL OPEN SPACE AMENITY



SYDNEY ADVENTIST HOSPITAL

SYDNEY ADVENTIST HOSPITAL 185 FOX VALLEY ROAD WAHROONGA NSW

SITE IMAGE

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28 Bowden Street



PART 3A APPLICATION

Drawing Name: LANDSCAPE AMENITY AND ACCESS STRATEGY <sup>Scale:</sup> 1:1000 @ A1

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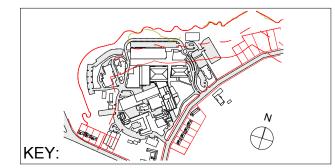
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NOTES

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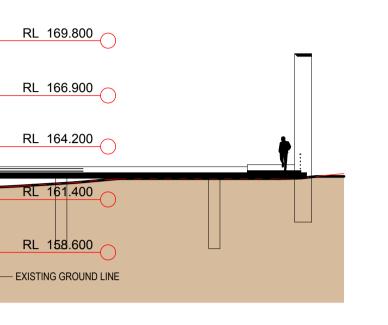


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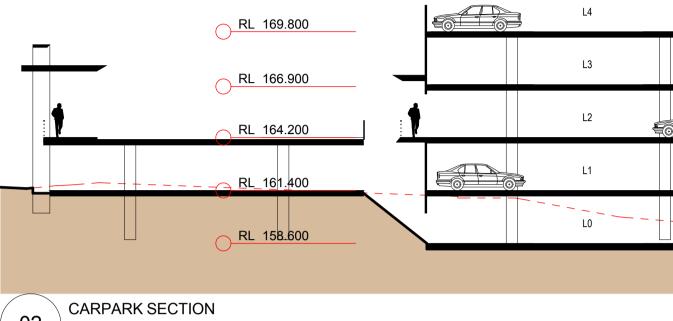
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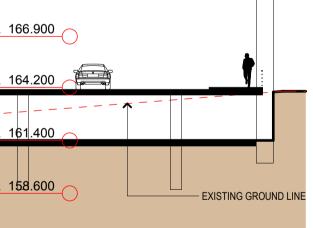
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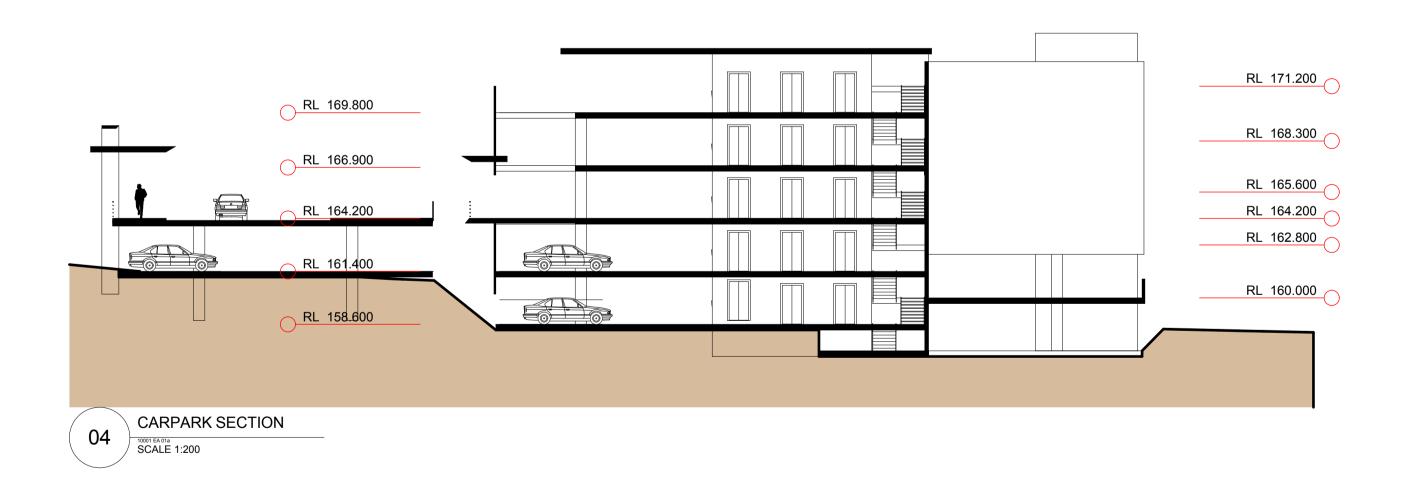
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Sydney Adventist Hospital 185 Fox Valley Road Wahroonga NSW

SYDNEY ADVENTIST HOSPITAL





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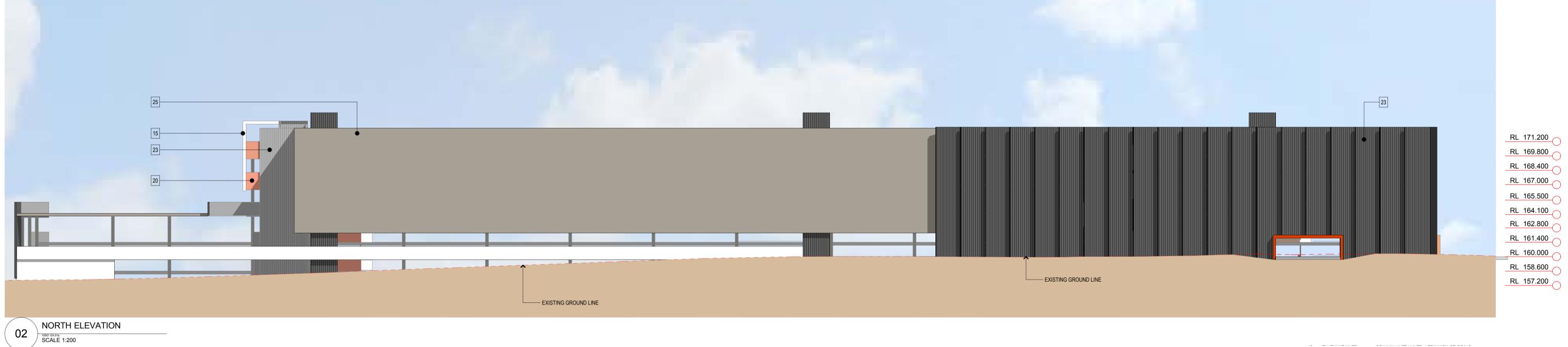
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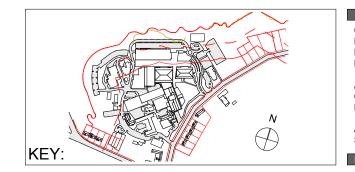
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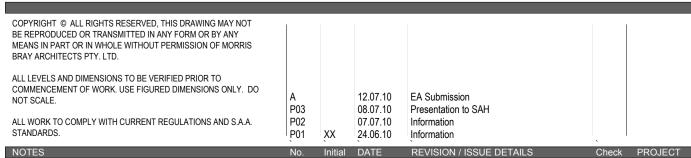
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Registration Board Nominated Morris 3354 Garry Bray 3555		10001	A/EA-078	Α	
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### LEGEND AREA

AREA	FEATURE & MATERIAL
PLANT ROOM EXTERNAL WALL EXTERNAL WALL EXTERNAL WALL SUN SHADING PLANT ROOM EXTERNAL WALL WINDOWS EXTERNAL WALL SUN SHADING LOGIA WALLS EXTERNAL WALL SUN SHADING EXTERNAL WALL SUN SHADING EXTERNAL WALL SUN SHADING EXTERNAL COLUMNS EXTERNAL WALL	HORIZONTAL EXTERNAL LOUVI CURTAIN WALL PANEL - ALUMIN CURTAIN WALL PANEL - ALUMIN CURTAIN WALL PANEL - ALUMIN CURTAIN WALL PANEL - GLASS CURTAIN WALL PANEL - ALUMIN HORIZONTAL ALUMINIUM LOUV VERTICAL EXTERNAL LOUVERS ALPOLIC HORIZONTAL ALUMINIUM LOUV PRECAST CONCRETE BLADES RENDERED AND PAINTED PRECAST CONCRETE PANELS VERTICAL EXTERNAL LOUVERS VERTICAL TIMBER CLADDING CURTAIN WALL PANEL - GLASS
LOGIA TOP EXTERNAL WALL	ALUMINIUM CLAD FRAME CURTAIN WALL PANEL - ALUMI

morrisbrayarchitects

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5 Fox Valley Road	
Vahroonga NSW	

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ONTAL EXTERNAL LOUVERS - ALUMINIUM	24	AWNING	TIMBER CL
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AIN WALL PANEL - ALUMINIUM CLADDING	26	RAMPS	INSITU COM
AIN WALL PANEL - GLASS	27	HANDRAIL	TIMBER HA
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TIMBER HANDRAIL WITH SS WIRES
TIMBER SOFFIT AND METAL DECK TOP
PAINTED
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EXPRESSED JOINTS
GLASS RAILED ESCALATOR WITH ALUMINIUM CLADDING
SIDES AND SOFFIT
TIMBER CLADDING TO MATCH ATTACHED ROOF
SEMI-TRANSPARENT LIGHTWIEGHT FRAMED WALL
POWDERCOATED METAL SHEET CLADDING WITH
EXPRESSED JOINTS
FRAMED CLEAR GLAZED ROOF
ALUMINIUM CLAD SIDES AND SOFFIT ROOF
METAL HANDRAIL
TIMBER VERTICAL SUN SHADES

### MULTI-DECK CARPARK ELEVATIONS NORTH & SOUTH

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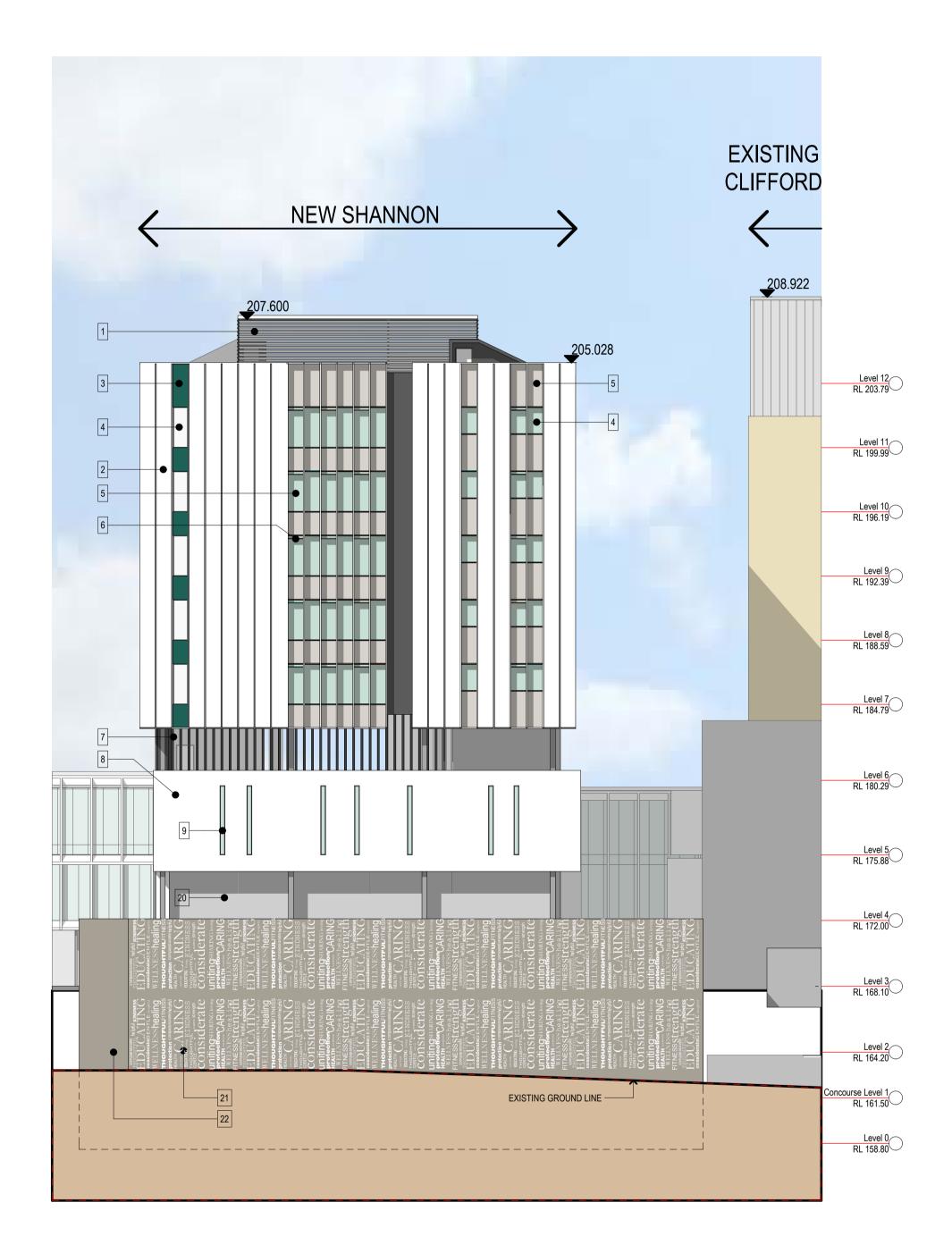
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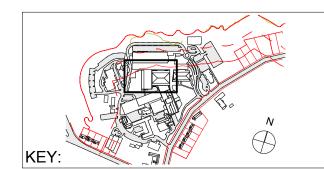
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SHANNON WEST ELEVATION 10001 EA 01a SCALE 1:200



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SHANNON EAST ELEVATION

### LEGEND AREA

PLANT ROOM	HORIZONTAL EXTERNAL LOUVERS
EXTERNAL WALL	CURTAIN WALL PANEL - ALUMINIU
EXTERNAL WALL	CURTAIN WALL PANEL - ALUMINIU
EXTERNAL WALL	CURTAIN WALL PANEL - GLASS
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SUN SHADING	HORIZONTAL ALUMINIUM LOUVRE
PLANT ROOM	VERTICAL EXTERNAL LOUVERS - A
EXTERNAL WALL	ALPOLIC
WINDOWS	ALUMINIUM FRAMED WINDOWS
EXTERNAL WALL	ALPOLIC
SUN SHADING	HORIZONTAL ALUMINIUM LOUVRE
LOGIA WALLS	PRECAST CONCRETE BLADES
EXTERNAL WALL	RENDERED AND PAINTED
EXTERNAL WALL	PRECAST CONCRETE PANELS
SUN SHADING	VERTICAL EXTERNAL LOUVERS - A
EXTERNAL COLUMNS	VERTICAL TIMBER CLADDING
EXTERNAL WALL	CURTAIN WALL PANEL - GLASS
LOGIA TOP	ALUMINIUM CLAD FRAME
EXTERNAL WALL	CURTAIN WALL PANEL - ALUMINIU

morris Morris Bray Architects 186-188 Willoughby Rd Crows Nest NSW 2067 Australia ABN 16 001 268 211 NSW Architects Registration Board Nominated Architects: Terry Morris 3354 Garry Bray 3555

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	Level 5 RL 175.88
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Level 12 RL 203.79

	20	EXTERNAL WALL
	21	PRIVACY SCREEN
E & MATERIAL	22	PRIVACY SCREEN
	23	EXTERNAL WALL
NTAL EXTERNAL LOUVERS - ALUMINIUM	24	AWNING
N WALL PANEL - ALUMINIUM CLADDING	25	PRIVACY SCREEN
N WALL PANEL - ALUMINIUM CLADDING	26	RAMPS
N WALL PANEL - GLASS	27	HANDRAIL
N WALL PANEL - ALUMINIUM CLADDING	28	FEATURE ROOF
NTAL ALUMINIUM LOUVRE	29	EXISTIING WALL
AL EXTERNAL LOUVERS - ALUMINIUM	30	INTERNAL WALL
IUM FRAMED WINDOWS	31	ESCALATOR
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NTAL ALUMINIUM LOUVRE	32	FEATURE WALL
ST CONCRETE BLADES	33	CHAPEL WALLS
RED AND PAINTED	33 34	FEATURE COLUMNS
ST CONCRETE PANELS	54	FEATURE COLUMINS
AL EXTERNAL LOUVERS - ALUMINIUM		
AL TIMBER CLADDING	35	GLAZED ROOF
N WALL PANEL - GLASS	36	
UM CLAD FRAME	37	HANDRAIL
N WALL PANEL - ALUMINIUM CLADDING	38	SUNSHADING

RENDERED AND PAINTED BLOCKWORK
GRAPHIC PERFORATED METAL
GRAPHIC PERFORATED METAL
PRECAST CONCRETE
TIMBER CLADDING
GRAPHIC PERFORATED METAL
INSITU CONCRETE
TIMBER HANDRAIL WITH SS WIRES
TIMBER SOFFIT AND METAL DECK TOP
PAINTED
POWDERCOATED METAL SHEET CLADDING WITH
EXPRESSED JOINTS
GLASS RAILED ESCALATOR WITH ALUMINIUM CLADDIN SIDES AND SOFFIT
TIMBER CLADDING TO MATCH ATTACHED ROOF
SEMI-TRANSPARENT LIGHTWIEGHT FRAMED WALL
POWDERCOATED METAL SHEET CLADDING WITH
EXPRESSED JOINTS
FRAMED CLEAR GLAZED ROOF
ALUMINIUM CLAD SIDES AND SOFFIT ROOF
METAL HANDRAIL
TIMBER VERTICAL SUN SHADES

GRAPHIC PERFORATED METAL
PRECAST CONCRETE
TIMBER CLADDING
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ALUMINIUM CLAD SIDES AND SOFFIT ROOF
METAL HANDRAIL
TIMBER VERTICAL SUN SHADES

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### DRAWING TITLE: SHANNON

East and West Elevation 6622 4873 mba ref: 10001 EA LayoutBook [mbaprintserver] SCALE: sbray.com.au 1:200 @A1 [W] www.morrisbray.com.au

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JOB NO.



PLOT DATE:

14/07/2010

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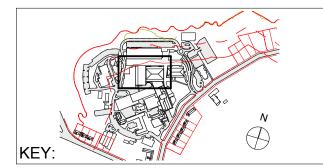
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NEW SHANNON CARPARK

CARPARK ROOF RL 172.100	
LEVEL 3 RL 168.100	
LEVEL 2 RL 165.400	
LEVEL 1 RL 162.700	
LEVEL 0 RL 160.000	



SHANNON SECTION 10001 EA 01a SCALE 1:200



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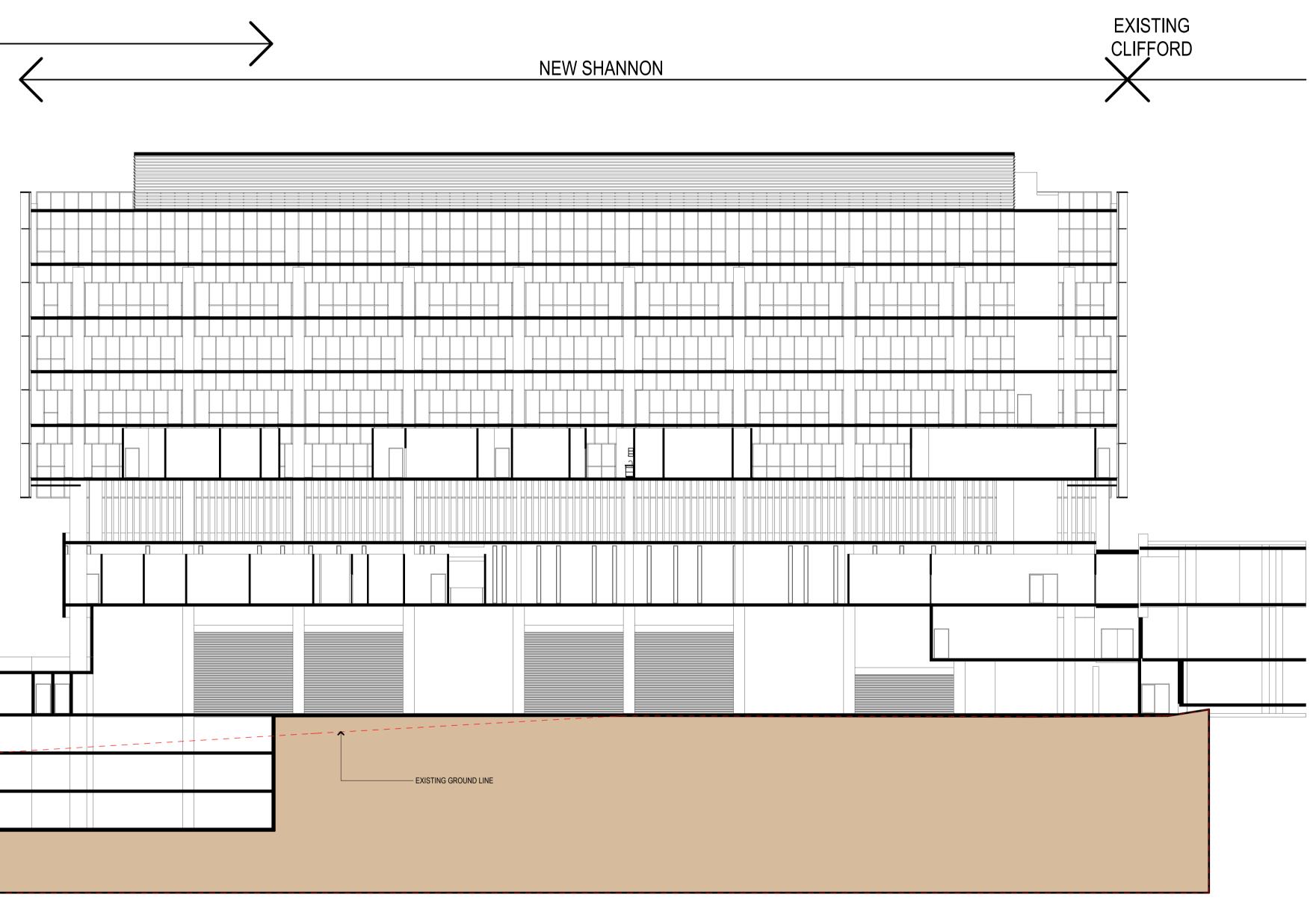
NOTES

ALL WORK TO COMPLY WITH CURRENT REGULATIONS AND S.A.A. STANDARDS.

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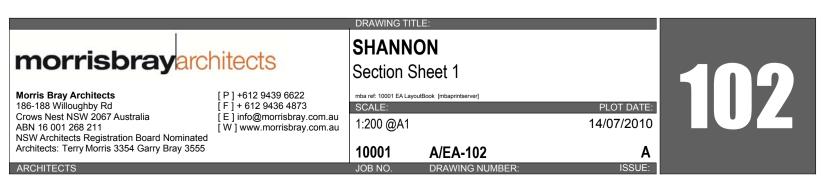
Check PROJECT

Sydney Adventist Hospital 185 Fox Valley Road Wahroonga NSW



SYDNEY ADVENTIST HOSPITAL





STREET ADDRESS SUBURB STATE AND POSTCODE phone : (02) 0000 0000 fax : (02) 0000 0000 email: email address

CLIENT

### **Project description**

Excerpt from Urbis (August 2010) *Environmental Assessment Alterations and Additions to Sydney Adventist Hospital, Wahroonga* 

#### Stage 1A Clinical Services Building Additions – Surgical Precinct

Level	Key features
1	IT Centre servicing the new building and the existing hospital
2	Medical consulting rooms for surgeons
	Pre admissions clinic and waiting area
	Day infusion centre
	Compounding lab
3	ICU for 12 beds including circulation
	Medical imaging including circulation and waiting area
	Loading dock
	Medical gases
	Dirty and clean linen rooms
	Fire control panel
	Sprinkler valve room
4	Day surgery centre, including:
	Endoscopy suite
	Flexible operating theatre
	Pre operative and post operative beds
	Waiting and change room facilities
	Pre admission office
	CSSD Expansion
5	Operating Theatre Expansion, including:
	Six theatres, including support scrub, anaesthetic and clean up rooms, set
	up area and pre-operative beds (nb post operative beds in refurbished area of
	existing CSB)
	Waiting and change room facilities
6	Plant Room above theatres with additional plant serving down to Level 1 and
	up to Level 10
7-10	28 bed typical surgical ward floors with central nurses station and all
	relevant clinical support and staff
	rooms, patient sitting rooms and visitors waiting room (total 112 beds)

Provision of additional ancillary car parking on a permanent basis, including:

- □ Construction of a multi-level car park with two flanking at-grade car parks in the general location of the existing at-grade car park to the north of the CSB. 922 spaces will be provided for use by hospital visitors and staff. A net additional 561 permanent on-site spaces will be achieved, taking into account the replacement of the existing 361 spaces with the new structure. The car park will be open deck and naturally ventilated.
- Expansion of existing staff surface car parks to the west to provide an additional 86 spaces on a permanent basis.
- Provision of a temporary car park accommodating 258 cars during the construction of the staged development. This car park is located to the north east

of the San Clinic and will be used by patients, visitors, staff and construction personnel. It is anticipated that it will be used for between four and seven years, depending on the final phasing of the restaged development.

- □ A new perimeter road will provide circulation around the multi-level car park, connecting to the existing main access road to the east and the existing service road to the west.
- Upgrade of fire services, power and water supplies to facilitate the staged expansion of the hospital. The existing oxygen tank will be relocated from the northern edge of the site to a permanent location adjacent to the secondary vehicle entry. A fire control centre will be established adjacent to the oxygen tank.
- □ Landscaping of the area overlooked by the consulting suites on Level 2 to provide a useable outdoor area to be enjoyed by staff and visitors.
- □ Refurbishment of the existing hospital buildings as described below:
- Refurbishment of Level 4 Day Surgery to provide First Stage Recovery in the current location and an expanded Second Stage Recovery that can accommodate additional patients from the new Endoscopy and Flex Theatres. A new Transfer Lounge will be located adjacent to the existing lifts to provide immediate access to the multi deck car parking structure.
- □ The doctors and nurses lounge, AMO lounge and change-room facilities will be expanded to accommodate additional staff required to service the new theatres.
- A concierge station, public toilets and waiting area will be located adjacent to the arrival lifts to serve as a 'way finding' point between the new CSB Stage 1A wing and the existing Clifford Tower.
- The Central Sterilising Services Department (CSSD) will be rationalised to enable a clear connection to be made to the new expansion for CSSD, ensuring segregated dirty, clean and sterile flows can be achieved.
- The Level 5 Pre Operative and First Stage Recovery Area will be refurbished to accommodate a short and long term First Stage Recovery unit. It will serve the Stage 1A Wards, Stage 3 Shannon Wards and the existing Clifford Tower.
- □ The ICU/CCU will be expanded by up to 15 beds following relocation of the Pathology Department to Level 2.

#### Stage 1B

□ Further expansion of the Clinical Services Building to the west of the Stage 1A additions and comprising a Cancer Precinct with the following features:

Level	Key features
2	Radiation oncology cancer centre with associated bunkers for linear
	accelerators
	Day infusion centre
	Doctors consulting suites
3	Medical imaging expansion
	Medical suites for cancer centre doctors
	16 bed ICU including circulation
4	Day surgery centre, including:
	Endoscopy suite
	Flexible operating theatre
	Pre operative and post operative beds

	Waiting and change room facilities
	Pre admission centre
	CSSD Expansion
	Administration
5	Operating theatre expansion, including:
	Six theatres including support scrub, anaesthetic and clean up rooms
	Waiting and change room facilities
	Pre operative beds
	Associated sterile storage
6	Plant Room above theatres with additional plant serving down to Level 2

- □ The truck turning area providing access to the loading Dock on Level 3 and running past the bunkers will be regraded and resurfaced to provide clear trucking access to the future Shannon materials handling area.
- □ The landscaped area to Level 2 will be developed as a visual release to the Radiation Oncology, Day Infusion and Consulting Suites.

#### Stage 2

- Construction of the Concourse which is an open, covered walkway between the existing CSB and San Clinic buildings. It will provide a linkage to the main hospital entry and patient admissions area in the existing building via a series of stairs and escalators connecting Level 2, 3 and 4. Medical records storage will be provided on Level 1.
- Construction of the Arrival Podium to provide a new entry to the hospital and a link between the multi-level car park to the Clinical Services Building and SAN Clinic. The existing access to the car park (Level 0) to the main hospital entry (Level 4) is via a series of stairs and ramps. The vertical travel distance will be minimised by creating a new arrival podium at Level 2. The flanking access ramps from the main entry road and the discharge road from the west onto the ring road will be integrated.
- Construction of the Education Centre, which is a 3-4 storey building along The Comenarra Parkway frontage and accommodating the School of Nursing, The Australian Research Institute and other educational support facilities. Access to the Faculty of Nursing will be within the Campus and off the main circulation road.
- Refurbishment of Level 2 of the existing hospital building to accommodate the Pathology Department and Central Pharmacy following the relocation of the Faculty of Nursing to the new Education Centre.
- □ The main entry road from Fox Valley Road to the hospital car park will be updated to meet the demands of the additional floorspace. The ring road around the village green will be removed and upgraded with landscaping. The village green will continue to provide passive open space for staff, patients and visitors and for large community functions such as Carols by Candlelight.

#### Stage 3

□ The Shannon Wing, male residences and workshops are to be demolished once the Clinical Services Building has been constructed, including bunkers for the replacement lineal accelerators. This represents a reduction in the existing floorspace of 3,404m2.

A new Shannon Wing and ancillary staff car parking (net additional 206 car parking spaces) will be constructed following demolition of the existing structures to accommodate the following uses and activities:

#### Stage 3 Shannon Building

Level	Key features
0-2	Staff car parking
3	Materials handling accessible from trucking area between CSB and new
	Shannon
	Staff car parking
4	Void space over Level 3 creating a high level warehouse
	Lift stop area and storage
5	Eight birthing rooms
	Doctors, nurses and staff lounge and changeroom
	Direct connection to hot floor of theatres
6	Plant room above hot floor with additional plant serving down to Level 3 and
	up to Level 12
	Ward rooms and maternity rooms
7-11	Typical 32 bed ward floors and maternity floors (total 160 beds)

 Relocate the Bethel House and Memorial Fountain to create the Merritt Kellogg Museum, with ancillary landscape works.

- Refurbishment of the existing hospital upon the decommission of the former doctors, nurses and staff lounge on Level 4 and relocation of facilities to Level 5 of the new Shannon wing as described above. The area created by the removal of the lounge and central pharmacy will be refurbished to:
- □ Provide more direct access to the CSB expansion.
- Open up the area for access to the Shannon Wing.
- □ Provide a central location for patient services, waiting and support facilities such as a café, quiet areas and pastors/chapel.

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## PROPOSED GRANTING OF DRAINAGE EASEMENT AFFECTING COUNCIL LAND AT THE REAR OF MARIAN STREET THEATRE (2 MARIAN STREET, KILLARA)

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	For Council to consider granting a drainage easement over Council land at Lot A DP329637, 2 Marian Street, Killara in favour of the owner of 16 and 16A Stanhope Road, Killara.
BACKGROUND:	Urbanesque Planning Pty Ltd submitted a development application (DA) No. 1423/06 (LEC NSW Appeal No. 10749 of 2007).
	The proposed dwelling, was approved by the NSW Land & Environment Court on the 10 January 2008 under Judgement 10749 of 2007 Mok v Ku-ring-gai Council NSWLEC5.
COMMENTS:	The construction of the pipes in the easement will require a further Development Application (DA) to be submitted at which time the built and environmental impacts will once again be assessed as part of this process.
<b>RECOMMENDATION:</b>	That Council give approval to the creation of an easement from the existing stormwater drain located in the rear car park of the Marian Street Theatre through to 16 and 16A Stanhope Road, Killara.

DA0737/09 8 October 2010

### **PURPOSE OF REPORT**

For Council to consider granting a drainage easement over Council land at Lot A DP329637, 2 Marian Street, Killara in favour of the owner of 16 and 16A Stanhope Road, Killara.

### BACKGROUND

Urbanesque Planning Pty Ltd submitted a development application (DA) No. 1423/06 (LEC NSW Appeal No. 10749 of 2007).

The proposed dwelling, was approved by the NSW Land & Environment Court on the 10 January 2008 under Judgement 10749 of 2007 Mok v Ku-ring-gai Council NSWLEC5

#### DA1423/06 - Demolition and construction of a new two storey dwelling and ancillary works

Development Application No. 1423/06 sought consent for the demolition of the existing two storey dwelling, carport and swimming pool and construction of a new two to three storey dwelling house, with associated landscape works. The application was refused by Council at the meeting of 25 September 2007. This determination was subsequently appealed in the NSW Land & Environment Court. The Court upheld the appeal and the application was granted conditional approval on 10 January 2008 as a 'Deferred Commencement' consent.

Part of the terms of the Deferred Commencement was that a drainage easement be created to allow for the connection of the stormwater system of the subject site to the public drainage system. This was to be completed before the approved works could be undertaken.

The most accessible stormwater drainage system is Council's existing inter-allotment drainage easement located at the rear car park of the Marian Street Theatre. Urbanesque Planning Pty Ltd, acting on behalf of the owners of 16 and 16 A Stanhope Street, has approached Council staff with the view of negotiating an easement through Council land. The proposed location of the new easement is shown on (Attachment A and B).

A survey was requested and provided as part of the negotiations and based on this survey a valuation report was commissioned to assess the compensation payable to Council for the use of Council community land.

A copy of the valuation report is shown in (Confidential Attachment C).

Agreement has been reached with Urbanesque Planning Pty Ltd, for the location of the easement, all relevant costs and compensation payable to council, subject to final council resolution.

### COMMENTS

The developer will be responsible for all costs associated with construction and connection to Council's drainage system, including re-instatement and make good of the car park surface and/or

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damage to trees or vegetation. This has been confirmed in writing along with their agreement to meet all Council's costs associated with the creation of the easement and the compensation for the creation of the easement on Council's community land (**Confidential Attachment D**).

In relation to access on Community Land the *Local Government (General) Regulations 2005*, in particular clause 117 (b) permits the provision of pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on the community land.

Additionally, Council's Manager Open Space Services has provided the following comments on the existing trees:

"The proposal will require the removal of two Jacaranda mimosifolia (Jacaranda) and two Olea europaea subspecies africana (African Olive).

The two Jacarandas are immature specimens that have self seeded in the area and the Olives are considered under Council's policies as an urban environmental weed. Given the preceding, there would be no objection to the removal of these trees subject to the following conditions:

- The trees are replaced by two appropriate species in the same location to screen the adjacent buildings.
- The possum nest in one of the olive trees is inspected prior to the removal of the tree and if inhabited, appropriate action is taken to relocate the animals by a suitably qualified specialist."

The construction of the pipes in the easement will require a further Development Application (DA) to be submitted at which time the built and environmental impacts will once again be assessed as part of this process. Due to the requirement for this additional DA, a further recommendation has been included to authorise the General Manager to provide owners consent for its lodgement in order to expedite the final process.

### CONSULTATION

Council staff have consulted with the applicant, Urbanesque Planning Pty Ltd, on behalf of the owners of 16 and 16A Stanhope Road, Killara.

### FINANCIAL CONSIDERATIONS

An independent valuer has been engaged to determine the compensation for the creation of the easement on Council land **(Confidential Attachment C).** 

The applicant has agreed in writing to pay all the associated costs in creating the 88B instrument for the easement to drain water, including legal, survey and registration costs as well as make good of any damage to the surface of council land.

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### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has been held with Council's Operations, Strategy & Environment Departments seeking comments on the proposed easement and implication (if any) to Council, along with staff from Development and Regulation as to proposed development impact of the easement.

### SUMMARY

Urbanesque Planning Pty Ltd, on behalf of the owners of 16 and 16 A Stanhope Road, Killara lodged a development application to demolish an existing dwelling and construct a new dwelling.

The development consent required the connection to the inter-allotment drainage system to carry stormwater from the subject property. This requires the connection of the new pipes into Council's existing stormwater system located at the rear of the Marian Street Theatre car park.

The property known as 2 Marian Street Killara is classified as Community Land and the *Local Government (General) Regulations 2005.* in relation to Community Land specifically authorises the use of the community land for the connection of the easement to Council's existing storm water pipes.

The cost to complete the works and the creation for this easement will be payable by the developer as well as a compensation amount for the use of Council Community Land, as established by Council's Valuer.

The applicant, on approval will be required to submit a further DA for the construction of the pipes in the easement, at which time the built and environmental impacts will once again be assessed as part of the approval process.

This report requests Councils approval to grant this easement to the developer based on the above conditions.

### RECOMMENDATION

- A. That Council approve the creation of a new easement over Lot A DP329637.
- B. That Council accept the compensation amount and for the developer to be responsible for all costs in creating the easement and make good any damage to the surface of the land.
- C. That Council authorise the Mayor and General Manager to sign the documentation associated with the creation of the easement and to grant owners consent on the subsequent development application for the construction of the easement.

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#### Item 5

Dirk Nagel Strategic Property Advisor

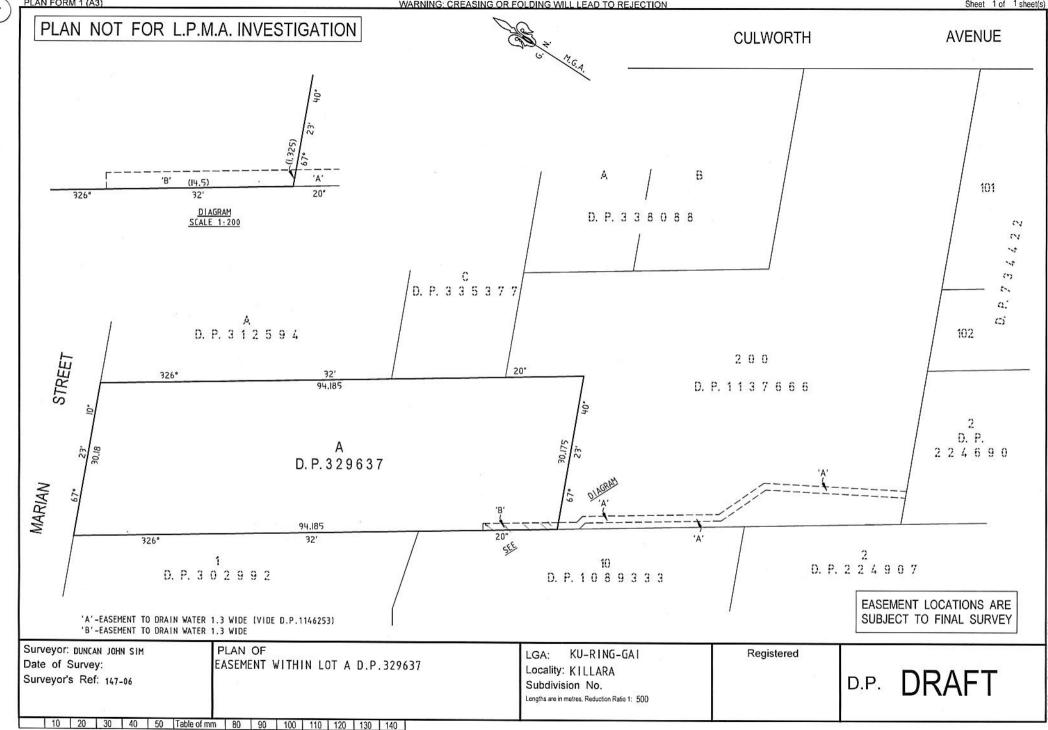
Deborah Silva Acting Director Strategy & Environment

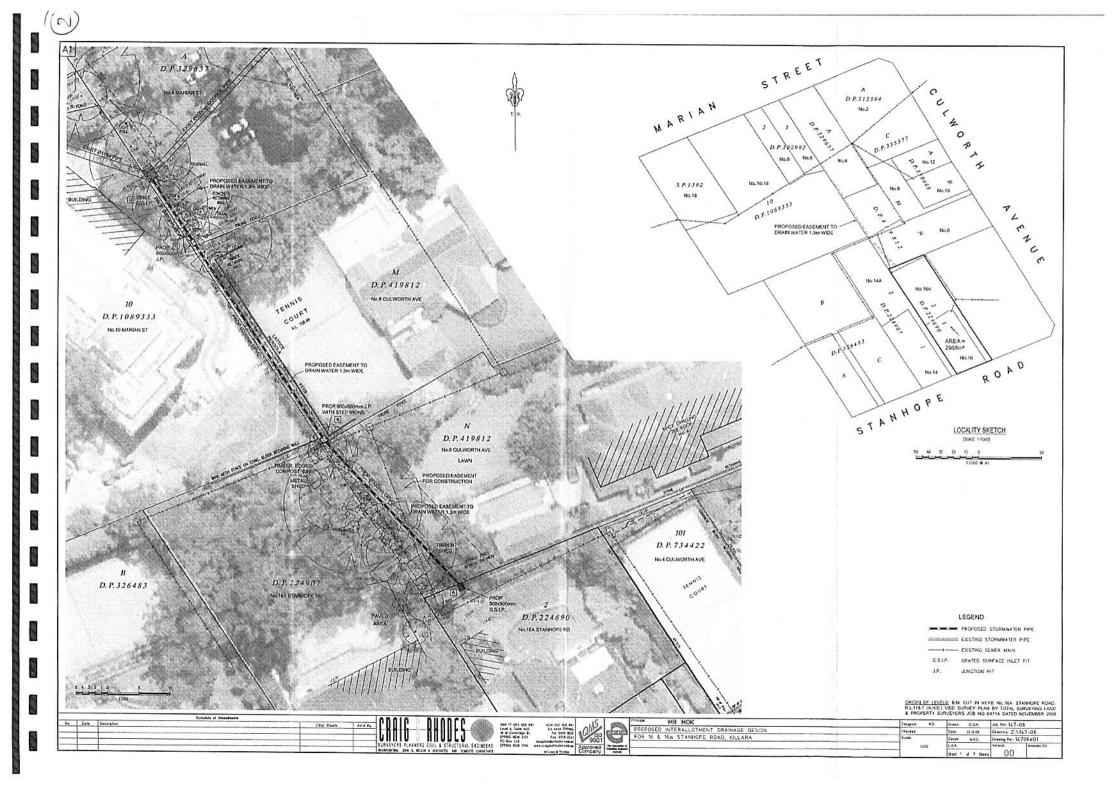
Attachments: A. Site location - 2010/191913

- B. Proposed easement plan 2010/191916
- C. Valuation report Confidential
- D. Applicants agreement to costs and compensation Confidential

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FY00382/1 7 October 2010

# SUSTAINABILITY FOR PROJECTS OVER \$200,000

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To advise Council of the sustainability provisions for all projects over \$200,000.
BACKGROUND:	On 8 June 2010 Council resolved that a further report be prepared on all capital works projects with a cost over \$200,000 to outline how sustainability has been incorporated within its design, construction and life-cycle.
COMMENTS:	An analysis using sustainability criteria has been used for all projects in excess of \$200,000 and this analysis is attached to the report.
RECOMMENDATION:	That the report be received and noted.

### **PURPOSE OF REPORT**

To advise Council of the sustainability provisions for all projects over \$200,000.

### BACKGROUND

At the Ordinary meeting of Council on 8 June 2010, Council considered a report on the Delivery Program and Operational Plan for 2010 to 2014. This document contained the capital works program and budget as well as generally funded activities of Council. As part of Council's consideration of this item it resolved (Minute Number 165):

*P.* The capital works that are affected by this resolution are listed in Table 1. This contains all capitally funded projects greater than \$200,000 scheduled to commence or completion in 2010/11.

Below is a list of projects that is currently listed in the 2010/11 program that exceeds \$200,000.

Description of Work Year 2010/2011	Estimated Total Cost
Depot relocation	\$8,800,000
North Turramurra Recreation Area	\$6,575,400
Property projects - various	\$6,000,000
Park acquisition & embellishment	\$3,093,300
West Pymble Pool upgrade	\$3,062,800
B2 land sale development costs	\$2,056,700
Operational fleet	\$697,000
Passenger fleet	\$564,300
Information Services	\$558,300
SES relocation	\$522,000
Install seating, bubblers & pathways; upgrade playing surface	\$496,500
(levels, turf, drainage); upgrade fencing	
Sustainability projects within the Town Centres	\$447,000
Clanville Road - Reconstruct with 200mm Ac full depth	\$245,000
Office refurbishment	\$341,400
Irrigation at St Ives Showground and Council	\$287,100
Sports fields upgrade to complement stormwater harvesting	\$278,700
project	
Canoon Road Drainage	\$265,900
New link between Nelson Rd and Junction Rd Seven Little	\$214,900
Australians And Two Creeks Track	
Business Centres upgrade program at West Pymble, Princes	\$203,400
Street	

Table 1: Capital works and major projects over \$200,000 for 2010/2011:

This report introduces a new template to evaluate infrastructure projects against a range of sustainability criteria.

### COMMENTS

A sustainable infrastructure review process has been developed to assist in the forward planning, budgeting, approval process, design, construction and evaluation of major capital works undertaken by Ku-ring-gai Council.

This is based on the following main principles:

- 1) Project Management and Governance
  - a. covers who in the organisation is primarily responsible for the various phases of the project;
  - b. how it relates to the Community Strategic Plan and related plans and policies;
  - what are the major risks of doing or not doing the project if the project is over \$1million. It is then suggested that a full risk analysis would be undertaken against the Risk Management Strategy.
  - d. what purchasing and procurement methods would be used; and
  - e. how the project builds knowledge and capacity of the organisation.
- 2) <u>Economic Evaluation</u>
  - a. this would list the sources of funding for the design, construction and maintenance;
  - b. for major projects over \$10 million. This should factor in the full asset cost to the retirement or replacement of the asset and that would be a whole life or economic life evaluation. This data would be captured as part of the asset management process; and
  - c. value for money analysis covering the project's benefits and costs against financial, physical, community and other resources. This should consider how the project will provide for inter and intra generational needs and demands;
- 3) Environmental Evaluation

This section would cover a range of areas including:

- a. energy use including greenhouse gas emissions;
- b. water use, reuse or recycling;
- c. materials used in construction (for example is a specific type such as non PVC or % of recycled materials such as road base is to be used as part project);
- d. estimate the pollution generated and / or avoided as a result of the project;
- e. land management that would describe if there would be any positive and negative impacts to the site; and
- f. what are the biodiversity impacts. This may be a summary of a review of environmental factors or a species impact assessment should it be relevant. These should be both a positive and negative assessment.

#### 4) <u>People and Places</u>

As the majority of capital works projects undertaken by Council seek to improve public amenity, facilities or services for current and future populations, comment is to be provided as to how the project will:

- a. affect the health, wellbeing and safety of the community;
- b. impacts on heritage including built and natural;
- c. provide a summary of the consultation or participatory processes used or planned to be undertaken. This section may include stakeholder input which has influenced the design, construction and use of the project/ facility.

**Attached** is a spreadsheet showing all the above projects and the assessment based on the above criteria. The evaluation shows how this project on the whole has positive environmental and social benefits.

### CONSULTATION

The development of the template presented in this report has been developed by Council staff and has not had external comment.

### FINANCIAL CONSIDERATIONS

This report does not recommend any changes to the financial allocation to any of the projects as listed and consequently there are no changes to Council's financial position.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The project template has drawn from similar evaluations by the Corporate and Operations Departments of Council.

### SUMMARY

A sustainability infrastructure review has been developed in response to a resolution by Council seeking supplementary information on how major projects, being greater than \$200,000, have incorporated sustainability as a core consideration.

This report has introduced a new template and provides an example as to how it can be applied to a current project at St Ives. The intention is to improve the decision making by staff and Councillors and to inform the direction and communication of the project with out community.

**Ordinary Meeting of Council - 19 October 2010** 

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### RECOMMENDATION

That the report be received and noted..

Greg Piconi Director Operations

Attachments: Spreadsheet on Projects over \$200K - 2010/168879

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### Projects over \$200K

Project Description	Project Sub-Group Manager	Ward	Suburb	Primary Location	Description of Work	Cost (2010/11) \$	Executive Summary	Relationship to Community Strategic Plan	Project Risks	Purchase and Procurement	Economic Evaluation	Environmental Evaluation	Consultation
Depot Relocation	Greg Piconi	G	Pymble	Pymble	Construction of new depot and remediation of existing depot.	8,800,000	This project will provide a new depot which will replace the old depot which has safety issues. This project will be fully funded by the sale of the existing depot.	The new building will meet energy reduction targets with the solar panels to be installed and will also incorporate water saving devices.	The aim of the project is to minimise risks which are inherent in the old depot. The may be risks associated with the remediation of the old depot but extensive studies have been undertaken to minimise the risks.	Following completion of the CC plans and tender documents, selective tenders will be called with the adopted list of contractors following the EOI.	The project is to be fully funded by the sale of the existing depot and surplus funds will be provided to other new facilities in accordance with the LTFP	The new depot is to include solar panels for energy reduction and also water saving devices such as retention tanks.	Consultation will take place with directly affected residents during construction.
New Administration Building	Greg Piconi	G	All	ТВА	Property projects - various	6,000,000	This is for the purchase of properties and based on the sale of the land under the Sun Building.	NA	The aim is to find suitable accommodation for the future for administration staff and utilise the existing chambers for other facilities based on the DCP.	Through appropriate contract for sale processes.	To be advised based on what Council's decision and future accommodation study	This will depend on the buildings purchased. Any newly constructed buildings would incorporate Green Building Council Australia's 5 Star Green Star Certified Rating	NA
Office Refurbishment	Greg Piconi	G	Gordon	Gordon	Office refurbishment	341,400	This funding is to provide better accommodation and facilities in the Chambers	NA	There is probably insufficient funding to achieve what is needed to be done and the future of the building is undecided.	Through the proper quotation processes	The work will only be based on the funds available	The intention is to provide more open plan layouts to improve spatial, energy and air conditioning efficiencies.	Appropriate consultation with directly affected staff.
SES relocation	Greg Piconi	W	Wahroonga	Golden Jubilee Oval	Construction of new SES and RFS headquarters	522,000	The project is to fund the new SES and RFS headquarters following the demolition of the existing SES building.	NA	Originally it was determined that the works can be constructed under the Infrastructure SEPP but the latest advice indicates that a DA is now required. An independent planner will be engaged to project manage the DA process.	The engagement of consultants will be through quotations and the construction of the buildings will be through public tender.	Funding has been made available for the construction with the Turramurra Community Bank providing funding for the fit-out. The RFS and SES will also contribute.	Both energy efficiency and water saving devices will be incorporated in the design.	Through the DA process and with the emergency management agencies.
B2 Land Sale	lan Dreghorn		South Turramurra	Near Hall Street	B2 Land sale Development Costs	2,056,720	This is for the development of the land in the B2 corridor.	NA	Higher than expected development costs and falling real estate market.	Through tender	Tenders will achieve the best prices.	The project is aimed at incorporating sustainability measures in the buildings and development.	Further consultation with surrounding residents will occur through the various planning and development stages.
Plant & Vehicles	lan Taylor		All		Operational Fleet	696,974	This funding is for the purchase and replacement of operational plant and equipment.	Operational plant is required for operational staff to achieve the outcomes of the Strategic Plan.	NA	Through State Government contract or quotations.	Purchase through contract or quotations achieves the best economic outcomes.	Purchase of diesel vehicles provides for better CO2 emissions.	Consultation with relevant staff
Plant & Vehicles	lan Taylor		All		Passenger Fleet	564,282	This funding is for the purchase and replacement of passenger vehicles.	NA	NA	Through State Government contract or quotations.	Purchase through contract or quotations achieves the best economic outcomes.	Purchase of diesel vehicles provides for better CO2 emissions. Also purchasing 4 cylinder cars.	Consultation with relevant staff

Project Description	Project Sub-Group Manager	Ward	Suburb	Primary Location	Description of Work	Cost (2010/11) \$	Executive Summary	Relationship to Community Strategic Plan	Project Risks	Purchase and Procurement	Economic Evaluation	Environmental Evaluation	Consultation
North Turramurra Recreation Area	Roger Faulkner	W	Turramurra	Nth Turramurra	Nth Turramurra Recreation Area	6,575,400	This funding is for completion of the water storage dam, design and construction of the sewer recycling system, initial design and construction of landfill slope stabilisation and capping layer, and detailed design of golf course and sports fields	Ku-ring-gai is a place where our open spaces are enhanced	Small risk that tenders for various components of project may exceed available funding, though this is unlikely given the positive geotechnical report.	Tenders for water storage dam and sewer recycling plant have been completed. Next tender is for the detailed design of the new golf holes and the civil design of the landfill slope drainage and capping layer reinforcement. That will be followed later in the financial year with the tenders for the construction of the project.	Funded from various sources including s.94, golf course improvement levy (from green fees), domestic waste management levy, Federal Government grant, and special rate variation.	The site is located at the top of Cowan Creek catchment which is upstream of Ku-ring-gai Chase National Park. Presently runoff and wet weather leachate discharges to the local creeks which drain to the Hawkesbury River at Bobbin Head. The project will ensure a significant improvement in local waterway health through the management of runoff to the dam and treatment and reuse of leachate and wastewater for irrigation. The project will properly cap and stabilise the retired landfill site. Presently this area is largely un- vegetated and potentially unstable due to infiltration of surface water into the landfill contributing to excess leachate. As the site is adjacent to a bushland reserve, the interface boundary areas will be regenerated. Site design will minimise planning interface weed invasion through the placement of new walking tracks and site access points.	Consultation with the community has underpinned the development of the North Turramurra project, community feedback has been sought on a number of specific issues relating to this project, over an extensive period of time. To accompany the application for a five year extension of the special rate Council carried out consultation in April 2010. A statistically reliable random telephone survey of 408 local residents was undertaken on 6-7 April 2010 by a research consultant engaged by Council to ascertain the level of support in the community for an extension of the Special Variation (New Facilities Levy) for a further five years. This survey revealed that 78% of resident support the extension of the levy.
Open Space Acquisition	Deborah Silva	G	All	LGA - South Region	Park Acquisition & Embellishment	3,093,300	This is for the purchase of land to provide new open space and to embellish the sites for passive recreational purposes within medium density residential areas.	Ku-ring-gai is a place where our open spaces are enhanced	Funding for acquisition and embellishment through s.94 reserves. Potentially not adequate funding available to complete substantial embellishments. Acquiring properties at market value plus Just Terms costs may limit/delay acquisitions. Unplanned acquisitions will impact on available funding.	Acquisitions are undertaken in accordance with Council's adopted Policy.	The project is to be fully funded through s.94 reserves	Council, affected property owners and adjoining residents through park masterplanning and development process	
Parks Development	Roger Faulkner	R	Lindfield	Shot Machine Track	New link between Nelson Rd and junction of Seven Little Australians and two creeks track	214,900	This project is to construct the missing link between Wombin Reserve Killara and the Two Creeks Track Lindfield.	Ku-ring-gai is a place where our open spaces are enhanced	Risk that the land which is zoned County Open Space but privately owned may not be acquired by Council.	Following design construction may be carried out internally or tenders called.	The project is to be fully funded through s.94 reserves	This section of track is heavily used but in a dangerous condition and eroding badly. The project will rectify these issues.	Community consultation is not required for this project.

Project Description	Project Sub-Group Manager	Ward	Suburb	Primary Location	Description of Work	Cost (2010/11) \$	Executive Summary	Relationship to Community Strategic Plan	Project Risks	Purchase and Procurement	Economic Evaluation	Environmental Evaluation	Consultation
Sports Fields	Roger Faulkner	S	St Ives	Acron Oval	Install seating, bubblers & pathways; upgrade playing surface (levels, turf, drainage, wicket); upgrade fencing.	496,500	This project will provide sports field sub-surface drainage, fencing of the dog off leash area, extended pathways, amenities shelter extension and additional seating.	Ku-ring-gai is a place where our open spaces are enhanced	Project scope can be changed to ensure project is completed within budget.	The various components of the project will be procured through separate quotations rather than tender as each component is estimated at less that \$150,000.	The project is to be fully funded through s.94 reserves	Drainage of the oval will allow water recycling (to complement an environmental levy funded water sensitive urban design project), decrease compaction and improve sustainability and playability of the field during and after wet weather. It will also reduce nutrient runoff to the adjacent bushland. Fencing of the oval will reduce the incidence of dogs running into the bushland as the oval is also a shared dog off leash area.	Public notification will be carried out prior to works commencing. Consultation is not necessary.
Sports Fields	Roger Faulkner	S	St Ives	St Ives Showground	Irrigation at St Ives Showground, compliments water recycling project at green waste tip site. The water recycling project is partly funded by a grant from NSW DEECW	287,700	This project will irrigate the main arena using water pumped from the nearby St Ives old green waste tip site to storage tanks at the showground.	Ku-ring-gai is a place where our open spaces are enhanced	Risk that tenders will exceed budget. If this is the case the scope and design of irrigation system may have to be reduced.	Public tender.	This project is funded through the Infrastructure and Facilities Reserve. The main arena is a heavily used facility for sport, events and as a shared dog off-leash area and this expense is considered necessary to increase the sustainability and standard of the facility. The project will ensure that treated water from the landfill is used, which will reduce the volume of water than needs to be managed at the tip site. Currently this is done by removing water from the green waste tip site by water tankers.	Irrigation of the oval will allow use of water from the water recycling project from the old green waste tip, improving sustainability and playability of the field. It will also reduce the risk of nutrient and other pollutants being washed into the National Park adjacent to the tip site.	No community consultation necessary. Main arena hirers will be notified prior to works on site being scheduled.
Sport Fields	Roger Faulkner	R	Lindfield	Edenborough Park	Sports field upgrade to complement stormwater harvesting project	278,100	This project will provide sub-surface irrigation and an automated irrigation system to complement the previously installed stormwater harvesting system at the park. It will also involve levelling and re- turfing of the sports field.	Ku-ring-gai is a place where our open spaces are enhanced	Project scope can be changed to ensure project is completed within budget.	Public tender.		Drainage and irrigation of the oval will allow water recycling, decrease compaction and improve sustainability and playability of the field during and after wet weather. It will also reduce nutrient runoff to the adjacent bushland. Fencing of the oval will reduce the incidence of dogs running into the bushland as the oval is also a shared dog off leash area.	No community consultation necessary. Main arena hirers will be notified prior to works on site being scheduled.

Project Description	Project Sub-Group Manager	Ward	Suburb	Primary Location	Description of Work	Cost (2010/11) \$	Executive Summary	Relationship to Community Strategic Plan	Project Risks	Purchase and Procurement	Economic Evaluation	Environmental Evaluation	Consultation
West Pymble Pool Upgrade	lan Dreghorn	G	Pymble	Pymble	West Pymble Pool Upgrade	3,062,800	This project is for the upgrade to West Pymble Pool to provide an all year round facility.	To provide for social and fitness requirements of the community.	The risks will relate to the cost of the project and available funding.	Public tender	Feasibility studies have been carried out.	The project will incorporate a number of sustainable features including natural ventilation.	A series of workshops and public meetings have been held and further consultation is proposed.
Roads Program	Greg Piconi	R	Roseville	Clanville Road - Bridge to Kelburn Road	Lime Stabilisation 195Mm+Seal+A C14(40mm)	245,000	Reconstruction of Clanville Street using lime stabilisation treatments	Use of recycled materials.	Project risks relate to public utility locations which will be checked before work starts.	Through the NSROC and stabilisation tenders adopted by Council.	Lime stabilisation is a very cost effective method of road construction as it mixes in the existing materials.	Sustainable as it recycles the existing pavement with 4% lime added.	With directly affected residents and advance road sign notices.
Traffic Facilities	Greg Piconi		Pymble	Grandview Street between Pacific Highway and Alma Street	Modifications to existing road for one-way traffic and increased on-street parking improve pedestrian conditions	779,659	Based on the DCP for the town centres.	As per the town centres LEP and DCP.	Depending on the location & extent of public utilities. Project is likely to be delayed until funds are collected through the contributions plan.	Through public tenders.	Need to wait for the detailed design.	Possible water sensitive urban design features and energy efficient lighting.	With directly affected shop owners and residents.
Drainage structures	Greg Piconi	W	South Turramurra	Canoon Road	Installation of a new drainage system	265,907	Installation of new drainage at Canoon Road.	NA	Will depend on the extent of rock.	Public tender	Most cost effective treatment has been determined after considering a number of options.	Possible connection to a future detention system, for re-use.	With directly affected residents.
Public Domain	Bill Royal		St Ives	Killeaton Road	Streetscape works including paving, street trees, powerlines, furniture and lighting	833,738	Relates to implementation strategies in the town Centre Public Domain Plan	As per the town centres LEP and DCP.	Depending on the location and extent of public utilities. Project is likely to be delayed until funds are collected through the contributions plan.	Public tender	Cost has been estimated by quantity surveyor and funds included in draft contributions plan	Energy efficient lighting.	With directly affected residents.
Town Centre Projects	Louise Hayward		All		Sustainability and Energy reduction	446,728	Solar Hot Water Systems, Photovoltaic (solar) systems, wind turbines and lighting upgrades at key Council facilities.	Value: Lead in Sustainability Principles: Decrease the consumption of resources; Lead through example; Responsibly manage Council's people, assets & finances.	Potential risk of Sydney Water (land owner) not allowing wind turbines on Regimental park. Project costs may exceed budget - project scales will be revised if this becomes the case.	Quotations for individual projects	These projects are projected to reduce Council's operating budget by \$48,000pa based on \$09.	These projects are projected to reduce Council's greenhouse emissions by 329 tonnes of CO2pa.	With Community, Councillors & Staff.
Business Centres Program	Bill Royal	С	West Pymble	West Pymble Shopping Centre Phillip Mall	Business Centres Upgrade Program at West Pymble, Princes Street and St Johns Avenue	203,371	Business Centres Upgrade Program at West Pymble, Princes Street and St Johns Avenue	Improvements to commercial centres	Managing stakeholders expectations with a limited project budget	In-house consultation and design. Construction by public tender	Three concept options have been prepared examining different ways to make change, from minimum intervention to maximum intervention, within project budget.	Additional budget is available through the environmental levy for a water collection and re-use project.	600 surveys have been sent to residents within a 500 metre radius of the shops. Have met with all shopkeepers/ owners. Workshop planned for September to present options.

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# RECEIPT AND DISPOSAL OF DOMESTIC AND OTHER WASTE - TENDER T27/2010

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To seek Council's acceptance of the tenders for the disposal of domestic, trade, green and other waste products from Council's services.
BACKGROUND:	Council's current contract for waste disposal expires in November 2010. Tenders have been called to consider new contracts for this service.
COMMENTS:	Cost, and other criteria such as transport have been considered as part of the tender assessment. Corporate Scorecard Reports have also been completed to assess tenderer's financial position.
	The report recommends changes to the destination of some waste streams to achieve more beneficial outcomes for use of domestic and other waste.
<b>RECOMMENDATION:</b>	That Council accepts the tender from Veolia for the disposal of domestic and other waste and that WSN/ES be awarded the contract to receive Council's green waste and street sweepings.

### **PURPOSE OF REPORT**

To seek Council's acceptance of the tenders for the disposal of domestic, trade, green and other waste products from Council's services.

### BACKGROUND

Tenders have been called to renew the Contract for the disposal of waste from Council's domestic waste, green waste, street sweepings, cleanup and stormwater pollution waste under a three year contract commencing November 2010.

The tender has been structured to allow for bids associated with all of the waste streams or for individual waste streams based on the service providers' expertise and operational facilities.

Tenders were opened in public on 7 September 2010 in the presence of Council's Internal Auditor and Manager Waste, Drainage and Cleansing. Five Tenders have been received for consideration with this tender evaluation:

- 1. Davis Earth Moving & Quarrying
- 2. EnviroCivil P/L
- 3. Kimbriki Environmental Enterprisers
- 4. Veolia Environmental Services
- 5. WSN Environmental Solutions

### COMMENTS

#### **Evaluation**

The cost criteria has been assessed and shown in the table below. Values from 0 to 10 have been used to weight the tenderers performance in the nominated areas for consideration. 0 = not provided, 3 = Limited, 5 = Capable, 7 = Acceptable, 10 = Expert/Superior

Non Cost Criteria	Veolia	WSN/ES	Kimbriki	Davis Earth Moving	EnviroCivil
Operational Experience	10	10	10	7	3
Educational Assistance	10	10	10	0	0
Technology	10	10	10	7	3
Referee Checks	7	7	7	3	3
Hours Operation	10	7	7	7	7
Monitoring	10	10	10	7	3
OH&S Policy	7	7	10	5	3
Environmental Policy	7	7	7	5	3
Financial Assessment	10	7	10	5	5

#### ltem 7

Based on the non cost criteria, three short listed tenders were considered suitable to perform the Contract.

**Attached** are three reports prepared by Corporate Scorecard associated with these companies' financial assessment and referee checks regarding performance.

A table indicating the prices offered for the respective waste streams associated with conforming tenders inclusive of GST and the State Government's Section 88 Levy is contained in the confidential Tender Committee Report (**Attachment 1**).

#### Transport Issues

The location of the above facilities and their associated costs were also considered as part of the assessment to ensure the operational performance of the collection Contract.

Veolia is Council's current collection contractor and currently delivers materials for disposal to the Ryde, Artarmon and Belrose Transfer Stations operated by WSN/ES. Disposal at these transfer stations diverts the waste to landfill sites.

These Transfer Stations are the most convenient locations for disposal with the Clyde Transfer Station operated by Veolia being the next convenient.

The collection Contract has a clause relating to extended transport locations outside of the 15 kms radius that attract additional costs per load for the longer haulage required to transport these materials.

However in the case of Veolia being awarded a Contract for disposal to its Clyde transfer facility no additional cost will be applied to the collection contract. This concession is only applicable to the Clyde Transfer Station.

#### Preferred Tenderers

#### Domestic / Trade Waste/ Gross Pollutant Trap Waste

Based on the non cost criteria, cost and location of facilities to delivery the waste, Veolia is the favoured tenderer for Domestic, Trade and Gross Pollutant Trap waste.

The change in destination for disposal will not impact on collection operations or costs associated with collection based on written confirmation received from Veolia. This material will then be transported to Veolia's bio-reactor at Woodlawn.

#### Green Waste

Based on the conforming tender evaluation, Kimbriki has the better offer for both price and location. However an alternative offer has been received from WSN/ES

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#### Alternative Proposals – Green Waste

WSN/ES has offered an alternative proposal based on green waste continuing to be delivered to Ryde at a substantially reduced rate, but only for the duration of a lease with Ryde Council for that land which adjoins the Ryde Transfer Station that is currently used by WSN/ES to process the green waste.

Ryde Council was asked to comment on the lease, in which they advised that the lease is currently in the process of negotiation and although Ryde cannot provide a confirmation date and term of any new lease.

Based on this, Council may elect to continue delivery of green waste to the Ryde facility to take advantage of the lesser disposal price and subject to any termination of the lease by Ryde Council; Ku-ring-gai Council can terminate the Contract with WSN/ES and re-tender a green waste disposal contract for the remainder of the contract term.

Legal advice regarding this option is **attached** as part of the Tender Committee Report.

#### Cleanup

Council's cleanup waste is approximately 2,500 tonne per year compared to the domestic and green waste with 21,000 and 17,000 tonnes respectively.

Voelia has offered the cheapest price for this disposal however the destination for the waste is Greenacre. There is an additional haulage cost associated with delivering waste to this destination contained within the collection contract. Based on there being an average of six tonnes per load and two loads per day required for disposal, the additional cost per load of the collection still provides a beneficial cost outcome to Council and will not impact on collection operations.

#### **Street Sweeping**

Based on the operational issues impacting on Council's services it is considered that WSN/ES is the most advantageous. The disposal of this material is currently via the Ryde and Belrose Transfer Stations and a change to delivery of this waste to Clyde would impact on the street sweepings operations productivity exceeding any benefit with reduced disposal cost.

### CONSULTATION

Reports relating to the short listed companies financial status and referee checks have been prepared by Corporate Score Card with all three companies achieving satisfactory ratings.

### FINANCIAL CONSIDERATIONS

Costs associated with disposal have been considered and budgeted for the in 2010/2011 budget for each respective cost centres.

### CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Consultation has taken place with Council's Internal Auditor and Corporate Department.

### SUMMARY

For Council's domestic trade, cleanup and gross pollutant traps waste the most favourable offer has been from the Veolia tender. The operational issues concerning additional haulage have been considered and Veolia reports that services associated with waste collection will not be impacted and no additional cost will be incurred by Council for delivering this waste to Veolia's Clyde Transfer Station.

Council's cleanup waste however has been nominated for delivery to Veolia's Greenacre facility at an additional cost per load, however this additional cost is still well below the cost of the next conforming tender.

The acceptance of the WSN/ES alterative tender for green waste to be delivered to the existing Ryde Transfer Station facility is contingent on the lease between Ryde Council and WSN/ES continuing. Ryde Council has indicated that the issues associated with any continuation of a lease are based on Ryde Council's plans for the future land use of this site. Ryde has been considering this matter for some time and it is not envisaged that a decision on the future land use will be resolved in the near future.

Given the favourable offer attached to this disposal option, it is considered Council should take this opportunity to benefit from the reduction in costs and should the lease between Ryde Council and WSN/ES expire during this three year term Council can re-tender a contract for this material.

Due to the operational issues associated with Council's street sweeping materials, the preferred tender for this waste stream is for disposal at the WSN/ES Ryde Transfer Station.

### RECOMMENDATION

- A. That Council accept the tender for a three year contract from Veolia Environmental Services to receive Council's Domestic, Trade and Gross Pollutant Trap waste at its Clyde Transfer Station and cleanup to Veolia's Greenacre landfill.
- B. That Council accept the alternative offer from Waste Service NSW Environmental Services to receive Council's domestic Green Waste at the Ryde Transfer Station for the duration of the lease of land adjacent to the Transfers Station between Ryde Council and Waste Service NSW.
- C. That upon expiry of the land lease between Waste Service NSW and Ryde Council, Council's green waste disposal Contract will be terminated and a green waste disposal contract re-tendered.

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- D. That Council accept the tender from WSN/ES for a three year Contract to receive Council's street sweepings.
- E. That the General Manager and Mayor be given delegated authority to sign all contract documentation and affix the common seal of Council.
- F. That Council's decision be placed on Council's web site and notices.

Colin Wright Manager Waste, Cleansing and Drainage Greg Piconi Director Operations

#### Attachments:

Tender Committee Assessment Report - Confidential
 Corporate Scorecard Reports - Confidential

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# URBAN DESIGN EXCELLENCE PANEL (UDEP) FINAL REPORT

### **EXECUTIVE SUMMARY**

PURPOSE OF REPORT:	To provide Council with additional clarification on Councillor and community participation in the Urban Design Excellence Panel (UDEP) process.
BACKGROUND:	A report on the UDEP Terms of Reference was made to Council on 12 October 2010. The matter was deferred pending further clarification of the Councillors and community's participation in the UDEP process.
COMMENTS:	This report sets out the decision making process and the opportunity for Councillor and community input, taking into account Council's Code of Conduct Policy. In addition the previous officer's report and recommendations from 12 October 2010 is included for Council's reconsideration and adoption.
RECOMMENDATION:	That Council adopt the Urban Design Excellence Panel (UDEP) Terms of Reference; that Council adopts the EOI selection process for the UDEP members; that Council adopt new charges for the urban design excellence process and that Council resolve to amend the Council Fees and Charges Schedule to include new charges.

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### **PURPOSE OF REPORT**

To provide Council with additional clarification on Councillor and community participation in the Urban Design Excellence Panel (UDEP) process.

### BACKGROUND

A report on the Urban Design Excellence Panel Terms of Reference was submitted to Council on 12 October 2010, at which time Council resolved:

*That the Urban Design Excellence Panel (UDEP) Terms of Reference be deferred to the first available meeting of Council to seek clarity surrounding Councillors/public participation.* 

This report sets out the decision making process and the opportunity for Councillor and community input, taking into account Council's Code of Conduct Policy. In addition, the previous officer's report and recommendations from 12 October 2010 is included for Council's reconsideration for endorsement.

### COMMENTS

The UDEP terms of reference have been prepared to ensure the roles and responsibilities of all parties - the applicant, the panel, Council staff, Councillors, JRPP (Councillor representation) and the public are clearly acknowledged and consistent with the principles of the Ku-ring-gai Council Code of Conduct (2009).

**Attachment 1** shows how the Urban Design process fits into Council's procedure for administering and determining development applications. The flowchart also shows the three phases of Pre Development Application, UDEP process and the Development Application process.

The UDEP is the delegated decision maker and negotiates directly with the applicant. The role of the UDEP is to ensure that the decision to grant or refuse the additional height/FSR is separate and independent from Council. More importantly, the decision of the UDEP, does in no way fetter Council's assessment or determination process. The UDEP process is designed for the Panel to provide independent and impartial advice to Council.

The Panel's role in the Urban Design Excellence process needs to be on a confidential basis, as it involves the applicant providing material to the Panel that may contain commercial in confidence information or material of a commercially sensitive nature– for example project feasibility studies and internal working documents such as draft plans. This is commercial in confidence information which should remain confidential and not be provided to the public or discussed in the presence of the public.

In addition, if there was Councillor participation in the UDE process, it may place them in a potential conflict of interest, when dealing with the application through the next stages of the process. Therefore, it would not be appropriate for the general public or Councillor participation in this stage of the UDE process.

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Councillor and the general public would have an opportunity to provide input at the Development Application Stage. This is when the Urban Design Excellence report would become a public document. The UDEP's assessment and determination will be fully documented and will form part of any development application.

Councillors and the general public can view the information and/or can make a formal submission and/or representations to the determining authority on the Development Application.

Councillor involvement may also extend to the Joint Regional Planning Panel phase as there are currently two (2) Ku-ring-gai Council representatives on this Panel.

Provision of the UDE certificate does not guarantee development application consent, it solely provides the applicant with a process to seek additional height and FSR in return for community benefits in the form of the urban design excellence initiatives as set out in the KLEP town Centres 2010. Proposals must still comply and be assessed against the relevant LEP, DCP, other policy documents and relevant legislation.

### CONSULTATION

Additional consultation was not required for the preparation of this report. Consultation undertaken for the UDEP is contained in the officer's report considered at the OMC 12 October 2010 (Attachment 2).

### FINANCIAL CONSIDERATIONS

The cost of preparing this report is covered by the Urban Planning & Heritage Budget – Strategy and Environment Department. Further financial considerations are contained in the officer's report considered at the OMC 12 October 2010.

### **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Consultation where relevant with other Departments of Council has taken place in preparing this report.

### SUMMARY

The Urban Design Excellence process has been set up to ensure probity and confidentially issues are acknowledged in compliance with Council's Code of Conduct policy. Councillors or the general public would therefore be precluded from participating in this stage of the Urban Design Excellence process.

The Development Application stage is the most appropriate stage for Councillor and/or the general public's involvement in the process.

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### RECOMMENDATION

- A. That Council adopt the Urban Design Excellence Panel (UDEP) Terms of Reference as attached to the report.
- B. That Council adopt and commence the Expression of Interest (EOI) selection process for the Urban Design Excellence Panel members as set out in the report.
- C. That Council adopt the new charges for the Urban Design Excellence process as set out in the report and in the Urban Design Excellence Panel (UDEP) Terms of Reference.
- D. That Council resolve to exhibit a revision to Council's Fees and Charges Schedule, for the required statutory period, incorporating the adopted Urban Design Excellence Panel charges plus GST.

Rthna	Gill
Urban	Planner

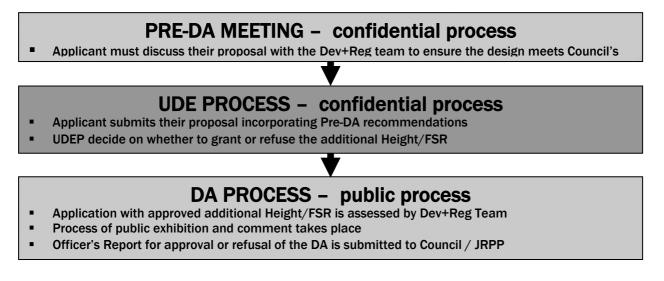
Antony Fabbro Manager Urban & Heritage Planning

Deborah Silva Acting Director Strategy & Environment

Attachments: 1. Urban Design Excellence Panel and Process - 2010/194460 2. Deferred Report and attachments from 12 October 2010 meeting - 2010/195641, 2010/114904 and 2010/153924

#### How does the UDE process fit into Council's processes?

The following diagram illustrates how the UDE process fits within Council's procedures. A more detailed diagram is provided later in this memo.



#### What is the UDEP responsible for?

The UDEP is the *decision maker* and deals with the Applicant. The UDEP ensures that the decision to grant or refuse the additional Height/FSR is separate and independent from Council.

#### What is Council responsible for during the UDE process?

Council's role in the UDE process is as the *administrator* for the entire process.

The Facilitator is a council employee and is responsible for

- ensuring the Applicant has attended the compulsory Pre-DA prior to submitting a UDE application.
- arranging all correspondence and meetings involving the UDEP
- preparing the UDE Report for each UDE proposal

The UDE Report is to contain the following:

- proposal summary
- pre-DA issues
- DA referrals
- UDEP site visit notes
- All UDEP meeting discussions
- UDEP/Applicant presentation and discussion
- UDEP decision and UDE Certificate/Letter of Refusal issue
- Copies of all drawings and correspondence
- Any other issues that are a result of the UDE process

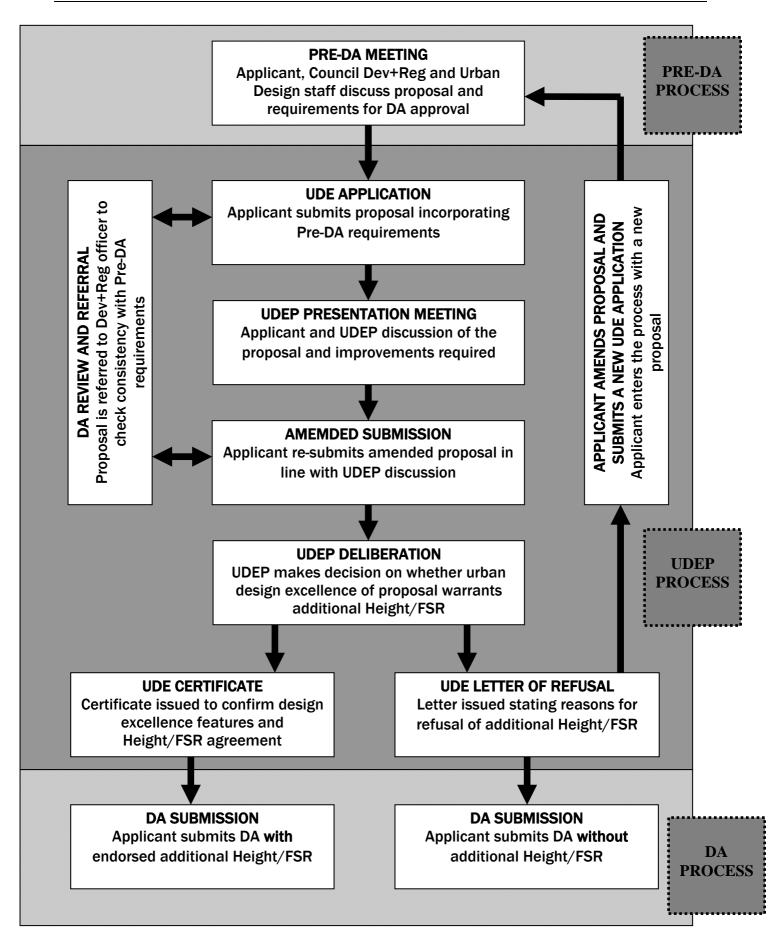
The Final UDE Report is signed and endorsed by each UDEP Member prior to issue to the Applicant.

#### The DA process

Where the *UDE Certificate* has been granted, the Applicant may then prepare and submit a DA that includes all agreed elements of urban design excellence and additional Height/FSR as stated in the *UDE Certificate*.

At the DA stage, the UDE Report becomes a public document.

Provision of the *UDE Certificate* does not guarantee Development Application consent. Proposals must comply with the relevant LEP, DCP and other documents and enter into the separate *Development Application Process* following the UDE application process.



### **Simple Flowchart of the UDE Process**

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# URBAN DESIGN EXCELLENCE PANEL (UDEP) TERMS **OF REFERENCE - FINAL REPORT** EXECUTIVE SUMMARY **PURPOSE OF REPORT:** For Council to adopt the Urban Design Excellence Panel (UDEP) Terms of Reference, and to adopt the new fees and charges associated with the Urban Design Excellence process. **BACKGROUND:** The UDEP Terms of Reference, and the fees and charges have been exhibited for the required 28 days. Changes have been incorporated into the Urban Design Excellence *Panel (UDEP) Terms of Reference* and this is now put forward for adoption. **COMMENTS:** Adoption of the Urban Design Excellence Panel (UDEP) Terms of Reference will enable the advertising for the expression of interest (EoI) from prospective UDEP members. Without the UDEP in place the Urban Design Excellence (UDE) process cannot be utilised for key site applications. Implementation of the UDE process will have associated costs. These costs are to be covered by the applicant in their application fees. Council's Schedule of Fees and Charges requires an amendment to incorporate these new fees and charges. RECOMMENDATIÓN That Council adopt the Urban Design Excellence Panel (UDEP) Terms of Reference; that Council adopts the EOI selection process for the UDEP members; that Council adopt the new charges for the urban design excellence process; that Council resolve to amend Council Fees and Charges Schedule to include the new charges.

### **PURPOSE OF REPORT**

For Council to adopt the Urban Design Excellence Panel (UDEP) Terms of Reference, and to adopt the new fees and charges associated with the Urban Design Excellence process.

### BACKGROUND

*Ku-ring-gai Local Environmental Plan (Town Centres) 2010* (KLEP 2010) was made on 25 May 2010. The KLEP 2010 requires Council to establish an Urban Design Excellence Panel (UDEP) to determine if development on key sites demonstrate urban design excellence and therefore qualify for additional height and floor space ratio (FSR) as per clause 6.4 (Attachment 1).

In accordance with the resolution of the Council meeting of 10 August 2010, the *Urban Design Excellence Panel (UDEP) Terms of Reference* was amended and exhibited for the required 28 days. The public were invited to comment on the Urban Design Excellence (UDE) process, the UDEP membership and selection, and the fees and charges associated with the UDE process.

### COMMENTS

No submissions or enquiries about the *Urban Design Excellence Panel (UDEP) Terms of Reference* were received during the exhibition period. The document now submitted to Council has been reviewed by staff following exhibition. Minor amendments have been made to improve the clarity of the document.

### Amendments to the Urban Design Excellence Panel (UDEP) Terms of Reference

Following the exhibition period, two main changes have been made to the document. Changes to the *Urban Design Excellence Panel (UDEP) Terms of Reference* are as follows:

1) Section 3.0 – Mempership

The exhibited document has the following clause:

#### Clause 3.1.1

The UDEP shall comprise 3 members appointed by Council who have qualifications and professional expertise in one or more of the following:

- architecture
- urban design
- landscape architecture
- social or cultural planning (public art)
- experience working in heritage areas and experience with sustainable innovation

The amendments consist of the following clauses:

### Clause 3.1.1 - amended clause

The UDEP shall comprise 3 members appointed by Council who have qualifications and professional expertise in one or more of the following:

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- architecture .
- urban design
- landscape architecture

#### Clause 3.1.4 - new clause

In addition, Members must have a demonstrated understanding of at least one of the following:

- social planning •
- cultural planning
- public art planning
- experience working in heritage areas
- experience with sustainable innovation

The reason for this change is to make distinct the professional qualifications required, and to clarify what areas of knowledge are required alongside the professional qualifications.

21 Section 6.0 – Procedures For Meetings

A new clause has been added to this section. This is as follows:

#### Clause 6.1.4 - new clause

Panel Members are required to chair the UDEP meetings on a rotational basis. The Facilitator will maintain a roster for the chair, and inform the Panel through the Agenda circulated prior to the meeting.

The reason for this change is to improve the efficiency of UDEP meetings.

The amended Urban Design Excellence Panel (UDEP) Terms of Reference (Attachment 2) is now put forward to Council for adoption. The adoption of the document will enable the commencement of the UDEP selection process. In addition it enables the associated fees and charges, delineated within the UDEP Terms of Reference, to be incorporated into Council's Fee Schedule.

#### The UDEP Selection Process

Adoption of the Urban Design Excellence Panel (UDEP) Terms of Reference will enable the advertising for expressions of interest (EoI) from professionals keen to be a UDEP Member. Without the UDEP in place the UDE/p rocess cannot be utilised for Key Site applications.

Details on the operation of the UDEP, duration of Member appointment, Role and Responsibilities, Conditions of Office, Procedure for Meetings, and Code of Conduct for the UDEP Members are provided in the UDEP Terms of Reference.

The UDEP will consist of three (3) Members who together form the UDEP quorum, and two (2) Alternate Members who are called upon to substitute where a Member cannot form a part of the quorum.

The recruitment/and appointment of all UDEP members will be through an EoI process conducted by the Director Strategy and Environment with recommendations to Council on the final panel membership.

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The selection process will involve the following:

1) Advertisement

Expressions of interest will be invited through general advertisements in the Sydney Morning Herald, North Shore Times and through the Australian Institute of Architects.

2) Shortlist

All applications will be considered by the Director Strategy and Environment and a shortlist of no more than 10 responders will be drawn up. Selection will be made against the requirements of the UDEP Terms of Reference.

3) Interview and Selection

Shortlist candidates will be interviewed by a panel of three (3), consisting of the Director Strategy and Environment, Manager Urban & Heritage Planning, and Urban Design Team Leader. Particular emphasis will be given to consideration of the synergy between the Members and their ability to work together in a team for the best outcome for the town centres.

4) Selection

The interview panel will be responsible for the final selection of five (5) people, three (3) Members for the UDEP and two (2) Alternate Members. In addition, two (2) reserve candidates will be selected in the event the primary candidates are unable to take up the offer.

5) Council Approval

The list of selected candidates and their resumes will be presented to Council for final approval.

## 6) Appointment

Candidates will be offered the position and accordingly appointed. The appointment letter will provide dates for their training and signing of contracts including *Urban Design Excellence Panel (UDEP) Terms of Reference,* Ku-ring-gai Code of Conduct, and Confidentiality Agreement.

# CONSULTATION

The preparation of the *Urban Design Excellence Panel (UDEP) Terms of Reference* involved considerable consultation with relevant stakeholders both internally and externally. Discussions with other Councils, namely Randwick, Waverley and City of Sydney, provided a research base of practical issues involved with creating and functioning of panels.

Councillors were provided with an overview of the UDEP process during the preparation of the Development Control Ptan (Town Centres) 2010. A Councillor briefing on the final version of the UDEP process was held on 3 August 2010 and the *Urban Design Excellence Panel (UDEP) Terms of Reference* was considered by Council on 10 August 2010, following which the amended document was exhibited.

Public comment on the draft *Urban Design Excellence Panel (UDEP) Terms of Reference* was invited during the 28 day exhibition period. No comments were received.

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Where enquiries have been made for development on key sites, the developer was directed to the exhibited *Urban Design Excellence Panel (UDEP) Terms of Reference* and comment invited. No comment was received.

# FINANCIAL CONSIDERATIONS

It is proposed that the operation of the UDEP be cost neutral to Council and that the cost of the UDE assessment process and operations of the UDEP be borne by the applicant. This UDE application fee would be in addition and separate to the standard development application fee, and to the standard pre-development application fee.

All charges associated with the UDEP and the UDE process were advertised concurrently with the public exhibition of the draft *Urban Design Excellence Panet (UDEP) Terms of Reference*. No comment was received from the public in relation to the proposed fees.

All the fees and charges are covered in section 4.2 of the attached UDEP Terms of Reference.

Due to a minor omission the recent exhibition did not include GST. The levying of the UDE application fee will require a further amendment to Council's Fees and Charges 2010-2011 to include GST.

Therefore it is proposed to exhibit a further amendment to Council's Fees and Charges Schedule, for the required statutory period, with the new charges plus GST. The revised fees will be as follows:

- A standard application fee \$15,000,00+GST
- Second UDE Presentation Meeting by the Applicant \$1,500.00 + GST
- reconvening of UDEP \$2,000.00 + GST

# CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Council's Development and Regulation Department have been integral in creating a UDEP process that is in synergy with the development application process. In addition, Council's Internal Ombudsman and Corporate/Lawyer have overseen contractual issues and have contributed towards making the UDEP process transparent and creating accountability of all staff involved in the UDEP process.

# SUMMARY

The urban design excellence process and procedures and *Urban Design Excellence Panel (UDEP) Terms of Reference*, are the result of considerable inter-departmental consultation as well as discussions with other local authorities. They are in line with the KLEP 2010 requirements and provide the necessary mechanism for the effective and transparent assessment of urban design excellence within applications seeking the additional Height/FSR under Clause 6.4 of KLEP 2010.

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Extensive consultation has been conducted to ensure the UDEP process is aligned with Council's overall objectives and to ensure that there is a high level of transparency, accountability and consistency in application in the process; further, the UDEP process has been designed to enable its integration into existing planning procedures.

It is important that Council's adopted process of implementing the Urban Design Excellence provisions is consistent with the provisions of Clause 6.4 and not so overly onerous so as to deter or prevent achievement of the development potential under the Clause. Also, the establishment of the process and the UDEP should occur in a timely and efficient manner so that Council is not perceived as hindering the process for development of the Town Centre Key Sites.

Having been exhibited and amended, the *Urban Design Excellence Panel (UDEP) Terms of* Reference is now put forward for adoption by Council so that the selection process for the UDEP may commence. In addition, the adoption will enable the amendment to Council's Fees and Charges 2010-2011 to incorporate fees associated with the Urban Design Excellence process.

Due to a minor omission the recent exhibition did not include GST. The levying of the Urban Design Excellence application fee will require a further amendment and re-exhibition of Council's Fees and Charges 2010-2011 to include GST.

# RECOMMENDATION

- A. That Council adopt the Urban Design Excellence Panel (UDEP) Terms of Reference as attached to this report.
- B. That Council adopt the Expression of Interest (EoI) selection process for the Urban Design Excellence Panel members as set out in this report.
- C. That Council adopt the new charges for the Urban Design Excellence process as set out in this report and in the *Urban Design Excellence Panel (UDEP) Terms of Reference.*
- D. That Council resolve to exhibit a revision to Council's Fees and Charges Schedule, for the required statutory period, incorporating the adopted Urban Design Excellence Panel charges plus/GST.

Rthna Gill **Urban Planner** 

Bill Royal Acting Manager Urban & Heritage Planning Andrew Watson Director Strategy & Environment

Attachments:

1. Ku-ring-gai Local Environmental Plan (Town Centres) 2010 - excerpt - 2010/114904 2. Terms of Reference - 2010/153924

## Ku-ring-gai Local Environmental Plan (Town Centres) 2010 - EXCERPT

#### 6.4 Urban design excellence for Key Sites

- (1) The objectives of this clause are as follows:
  - (a) to deliver the highest standard of urban and architectural design outcomes for Key Sites in the Ku-ring-gai town centres,
  - (b) to encourage the amalgamation of sites to provide opportunities for the expansion of, or improvements to, the public domain.
- (2) This clause applies to land that is a Key Site.
- (3) A development proposal for the erection of a new building on land that is a Key Site may be eligible for additional height and floor space ratio in accordance with subclause (5) if the land:(a) has an area of 2,000 square metres or more, or
  - (b) has a primary street frontage of 36 metres or more.
- (4) In deciding whether a development proposal is eligible for additional height and floor space ratio, the Urban Design Excellence Panel must be satisfied that:
  - (a) the proposal demonstrates urban design excellence, and
  - (b) the site planning, building form and external appearance of the proposed development will improve the quality and amenity of the public domain on and surrounding the site, and
  - (c) a very high standard of architectural design, materials and detailing, appropriate to the building type and location, will be achieved, and
  - (d) the proposal addresses the following matters:
    - (i) environmental impacts such as sustainable design, overshadowing, wind and reflectivity,
    - (ii) the achievement of the principles of ecologically sustainable development,
    - (iii) pedestrian, cycle, vehicular and service access and circulation requirements, and
  - (e) the proposal allows the development of adjoining sites in a way that is consistent with this Plan.
- (5) If the Urban Design Excellence Panel is satisfied the proposal meets the requirements of subclause (4), the consent authority may grant development consent in accordance with the following:
  - (a) despite clause 4.3, if the maximum height (the standard height) for the building as specified for the land on *the Height of Buildings Map* is not more than a standard height specified in Column 1 of the Table to this paragraph, the maximum height (the new height) of the building may be up to the new height specified in Column 2 of the Table opposite the standard height,

#### Table

Column 1	Column 2
Standard height	New height
17.5 metres	20.5 metres
20.5 metres	23.5 metres
23.5 metres	26.5 metres
26.5 metres	29.5 metres
29.5 metres	32.5 metres

(b) despite clause 4.4, if the maximum floor space ratio (the standard ratio) for the building as specified for the land on the *Floor Space Ratio Map* is not more than a standard ratio specified in Column 1 of the Table to this paragraph, the maximum floor space ratio (the new ratio) for the building may be up to the new ratio specified in Column 2 of the Table opposite the standard ratio.

Ta	able		
	Column 1	Column 2	
	Standard ratio	New ratio	
	2.0:1	2.3:1	
	2.5:1	3.0:1	
	3.0:1	3.5:1	
	3.5:1	4.0:1	

#### (5) In this clause:

Key Site means land identified as a Key Site on the Key Sites Map.

*urban design excellence* means providing urban design features that will benefit the broader community as part of the design of development on a site.

Urban Design Excellence Panel means a panel of at least 3 planning and design experts appointed by the Council.

*urban design features* includes building forecourts and court yards, view corridors, building setbacks, pedestrian arcades and walk ways through a site, and improved traffic and cycle access through a site.

# Urban Design Excellence Panel (UDEP) Terms of Reference

Department of Strategy and Environment Ku-ring-gai Council OCTOBER 2010

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#### INTRODUCTION 1.0

The Urban Design Excellence Panel (UDEP) Terms of Reference establishes the following:

- the procedure for the formation of the Urban Design Excellence Panel (UDEP) .
- the scope of works for the UDEP .
- the operation of the UDEP .
- the process, on privately owned land, for the implementation of urban design excellence on Town Centre Key Sites. (A separate procedure will be developed for Council owned sites.)

#### 2.0 **PURPOSE**

#### 2.1 General

- 2.1.1 To contribute to the development of buildings of high urban design quality across the different Town Centres within the Ku-ring-gai local government area.
- 2.1.2 To provide guidance and assessment of development proposals on Key Sites that seek the additional height and FSR in accordance with clause 6.4 of the Ku-ringgai LEP (Town Centres) 2010.
- 2.1.3 To provide consistency of decision making across all Town Centre Key Sites.

#### **MEMBERSHIP** 3.0

#### 3.1 **UDEP Selection**

- 3.1.1 The UDEP shall comprise 3 members appointed by Council who have qualifications and professional expertise in one or more of the following:
  - architecture
  - urban design
  - landscape architecture
- 3.1.2 The membership of the UDEP must include a mix of the above disciplines with at least two Members having urban design experience.
- 3.1.3 All Members must have a demonstrated expertise and experience in town centre planning and design.
- 3.1.4 In addition, Members must have a demonstrated understanding of at least one of the following:
  - social planning
  - cultural planning
  - public art planning
  - experience working in heritage areas
  - experience with sustainable innovation

- 3.1.5 An employee of Ku-ring-gai Council is not permitted to be a Member of the UDEP. This includes council officers and contracted consultants employed on an ongoing basis.
- **3.1.6** Elected Councilors are not permitted to be Members of the UDEP.
- **3.1.7** Members of any other Panel or Committee within Ku-ring-gai Council, or that has any dealings with Ku-ring-gai Council are not permitted to be members of the UDEP.
- **3.1.8** The appointment of any person as a Member of the UDEP shall be for a maximum of 2 years, however Council may reappoint any person to the UDEP at the end of any term of appointment.
- **3.1.9** Council may review and alter the membership of the UDEP at any time at its absolute discretion.

## 3.2 Alternate Members

- **3.2.1** Two Alternate UDEP Members are to be selected and appointed by the same process and at the same time as the UDEP Member selection.
- **3.2.2** The Alternate Members are to act in place of any Member of the UDEP who for any reason
  - has to be absent from a UDEP meeting
  - has declared any type of interest in the proposal
- **3.2.3** The appointment of any person to be an Alternate Member of the UDEP shall be for a maximum of 2 years, however Council may reappoint any person to the UDEP at the end of any term of appointment.
- **3.2.4** Council may review the appointment of Alternate Members of the UDEP at any time at its absolute discretion.

## 4.0 CONDITIONS OF OFFICE

## 4.1 Attendance

- **4.1.1.** A mandatory review of UDEP membership is to be undertaken every 2 years from commencement of term; however, Council reserves the right to review UDEP membership and replace a Member at any time.
- **4.1.2.** UDEP Members are required to attend all UDE meetings to do with each proposal they are assessing. Where this is not possible, the Member is to inform the

Facilitator well in advance so that an Alternate Member may be selected for that proposal.

- 4.1.3. Ku-ring-gai Council may replace Members where it considers their attendance at UDE meetings is inadequate.
- 4.1.4. Prior to the UDE Presentation of an application, it is expected that each UDEP Member commenting on the application will have received copies of the development proposal, be familiar with the proposal and will have attended a site visit of the subject site.

#### 4.2 **Fees and Charges**

- 4.2.1. The Fees for a UDE Assessment Application will accompany the UDE Application and be a standard sum of \$15,000.00+GST per application.
- 4.2.2. All costs for the UDE process, including UDEP Members, Facilitator, development assessment referrals, will be covered by the Application fee.
- 4.2.3. All costs involved with the production of the UDE Report will be covered by the Application fee.
- 4.2.4. All costs associated with the Pre-DA meeting and with the Development Application are not included in the UDE application fee.
- 4.2.5. Where the UDEP is requested to attend a second UDE Presentation Meeting by the Applicant, the Applicant will be required to pay a secondary fee of \$1,500.00 for that additional meeting and any associated preparation.
- 4.2.6. Where the UDEP is required to reconvene to consider the potential extension of the UDE Certificate beyond the standard 18 months, the Applicant will be charged \$2000.00 to cover UDEP Member fees and administrative costs.
- 4.2.7. Where a specialist consultant is required, those services will be additional to the UDE fees and will be charged to the Applicant separately.
- 4.2.8. Each Member of the UDEP will be paid a maximum of \$2,500 per person per application.
- Any variations to UDEP Members' fees will be considered on an individual basis 4.2.9. and in line with these UDEP Terms of Reference and any other contractual agreements.
- **4.2.10.** UDEP time includes, but is not limited to the following:

- preparation and ongoing reviews of proposal including consideration of the proposal prior to attending the UDE site meeting
- attending a group site meeting at least one day prior to the Presentation Meeting
- attending the Presentation Meeting
- attending Deliberation Meetings (maximum 2 meetings) •
- consideration of the proposal and decision on issuing the UDE Certificate .
- signing and issue of the UDE Certificate, or the UDE Letter of Refusal (including reasons for refusal)
- 4.2.11. Provision will be made to reimburse the UDEP Members reasonable travel expenses to and from meetings.

## 5.0 ROLE AND RESPONSIBILITIES

#### 5.1 General

- The UDEP is both an advisory group and a decision-making body and deals with 5.1.1. any Town Centre Key Site proposal seeking an additional Height/FSR.
- 5.1.2. The UDEP advises on the Design Excellence of urban, landscape and architectural design to develop successful schemes that exhibit a high standard of urban design excellence.
- 5.1.3. Each UDEP Member must attend all UDE process meetings as far as is possible, and allow the necessary time to prepare for meetings.
- 5.1.4. Each UDEP Member may be provided with equipment and other resources to perform UDEP functions. All such equipment and resources are to be used only for UDEP purposes and are to be returned to Council at the end of the Member's term.
- 5.1.5. The UDEP makes the decision on whether the proposal's Urban Design Excellence warrants the additional Height/FSR in accordance with cl.6.4 Ku-ring-gai LEP (Town Centres) 2010.
- 5.1.6. Evaluation of design quality will be based on the Urban Design Excellence Criteria, having regard to the relevant LEPs, draft LEPs, DCPs, Draft DCPs, and other relevant plans/policies.
- 5.1.7. Where the UDEP agrees that the Urban Design Excellence of the proposal warrants the Height/FSR, it issues a UDE Certificate (stating the approved Height/FSR and listing Urban Design Excellence elements that have secured the

UDE Certificate) enabling the proposal to include the Height/FSR in the development application.

- 5.1.8. The UDEP is to ensure that the agreed urban design excellence provided in the proposal is maintained throughout the Development Application process. Where the Development Application process requires changes to the proposal, the UDEP is to determine whether the modifications retain the urban design excellence originally approved for the Height/FSR allowance.
- 5.1.9. Where the UDEP consider that changes to the proposal as a result of the Development Application process continue to uphold the UDE criteria, an UDE Certificate Amendment is to be attached to the referral document package, indicating the UDEP's consideration and approval of the changes.
- 5.1.10. Where the amendments are considered to be a substantial alteration and no longer uphold the UDE criteria, an UDE Certificate Cancellation is to be attached to the referral document package. At this stage the Applicant has the choice of withdrawing the Development Application and entering the UDE process again with a new application, or proceeding with the Development Application process without the additional Height/FSR.
- 5.1.11. If requested by Ku-ring-gai Council, the UDEP are to call for additional expert assistance in the assessment of a particular proposal. This additional expert may advise the UDEP, but may not vote on recommendations.

#### **PROCEDURES FOR MEETINGS** 6.0

#### 6.1 General

- 6.1.1 UDE meetings including Site Meetings, Presentation Meetings, Deliberation Meetings will be conducted on an as needed basis. All meetings will be arranged by the Facilitator.
- 6.1.2 A quorum of 3 UDEP Members is required for every meeting, where this is not possible due to unforseen circumstances, the meeting will be postponed.
- 6.1.3 Prior to the meeting, an agenda will be drawn up and circulated to the UDEP Members by the Facilitator.
- 6.1.4 Panel Members are required to chair the UDEP meetings on a rotational basis. The Facilitator will maintain a roster for the chair, and inform the Panel through the Agenda circulated prior to the meeting.

- 6.1.5 The Facilitator will ensure time keeping and will record all proceedings during meetings.
- 6.1.6 UDEP Members are to be familiar with the proposal and issues surrounding it at each stage of the UDE process and be prepared for each meeting.
- 6.1.7 As a guide and to ensure the efficient use of UDEP time and resources, the Presentation Meeting will take a maximum of 90 minutes: the Applicant/Architect will have up to 30 minutes to present, followed by up to 60 minutes of discussion.
- 6.1.8 As a guide and to ensure the efficient use of UDEP time and resources, the UDEP will have up to 90 minutes following the Presentation Meeting to deliberate and list their design excellence requirements in order for the proposal to merit the Height/FSR provision sought.

#### **CODE OF CONDUCT** 7.0

#### 7.1 **General Conduct**

- 7.1.1 It is the personal responsibility of each UDEP Member and Alternate Member to comply with:
  - the Ku-ring-gai Code of Conduct (2009)
  - the UDE Code of Conduct stated in this section.
- 7.1.2 UDEP Members are obligated to attend Code of Conduct training and sign agreement with the Code of Conduct.
- 7.1.3 The Codes will be kept under review and may be subject to changes. In particular, changes to the UDE Code of Conduct may be required to reflect the experience of the implementation and operation of the UDEP.
- 7.1.4 The Codes set out the minimum requirements of behaviour for UDEP Members in carrying out their functions. The Codes have been developed to ensure UDEP Members
  - understand the standards of conduct expected of them
  - enable them to act honestly, ethically and responsibly
  - enable them to exercise a reasonable degree of care and diligence
  - act in a way that enhances public confidence in the integrity of role of the UDEP
- Where personnel other than Council staff, such as external consultants, 7.1.5 undertake functions to support the UDE process, they must ensure that they comply with both Codes.

- Council staff responsible for preparing assessment reports and/or otherwise 7.1.6 assisting the UDEP in the exercise of its functions are subject to the Ku-ring-gai Code of Conduct (2009).
- 7.1.7 All UDEP Members are subject to the Independent Commission Against Corruption Act 1988 and the Ombudsman Act 1974.

#### 7.2 Relationship Between UDEP Members, Council And Council Staff

- 7.2.1 Each UDEP Member has a responsibility to promote and support effective and cooperative working relationship with the Council, General Manager and Council staff and consultants.
- 7.2.2 UDEP Members must not engage in inappropriate interactions when exercising their functions.
- 7.2.3 In relation to Council staff UDEP Members must not:
  - approach, make requests of, make enquiries or issue instructions to Council staff other than through official channels and in accordance with the Codes Of Conduct
  - be overbearing or threatening to Council staff
  - make personal attacks on Council staff in a public forum
  - direct or pressure Council staff in the performance of their work or recommendations they make
  - influence or attempt to influence staff in the preparation of Development Assessment reports or other information to be submitted to the UDEP
- 7.2.4 Members must not hold private meetings, briefings or discussions in respect of the matter in the absence of other UDEP Members or without the UDE Facilitator being in attendance.
- 7.2.5 Members must not attend site visits unless they have been formally arranged by the UDE Facilitator and conducted as a group comprising other UDEP Members and the Facilitator.
- 7.2.6 Where meetings, briefings or site visits occur, Members should not express any preliminary views in relation to the UDEP's ultimate determination of the matter. All discussions are to be in the Facilitator's presence for recording in the UDE Report.

#### **Protection and Use Of Information** 7.3

- Further to the Ku-ring-gai Code of Conduct (2009), UDEP Members must comply 7.3.1 with this part of the UDEP Terms of Reference document with regard to disclosure of information.
- 7.3.2 All information regarding Key Site Proposals is confidential until the Application has been submitted for Development Assessment. Therefore, UDEP Members must:
  - protect confidential information .
  - only release confidential information if specifically given the authority to do so by the General Manager of Ku-ring-gai Council
  - only use confidential information for the purpose it is intended to be used
  - not use confidential information gained through the position as a UDEP Member for the purpose of securing a private benefit for themselves or for any other person
  - not use confidential information with the intention to cause harm or detriment to the UDEP or any other person or body
  - not disclose any information discussed during the UDEP meetings and discussions
- 7.3.3 UDEP Members must not provide public comment or media interviews in relation to any UDE applications. The General Manager, Ku-ring-gai Council is solely responsible for speaking to the media on behalf of Council.
- 7.3.4 Where a Member is not participating in the UDE Process due to identified Interest or any other reason, that Member continues to be bound by all the Codes requirements of information use and protection.

#### CONLICT OF INTEREST; PECUNIARY AND NON-PECUNIARY 8.0 **INTEREST; OTHER INTERESTS**

#### 8.1 General

- Further to the Ku-ring-gai Code of Conduct (2009), UDEP Members must comply 8.1.1 with this part of the UDEP Terms of Reference document.
- 8.1.2 To uphold the probity of UDEP decision making, each UDEP Member has a duty to disclose any form of interest in an UDE application. The onus is on the Member to identify the type of interest and take appropriate action if at any time during the UDE process any interest does arise. (When considering whether or not a Member has an Interest they should consider how others would view their situation.)

- 8.1.3 A Member of the UDEP who has any Interest in the Key Site:
  - must disclose the nature of the Interest to the Facilitator as soon as practicable
  - must make the declaration in the form of a letter stating the conflict
  - must not take part in the consideration or discussion of the matter
  - must not vote on any question relating to the matter
- 8.1.4 Where a UDEP Member has an Interest, they are not permitted to have any participation in the UDE process for that application. An Alternate Member will be called upon to replace them and be a part of the quorum for that proposal.

#### **DONATIONS AND GIFTS** 9.0

#### 9.1 General

- 9.1.1 Further to the Ku-ring-gai Code of Conduct (2009), UDEP Members must comply with this part of the UDEP Terms of Reference document.
- 9.1.2 Each UDEP Member must be aware that political contributions or donations may give rise to a pecuniary or non-pecuniary interest. It is the responsibility of UDEP Member to declare all political donations regardless of type or size.
- 9.1.3 Each UDEP Member must make a disclosure where an interest arises because of a political donation.
- 9.1.4 Each UDEP Member must ensure that any outside employment or business they engage in will not:
  - conflict with their functions as a UDEP Member
  - involve using confidential information or resources obtained through their role as a UDEP Member
  - discredit or disadvantage the UDEP
- 9.1.5 A UDEP Member may have reason to have private dealings with Ku-ring-gai Council (for example as a ratepayer). The Member must not expect or request preferential treatment in relation to any matter in which they have a private interest because of their role as a UDEP Member. The Member must avoid any action that could lead the public to believe that the Member is seeking preferential treatment.
- 9.1.6 A UDEP Member must not accept any gift, token or donation including:
  - bribes or other improper inducement
  - gifts or benefits of any kind, token or value
  - offer of money, regardless of the amount .

- gift or benefit that may create a sense of obligation on their part, or may be perceived to be intended or likely to influence them in carrying out their duty
- gift or benefit, regardless of size or value, where the other party may have an interest in the proceedings of the UDEP with regards to current proposals on Key Sites
- 9.1.7 Where a UDEP Member has accepted any gifts/tokens from persons who at a later date enter or are party to an application into the UDE process, that Member must disclose the past relationship as a Conflict of Interest and decline participation in the UDE process for that application.

# **10.0 BREACH OF CODE OF CONDUCT**

## 10.1 General

- **10.1.2** Further to the Ku-ring-gai Code of Conduct (2009), UDEP Members must comply with this section.
- **10.1.3** UDEP Members are required to report suspected breaches of this Code. The Protected Disclosures Act 1994 provides protection to public officials who voluntarily report suspected corrupt conduct. A UDEP Member can make a report concerning suspected corrupt conduct to the General Manager, Ku-ring-gai Council.
- 10.1.4 The General Manager, Ku-ring-gai Council may take such steps as he thinks appropriate to investigate and take action in respect of the alleged breach.
- **10.1.5** A person who is alleged to have breached the Code must be given:
  - the full particulars of the alleged breach •
  - an opportunity to respond to the allegations
  - the right to have a legal or other representative present during any meetings/discussions in respect of the matter
- Proven breaches of the Code may require removal of the UDEP Member from 10.1.6 office.

# **11.0 URBAN DESIGN EXCELLENCE PROCESS**

## **11.1 Applicant Responsibilities**

**11.1.2** The Applicant is to have sole responsibility for the organization of the UDE process on Key Sites, from the preparation of the Design Brief for their Architect through to meeting with the UDEP and throughout the Development Application process where alterations to the agreed UDE design are necessary.

- **11.1.3** The Applicant is responsible for all costs associated with the UDE Process
- 11.1.4 The Applicant is to provide details regarding his architect including:
  - name and contact information .
  - RAIA registration and insurance details •
  - list and photos of completed projects that illustrate expertise in mixed use buildings in similar urban contexts
- The formal presentation of the proposal is to be made to the UDEP by the design 11.1.5 architect in the presence of the applicant.
- The UDE application submission is to include a Design Verification Statement 11.1.6 confirming that the proposal complies with:
  - KLEP Town Centres 2010
  - controls of the Town Centres DCP 2010, in particular the specific requirements stipulated within Part 2
  - recommendations from the Pre-DA meeting

#### 11.2 Facilitator Responsibilities

- 11.2.1 The Facilitator is a member of the Ku-ring-gai Strategy and Environment Urban Planning team with detailed understanding of the Town Centre Key Sites.
- 11.2.2 The Facilitator is the point of contact for the Applicant throughout the UDE process, and oversees the administration of the UDE process.
- The Facilitator is responsible for arranging dates/times of: 11.2.3
  - compulsory site visit for UDEP •
  - presentation meeting by Applicant to the UDEP
  - other meetings as required
- 11.2.4 The role of the Facilitator includes the following:
  - Receiving and checking Applicant documentation/form/fees
  - Issuing documents to Development Assessment Officer for Development Application referral (check inclusion of Pre-DA meeting recommendations)
  - Issuing all documents, including Applicant's submission, Development Application referral, proposal summary, and the Notice of Conflict/Pecuniary/Other Interest to UDEP
  - Informing Applicant of date/time/location/procedure of Presentation
- **11.2.5** In addition the Facilitator is responsible for:
  - Briefing Alternate UDEP Members if needed
  - Attending, co-ordinating, briefing, minuting and facilitating the UDEP site visit

- Recording all proceedings at all UDEP meetings for inclusion in UDE Report •
- Receiving the Applicant's re-submission and forwarding it to the Development Assessment Officer for referral
- Sending the new proposal and new Development Application Referral to UDEP Members and arranging discussion meeting date and time
- Where a proposal has been approved by the UDEP, ensuring the UDE Certificate is endorsed by the UDEP prior to issuing to the Applicant
- Where a proposal has failed to achieve the criteria, ensuring a UDEP endorsed Letter of Refusal is sent to the Applicant with reasons why urban design excellence has not been achieved
- Checking compliance of the UDE Certificate through the Development Application process; where alterations to the design are made, sending the proposal to the UDEP for comment and decision on the UDE compliance of the proposal
- Informing the Development Assessment Officer whether the amended Development Application proposal does/does not comply with the issued UDE Certificate, and whether the UDE Certificate is valid (UDE Certificate -Amendment) or revoked (UDE Certificate - Cancelled).
- The Facilitator is responsible for the preparation of a UDE Report for each UDE 11.2.6 proposal. The report is to contain the following:
  - proposal summary
  - . pre-DA issues
  - DA referrals .
  - UDEP site visit notes .
  - All UDEP meeting discussions .
  - UDEP/Applicant presentation and discussion .
  - UDEP decision and UDE Certificate/Letter of Refusal issue .
  - Copies of all drawings and correspondence
  - Any other issues that are a result of the UDE process

## 11.3 Development Assessment Officer Role

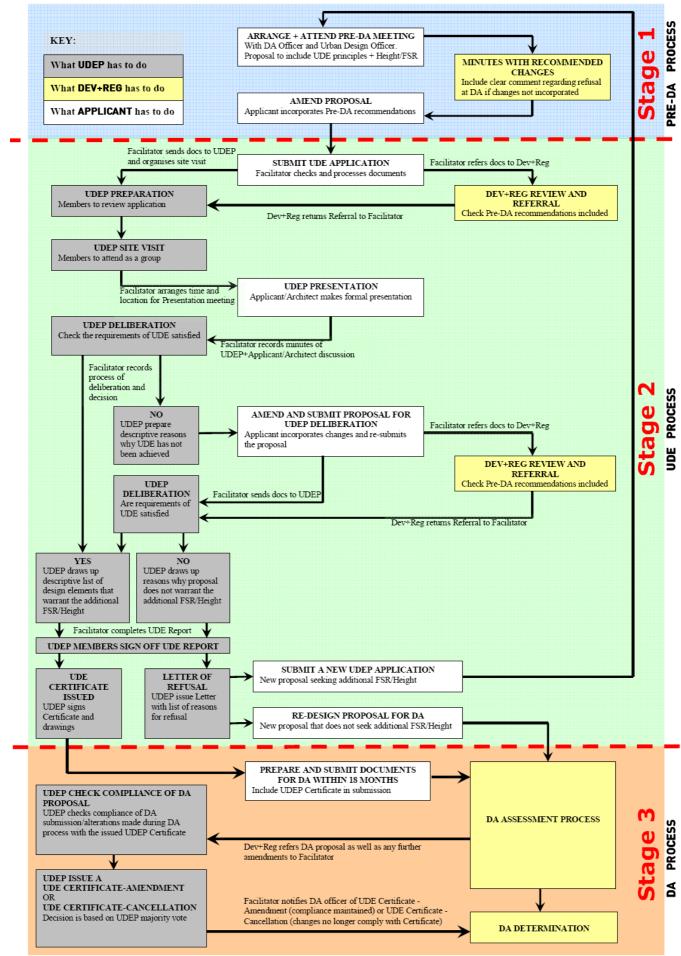
- The Facilitator is to provide the UDE application documents to the Development 11.3.1 Assessment Officer and request a referral on the proposal's compliance with the Pre-DA recommendations. Where the Development Assessment Officer considers the requested pre-DA changes have not been incorporated into the UDE proposal, their referral will indicate that the proposal is unlikely to be approved at Development Application stage.
- 11.3.2 During the Development Application Process, the Development Assessment Officer is to send the Facilitator all the submitted Development Application

drawings and any further amendments resulting from the Development Application Process. The UDEP will check the compliance of the Development Application proposal against the issued UDE Certificate and inform the Development Assessment Officer on the validity of that Certificate. Where the UDE Certificate is revoked due to significant changes in the proposal, the Development Assessment Officer may refuse the application due to the lack of a UDE Certificate validating the additional Height/FSR.

### 11.4 UDE Process and Council Development Application Process

- All Applicants must arrange and attend a Pre-DA meeting prior to the Urban 11.4.1 Design Excellence Process.
- 11.4.2 All documentation submitted for the UDE process will be referred to the Development Assessment Officer to check for compliance with the Pre-DA recommendations.
- 11.4.3 In making the Development Application submission, the applicant must provide the UDE Certificate (with certified design drawings, signed by the UDEP Members, attached to it) stating the proposal's concurrence with the requirements of urban design excellence, and the Height/FSR allowance.
- 11.4.4 The UDE Certificate is to have signed copies of all the relevant documents and plans attached to it.
- 11.4.5 The issuing of a UDE Certificate will not fetter the Development Application process nor is it to be seen as a guarantee of Development Application approval.
- During the Development Application Process, the application proposal and any 11.4.6 amendments will be referred to the UDEP to check ongoing compliance with the UDE Certificate.

#### **UDE Process Flowchart**



# 12.0 URBAN DESIGN EXCELLENCE DOCUMENTATION

## 12.1 UDE Submission

- Development on Key Sites seeking additional development potential must: 12.1.1
  - follow the UDE process for Key Sites
  - satisfy the requirements of clause 6.4 of the KLEP (Town Centres) 2010 •
  - meet the objectives and comply with the controls of the Key Site as identified in Part 2 of the Town Centres DCP 2010
  - provide Urban Design Excellence principles identified for the particular site in Part 2 of the Town centres DCP 2010
  - demonstrate consistency with the desired future character of the area or site as identified in Part 2 of the Town Centres DCP 2010
- **12.1.2** All proposals submitted for the UDE process must show the additional development potential in accordance with clause 6.4 of the KLEP Town Centres 2010.
- **12.1.3** Proposals must clearly demonstrate/annotate what elements of Urban Design Excellence are achieved by the proposal to warrant that additional Height/FSR development potential.
- **12.1.4** The UDE Application drawings are to include:
  - 6 copies of the design proposal
  - 6 copies of any supporting documents to be submitted at Council along with relevant forms and payment
  - 1 soft copy (CD) of all submitted documentation
- **12.1.5** All drawings submitted with the UDE Application are to be clearly legible and at a scale of 1:100 or 1:200.
- **12.1.6** The UDE Application is to include:
  - the contextual analysis and rationale for the design
  - the manner in which Urban Design Excellence is achieved •
  - the Height/FSR incorporated into the proposal
- **12.1.7** The level of documentation required for the UDEP Presentation meeting should be sufficient to explain the design merits of the proposal and may include plans, elevations, models, montages and digital representations.

## 12.2 UDE Report

- **12.2.1** A UDE Report is to be produced by the Facilitator recording all documentation and proceedings of the UDE process. This includes but is not limited to all meetings, proceedings, decisions, conditions, changes resulting from the UDEP deliberation, Pre-DA and Development Application advice/changes through to the issue/refusal of the UDE Certificate.
- The UDE Report is to be prepared by the Facilitator and is to document the 12.2.2 following for a Key Site proposal:
  - Key Site details, Applicant details, Architect details
  - summary page of the Applicant's proposal prepared by Facilitator
  - comments page noting Pre-DA meeting notes and requirements
  - account of UDEP site visit discussion
  - account of Presentation meeting, including discussions and meeting proceedings
  - minutes on UDEP deliberation meeting and changes/elements required for the Height/FSR allowance
  - notes on Development Application referrals
  - notes on any other consultation required
- **12.2.3** The Appendix to the UDE Report is to contain:
  - . a copy of the brief issued to the Applicant's architect
  - a copy of the Pre-DA meeting notes
  - A4 copies of all documents submitted by Applicant throughout the UDE Process from initial submission to UDE Certificate issue
  - A copy of the issued UDE Certificate with scaled copies (max A3 size) of agreed and signed documents of the proposal
- **12.2.4** The UDE Report is a public document produced to audit standards. Prior to issue, the report is to be circulated to the Development Application Officer and UDEP Members.
- 12.2.5 The UDE Report is to be agreed upon and finalized with signatures of each UDEP Member, then circulated to the Applicant, UDEP Members and Development Assessment Officer upon the issuing of the UDE Certificate/Letter of Refusal.
- All costs related to the production of the UDE Report will be met by the Applicant. 12.2.6 Standard changes are included within the UDE process fee, however should the scope of works for the Report extend beyond the standard requirements, then the Applicant is to be sent a further account.

## 12.3 The UDE Certificate

- **12.3.1** The UDE Certificate entitles the Applicant to submit a Development Application proposal that includes the UDEP approved additional Height/FSR, in line with the requirements of clause 6.4 of the KLEP (Town Centres) 2010.
- **12.3.2** The *UDE Certificate* comprises the following:
  - a statement of the Height/FSR approved
  - a list of the Urban Design Excellence elements provided within the proposal .
  - an attachment of signed UDEP drawings illustrating the stated elements of urban design excellence
- 12.3.3 The UDE Certificate is declared final when the signatures of the UDEP quorum complete it.
- 12.3.4 Changes made to the design proposal after the issue of the UDE Certificate render the Certificate null and void unless an UDE Certificate - Amendment is attached to it indicating consideration and approval of the changes by the UDEP.
- 12.3.5 The UDE Certificate is valid for a term of 18 months from the date of issue. The UDE Certificate is to state the date of expiry. The Applicant is to submit a Development Application proposal that includes the UDE Certificate's agreed additional Height/FSR within that 18 month period. After the 18 month period the UDE Certificate will be deemed null and void. Any Development Application thereafter will be unable to utilize its provisions.
- In extremely exceptional cases the 18 month period may be extended by the 12.3.6 UDEP, at its absolute discretion, following a written request to the General Manager received prior to the date of expiry. The Applicant will be charged \$2000.00 for the reconvening of the UDEP to consider the potential extension of the UDE Certificate. Agreement for the consideration of an extension does not guarantee an extension of time.
- The UDE Certificate is bound to the specific proposal and site and may be 12.3.7 transferred to a new owner of the land/property. The new owner must comply with the UDE conditions and obligations. Any changes to the original proposal must adhere to the UDE requirements and process.
- 12.3.8 Provision of the UDE Certificate does not guarantee Development Application consent. Proposals must comply with the relevant LEP, DCP and other documents and enter into the separate Development Application Process following the UDE application process.

12.3.9 The UDE Certificate is valid at the time of issue. Council and the UDEP are not liable for any external changes that render the UDE Certificate invalid.

## 12.4 The Letter of Refusal

- 12.4.1 Where a proposal does not warrant the design excellence additional Height/FSR, the UDEP is to issue a Letter of Refusal, stating reasons for the refusal.
- **12.4.2** Where a *Letter of Refusal* has been issued, the Applicant may choose one of two options:
  - modify the proposal and enter the UDE Application process under a new . application
  - modify the proposal, removing the additional Height/FSR, and submit an application for DA. The removal of the additional Height/FSR means that the proposal no longer needs to abide by the UDE process.

# **13.0 DECLARATION**

## 13.1 General

- This declaration is a binding agreement between Ku-ring-gai Council and any 13.1.1 person that is not an employee of Ku-ring-gai Council.
- 13.1.2 This declaration binds the signatory to the UDEP Terms of Reference and the UDE application process as stated within this document.
- 13.1.3 This declaration is an agreement that the signatory will attend the Code of Conduct training and sign The Code of Conduct Agreement prior to entering the UDE application process.

## 13.2 Agreement

# I have read and agree to abide by these UDEP Terms of Reference during my employment with Ku-ring-gai Council.

NAME (in full):	SIGNATURE:
POSITION :	DATE:

Item 1

S07624/2 11 October 2010

# MAYORAL MINUTE

# PROPOSED RECLASSIFICATION OF COUNCIL LAND - 5 RAY STREET, TURRAMURRA

The Ku-ring-gai Local Environmental Plan (Town Centres) 2010, came into effect on 25 May, 2010, with Council adopting the Ku-ring-gai Development Control Plan (Town Centres) 2010 on 8 June, 2010. The Ku-ring-gai Development Control Plan (DCP) provides details of the planning objectives for each of the town centres.

Council has resolved to reclassify 19 sites within the town centres from Community to Operational land, (including 12 William Street, Turramurra) to make possible the delivery of the planning objectives detailed in the DCP. The first step in the reclassification process is now underway with the Planning Proposal on exhibition by the Ku-ring-gai Planning Panel.

On 30 June 2010, Council hosted a community briefing on the Ray Street, Turramurra precinct. The purpose of the briefing was for Council to gain an appreciation of Coles' potential development options for the site. Adjacent to the Coles site are Council's library and car park facilities (located on two parcels of land including 5 Ray Street and 12 William Street, Turramurra) which are classified community land.

Following further consideration of the options presented to Council, and in an attempt to maximize the community benefits through the redevelopment of our site which has the potential to provide for a range of uses which could include community facilities, retail/commercial areas, and improvements to the public domain.

I am proposing that 5 Ray Street, Turramurra, also be included in the process to reclassify the site from community land to operational land status.

Proceeding with the reclassification has the potential to provide Council with the flexibility to deliver the key community infrastructure that is required to support the new development and population, and also improvements to our facilities, public domain areas and civic places.

# RECOMMENDATION

A. That Council adopt the following site for the purpose of reclassification to operational land status in a new Local Environmental Plan:

5 Ray Street, Turramurra being Lot 2 DP 221290

B. That Council request the Ku-ring-gai Planning Panel to prepare a new draft Local Environmental Plan as an amending instrument to Ku-ring-gai Local Environmental Plan (Town Centres) 2010, to list 5 Ray Street, Turramurra to have operational land status. Item 1

#### S07624/2 11 October 2010

- C. That Council request that the Ku-ring-gai Planning Panel exhibition process be in accordance with the NSW Department of Planning's LEP Practice Note (PN09-003) 12 June 2009.
- D. That Council undertake a public hearing into the proposed reclassification of the site listed in A above.
- E. That the public hearing to be held at an appropriate time, after the public exhibition of the draft Local Environmental Plan prepared by the Ku-ring-gai Planning Panel.
- F. That when received, the Chairperson's report on the public hearing be the subject of a further report for Council's consideration.

Cr Ian Cross Mayor

# Attachments:Background Information under separate cover:<br/>5 Ray Street, Turramurra - 2010/193074

# Background to Mayoral Minute- 5 Ray Street, Turramurra

On 24 November, 2009, Council resolved to reclassify 19 sites within the town centres from Community to Operational land, (including 12 William Street, Turramurra). The first step in the reclassification process is now underway with the Planning Proposal on exhibition by the Ku-ring-gai Planning Panel.

The Ku-ring-gai Local Environmental Plan (Town Centres) 2010, came into effect on 25 May, 2010, with Council adopting the Ku-ring-gai Development Control Plan (Town Centres) 2010 on 8 June, 2010. The Ku-ring-gai Development Control Plan provides details of the planning objectives for each of the town centres.

On 30 June 2010, Council hosted a community briefing on the Ray Street, Turramurra precinct. The purpose of the briefing was for Council to gain an appreciation of Coles' potential development options for the site. Adjacent to the Coles site are Council's library and car park facilities (located on two parcels of land including 5 Ray Street and 12 William Street, Turramurra) which are classified community land.

There remains concerns in some areas of the community regarding the reclassification of Council land, but I should take this opportunity to remind you that reclassification is only an enabling step, and even when a site is reclassified, it is still ultimately Council's decision to sell, subdivide or enter into a long term lease for the site.

Any decisions on these matters will be made accordance with the relevant policies, and an appropriate level of stakeholder consultation will be made by a formal resolution of Council.

If Council resolves to proceed with the reclassification of 5 Ray Street, Turramurra, there will be further opportunities for community consultation during an exhibition period and formal public hearing process, which would be chaired by an independent consultant, along with further reporting back to Council.

I also note there is some concern about proceeding with reclassification, whilst there is a pending legal challenge to the validity of the Ku-ring-gai Local Environmental Plan (Town Centres) 2010. Regardless of the outcome of the court challenge it is imperative for Council to operate in accordance with the Local Government Charter, which requires that we effectively plan and manage our assets, including key land holdings such as those in our town centres.

Proceeding with the reclassification has the potential to provide Council with the flexibility to deliver the key community infrastructure that is required to support the new development and population, and also improvements to our facilities, public domain areas and civic places. On this basis, and following further consideration of the options presented to Council, and in an attempt to maximize the community benefits through the redevelopment of our site which has the potential to provide for a range of uses which could include community facilities, retail/commercial areas, and improvements to the public domain.

I am proposing that 5 Ray Street, Turramurra, also be included in the process to reclassify the site from community land to operational land status.

In the event Council does not pursue reclassification of this site the community could be left in a situation where a less than desirable development outcome may occur. Whereby Council's land is left isolated and the opportunity to provide timely and necessary community infrastructure and services will not align with the adjoining Coles development. Item 1

S02546 8 October 2010

# NOTICE OF MOTION

# NEIGHBOURHOOD SAFER PLACES IN KU-RING-GAI BUSHFIRE PRONE AREAS

## Notice of Motion from Councillor T Hall dated 6 October 2010

I fully support the call by Ku-ring-gai Mayor Cross to be prepared for the coming bushfire period but Councils too must share the responsibility for the safety of residents and their property, in such dangerous periods.

As a large Council area subject to bushfire threat every summer, Ku-ring-gai Council needs to identify, designate and maintain Neighbourhood Safer Places or NSPs in those areas subject of bushfire intrusion. I recall in the 1994 bushfires in St Ives as a Councillor then, I was asked to open Toolang Road Oval, St Ives for local residents' cars threatened by fire to their homes below the National Park along the bushfire rim, but the Council's staff refused to unlock the gates. Yet there are still no NSPs in North St Ives, along Warrimoo Avenue, for instance.

Since 2009 as a result of the tragic Victorian Bushfires, the NSW Rural Fire Service has implemented "places of last resort" or NSPs as described in the background information under separate cover, in many NSW Councils including Hornsby, Willoughby and Lane Cove Council areas. Ku-ring-gai has been added and a list of sites are included in the Councillors Additional Agenda Information but are not considered to be comprehensive enough.

Designated NSP areas must meet the NSW Rural Fire Service's radiant heat criteria especially in high risk areas on the outskirts of large metropolitan areas such as Sydney and I believe from past experience as already mentioned, Ku-ring-gai too should ensure all its affected bushfire prone areas have accessible NSPs.

I move:

"That Ku-ring-gai Council review its involvement with the NSW Rural Fire Service's 'Neighbourhood Safer Places' program for implementation in this 2010 Bushfire Season that commenced on 1 October to assess whether any further accessible sites may be nominated from those already designated and reported back to Council."

# RECOMMENDATION

That the above Notice of Motion as printed be adopted.

#### Cr Tony Hall Councillor for St Ives Ward

Attachments: Background information circulated under separate cover: Ku-ring-gai NSPs - 2010/189858

## Ku-ring-gai NSPs

See the below table for the designated NSP locations in your local government area. These NSP locations have been subject to a validation process and have been deemed acceptable as a place of last resort.

Please note that the NSW Rural Fire Service has not yet received NSP locations for all local government areas of NSW. In addition, some recommended NSP locations will require further investigation to confirm that they are suitable as place of shelter to be used as *a place of last resort* during a bush fire emergency.

The NSW Rural Fire Service will continue to update the NSP locations as new data is received and validated. You should return to this site regularly for updates on the progress of the NSP program and to find a NSP close to you.

**Remember** to complete your <u>Bush Fire Survival Plan</u> to ensure that you and your family are prepared and know what to do in the event of a bush fire. If there is a suitable NSP nearby your home, you should note it in you Bush Fire Survival Plan. However, the NSP should only be considered as a place of last resort during a bush fire emergency.

Title	Туре	Location	LGA
Claude Cameron Grove	Open Space	Westbrook Ave & Kintore St, Wahroonga	Ku-ring-gai
Turramurra Memorial Park	Open Space	Karuah Rd, Turramurra	Ku-ring-gai
Kent Oval	Open Space	3 Kent Rd, North Turramurra	Ku-ring-gai
Hassell Park	Open Space	Palm St & Mona Vale Rd, St Ives	Ku-ring-gai
Bannockburn Oval	Open Space	Bannockburn Rd, Pymble	Ku-ring-gai
Regimental Park	Open Space	20 Lorne Ave, Killara	Ku-ring-gai
Roseville Park	Open Space	60A Clanville Rd, Roseville	Ku-ring-gai
Gillespie Field	Open Space	Bangalla St, Warrawee	Ku-ring-gai

See the below table for the designated NSP locations in your local government area.

These NSP locations have been subject to a validation process and have been deemed acceptable as a place of last resort.

Please note that the NSW Rural Fire Service has not yet received NSP locations for all local government areas of NSW. In addition, some recommended NSP locations will require further investigation to confirm that they are suitable as place of shelter to be used as *a place of last resort* during a bush fire emergency.

The NSW Rural Fire Service will continue to update the NSP locations as new data is received and validated. You should return to this site regularly for updates on the progress of the NSP program and to find a NSP close to you.

**Remember** to complete your <u>Bush Fire Survival Plan</u> to ensure that you and your family are prepared and know what to do in the event of a bush fire. If there is a suitable NSP nearby your home, you should note it in you Bush Fire Survival Plan. However, the NSP should only be considered as a place of last resort during a bush fire emergency.

Item 2

S02447 22 September 2010

# NOTICE OF RESCISSION

# WILD AND EXOTIC ANIMALS PERFORMING

# Notice of Rescission from Councillor Steven Holland, Elise Keays and Tony Hall dated 22 September 2010

We, the undersigned, rescind the Motion of 10 August 2010 (Minute No 248) relating to the overturning of the Council's ban on wild and exotic animals performing in travelling circuses.

# RECOMMENDATION

That the above Notice of Rescission as printed be adopted.

Steven Holland Councillor for Comenarra Ward Tony Hall Councillor for St Ives Ward Elise Keays Councillor for Gordon Ward