



**ORDINARY MEETING OF COUNCIL  
TO BE HELD ON TUESDAY, 26 SEPTEMBER 2006 AT 7.00PM  
LEVEL 3, COUNCIL CHAMBERS**

**A G E N D A**

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

**APOLOGIES**

**DECLARATIONS OF INTEREST**

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

**PRESENTATION OF KU-RING-GAI HISTORY WEEK 2006 PHOTO COMPETITION  
AWARDS**

**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 September 2006

Minutes numbered 339 to 358

## MINUTES FROM THE MAYOR

### 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 and without debate.*

**GB.1 Roseville Centre - Precinct H Revised Zoning Controls 1**

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File: S04365

To have Council consider and adopt the revised draft planning controls under the Roseville Centre plans for "Precinct H" being the area between Hill Street, Oliver Road and Roseville Avenue, Roseville.

**Recommendation:**

That Precinct H that covers part of Hill Street, Oliver Road and Roseville Avenue, Roseville be included in the Draft Local Environmental Plan (LEP) for the Roseville Centre as Residential High Density R4 with a maximum height of 5 storeys and a maximum floor space ratio (FSR) of 1.3:1. This is consistent with the Department of Planning's Section 54(4) notification and Section 55 direction and has been reconfirmed following Council's meeting with the Department on 11 September 2006.

**GB.2 42A & 50 Hastings Road, Warrawee - SEPP (Seniors Living) Development 7**

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File: DA0011/06

Ward: Wahroonga  
Applicant: Mr D Sutton (Winter Group Architects)  
Owner: Mr J Laws

To determine Development Application No 11/06 which seeks consent for the demolition of an existing dwelling and a detached garage and construction of 6 new dwellings to constitute total of 7 SEPP (Seniors Living) dwellings.

**Recommendation:**

Approval.

GB.3	<b>8 Squadron Court, Lindfield - Construction of a Two Storey Dwelling</b>	<b>75</b>
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File: DA0039/06

Ward: Roseville

Applicant: Charleston Homes Pty Ltd

Owners: Mrs F M De Swart & Mr J M De Swart

To determine development application No 39/06, which seeks consent for construction of a new two storey dwelling house. This matter has been called to full Council by Councillor Shelley.

**Recommendation:**

### Refusal.

GB.4	<b>212 to 216 Mona Vale Road, St Ives - Demolition of 3 Dwelling Houses &amp; Construction of a Residential Flat Building Comprising 52 Units, Basement Car Parking for 99 Vehicles &amp; Associated Landscaping &amp; Drainage</b>	<b>100</b>
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File: DA0338/06

Ward: St Ives

Applicant: Mr Angus Hislop, c/- Glendinning Minto & Associates Pty Ltd

Owner: Mvrsi Pty Limited

To determine development application No 338/06, which seeks consent for the demolition of 3 dwelling houses and construction of a residential flat building, comprising 52 units and basement car parking for 105 vehicles.

**Recommendation:**

Approval.

GB.5	<b>1 to 9 Woniora Avenue, Wahroonga - Amend Condition 92 to allow Concrete Delivery Trucks during School Drop Off &amp; Pick Up Times</b>	<b>172</b>
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File: DA1364/04-5

Ward: Wahroonga

Applicant: Woniara Avenue Pty Ltd

Owner: Karinya Apartments

To determine Section 96 application 1364/04B which seeks consent to allow concrete delivery trucks during school drop off and pick up times.

**Recommendation:**

Approval.

GB.6    **1 Kintore Street, Wahroonga - Demolition & Erection of Seniors Living Development Comprising Four Dwellings**    **186**

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File: DA470/05

Ward: Wahroonga  
Applicant: The Turnbull Group Pty Ltd  
Owner: Robert Fechter

Independent town planning report for Council to consider in determining Development Application No 470.05.

**Recommendation:**

Approval.

GB.7    **Delegation of Authority - Mayor & Deputy Mayor**    **308**

.  
File: S02017

For Council to give consideration to granting Delegations of Authority to Mayor and Deputy Mayor.

**Recommendation:**

That the Delegations of Authority as set out in Attachment 'A' be granted to the Mayor, Councillor N Ebbeck and to the Deputy Mayor, Councillor A Andrew as set out in Attachment 'B'.

GB.8    **National General Assembly of Local Government 2006**    **313**

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File: S02133

For Council to determine its elected delegates to the 2006 National General Assembly of Local Government - "Pushing the Agenda".

**Recommendation:**

That Council determines if it wishes to send delegates to the 2006 National General Assembly of Local Government.



GB.9 **2006 Financial Assistance Grants to Community Groups** 332

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File: S03000

To advise Council of applications received from community groups for financial assistance in 2006, and to recommend to Council subsequent funding allocations.

**Recommendation:**

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

GB.10 **Northern Sydney Aboriginal Social Plan 2006 to 2010** 424

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File: S02581

To present to Council the draft Northern Sydney Aboriginal Social Plan 2006-2010 and seek Council's approval to place the Plan on public exhibition.

**Recommendation:**

That the draft Northern Sydney Aboriginal Social Plan 2006-2010 be placed on public exhibition for a period of 28 days. That Council receive a further report on the Northern Sydney Aboriginal Social Plan 2006-2010 after the Northern Sydney councils have completed their comment and community input period.

GB.11 **Election of Chairpersons/Deputy Chairpersons - 2006 to 2007 Committees & Advisory Committees** 530

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Files: S02080, S02110, S02355, S03447, S03448, S03449, S03816

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

**Recommendation:**

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

**GB.12 Representation on Community Committees/Organisations 535**

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File: S02355

For Council to make appointments to community committees/organisations.

**Recommendation:**

That Council make appointments to community committees/organisations as required and that the community committees and organisations be informed of Council's representatives.

**GB.13 Variation to Existing Offset Loan 538**

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File: S02722

To present to Council a proposal to vary an existing offset loan facility at its next rollover date.

**Recommendation:**

That Council accept the terms of the two variable loans as outlined in the report.

That the General Manager and Acting Director of Finance and Business be delegated to authorise all relevant documentation in relation to the establishment of the two variable loans and the repayment of the existing offset loans.

**GB.14 Investment Cash Flow & Loan Liability as at 31 August 2006 542**

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File: S02722

To present to Council investment allocations, returns on investments and details of loan liabilities for August 2006.

**Recommendation:**

That the summary of investments and loan liabilities for August 2006 be received and noted.

**GB.15 Open Space Grass Mowing Services - Preferred Tenderers**

**549**

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File: S02977

For Council to consider the appointment of preferred contractors to deliver grass mowing services for Northside and Southside Location Description Schedule areas of our local government area.

**Recommendation:**

That Council support the recommendations of this report in providing grass mowing services for the Northside Location Description Schedule and the Southside Location Description Schedule for a period of up to five years.

**GB.16 Business Centres Improvement Program**

**560**

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File: S02962

To seek Council's endorsement of the Business Centres Improvement Program for 2006 to 2009.

**Recommendation:**

That Council adopts the 2006 to 2009 Business Centres Improvement Program as attached to this report.

**GB.17 Lindfield Centre - Draft Built Form Controls for Precinct F (Drovers Way/Beaconsfield Parade/Gladstone Parade) & Precinct P (Wolseley Road/Treatts Road/Railway)**

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File: S04350

Report by Director Open Space & Planning - to be circulated separately.

**EXTRA REPORTS CIRCULATED AT MEETING**

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

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

**QUESTIONS WITHOUT NOTICE**

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

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

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

- C.1     **102 Rosedale Road, St Ives**  
*(Section 10A(2)(c) - Information that would confer a commercial advantage)*

File: P57397

Report by Director Open Space & Planning - to be circulated separately.

John McKee  
GENERAL MANAGER

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

**Section 79C**

*1. Matters for consideration - general*

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

*a. The provisions of:*

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

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

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

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## MAYORAL MINUTE

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### VALE DOUGLAS MCDONALD

On behalf of Ku-ring-gai Council, I would like to pay tribute to the life of Douglas William McDonald, who passed away on the 10th of September aged 85.

Douglas was a long-time Lindfield resident and served as an alderman on Council between 1972 and 1980, firstly representing Roseville ward and later Gordon ward.

He served with distinction in the Second World War as a member of the Australian merchant marine. Sailing in Operation Pedestal, his ship was sunk and he spent eight days on a raft in the Coral Sea as the sole survivor.

Douglas is known to many in our community for his keen interest in local government and Council affairs. He was a member of Council's finance committee and was highly regarded as an alderman who stood up for his local community and campaigned for better local facilities.

On behalf of Council, I offer Council's sincere condolences to Douglas's wife Beatrice and family.

### RECOMMENDATION

- A. That this Mayoral Minute be received and noted.
- B. That we stand for a minute's silence to pay respects to the life of Douglas McDonald.

Cr Nick Ebbeck  
Mayor

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## ROSEVILLE CENTRE - PRECINCT H REVISED ZONING CONTROLS

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To have Council consider and adopt the revised draft planning controls under the Roseville Centre plans for "Precinct H" being the area between Hill Street, Oliver Road and Roseville Avenue, Roseville.

**BACKGROUND:**

Council at its meeting of 22 August 2006 resolved that Precinct H remain at R3 – Medium Density Residential with the Mayor and General Manager to seek an urgent meeting with the Director General to put the case for retaining this rezoning given this small discrepancy on floor space ratio. If unsuccessful, the matter was to be brought back to Council.

**COMMENTS:**

The matter has been raised with the NSW Department of Planning and they have advised that no down zonings should occur in the Town Centres planning and therefore an R4 Residential High Density zone is recommended for this Precinct and that the Draft LEP be amended prior to the formal exhibition period.

**RECOMMENDATION:**

That Precinct H that covers part of Hill Street, Oliver Road and Roseville Avenue, Roseville be included in the Draft Local Environmental Plan (LEP) for the Roseville Centre as Residential High Density R4 with a maximum height of 5 storeys and a maximum floor space ratio (FSR) of 1.3:1. This is consistent with the Department of Planning's Section 54(4) notification and Section 55 direction and has been reconfirmed following Council's meeting with the Department on 11 September 2006.

## PURPOSE OF REPORT

To have Council consider and adopt the revised draft planning controls under the Roseville Centre plans for "Precinct H" being the area between Hill Street, Oliver Road and Roseville Avenue, Roseville.

## BACKGROUND

Council at its meeting held on 22 August 2006 considered the Officers Report for Precinct H:-

Precinct H is broadly bounded by Roseville Avenue, Hill Street and Oliver Road, and adjoins 2(c1) low density residential areas to the east. This Precinct (see **Attachment 1**) is predominantly zoned Residential 2(d), with the exception of the heritage listed property at 65 Hill Street zoned Business 3(b)-(B2).

Background from the officers report dated 22 August 2006 is provided below:

The row of Inter-War flat buildings at the northern end of Hill Street is a typical example of flat buildings of the period, which do not appreciably demonstrate the architectural styles they represent. This row of flat buildings is not considered to be of high heritage significance for their representative or aesthetic qualities.

The majority of the existing 2(d) sites have been developed for residential flat building purposes. In general, there is a low rate of unrealised development potential within the precinct.

Originally the Precinct was identified as suitable for an R3 Medium Density Residential zone to reflect the predominant existing uses and development capacity under the Minister's directive.

However, given the more recent Department of Planning Section 54(4) Notification (30 June 2006), an R4 zoning was recommended to avoid a potential down zoning of this precinct.

### Issues and opportunities

- Opportunity to adapt existing heritage item at 65 Hill Street for future use.
- Existing residential flat building under strata and company title unlikely to redevelop in the medium to long term.

### Final analysis and recommendations

No site specific built form controls have been prepared for this precinct as most sites have realised their full development potential. In general, building height limit of 5 storeys apply to R4 zone. The retention of the heritage listing for the property at 65 Hill Street with potential future adaptive reuse is proposed.

Council resolved on 22 August 2006 the following:-



Item 1

S04365  
18 September 2006

*That Precinct H remain at R3. The Mayor and General Manager to seek an urgent meeting with the Director General to put the case for retaining this rezoning given this small discrepancy on floor space ratio. If we are unsuccessful, the matter should be brought back to Council on 12th September.*

## COMMENTS

A meeting was held on Monday 11 September 2006 between the General Manager and the then Mayor Councillor Elaine Malicki and Senior staff of the Department of Planning.

It was Council's intention to seek to have this site remain at R3 medium density residential under the proposed Draft LEP with a maximum height of 3 storeys and FSR of 0.8:1. The current 2d zoning has a maximum height of 3 storeys and FSR of 0.85:1.

Senior staff from the Department of Planning advised that:

- No sites should be down-zoned as part of the development of the Town Centres LEP.
- The Director General's authorisation to Council to exhibit the Draft LEP is conditional upon the Draft LEP not down-zoning any sites.

The senior departmental staff agreed they would report this advice to the Director General to confirm he concurred with the above advice.

Further to the meeting between Council and the Department of Planning, it has now been confirmed that the Director General (see **Attachment 2** email dated 14 September 2006) is not supportive of any site being down-zoned as part of the development of the Town Centres LEP and his authorisation to Council to exhibit the Draft LEP remains conditional upon the Draft LEP not down-zoning any sites.

Therefore it is recommended that Precinct H be zoned Residential R4 – High Density and with an FSR of 1.3:1 and height of 5 storeys which is consistent with the Department of Planning's advice and the Minister's Section 55 Direction.

## CONSULTATION

A total of 136 landowners within this Precinct and the surrounds were notified by letter dated 15 September 2006 of this matter being discussed at the Planning Committee Meeting held on 19 September 2006 and the Council Meeting 26 September 2006. Details of the Planning Committee Agenda were posted on Council's website on 15 September 2006.

## FINANCIAL CONSIDERATIONS

Planning for the Town Centres is covered by the Urban Planning budget, there are no additional costs associated with addressing the matters raised in this report.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

An integrated planning approach has been adopted for the Roseville Centre – relevant Departments have been consulted throughout preparation of the Draft Plan.

### **SUMMARY**

The matter of an R3 Medium Density zone for this precinct has been raised with the NSW Department of Planning and they have advised that no down-zonings should occur in the Town Centres planning and therefore an R4 Residential High Density zone with an FSR of 1.3:1 and maximum height of 5 storeys is recommended for this Precinct and that the DLEP be amended prior to the formal exhibition period.

No site specific Draft DCP controls for this site have been prepared as it is unlikely that they will be redeveloped in the medium to long term.

### **RECOMMENDATION**

That Precinct H in the Roseville Centre be exhibited in the Draft Ku-ring-gai (Town Centres) Local Environmental Plan – Amendment No 3 (as adopted by Council on 22 August 2006) within R4 Residential High Density with a maximum floor space ratio of 1.3:1 and maximum height of 5 storeys.

Antony Fabbro  
**Manager Urban Planning**

Steven Head  
**Director Open Space & Planning**

**Attachments:**

- 1. Map of Precinct H - 672442**
- 2. Email from Department of Planning dated 14 September 2006 - 672446**

ATTACHMENT  
ROSEVILLE PRECINCT H PLAN



**Attachment 2 email Department of Planning 14 September 2006**

From: Peter Goth [<mailto:Peter.Goth@planning.nsw.gov.au>]  
Sent: Thursday, 14 September 2006 11:56 AM  
To: John McKee; Steven Head  
Cc: Norma Shankie-Williams  
Subject: Meeting RE Precint H, Roseville

Dear Mr McKee

Further to the meeting between Mayor Malicki, yourself, and the Director-General's delegate, Ms Shankie-Williams, I have confirmed with the DG the position indicated by Ms Shankie Williams with regard to the proposed rezoning in Roseville.

The Director-General is not supportive of any site being down-zoned as part of the development of the Town Centres LEP and his authorisation to Council to exhibit the draft LEP remains conditional upon the draft LEP not down-zoning any sites.

Peter Goth  
Regional Director, Sydney North West  
Department of Planning  
Level 6, Tower 2  
Lawson Square, Redfern

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Item 2

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	42A & 50 HASTINGS ROAD, WARRAWEE - SEPP (SENIORS LIVING) DEVELOPMENT
<b>WARD:</b>	Wahroonga
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	11/06
<b>SUBJECT LAND:</b>	42A & 50 Hastings Road, Warrawee
<b>APPLICANT:</b>	Mr D Sutton (Winter Group Architects)
<b>OWNER:</b>	Mr J Laws
<b>DESIGNER:</b>	Winter Group Architects
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2(C2)
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	Housing for older people and people with a disability (Seniors Living) 2004
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP (Seniors Living) 2004, SEPP 55, SREP 20
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	9 January 2006
<b>40 DAY PERIOD EXPIRED:</b>	18 February 2006
<b>PROPOSAL:</b>	SEPP (Seniors Living) Development
<b>RECOMMENDATION:</b>	Approval

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**DEVELOPMENT APPLICATION N<sup>o</sup>** 11/06  
**PREMISES:** 42A & 50 HASTINGS ROAD, WARRAWE  
**PROPOSAL:** SEPP (SENIORS LIVING) DEVELOPMENT  
**APPLICANT:** MR D SUTTON (WINTER GROUP ARCHITECTS)  
**OWNER:** MR J LAWS  
**DESIGNER:** WINTER GROUP ARCHITECTS

**PURPOSE FOR REPORT**

To determine Development Application No 11/06 which seeks consent for the demolition of an existing dwelling and a detached garage and construction of 6 new dwellings to constitute total of 7 SEPP (Seniors Living) dwellings.

**EXECUTIVE SUMMARY**

Issues:	Preservation of heritage significance, streetscape and tree protection
Submissions:	Twenty six objections received
Land & Environment Court Appeal:	N/A
Recommendation:	Approval

**HISTORY**

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

**Development application history**

9 January 2006	Application lodged
17 January 2006	Letter sent to applicant requesting documentary evidence of a drainage easement and further information regarding existing trees
30 January 2006	Letter sent to applicant requesting: <ul style="list-style-type: none"><li>• that the provisions of the <i>Senior Living Policy: Urban Design Guideline for Infill Development</i> be addressed</li><li>• demonstration that the existing dwelling (Dwelling No.7) to be retained is suitable for seniors living</li><li>• that documentary evidence be provided to prove that the adjoining property owner(s) have agreed to purchase and amalgamate the access</li></ul>

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handle, which serves 42A Hastings Road into their properties and was initially proposed to be amalgamated into one of the neighbouring properties.

27 January 2006 to 26 February 2006	Neighbour notification period
13 February 2006	Letter sent to applicant requesting a Statement of Heritage Impact (SoHI)
16 February 2006	Reply from Winter Group Architects P/L to Council's letter of 30 January 2006 (the provisions of the <i>Senior Living Policy: Urban Design Guideline for Infill Development</i> are addressed; the existing dwelling is found to comply with SEPP (Seniors Living) 2004; the access handle to be included in the development instead of being amalgamated into adjoining property)
22 February 2006	Reply from Winter Group Architects P/L to Council's letter of 13 February 2006 (Statement of Heritage Impact submitted)
28 February 2006	Reply from Winter Group Architects P/L to Council's letter of 17 January 2006 (further information regarding existing trees submitted)
6 March 2006	Letter sent to applicant raising landscape issues and requesting amended landscape plan and stormwater management plan
29 March 2006	Reply from Winter Group Architects P/L to Council's letter of 6 March 2006 (amended architectural, landscape and stormwater plans submitted)
30 March 2006	Meeting held with the applicant to discuss unresolved issues including: <ul style="list-style-type: none"> <li>• use of the access handle for 42A Hastings Road</li> <li>• provision of sufficient open space for Dwelling No. 4</li> <li>• relocation of Dwelling No 1 away from Tree No 16 (Himalayan Cedar)</li> </ul>
19 April 2006	Reply from Winter Group Architects P/L to Council's letter of 30 March 2006 (amended site and floor plans submitted)
23 May 2006	Letter sent requesting applicant: <ul style="list-style-type: none"> <li>• to address further landscape issues</li> <li>• to relocate the garbage bin area within the site and away from the adjoining property at 46 Hastings Road</li> <li>• to delete security gates for garbage collection vehicles</li> <li>• to delete the passing bay within the access handle to retain the existing vegetation and the streetscape</li> <li>• to provide adequate setback and screen planting for the amenity of 42 and 44 Hastings Road</li> </ul>

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- to retain all existing vegetation along the access handle to maintain the heritage significance of the street
- 9 June 2006      Reply from Winter Group Architects P/L to Council's letter of 23 May 2006 (amended site analysis, floor and landscape plans submitted)
- 11 July 2006      Letter sent requesting applicant to address landscape issues, particularly the Himalayan Cedar within the proposed common open space
- 19 July 2006      Meeting held with the applicant to discuss the tree issues:
  - relocation of Dwellings Nos 1 and 2 away from Tree No 16 (Himalayan Cedar)
- 9 August 2006      Reply from Winter Group Architects P/L to Council's letter of 11 July 2006 and meeting of 19 July 2006 (amended site analysis, architectural and landscape plans submitted)
- 17 August 2006 to 31 August 2006      Second neighbour notification period to advise of amendments including:
  - location change for Dwelling No 1
  - that Dwelling No 2 has been combined with Dwelling No 3

## THE SITE AND SURROUNDING AREA

### The site

Zoning:	Residential 2(C)
Visual Character Study Category:	Pre 1920
Lot Number:	Lot 101, DP 236140 & Lot 42, DP 540866
Area:	4907m <sup>2</sup> including access handles (approximately 4179m <sup>2</sup> excluding access handles)
Side of Street:	Southern
Cross Fall:	south-west to north-east corner
Stormwater Drainage:	to street drainage system
Heritage Affected:	No (within UCA 23)
Required Setback:	N/A
Integrated Development:	No
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

## SITE DESCRIPTION



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**The site**

The subject site comprises Lot 42 in DP 540866 and Lot 101 in DP 236140, known as 42A and 50 Hastings Road, Warrawee, respectively. Both allotments are battle-axe in shape and have access handles to the southern side of Hastings Road. Excluding the access handles, the site gently falls from the south-western corner to the north-eastern corner by approximately 2.5m.

Lot 42 in DP 540866 (42A Hastings Road) has an area of 1581m<sup>2</sup> including access handle (1300.73m<sup>2</sup> excluding access handle), with a frontage of 4.57m to Hastings Road. This allotment currently contains a two storey dwelling and a detached triple garage. An inground swimming pool is located in the rear portion of the site and a tennis court in the front. Vehicular access is provided by a sealed access handle off Hastings Road which is located immediately to the east of 42 Hastings Road.

Lot 101 in DP 236140 (50 Hastings Road) has an area of 3326m<sup>2</sup> including access handle (approximately 2879m<sup>2</sup> excluding access handle) with a frontage of 8.115m to Hastings Road. This allotment is currently occupied by a two storey dwelling located centrally, with a detached four car garage in the south-western corner. An inground swimming pool is located adjacent to the south-eastern corner. Mature trees and shrubs exist along the boundaries. Vehicle access from Hastings Road is over the existing bitumen driveway within the access handle adjoining 50A Hastings Road to the west and 46 Hastings Road to the east. Significant vegetation exists either side of the access handle. The access handle is approximately 54.985m in depth.

**The surrounding area**

The neighbouring properties between the two access handles of the subject site (i.e. Nos. 42, 44 and 46 Hastings Road) contain dwellings houses. The dwellings provide very generous building line setbacks from the street, with well established gardens within the front setback area. Large trees are located adjacent to the front boundary and dominate the streetscape.

The immediate locality is categorised as pre 1920 under the Ku-ring-gai Council Visual Character Study and contains numerous local heritage items, including 52, 52A 55 and 59 Hastings Road.

**THE PROPOSAL**

The proposal is for consolidation of the two existing allotments, the retention of the existing dwelling at 42A Hastings Road and the demolition of the existing dwelling and associated structures on 50 Hastings Road as well as the detached garage and tennis court on 42A Hastings Road.

The proposal includes construction of six new dwellings to constitute a total of seven SEPP seniors living dwellings. Vehicular access will be via the existing 8.115m wide access handle, adjoining 46 Hastings Road to the east. The other, narrower, access handle, adjoining 40 Hastings Road to the east, is to be given over to landscaping.

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Each new dwelling will comprise an entry, porch, 3 bedrooms, living room, kitchen, dining room, family room, bathroom, ensuite, laundry and double garage. The existing dwelling on 42A Hastings Road is to retain its current layout.

The proposal is defined as 'In-fill self-care housing' under SEPP (Seniors Living) 2004.

## CONSULTATION - COMMUNITY

### Original scheme dated 9 January 2006

In accordance with Council's Notification DCP, owners of surrounding properties were given notice of the application.

In response, twenty six letters were received from the following:

1. *Ingham Planning P/L, on behalf of nominated neighbouring residents (*
  - *Mr and Mrs Sears at 52 Hastings Road,*
  - *Mr and Mrs Croft at 54 Hastings Road,*
  - *Mr and Mrs Scott-Waine at 67 Brentwood Avenue,*
  - *Mr and Mrs Brentnall at 37 Hastings Road,*
  - *Mr and Mrs Murphy at 42 Hastings Road,*
  - *Mr and Mrs Browning at 46 Hastings Road,*
  - *Mr and Mrs Horsburgh at 44 Hastings Road,*
  - *Mr and Mrs Denning at 40 Hastings Road,*
  - *Mr and Mrs Riley at 51 Hastings Road,*
  - *Mr and Mrs Traill at 63 Hastings Road,*
  - *Mr and Mrs Wallis at 43 Hastings Road,*
  - *Mr and Mrs Cameron at 41 Hastings Road,*
  - *Mr and Mrs Knox at 22 Hastings Road,*
  - *Mr and Mrs Martin at 61 Hastings Road,*
  - *Mr and Mrs Kirkham at 35 Hastings Road,*
  - *Mr and Mrs Cahill at 55 Hastings Road,*
  - *Mr and Mrs Dennis at 36 Hastings Road,*
  - *Mr and Mrs Wallace at 34 Hastings Road,*
  - *Mr and Mrs Pointer at 5 Warrawee Avenue).*
2. *G & S Webb at 32 Hastings Road*
3. *A & G Kearns at 52A Hastings Road*
4. *S & K Murphy at 42 Hastings Road*
5. *K Jelley at Warrawee Avenue*
6. *R & A Traill at 63 Hastings Road*
7. *W Sears at 52 Hastings Road*
8. *P Sears at 52 Hastings Road*
9. *R & A Croft at 54 Hastings Road*
10. *P Carr at 20 Bangalla Street*
11. *K & J Wallis at 43 Hastings Road*

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12. P & M Cameron at 41 Hastings Road
13. S & D Riley at 51 Hastings Road
14. M Pryce at 69 Hastings Road
15. H & J Denning at 40 Hastings Road
16. J & H Horsburgh at 44 Hastings Road
17. I & C Dennis at 36 Hastings Road
18. J & Scott-Waine at 67 Brentwood Avenue
19. B Inder at Pibrac Avenue
20. D Browning at 46 Hastings Road
21. D Cahill at 55 Hastings Road
22. L Hordern at 59 Hastings Road
23. M Hordern at 59 Hastings Road (2 submissions)
24. D & N Gates at 2 Pibrac Avenue
25. E Hudson at 25 Pibrac Avenue

The submitters made the following comments:

***Unnecessary loss of trees and a lack of deep soil areas to maintain treed landscape character, particularly in the north-eastern portion of the site***

Council's Landscape Development Officer now supports the application. In response to concerns raised by Council's LDO, the applicant amended their plans to relocate Dwelling No 1 and 2 in order to preserve the significant tree within the community open space (Tree No 16, Himalayan Cedar). Refer to Landscape Development Officer's comments below.

The proposal is also abundantly compliant with the deep soil area requirement of the SEPP (Seniors Living) 2004 by providing 36% of the site area for this purpose, whereas the SEPP only requires 15% of the site area.

***Excessive built upon area in the locality and insufficient building separation, particularly in the north-eastern portion of the site***

The proposed total built upon area is 57.1%, which complies with the KPSO maximum of 60%.

No minimum setback from boundaries or between buildings for seniors living dwellings is specified in SEPP (Seniors Living) 2004, KPSO or Council's Housing for Older People and People with a Disability. Nevertheless, the setbacks from boundaries are between 1.6m and 3.823m which are sufficient to maintain a sense of openness and enable landscaping between boundaries and dwellings.

The proposal will be comparable to the surrounding properties in terms of side setbacks. The existing dwellings on the adjoining sites provide an average setback of between 2 and 3m to the side boundaries. Some building components are built to the boundaries (e.g. garages at Nos 40 and 42 Hastings Road).

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The separation distances vary between dwellings and are adequate to ensure that the dwellings do not read as a continuous structure and will not result in undue privacy or overshadowing impacts.

Dwellings 2 and 3 have been combined to preserve the Himalayan Cedar. These dwellings are single storey, with adequate setbacks to accommodate landscaping.

***Visual and acoustic privacy***

Ingham Planning P/L and the owners of 36, 42, 44 and 46 Hastings Road contend that Dwelling 1, 2, 3 and 4 are elevated approximately 1m above existing ground and therefore, are likely to overlook the habitable rooms and outdoor entertaining areas of Nos 36, 42 and 44 Hastings Road.

However, these are all single storey dwellings. Moreover, the submitted plans indicate that the FFLs of Dwellings 3 and 4 will be no higher than 200mm above the existing tennis court level which is acceptable provided that 3m high screen planting along the boundary is established as proposed to maintain a reasonable degree of privacy. The FFL of Dwelling 1 will also not be higher than 200mm above the existing ground level.

The FFL of Dwelling 2 will be approximately 1m above the existing ground level. To minimise any potential privacy impact on the private open space of Nos 42 and 44 Hastings Road, the applicant has re-designed this dwelling by relocating the main living room with pergola from adjacent to the northern boundary to the west. This re-design will allow an outlook towards the communal landscaped open space from the family room, rather than overlooking onto the adjoining neighbours' private open space.

***Dwelling orientation***

Ingham Planning P/L on behalf of the nominated neighbouring residents contends that Dwellings 5 and 6 do not provide sunny private open space off their primary living areas.

It should be noted that private open space refers not only to roofed terrace areas but also to any open area of land which can be suitably used for outdoor living activities by the occupants of a dwelling.

In addition to roofed terraces to the south, both Dwellings 5 and 6 have another open space area on their northern aspect. Each of these provides an area greater than 15m<sup>2</sup>. This complies with SEPP (Seniors Living) 2004 and Council's Code for Housing for Older People and People with a Disability.

The living and dining rooms for Dwellings 5 and 6 are oriented north and will receive adequate solar access.

***Access to public transport***

Ingham Planning P/L also comments that there is no public transport service within 400m of the site, other than Warrawee Railway Station, which does not provide a wheelchair access facility.

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Clause 25 of SEPP (Seniors Living) 2004 provides that:

- (1) A consent authority must not consent to a development application made pursuant to this Chapter unless the consent authority is satisfied, by written evidence, that residents of the proposed development will have access that complies with subclause (2) to:*
  - (a) shops, banks and other retail and commercial services that residents may reasonably require, and*
  - (b) community services and recreation facilities, and*
  - (c) the practice of a general medical practitioner.*
- (2) Access complies with this clause if:*
  - (a) the facilities and services referred to in subclause (1) are located at a distance of not more than 400 metres from the site of the proposed development and the overall average gradient along the distance is no more than 1:14, although the following gradients along the distance are also acceptable:*
    - (i) a gradient of no more than 1:12 for slopes for a maximum of 15 metres at a time,*
    - (ii) a gradient of no more than 1:10 for a maximum length of 5 metres at a time,*
    - (iii) a gradient of no more than 1:8 for short distances of no more than 1.5 metres at a time, or*
  - (b) in the case of a proposed development on land zoned primarily for urban purposes in a local government area within the Sydney Statistical Division—there is a public transport service available to the residents who will occupy the proposed development:*
    - (i) that is located at a distance of not more than 400 metres from the site of the proposed development, and*
    - (ii) that will take those residents to a place that is located at a distance of not more than 400 metres from the relevant facilities or services, and*
    - (iii) that is available both to and from the proposed development at least once between 8am and 12pm per day and at least once between 12pm and 6pm each day from Monday to Friday (both days inclusive), or*

Wheelchair access to transport is not a requirement under SEPP (Seniors Living) 2004. The subject site is considered suitable for a Seniors Living development as it is located approximately 200m from Warrawee Railway Station which affords rail access for occupants of the proposed dwellings to another station that is located at a distance of not more than 400m for the relevant facilities or services more frequent than the required minimum.

An access report prepared by ILC Access was also submitted with the application and demonstrates that the development complies with access requirements.

***Heritage significance of the locality***

The proposal is situated within a draft urban conservation area and within close proximity of two local heritage items.

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The proposed development is supported by Council's Heritage Advisor, with a recommendation to retain the existing bitumen driveway and vegetation over the access handle to maintain the streetscape. **(Refer to Condition 5).**

***Traffic safety, traffic volume and on-street car parking in Hastings Road, especially at school drop-off and pick-up times***

Some of the objectors contend that Hastings Road is already too narrow and dangerous and that the proposed development will exacerbate this.

Council's Development Engineer considers that the traffic impact will be acceptable. The development is not likely to generate undue additional traffic and therefore is unlikely to cause undue traffic impact on Hastings Road.

Aged and disabled persons housing developments are known to generate 2 vehicle trips per dwelling per day or 0.2 vehicle trips per dwelling during evening peak hour, according to RTA guidelines "*Guide to Traffic Generating Developments*". This will result in a total of 14 vehicle trips per day or 1.4 vehicle trips during evening peak hour from the proposed development.

Even if the proposal was for medium density town houses and not a SEPP (Seniors Living) development as proposed, traffic generation rates would still be acceptable. The RTA guide indicates that town houses containing 3 or more bedrooms are likely to generate 5.0 to 6.5 vehicle trips per dwelling per day or 0.5 to 0.65 vehicle trips per dwelling during evening peak hour. This adds up to a total of 35 to 45.5 vehicle trips per day or 3.5 to 4.55 vehicle trips during evening peak hours for the proposed 7 dwellings. Vehicle generation rates would be less all other times.

Council's Development Engineer confirms that traffic generation to this degree could be absorbed into the surrounding road network with negligible impacts on traffic flow and safety.

Evening peak hour is between 4.30 and 5.30pm on weekdays, according to the RTA guide. This does not conflict with school drop-off and pick-up times which are between 8.00 and 9.30am in the morning and between 2.30 and 4.00pm in the afternoon. The proposal will not unduly impact on safety of school children from Knox Grammar School located north-west of Warrawee Station, if normal duty of care is observed by drivers.

As a comparative example, this confirms the acceptability of the proposed SEPP (Seniors Living) development in relation to traffic flow and safety.

With respect to car parking spaces and access, the development provides a double garage for each dwelling and two additional parking spaces for visitors. A 3m wide driveway, with a pedestrian pathway alongside, is also provided. The development complies with the parking and access requirements of SEPP (Seniors Living) 2004.

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***Density or overdevelopment which will not be compatible with the existing environmental character of the locality***

Seniors living development on the subject site is permissible under SEPP (Seniors Living) 2004 and the proposed development will not have undue impact on the existing street character of the locality due to it being located on battle-axe allotments and set behind surrounding development.

The development complies with the maximum FSR requirement of 0.5:1 under SEPP (Seniors Living) 2004. The proposed FSR is 0.34:1, which is well below the specified maximum. This is comparable to the maximum FSR provided under Council's DCP 38 for single dwelling development. The proposal is not an overdevelopment of the site.

***Waste management and garbage collection***

The development provides an internal garbage storage area in an accessible location which complies with SEPP (Seniors Living) 2004. Garbage collection will be undertaken within the property. Council's Development Engineer is satisfied with the location of the garbage collection point.

***The proposed dwellings are not economically viable to attract downsizing elderly residents***

This is not a relevant planning consideration and relates to market demands.

***Decrease in land values and creation of precedent if the development proceeds***

Impact on land values is not a relevant Section 79C consideration. The approval of any DA does not create a legal precedent. All DAs are assessed against the relevant planning instruments on a case by case basis.

***Drainage and seepage***

Council's Development Engineer confirms that the stormwater management plan is satisfactory.

***Excessive construction impact including noise, dust and construction vehicles***

Appropriate conditions are recommended to ensure that environmental and neighbourhood impacts are minimised during the construction phase. **(Refer to Conditions 7, 20, 23, 53 and 83)**

**Amended plans dated 9 August 2006**

The amended plans were notified to No 42, 44 and 46 Hastings Road from 17 to 31 August 2006. These properties would be the only sites potentially impacted by the proposed modifications. One submission was received:

1. *J & H Horsburgh at 44 Hastings Road*

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The submission in response to the amended plans essentially repeats the same issues raised under the initial notification period, except for the following:

***Two trees (Acer Negundo & Camellia) are not shown on the plan and assumed to be removed due to construction of Dwelling 2***

Acer Negundo (Box Elder) is considered a noxious weed species and its removal is recommended by condition. **(Refer to Condition 107)**

The Camellia was assessed by Council's Landscape Assessment Officer who supports removal of this tree on the basis that it is not visually significant.

***Amalgamation of Dwellings 2 and 3 will result in negative visual impact for 42 and 44 Hastings Road.***

Dwelling 2 and 3 will present as a 28.5m long building when viewed from Nos 42 and 44. However, the building will not have an undue bulk impact on the neighbouring properties to the north. The building is only single storey and the northern wall is substantially relieved, with a number of recessions and different wall heights. The proposed screen planting along the boundary will also soften the built form of Dwellings 2 and 3.

## **CONSULTATION - WITHIN COUNCIL**

### **Heritage**

On the basis that the site is within Draft Urban Conservation Area No 16, Council's Heritage Advisor, Paul Dignam, has reviewed the Development Application. His comments are as follows:

#### ***“Existing built elements on site***

*The existing house at No 50 Hastings Road is set on a large lot, with a mature garden and tennis court. The building is a two storey Inter War house that has been remodelled at least once and possibly several times. It has little aesthetic significance and the history is unknown. I do not object to demolition. I do not recommend archival recording before demolition.*

*The house at 42a Hastings Avenue is a recent house set back along a long access handle. It has no heritage value but is to be retained and incorporated within the proposed development.*

#### ***Heritage items within the vicinity of the subject site***

*There is a number of individual heritage items within the vicinity, but the only items potentially affected by the proposed development are Nos 50 and 52a Hastings Road.*



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*“Cheddington” at 52 Hastings Road is a large Federation house designed by the noted architect Horbury Hunt c 1890 in the American “shingle” style. It has potential State heritage significance. The house is not sited with reference to the road and is separated from the subject site by an access handle and relatively dense vegetation which provides good screening. The item has been subdivided since its construction. In my opinion, there would be no appreciable heritage impacts on the heritage item.*

*“Mandalay” at 52a Hastings Road is also close to the site and is also located on a battle axe lot and separated by a driveway and substantial tree screening. In my opinion, this development would not cause significant heritage impacts and I have no objection to it.*

**UCA**

*The site is within the National Trust UCA No 23, which is graded as state significant. It contains a large number of individual heritage items, some are by noted architects and some have state significance. It is worth noting that this precinct was the first UCA classified by the National Trust as early as 1978 and its overall heritage values have been retained with no intrusive development.*

*The subject site is graded as non-contributory. There is little impact on the UCA, as the development is located on a battle axe site, with no visual connections to the street and is separated from other properties in the area by tree screening and some distance. In addition, surrounding houses are generally large and set in mature gardens set on generous sized lots. However, I recommend that the existing gravel drive along the access handle should be retained as it does contribute to the overall character and heritage significance of the UCA.*

**Conclusions and recommendations**

*The proposed application is supported. I recommend that the existing bitumen access handle should be retained in the development on streetscape and heritage grounds.”*

**Condition No. 5** is recommended to ensure that the exiting streetscape is maintained by way of retaining the existing bitumen driveway and vegetation along.

**Landscaping**

In respect of the original proposal, Council’s Landscape Officer raised the following issues:

*“This application is not supported at this stage for the following reasons:*

- *a site plan should be provided showing those areas included in the deep soil zone calculations.*
- *the footprints of Houses 1 and 2 should be reduced to ensure there is at least a 2 metres setback between them and the edge of the tree’s (Himalayan Cedar) 22 metres canopy spread.*

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- *the ‘existing pool’ for House 7 is to be correctly shown on all architectural, stormwater and landscape plans.*
- *the passing bay/driveway opposite House 1 should be reduced to 5.5 metres width to provide additional space for boundary screen planting along the site’s western boundary.*
- *a total of 23 canopy replenishment trees are required and the 3 trees proposed close to the large Cedrus deodara (Himalayan Cedar) are to be relocated.*
- *at least 25% of all proposed tree and shrub plantings, including canopy replenishment trees, are to be selected from the Blue Gum High Forest species list to meet the biodiversity content for the site.*
- *the conflict between the stormwater detention tank and landscape plantings is to be addressed.”*

After a number of meetings and negotiations, the applicant has amended their plans to resolve the above issues. Dwelling Nos 1 and 2 have been moved further away from Tree 16 (Himalayan Cedar). Dwelling No 2 has been combined with Dwelling No 3 as a result.

Accordingly, Council’s Landscape Officer now supports the application, subject to conditions:

*“An inspection of the property was conducted on 20th February, 2006. Amended plans were received at Council on 1<sup>st</sup> March, 30<sup>th</sup> March, 20<sup>th</sup> April, 9<sup>th</sup> June and 9<sup>th</sup> August 2006.*

***Removal/impact upon trees***

*Removal of the following 15 trees, identified according to the Tree Report, prepared by Treescan and dated December 2005, for construction of the proposed development is supported:*

- *T3 – Pittosporum undulatum (Sweet Pittosporum), of 7 metres height and poor condition due to borer infestation, is located near the Hastings Road entrance.*
- *T10 – Brachychiton acerifolius (Flame Tree), of 12 metres height and poor condition, is located adjacent to the site’s western boundary immediately south of T9 – Syncarpia glomulifera (Turpentine). Proposed replacement of the Flame Tree with 1 Angophora costata (Sydney Red Gum) is supported.*
- *T13 – Ulmus procera (English Elm), of 15 metres height 15 and healthy condition, is located between the northern boundary and the proposed House 1 site. This tree consists of 2 co-dominant trunks that have formed a tight inclusion to 1 metre above ground. Many suckers have arisen from the tree’s root system.*
- *T14 - Cedrus deodara (Himalayan Cedar), of 16 metres height and healthy condition although of suppressed form due to its proximity to T16 is located within the proposed House 1 site.*
- *T17 – Franklinia axillaris (Gordonia), of 7 metres height and healthy condition although of suppressed form due to its location beneath the canopy of T16 – Cedrus*

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*deodara (Himalayan Cedar). This tree is located close to the western edge of the proposed House 2 site.*

- *T18 – Chamaecyparis obtusa 'Crippsii' (Golden Cripps Cypress), of 10 metres height and fair condition due to water stress, is located within the proposed House 2 site.*
- *T19 – Platanus x hybrida (Plane Tree), of 10 metres height and poor condition, is located between the sites for proposed Houses 2 and 3.*
- *T20 – Jacaranda mimosifolia (Jacaranda), of 10 metres height and near dead, is located between the sites for proposed Houses 2 and 3.*
- *T21 – Acer palmatum (Japanese Maple), of 5 metres height and very poor condition due to sunscald, is located within the driveway area forward of the garage of proposed House 3.*
- *T24 – Nyssa sylvatica (Tupelo), of 10 metres height and poor condition is located close to the rear of the proposed double garage site for House 7. This tree's canopy was unusually sparse when inspected and could be suffering severe water stress.*
- *The future of T26 - Ulmus parvifolia (Chinese Elm), of 8 metres height, 30 metres canopy spread and healthy condition is doubtful due to a decaying 0.5 metre inclusion at its main fork. This tree is located north of House 7 (existing) and within 3 metres of proposed House 4. This tree has been omitted from the Tree Report. This species has a tendency to be weak at trunk junctions and is prone to breaking open due to the terminal load of branches.*
- *Trees 2, 8 and 17A are to be removed due to their exempt and noxious plant status.*
- *T15 – Syzygium paniculatum (Brush Cherry), of 8 metres height and poor condition, was originally proposed for retention and included in the landscape arrangement for the site. This tree is now shown to be replaced by a Eucalyptus pilularis (Blackbutt) on Rev. C of the landscape concept plan although it should be replaced by the Elaeocarpus reticulatus (Blueberry Ash) shown adjacent to the site's northern boundary and at the north-eastern edge of T16 - Cedrus deodara (Himalayan Cedar) canopy.*

*T16 – Cedrus deodara (Himalayan Cedar), of 18 metres height and approximate 22 metres canopy spread is multi-trunked. Both Houses (1 and 2) have been successfully reduced back 11 metres radius from the centre of the tree's bole (trunk base) and the retaining wall has been deleted to avoid cut and fill within its root zone.*

*Pruning of T22 – Liquidambar styraciflua (Liquidambar), to accommodate proposed House 4, is supported.*

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***Landscape plan***

*The following changes on the amended landscape concept plan: Dwg No 05186DA1-5 Rev. C prepared by Vision Dynamics and dated 31.5.06 for the site are supported:*

- *the passing bay has been deleted from the access handle.*
- *the garbage bin storage area has been relocated against the eastern wall of the garage of House No 5 which is central to all dwellings.*
- *the security gates have been deleted.*

*The parking bay adjacent to the double garage for House 7 has been deleted on landscape concept plan 05186DA1/5 Rev. D and dated 8.8.06 to agree with architectural Dwg No 20503 DA02 Rev. F prepared by Winter Group and dated 29/05/06.*

***Canopy replenishment trees***

*The landscape plan, including the access handle, retains the following 7 existing canopy trees:*

- *3 prominent Lophostemon confertus (Brushbox) – T 5, 6 & 11 and 1 Syncarpia glomulifera (Turpentine) – T9, of 18 metres height and healthy condition are located adjacent to the site's western boundary including the access handle – well clear of any proposed dwellings.*
- *1 prominent multi-trunked Cedrus deodara (Himalayan Cedar) – T16, of 17 metres height and healthy condition, is located near the site's northern boundary. This tree is currently located within an orbicular shaped garden that protects a moderate portion of its root zone. No soil level changes are to occur in forming the lawn within the community open space beneath this tree's canopy. All work is to be carried out by hand and no roots are to be severed or damaged.*
- *2 smaller trees: 1 Juniperus sp. (Juniper) – T23 of 12 metres height and 1 Liquidambar styraciflua (Liquidambar) – T22 of 13 metres height are located near the site's southeastern corner. These trees were assessed as being in fair condition at the time of inspection.*

*The subject site of 4,907 square metres area, including the 8.2 metres wide access handle, is required to support a minimum number of 23 canopy replenishment trees. As the site supports 7 canopy trees proposed for retention within the development a minimum number of 16 additional canopy trees are required.*

*Revision D of the landscape concept plan includes well in excess of the minimum 25% or 4 canopy replenishment trees from the Blue Gum High Forest species list that will strengthen the endemic tree canopy of the locality. Twenty six trees are proposed on Revision D, however, 1 Allocasuarina torulosa (Forest Oak) proposed within 3 metres of the south-eastern corner of House 3 is to be relocated to replace 1 Eucalyptus paniculata (Grey*

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*Ironbark*) close the north-eastern corner of the same house. One *Syncarpia glomulifera* (Turpentine) proposed 0.5 metre from a retaining wall to the north-western corner of House 6 and beneath the southern edge of the canopy of 1 *Lophostemon confertus* (Brushbox) located close to the western boundary is to be located between Houses 4 and 7.

Screen planting

Proposed boundary screen plantings of *Camellia japonica* (Japanese Camellia), *Camellia sasanqua* (Chinese Camellia), *Murraya paniculata* (Orange Jessamine) and *Viburnum odoratissima* (*Viburnum*) are satisfactory although their screening height should be increased to 3 metres close to houses and 4 metres along boundaries well clear of houses.

The existing bushy character of the access handle should be retained. Therefore, a passing bay at the Hastings Road entrance and opposite House No.1 would suffice. Only noxious plants/weed species and trees/shrubs in poor condition are to be removed from the access handle. Additional planting is not to result in the wholesale removal of existing vegetation from the access handle.

Deep soil area

The deep soil calculations are satisfactory on the deep soil area plan as retaining walls at the rear of Houses No. 5 and 6 are now located along the southern boundary. The retaining wall at the rear of Houses 5 and 6 on the Landscape Plan now agrees with the deep soil area plan.

Basix certification

Landscape plantings for subject site include well in excess of the 75 square metres of indigenous or low water use species of vegetation required to comply with the Basix Certificate.

**Stormwater drainage**

Proposed stormwater infrastructures have been located at or beyond the perimeter of existing tree canopies, with the exception of 1 stormwater line through the primary root zone of T22 – *Liquidambar styraciflua* (*Liquidambar*) which has been satisfactorily relocated adjacent to the western perimeter of House 4.

The stormwater pits should be positioned centrally along the driveway rather than partially within the designated footpath as the grates would be a potential pedestrian hazard. Council's Development Control Engineer: Kathy Hawken agrees with this suggestion.

*This application is supported, subject to conditions."*

Appropriate landscape conditions of consent are recommended. (refer to Conditions 57-66, 77-78, 85-90, 106-109)

**Engineering**

Council's Development Engineer has commented as follows:

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*The application is for the demolition of the residence at No. 50 Hastings Road and the construction of six new dwellings. The existing house and swimming pool at 42a Hastings Road are to be retained and incorporated into the development.*

*Vehicular access is proposed from Hastings Road via the western battleaxe handle.*

*Strata subdivision is indicated on the application form, although the Draft Strata Plan Winter Group drawing 20503 DA05 Revision A shows the panhandle to 42a Hastings Road being added to No. 42, which I understand is not proposed at this stage.*

*The documentation used for the assessment was:*

*The Turnbull Group Statement of Environmental Effects dated December 2005;  
Bee & Lethbridge Pty Limited survey plan 12584 dated Dec '04;  
Winter Group architectural drawings 20503DA01 to DA04, all Rev.A;  
MYD Consulting Engineers stormwater concept plans, P934 Sheets SW-01 to -02, all Rev B;  
ILC Access Audit dated 22 December 2005;  
BASIX Certificates 44984S, 44987S, 44989S, 44991S, 44992S, 44996S.*

**Water management**

*The properties have gravity drainage to Hastings Road via the access handle to No. 42a. If this handle is proposed to be sold to the owner of 42 Hastings Road, then a drainage easement will have to be created over the pipe. A development application would be required for the boundary adjustment, since the areas of the lots would vary by more than 10%, and there would be an impact on drainage rights. The easement would be created at the time of re-subdivision.*

*The application was lodged on 9 January and is accompanied by a BASIX Certificate. The dwellings have been assessed as individual houses, not a multi-unit development. There does not seem to be any reason why this would not be acceptable. The existing dwelling has not been assessed.*

*The BASIX water commitments require the installation of water-saving fixtures as well as the provision of rainwater tanks, between 2000 litres and 3000 litres, for each new dwelling, for garden irrigation only. The BASIX assessment gives a water score of 40%, so this limited re-use must be accepted.*

*The stormwater plan also shows an on site detention tank beneath the shared driveway. The volume provided is 135m<sup>3</sup>, which corresponds to the site storage requirement under DCP 47. This is satisfactory. Water quality measures will be required and can be shown on the Construction Certificate plans.*

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***Parking and vehicular access***

*The development requires 11 parking spaces for the 22 bedrooms proposed, so the 7 double garages provided easily comply.*

*The SEPP requires 2 visitor parking spaces for 7 or 8 dwellings where the site is not situated on a clearway, so 2 visitor spaces would be required. The plan shows 2 visitor spaces.*

*With the widening of the access driveway to allow for two cars to pass clear of the roadway, and the provision of a passing bay at the end of the panhandle, there will be adequate passing opportunities, given the low traffic generation associated with a Seniors Living development.*

*The dimensions of the garages all comply with the minimum requirements of the SEPP, and the driveway and manoeuvring areas generally comply with AS2890.1:2004 (see recommended conditions).*

***Waste collection***

*Internal waste collection is required since the number of units exceeds six. The development provides adequate manoeuvring for garbage collection vehicles. Although a security gate is shown at the entry driveway, this will have to be deleted from the plans to allow access for waste collection at all times.*

***Construction management***

*A detailed Traffic Management Plan will be required prior to commencement of works. The Plan will address matters such as site access and egress, pedestrian management and employee parking, and will have to be approved by Council. Hastings Road is too narrow and the site does not have sufficient frontage for a Works Zone to be approved, so all parking, materials storage and construction vehicle manoeuvring will have to be on site.*

*This application is supported, subject to conditions.”*

In relation to waste storage location, the applicant has submitted an amended plan to show a new internal location which has been confirmed as satisfactory by Council Engineer.

Engineering conditions of consent were therefore recommended and are attached. **(refer to Conditions 35-44, 71-75, 83-84, 92-98, 100-105)**

**PROVISIONS OF RELEVANT LEGISLATION**

**The Environmental Planning & Assessment Amendment Act 1979  
Section 79C**

## Item 2

**Environmental Planning Instruments****State Environmental Planning Policy (Seniors Living) 2004**

The application requires development consent under the State Environmental Planning Policy (Seniors Living) 2004.

**Clause 18** of SEPP (Seniors Living) 2004 states that development may be carried out only with development consent unless another planning instrument allows the development without consent. The proposed development requires the consent of Council pursuant to the provisions of the Kuring-gai Planning Scheme Ordinance.

**Clause 25** of SEPP (Seniors Living) 2004 requires that Council must not consent to a development application made pursuant to this chapter unless satisfied by written evidence of certain site related requirements have been met. Compliance with the requirements is indicated in the table below.

Clause	Requirement	Compliance
Clause 25(1)(2)(b)(i-iii)	Access to shops, banks, other retail and commercial services, community services and the practice of a general medical practitioner.	<b>YES.</b> The proposal is within 400 metres of Warrawee Railway Station which will take residents of the proposed development to a place that is located at a distance of not more than 400 metres from the relevant facilities or services at least once between 8am and 12pm and once between 12pm and 6pm each day from Monday to Friday.

**Clause 27(1)** of SEPP (Seniors Living) 2004 states that Council must not consent to a development application unless satisfied by written evidence that the housing will be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewerage.

The site already has a reticulated water and sewer system and written evidence of the above has been provided by the applicant.

**Clause 28** of SEPP (Seniors Living) 2004 requires a site analysis be carried out and submitted to the consent authority. A site analysis has been submitted. This analysis, together with other documentation of the development application, provides all the necessary information for assessment purposes under Clause 28 of SEPP (Seniors Living) 2004.

**Clause 29** of SEPP (Seniors Living) 2004 requires Council to consider the provisions of the *Seniors Living policy: Urban Design Guideline for Infill Development* published by the DIPNR in March 2004.



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The following is an assessment of the proposal against the requirements of the Seniors Living policy: Urban Design Guideline for Infill Development.

1. Responding to Context	Site analysis	Site analysis is provided	<b>YES</b>
2. Site Planning and Design	<ul style="list-style-type: none"> <li>• Minimum site area and width</li> <li>• Maximum building height and FSR</li> <li>• Minimum landscaping area and deep soil zone</li> <li>• Visitor and resident parking spaces</li> </ul>	Complies	<b>YES</b>  <b>YES</b>  <b>YES</b>  <b>YES</b>
3. Impact on Streetscape	Development to maintain existing streetscape	Subject to the retention of the existing vegetation and driveway along the access handle, the development will not unduly impact on the existing streetscape.	<b>YES</b>
4. Impact on Neighbours	To minimise impact on the amenity of existing neighbouring dwellings including privacy, overshadowing, outlook, building bulk and building separation	The development is acceptable.	<b>YES</b>
5. Internal Site Amenity	<ul style="list-style-type: none"> <li>• To provide useable private and communal open spaces</li> <li>• Distinct identity and safe entries</li> <li>• Safe and distinct pedestrian routes to all dwellings and communal facilities</li> <li>• Adequate solar access to living areas and private open space</li> </ul>	<ul style="list-style-type: none"> <li>• All units provide private open space greater than 15m<sup>2</sup> and 3m in dimension</li> <li>• All entries are well defined and provides safe entry</li> <li>• A pedestrian pathway alongside the driveway is defined</li> <li>• Living rooms and private open spaces for a minimum of 70% of the dwellings receive a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter</li> </ul>	<b>YES</b>  <b>YES</b>  <b>YES</b>  <b>YES</b>  <b>YES</b>

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	<ul style="list-style-type: none"> <li>• To reduce dominance of parking, garaging and vehicular circulation space</li> </ul>	<ul style="list-style-type: none"> <li>• All 7 dwellings share the proposed single driveway with passing bay to reduce vehicular circulation space instead of a double width driveway</li> </ul>	
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**Clause 30** of SEPP (Seniors Living) 2004 requires that consent must not be granted unless Council is satisfied that adequate regard has been given to the following design principles:

**Neighbourhood amenity and streetscape (Clause 31)**

The proposed development will maintain neighbourhood amenity and appropriate residential character by virtue of the following:

- (a) The site comprises of two battle-axe allotments with no real streetscape presence other than the two lengthy bitumen driveways and associated vegetation. The proposed development will not be directly visible from the street.
- (b) The site is within Urban Conservation Area No. 23, which is graded as State significant. Council's Heritage Advisor considers the development acceptable within the locality, subject to a condition requiring retention of the existing driveway and vegetation.
- (c) The development will maintain reasonable neighbour amenity and appropriate residential character by proposing single storey dwellings only, except for the existing dwelling to be retained. The proposal will not result in an undue bulky appearance or have adverse overshadowing impacts on the adjoining properties.
- (d) The existing streetscape in relation to front building setback will not be affected.
- (e) The existing vegetation along the access handle will be retained to preserve the streetscape.
- (f) The DA proposes to retain the existing significant tall trees, including Trees Nos. 6, 9, 11 (all Brushboxs) and 16 (Himalayan Cedar). Council's Landscape Assessment Officer supports the application, subject to conditions.
- (g) The site is not located within a riparian zone.

**Visual and acoustic privacy (Clause 32)**

The proposed development considers the visual and acoustic privacy of neighbours in the vicinity and intended residents by:

- (a) Proposing single storey dwellings only, which are all set back more than 3m from all boundaries, except for the existing dwelling to be retained. Appropriate landscaping is also provided to prevent direct overlooking.

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- (b) Locating the bedrooms of the new dwellings away from the driveways, parking areas and paths, except for bedrooms of Dwelling No 1. This is due to locating the living and dining room areas of Dwelling 1 in a northerly direction so as to provide adequate solar access in accordance with Clause 33(b). Despite the bedrooms facing the driveway, adequate separation distances between 3.5m and 5.5m, with low retaining walls in front of bedroom windows, are provided to reduce any noise impact.

**Solar access and design for climate (Clause 33)**

- (a) The proposed development will provide not less than 3 hours of daylight to the main living areas and private open space of all adjoining properties between 9am and 3pm on June 22. Future residents of the proposed development will also receive adequate daylight to main living areas and private open space.
- (b) BASIX certificates are provided for all proposed dwellings. The dwellings allow for cross ventilation and provide living and/or dining areas with a northerly aspect.

**Stormwater (Clause 34)**

- (a) The proposed development will control and minimise disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by providing a single width driveway with a passing bay. The proposal does not have excessive paved outdoor areas.
- (b) An adequate on-site stormwater detention system is provided and is supported by Council's Development Engineer.

**Crime prevention (Clause 35)**

The proposed development will provide personal property security for residents and visitors and encourage crime prevention by:

- (a) Allowing general observation of the premises and the approaches to the dwellings' entries from inside each dwelling.
- (b) Not providing any shared entries.

**Accessibility (Clause 36)**

The proposed development provides obvious and safe pedestrian and motorist access and parking for residents and visitors.

**Waste management (Clause 37)**

A garbage storage and collection area is provided within the site as required by Council's DCP40 for Waste Collection. This will allow for adequate recycling of materials as required within the SEPP.

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**Part 4 Development Standards**

**Clause 38(i)** provides that a consent authority must not consent to a development application made pursuant to this chapter unless the proposed development complies with the standards specified in this clause.

Clause	Standard	Proposal	Compliance
38(2) - Site size	Minimum 1,000m <sup>2</sup>	4907m <sup>2</sup>	<b>YES</b>
38(3) - Site Frontage	20 metres	The site is approximately 75m wide measured at the building line.	<b>YES</b>
38(4) –(a)(b) Height in zones where residential flat buildings are not permitted	8 metres or less 2 storey	All dwellings are less than 8m and one or two storey	<b>YES</b>
38(4) –(c) Height in zones where residential flat buildings are not permitted	Building located in the rear 25% area of site must not exceed 1 storey	All dwellings are single storey, except for the existing dwelling to be retained	<b>NO</b> SEPP 1 objection is submitted to vary the standard for the existing dwelling which will have no additional impact on the adjoining properties.

SEPP 1 objection regarding Clause 38(4)-(c)

The clause states:

*“38(4) Height in zones where residential flat buildings are not permitted:  
 (c) a building located in the rear 25% area of the site must not exceed 1 storey in height.”*

The existing dwelling to be retained is two storey in height and is situated at the rear of the site. This does not comply with the development standard.

The applicant has submitted a SEPP1 objection to this standard.

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*Purpose of the development standard*

The intention of this development standard is not specified in the clause, but is considered to ensure that the amenity of the adjoining neighbours is not unduly compromised as a result of SEPP (Seniors Living) development, where residential flat buildings are not permitted.

This is confirmed by the *Seniors Living policy: Urban Design Guideline for Infill Development* publication. Objectives for minimising impacts on neighbours are set out at page 10 of the publication as:

- To minimise impacts on the privacy and amenity of existing neighbouring dwellings
- To minimise overshadowing of existing dwellings and private open space by new dwellings
- To retain neighbours' views and outlook to existing mature planting and tree canopy
- To reduce the apparent bulk of development and its impact on neighbouring properties
- To provide adequate building separation

The reasons provided by the applicant to justify the non-compliance include:

- *The non compliance is only caused due to the fact that the dwelling house on No.42a is to be retained. It is of recent construction and in good condition. Removal of this dwelling house is not sustainable given its condition. No new non complying construction is proposed;*
- *The dwelling house already exists and it is noted that the upper level windows facing south across the common boundary are non habitable rooms being a bathrooms, a stairwell etc. As such there is no potential to cause invasion of privacy and certainty no more than exists currently. Windows in the side wall are to bedrooms and once again this is an existing situation not affected by the proposed development. As such the first referred objective is satisfied;*
- *As an existing building the effect of shadowing is existing and there is no aspect of the proposed development which affects shadow. Accordingly the second mentioned objective is not offended;*
- *Again due to the fact that the non compliance is caused by an existing building it can be regarded as technical because no new construction is proposed. The view and outlook across the site is thus unaffected regardless of the height of the house for this reason. As such the third mentioned objective is not offended;*
- *The bulk and scale of the existing 2 storey dwelling house is already in existence and thus constitutes an existing feature of the local environment. Whilst non compliant with the standard, the building is not proposed to be constructed as part of the development, but rather retained and adapted to become a component part. In these terms there is no increase in bulk or scale associated with retention of the house. As such the fourth mentioned objective is not offended;*

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- *Again, building separation between Dwelling 7 and those adjacent is a feature of the existing environment which is unaffected by the construction of the development. Accordingly the fifth mentioned objective is not offended by retention of the subject house as a two storey building.*

***Is compliance unreasonable or unnecessary***

The existing dwelling to be retained will not have undue amenity impact on the adjoining properties. Any impacts associated with the dwelling are long standing and no records of any complaints regarding Dwelling 7 are noted on Council files.

If strict compliance with the standard were required, the first floor of the existing dwelling would have to be removed even though the objectives of the standard would still be achieved with the existing two storey dwelling. Removal of the existing high standard dwelling due to the non-compliance would be unreasonable and would generate unnecessary demolition and reconstruction waste.

Moreover, the existing dwelling complies with all other requirements under Clauses 59 to 69 of SEPP (Seniors Living) 2004.

Under the circumstances, compliance with the standard would be unnecessary and unreasonable.

***Is application consistent with the aims of the policy set out in clause 3?***

For the reasons stated above the application is not inconsistent with Clause 3 nor the objects specified in section 5 (a)(i) and (ii) of the Act.

***Is there concurrence?***

The proposed non-compliance does not raise any matter of significance pertaining to state or regional environmental planning.

The proposed non compliance in relation to building height will not result in any adverse impact on adjoining sites or the wider environment as residential amenity can be maintained for the reasons addressed above.

Accordingly, the public benefit in maintaining the planning controls will not be compromised in this instance, and the SEPP1 objection has merit and compliance with the development standard is unreasonable and unnecessary. Accordingly, the granting of development consent would be consistent with the aims and objectives set out in Clause 3, and the objects specified in section 5 (a)(i) and (ii) of the Act.

**Draft SEPP (Application of Development Standard) 2004**

The aims of this draft SEPP (Application of Development Standard) 2004 are:

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- (a) *to provide an appropriate degree of flexibility in the application to particular development of a development standard specified in or under an environmental planning instrument, and*
- (b) *to achieve better outcomes for and from development in the circumstances addressed in this Policy, and*
- (c) *to promote good strategic planning practice by incorporating provisions allowing flexibility in local environmental plans.*

Clause 7(2) of draft SEPP (Application of Development Standard) 2004 also sets out the requirements that must be demonstrated in writing to justify the departure. This includes:

- (a) *that the proposed departure from the development standard will result in a better environmental planning outcome than that which could have been achieved on the site had the standard been complied with, and*
- (b) *that the proposed development will be in the public interest by being consistent with any aims and objectives expressed in, or implied from:*
  - I. *the zone in which the development is proposed to be carried out,*
  - II. *the development standard, or in any relevant environmental planning instrument.*

The departure would result in a better environmental planning outcome than that which could have been achieved on the site had the building height been complied with, by minimising unnecessary demolition and reconstruction waste and reusing the existing high standard dwelling that is compliant with the requirements under Clauses 59 to 69 of SEPP (Seniors Living).

Retention of the existing dwelling would also be in the public interest, by being consistent with the aims and objectives of the zone specified under Clause 25C of the KPSO.

For these reasons, the proposal is acceptable under the provisions of SEPP (Application of Development Standards) 2004.

**Clause 51** provides that a consent authority must not consent to a development application made pursuant to this chapter unless the proposed development complies with the following applicable standards:

Clause	Standard	Proposal	Compliance
52(2) - Wheelchair access	If the whole of the site does not have a gradient of less than 1:10, a percentage (which is not less than the proportion of the site that has a gradient of less than 1:10, or 50%, whichever is the great) of any dwellings must have wheelchair access	All dwellings have a continuous path of travel to an adjoining public road with a maximum ramp gradient of 1 in 10.	YES

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Clause	Standard	Proposal	Compliance
	by a continuous accessible path of travel (within the meaning of AS 1428) to an adjoining public road or an internal road or a driveway that is accessible to all residents)		
52(4) - Common areas	Wheelchair access to be available to all common areas and facilities.	Wheelchair access available to all common areas.	<b>YES</b>
54 - Security	Pathway lighting must be designed and located to avoid glare and be at least 10 lux at ground level	At least 50 lux at ground level proposed <b>(Refer to Condition 4)</b>	<b>YES</b>
55 - Letterboxes	Must be lockable and situated on a hard standing area and be wheelchair accessible.	Lockable, accessible letterboxes will be provided adjacent to the entry to the site <b>(Refer to Condition 4)</b>	<b>YES</b>
56 - Private car accommodation	Car parking spaces must have: <ul style="list-style-type: none"> <li>be not less than 6m x 3.2m or being capable of adapted.</li> <li>internal clearance of 2.5m</li> <li>height at entry 2.3m</li> <li>any garage must have a power-operated roller door, or a power point to allow the above at a later date</li> </ul>	Car parking spaces have: <ul style="list-style-type: none"> <li>area greater than 6m x 3.2m</li> <li>internal clearance in excess of 2.5m</li> <li>height at entry of 2.4m</li> <li>Proposed as part of the development <b>(Refer to Condition 4)</b></li> </ul>	<b>YES</b> <b>YES</b> <b>YES</b> <b>YES</b>
57 - Accessible entry	Every entry must: <ul style="list-style-type: none"> <li>not have a slope that exceeds 1:40</li> <li>comply with clauses 4.3.1 &amp; 4.3.2 of AS 4299</li> <li>have entry hardware</li> </ul>	Slope at entrance does not exceed 1:40. Appropriate door handles will be provided as proposed in the Statement of Environmental	<b>YES</b> <b>YES</b> <b>YES</b>



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Clause	Standard	Proposal	Compliance
	which complies with AS 1428	Effects. ( <b>Refer to Condition 4</b> )	
58 - Exterior doors	All external doors to a dwelling must be keyed alike.	Proposed within Statement of Environmental Effects ( <b>Refer to Condition 4</b> )	<b>YES</b>
59 - Interior general	<ul style="list-style-type: none"> <li>internal doors must have a clearance of 800mm</li> <li>internal corridors must have a width of at least 1000mm</li> <li>the width at internal door approaches must be at least 1200mm</li> </ul>	<ul style="list-style-type: none"> <li>Internal doors will have a clearance of 800mm.</li> <li>Internal corridors will have a minimum width of 1000mm.</li> <li>The width at internal door approaches are greater than 1200mm. (All as proposed within the Statement of Environmental Effects)</li> </ul>	<b>YES</b>  <b>YES</b>  <b>YES</b>
60 - Living room & dining room	<p>A living room in a self contained dwelling must have:</p> <ul style="list-style-type: none"> <li>a circulation space of at least 2250mm in diameter and as set out in clause 4.7 of AS 4299</li> <li>a telephone adjacent to a general power outlet</li> <li>a potential illumination level of 300 lux</li> </ul>	<ul style="list-style-type: none"> <li>comply with circulation space</li> <li>telephone and lux levels comply (<b>Refer to Condition 4</b>)</li> </ul>	<b>YES</b>  <b>YES</b>  <b>YES</b>
61 - Kitchen	<p>A kitchen in a self contained dwelling must have:</p> <ul style="list-style-type: none"> <li>a width of at least 2.7 metres and a clear space between benches of 1450mm</li> <li>a width at door</li> </ul>	<p>Proposal complies as noted on the submitted architectural plans. For any other requirements that are not indicated on the plans can be met via conditions of consent</p>	<b>YES</b>  <b>YES</b>

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Clause	Standard	Proposal	Compliance
	<p>approaches of 1200mm</p> <ul style="list-style-type: none"> <li>• benches that include one work surface that is at least 800mm in length and the height of which can be adjusted from 750mm to 850mm</li> <li>• a tap set that is located within 300mm of the front of the sink and comprises of a lever type mixing tap</li> <li>• a thermostatic mixing valve for the hot water outlet</li> <li>• a cook top with either front or side controls which have a raised cross bar. The stove is also to be provided with an isolating switch</li> <li>• a work surface adjacent to the cook top which is at the same height and at least 800mm in length</li> <li>• an oven that is located adjacent to a work surface the height of which can be adjusted</li> <li>• “D” pull cupboard handles</li> <li>• General power outlets at least one is a double outlet within 300mm of the front of a work surface and one</li> </ul>	(Refer to Condition 4)	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>

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Clause	Standard	Proposal	Compliance
	which is for a refrigerator which can be readily accessed once installed		
62 - Main bedroom	<p>At least one bedroom within the dwelling must have:</p> <ul style="list-style-type: none"> <li>• an area sufficient to accommodate a wardrobe and a queen sized bed, with an area at least 1200mm wide at the foot of the bed</li> <li>• 2 double general power outlets adjacent to the head of the bed</li> <li>• 1 general power outlet on the wall opposite the bed</li> <li>• a telephone outlet and power outlet next to the bed on the side closest to the door</li> <li>• a potential illumination of 300 lux</li> </ul>	<p>Proposal complies as noted on the submitted architectural plans. For any other requirements that are not indicated on the plans can be met via conditions of consent <b>(Refer to Condition 4)</b></p>	<p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p>
63 - Bathroom	<p>A bathroom must have:</p> <ul style="list-style-type: none"> <li>• an area that complies with AS 1428</li> <li>• a slip resistant floor</li> <li>• a shower recess at least 1160mm x 1100mm or that complies with AS 1428 or clause 4.4.4 and figures 4.6 and 4.7 of AS4299. the recess shall incorporate the following:</li> </ul>	<p>Proposal complies as noted on the submitted architectural plans. For any other requirements that are not indicated on the plans can be met via conditions of consent <b>(Refer to Condition 4)</b></p>	<p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p>

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Clause	Standard	Proposal	Compliance
	<ul style="list-style-type: none"> <li>○ no hob</li> <li>○ waterproofing</li> <li>○ floor waste</li> <li>○ the ability to provide a grab rail</li> <li>○ suitable taps</li> <li>○ can accommodate a hand held shower on a slider rail</li> <li>○ can accommodate a folding seat</li> <li>● thermostatic mixing valves to all hot water outlets</li> <li>● a washbasin which complies with AS4299</li> <li>● an illuminated wall cabinet</li> <li>● a mirror</li> <li>● a double power outlet beside the mirror</li> </ul>		<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>
64 - Toilet	<p>A dwelling must have a toilet:</p> <ul style="list-style-type: none"> <li>● that is a visitable toilet in accordance with AS4299</li> <li>● that is installed in accordance with AS1428</li> <li>● has a slip resistant floor surface</li> <li>● the WC pan is located from fixed walls in accordance with AS1428</li> <li>● that can accommodate a grab rail in accordance with AS4299 &amp;</li> </ul>	<p>Proposal complies as noted on the submitted architectural plans. For any other requirements that are not indicated on the plans can be met via conditions of consent <b>(Refer to Condition 4)</b></p>	<p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p> <p>YES</p>

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Clause	Standard	Proposal	Compliance
	AS1428		
65 - Access to kitchen, main bedroom, bathroom & toilet	A kitchen, main bedroom, bathroom and toilet must be provided on the ground floor of a multi level dwelling.	Proposal complies. All units are of single level design. The existing dwelling to be retained provides a kitchen, main bedroom, bathroom & toilet on the ground floor.	<b>YES</b>
67 - Laundry	A self contained dwelling must have a laundry which: <ul style="list-style-type: none"> <li>• has provision for a washing machine</li> <li>• has the provision for the installation of a clothes dryer</li> <li>• has a clear space in front of appliances of 1300mm</li> <li>• has a slip resistant floor surface</li> <li>• has an accessible path of travel to any external clothes line.</li> </ul>	Proposal complies as noted on the submitted architectural plans. For any other requirements that are not indicated on the plans can be met via conditions of consent <b>(Refer to Condition 4)</b>	<b>YES</b> <b>YES</b> <b>YES</b> <b>YES</b> <b>YES</b>
68 - Storage	A self-contained dwelling must be provided with a linen cupboard: <ul style="list-style-type: none"> <li>• that is at least 600mm wide</li> <li>• has adjustable shelving</li> </ul>	Proposal complies as noted on the submitted architectural plans. For any other requirements that are not indicated on the plans can be met via conditions of consent <b>(Refer to Condition 4)</b>	<b>YES</b> <b>YES</b>
69 - Doors	Door hardware provided for opening doors must be: <ul style="list-style-type: none"> <li>• able to be operated with one hand</li> <li>• located between 900mm and 1100mm above floor level</li> </ul>	Proposal will comply by conditions. <b>(Refer to Condition 4)</b>	<b>YES</b> <b>YES</b>

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Clause	Standard	Proposal	Compliance
70 - Surface finishes	Balconies and external paved areas must have slip-resistant surfaces.	Proposal will comply by conditions. <b>(Refer to Condition 4)</b>	<b>YES</b>
71 - Ancillary items	switches must be located between 900mm and 1100mm above floor level  general purpose outlets must be located at least 600mm above floor level	Proposal complies as noted on the submitted architectural plans.	<b>YES</b>  <b>YES</b>
72 - Garbage	An outside garbage storage area must be provided in an accessible location.	A outside garbage storage facility is provided within the development	<b>YES</b>

**Part 7 – Development standards that cannot be used as grounds to refuse consent – Division 4 – self-contained dwellings**

The following is an assessment of the proposal against the requirements of **Clause 81** of the SEPP. The consent authority must not refuse consent of an application on the grounds of the following if compliance is achieved.

Clause 81(a) – Building height	Height to be less than 8.0 metres	Less than 7m	<b>YES</b>
Clause 81(b) - Density & scale	0.5:1	0.34:1	<b>YES</b>
Clause 81(c) - Landscaped area	Minimum 30% of the site to be landscape area = 1,390.42m <sup>2</sup>	Total landscape area = 1,987.36m <sup>2</sup> (43%)	<b>YES</b>
Clause 81(d) - Deep soil zones	15% site area (626.85m <sup>2</sup> excluding access handle) with preferably 2/3 (417.9m <sup>2</sup> ) being located at the rear of the site with a minimum dimension of 3m.	<ul style="list-style-type: none"> <li>Total deep soil landscaped area 1769m<sup>2</sup></li> <li>Majority of this deep soil area is located in the centre of the site (1062m<sup>2</sup> for the communal open space) to preserve the significant Himalayan Cedar which is more appropriate in this case.</li> </ul>	<b>YES</b>  <b>YES</b>
Clause 81(e) - Solar access	Min 70% of dwellings receive minimum 3 hours direct sunlight	All units receive a minimum of 3 hours.	<b>YES</b>

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	between 9am-3pm in mid-winter.		
Clause 81(f) - Private open space for in-fill housing	<ul style="list-style-type: none"> <li>Single level or ground floor dwellings = 15m<sup>2</sup> (incl. Area 3m x 3m accessible from living area)</li> </ul>	99.6m <sup>2</sup> - 193.6m <sup>2</sup>	<b>YES</b>
Clause 81(g) - Visitor parking	Where 7 or 8 units are proposed, 2 spaces for visitor parking are required within the development. Maximum parking period of 4 hours is to apply.	2 visitor parking spaces are provided. The parking period can be restricted via signage. <b>(Refer to Condition 4)</b>	<b>YES</b>
Clause 81(h) - Parking	0.5 spaces per bedroom 22 x 0.5 = 11 spaces	14 resident spaces provided.	<b>YES</b>

**State Environmental Planning Policy No 55 - Remediation of Land**

The provisions of SEPP 55 require Council to consider the potential for a site to be contaminated. The subject site has a history of residential use and as such, it is unlikely to contain any contamination and further investigation is not warranted in this case.

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

SREP20 applies to the site as the site is within the catchment of the Hawkesbury Nepean River. SREP20 is aimed at protecting the environment of the river system by ensuring that the impacts of future land uses are considered in a regional context. SREP20 requires consideration of matters including water quality, water quantity, flora and fauna etc.

However, SREP 20 is focused on development activities that may have relatively greater environmental effect on the river system such as remediation of contaminated land, large scale urban rezoning and subdivision, recreational and tourism facilities, intensive animal industries, extractive industries, potentially hazardous and offensive industries, marinas, sewerage works or waste management facilities.

The proposed development will not have undue impact on the river system or greater catchment area. A water re-use tank is proposed for each dwelling and an adequate on-site detention tank for the site will be located beneath the shared driveway.

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

The site is zoned Residential 2(c2) under the provisions of Ku-ring-gai Planning Scheme Ordinance and the erection of multi-unit housing (as the development is defined pursuant to the KPSO) is prohibited within the zone. However, the provisions of SEPP (Seniors Living) 2004 override the

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controls of KPSO, and the proposed SEPP (Seniors Living) 2004 development is permissible pursuant to that SEPP.

The provisions of Clause 25C set out general aims and specific objectives for Residential 2(c1), 2(c2) and 2(d3). The proposed development is not inconsistent with the aims and objectives, in that the development provides increased housing choice within a close proximity to public transport whilst maintaining residential amenity and heritage quality of the locality.

Any inconsistent provisions of the KPSO with the planning control contained in SEPP (Seniors Living) 2004, the provisions are overridden by SEPP (Seniors Living) 2004.

### **Development Control Plan 40 - Waste Management**

The proposal provides a waste storage area within the site, with the expectation that the bins will be collected by Council's contractor from this point, which complies with DCP 40.

In relation to SEPP Seniors Living Policy, Clause 72 requires that *'an outside garbage storage area must be provided in an accessible location'*, this requirement is met.

### **Development Control Plan 43 - Carparking (DCP 43)**

The proposed development provides two car parking spaces for each dwelling and two additional parking spaces for visitors which complies with DCP43. An assessment of the proposal's parking provision in relation to SEPP (Seniors Living) 2004 is provided previously within this report, The application also complies with the controls in terms of minimum dimensions and clearance.

### **Housing for Older People and People with a Disability Development Control Code (DCC)**

Council's Code for Housing for Older People and People with a Disability is a companion document to State Environmental Planning Policy No.5. This code essentially provides additional information intended to better reflect the needs of elderly and disabled residents within Ku-ring-gai.

SEPP5 has been replaced by SEPP (Seniors Living) 2004. Consequently, while this code relates to SEPP5, it is considered that the principles within the code should still be considered as part of Council's assessment of this development application, as follows:

#### ***Location criteria***

Council's Code for Housing for Older People and People with a Disability further refines and suggests more suitable locations to cater for the needs of seniors. These include locations with retailing, medical services and recreational facilities within 400m, public transport with easy access within 250m, but exclude steep sites and noisy locations. Some of these requirements cannot be met, i.e. the site is not within 400m from retailing, medical services or recreational facilities. However, the site is within 250m of Warrawee Railway Station, from where access to nearby retail and medical facilities is possible.



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The development is acceptable as its location complies with SEPP (Seniors Living) 2004 requirements and the proposal will only provide in-fill self-care housing which is for seniors with less mobility impairment than any other type of seniors living such as residential care facilities, hostels, self-contained dwellings and serviced self-care housing.

*Exterior design requirements*

The site, being two battle-axe allotments, has a limited presentation to the street. Retention of the existing driveway within the access handle and its vegetation will maintain the existing streetscape character.

Building elevations fronting the internal driveway are recessed and articulated to avoid bulky façades. The main entry to each building is obvious, with a short path to an entry porch from the internal driveway.

*Entry gates:* The entry gates initially proposed have been deleted to allow access for emergency and garbage collection service vehicles.

*Private open space:* Private open space is relatively level and satisfies the minimum dimension criteria and a suitable level of privacy will be afforded. The private open space is appropriately located in relation to the living areas.

*Common open space:* The proposal provides for a relatively large area of communal open space, to the centre of the site adjacent to the northern boundary. The communal open space will be accessible to all residents and will be provided with seating and tree shade.

*Landscaping:* The landscaping has been assessed as satisfactory by Council's Landscape Development Officer.

*Car parking & vehicle access:* The parking provision and vehicle access is acceptable with regard to the Code. The internal driveway will permit access for emergency vehicles. Two visitor car spaces have been provided in accordance with the code.

*Energy efficiency:* The proposal is appropriately designed with regard to energy efficiency and meets the BASIX targets.

*Privacy:* Privacy is dealt with under the assessment of the development's compliance with SEPP (Seniors Living) 2004 and the proposal is acceptable in this regard.

*Access:* The proposal provides a suitable level of accessibility as required by the code. An access report is provided to demonstrate compliance with SEPP (Seniors Living) 2004.

*Lighting:* Appropriate lighting is recommended in the Accessibility Report, the recommendations of which are required by condition (**Refer to Condition 4**).

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*Utilities:* A suitable sized area is provided for the storage of waste and recycled material which complies with DCP40. Other utility services including water, sewer and power are available.

***Interior design suggestions***

*Adaptable housing:* The development complies with the requirements of SEPP (Seniors Living) 2004 in terms of adaptable housing.

*Internal design:* The proposal provides ground floor living with sufficient leisure spaces. A covered entry porch to each dwelling is also provided. Dining areas and bedrooms comply with the code.

**Section 94 Contributions Plan**

The demolition of the existing house and creation of a seniors living development comprising 6 additional units would generate a Section 94 Contribution of \$43,755.00 (\$8,751.00 x 5 additional dwellings) (**Refer to Condition 76**).

**Likely impacts**

The proposal is unlikely to have any significant impact on the environment, landscape or scenic quality of the locality, threatened species, populations or ecological communities or their habitats or any other protected fauna or protected native plants.

The site is not within a wilderness area nor an area of critical habit.

The site can be adequately landscaped and conditions relating to soil erosion can be imposed. There is unlikely to be any significant impact on the existing or likely future amenity of the neighbourhood.

**Suitability of the site**

The site is suitable for the development.

**Any submissions**

The submissions received have been addressed.

**Public interest**

The proposed development would be in the public interest as it will provide housing choice for seniors and persons with a disability and will not unduly impact the environment.

**Any other relevant matters**

There are no other matters for consideration.

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## CONCLUSION

The proposed development will perform adequately, especially given the following.

1. The proposed development will be satisfactory with respect to the provisions of State Environmental Planning Policy (Seniors Living) 2004. It will provide housing for people over the age of 55 and people with a disability in an appropriate building form and location. The housing proposed is generally consistent with the aims and objectives of the SEPP.
2. The proposed development will generally satisfy the provisions within Council's environmental planning instruments and development control plans.
3. Subject to conditions, the design of the development will be sympathetic to the streetscape. It will be compatible with the bulk and scale of surrounding dwellings and provide a suitable landscape character.
4. Subject to conditions it will not adversely impact on the amenity of surrounding residential properties in terms of loss of privacy, overshadowing or loss of views and will support the amenity needs of future residents.

Accordingly, the proposed development is satisfactory with respect to the relevant heads of consideration prescribed under Section 79C of the Environmental Planning and Assessment Act 1979 (as amended). The application is therefore recommended for approval, subject to conditions.

## RECOMMENDATION

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

THAT the Council, as the consent authority, is of the opinion that the objection under *State Environmental Planning Policy No. 1 – Development Standards* to Clause 38(4)-(c) of State Environmental Planning Policy (Seniors Living) is well founded. The Council is also of the opinion that strict compliance with the development standard is unreasonable and unnecessary in the circumstances of this case as the non-compliance is only due to the fact that the existing dwelling on 42A Hastings Road is to be retained and the non-compliance will not have undue amenity impact on the adjoining properties.

#### AND

THAT the Council, as the consent authority, being satisfied that the objection under SEPP No. 1 is well founded and also being of the opinion that the granting of consent to DA 11/06 is consistent with the aims of the Policy, grant development consent to DA 11/06 for a SEPP (Seniors Living) development comprising demolition of an existing dwelling and associated structures, retention of an existing dwelling and swimming pool and construction of 6 new dwellings to constitute a total of 7 SEPP (Seniors living) dwellings and subsequent strata subdivision on land at 42A and 50 Hastings Road, Warrawee for a period of 2 years, subject to the following conditions:

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GENERAL CONDITIONS

1. The development to be in accordance with Development Application No.11/06 and Development Application plans, Drawing Numbers 20503 DA01 Rev F, 20503 DA02 Rev G, 20503 DA03 Rev A, dated 20 December 2005, prepared by the Winter Group Pty Ltd, and Drawing Numbers 05186DA1/5 to 05186DA5/5 Rev D, undated, prepared by Vision Dynamics, and endorsed with Council's approval stamp, except as where amended by the following conditions.
2. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and an Occupation Certificate has been issued.
3. The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a Road Opening Permit being obtained from the Council (upon payment of the required fee) beforehand.
4. The development, including the existing dwelling on 42A Hastings Road to be retained, is to comply with the relevant design standards of clauses 52, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71 & 81(g) of State Environmental Planning Policy (Seniors Living) 2004.
5. To preserve the existing streetscape and the heritage significance of the locality, the existing bitumen driveway on the access handle of 50 Hastings Road, Warrawee, is to be retained. Existing trees and vegetation along the driveway shall not be disturbed or damaged except for the approved tree planting.
6. For the purpose of health and amenity, the disposal of backwash and/or the emptying of a swimming pool into a reserve, watercourse, easement or stormwater drainage system is prohibited. These waters are to discharge via a drainage line into the Sydney Water's sewer. Permission is to be obtained from the Sydney Water prior to the emptying of any pool to the sewer.
7. The swimming pool is to be fenced in accordance with Council's Policy "Swimming Pool Safety for Existing Pools".
8. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
9. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
10. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the

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abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

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

11. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
12. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
13. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
14. Any excavation of rock involving hydraulic or compressed air rock hammers or other excavation equipment shall comply with the requirements of Council's Code for the Control and Regulation of Noise on Building Sites.
15. No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval of the Principal Certifying Authority. Should rock breaking or associated machinery be required, the following details are to be submitted to the Principal Certifying Authority for consideration:
  - a. The type and size of machinery proposed.
  - b. The routes of all trucks to convey material to and from the site.
  - c. A report by a Geotechnical Engineer detailing the measures recommended in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.
16. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
17. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.
18. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner

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of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

19. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
20. Any fencing and associated footings shall be constructed entirely within the boundaries of the property.
21. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
22. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
23. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
24. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

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

25. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
26. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
  - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
    - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;

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- iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
  - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
27. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.
28. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
29. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
30. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safely stockpiled and not likely to become a harbourage for vermin.
31. Adequate precautions shall be taken to ensure the protection of adjoining premises and persons therein from damage and injury during the process of demolition.
32. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
33. The applicant or builder/developer is responsible for the cost of making good any damage that may be caused to any Council property as a result of work associated with the demolition.
34. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- a. stating that unauthorised entry to the work site is prohibited, and
  - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

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

This clause does not apply to:

- a. building work carried out inside an existing building, or
  - b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
35. All demolition materials of value for re-use either on-site or elsewhere, shall be separated and made available for re-cycling.

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36. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
37. A mandatory rainwater retention and re-use system comprising storage tanks and ancillary plumbing must be provided for the development. The (minimum) total storage volume of the rainwater tank system, and the prescribed re-use of the water on site, must satisfy all relevant BASIX commitments.
38. In addition to the mandatory rainwater retention and re-use system provided, an **on-site stormwater detention** system must be provided for the development to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 (DCP 47) - having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The design of the on-site detention system must be performed by a qualified civil/hydraulic engineer and must satisfy the design controls set out in appendix 5 of DCP 47.
39. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**
40. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
41. For the purpose of any inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final consent from Council.
42. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator.



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Please refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon or telephone 13 20 92. Following application a “Notice of Requirements” will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

43. In order to allow unrestricted access for Council waste collection vehicles to the garbage storage area, no doors or gates shall be provided in the access driveway which would prevent this service.
44. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to manage and control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority.
45. Stormwater quality control measures as described in chapter 8 of Councils Water Management Development Control Plan 47 (DCP47), shall be provided for the development. DCP47 is available in hard copy at Council and on the Council website.
46. The creation of a Restriction as to use of land under Section 88E of the Conveyancing Act 1919, restricting the occupation of the premises, including the existing dwelling on 42A Hastings Road to be retained, to:
  - a. People 55 or over or people who have a disability;
  - b. People who live with people 55 or over or people who have a disability;
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
47. The development is to remain as Housing for Aged or Disabled Persons within the meaning of State Environmental Planning Policy (Seniors Living) 2004 at all times.
48. All advertising, signage, marketing or promotion of the sale of the dwellings in this development shall make clear reference to the fact that this is a SEPP (Seniors Living) development and that at least one occupier shall be aged 55 years or over or have a disability:
49. The burning of undergrowth, foliage, building refuse and like matter on the site is prohibited.
50. Under no circumstances shall building materials, demolition waste, fill, soil or any other material from any source be placed or stored within any public reserve.
51. To preserve and enhance the natural environment, all soil erosion and sediment control structures shall be inspected following each storm event and any necessary maintenance work shall be undertaken to ensure their continued proper operation. Sediment shall be removed

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from the soil erosion and sediment control structures when no more than forty percent (40%) capacity has been reached. These structures shall continue in proper operation until all development activities have been completed and the site fully stabilised.

52. To preserve and enhance the natural environment, sediment removed from erosion and sediment control structures shall be disposed of to an approved sediment dump.
53. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
54. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
55. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.
56. No advertising signs are to be erected without the prior consent of Council.
57. To minimise damage to T22 - *Liquidambar styraciflua* (Liquidambar) the drainage line between the pit at the south-western corner of House 4 and the pit at the southern end of the garage opening shall be located adjacent to the House's western side.
58. To avoid potential pedestrian hazards along the central path, all drainage pits shall be located along the centre of the driveway.
59. Landscape works shall be carried out in accordance with Landscape Drawing No 05186DA1-5/5 Rev. D prepared by Vision Dynamics landscape design and dated 8.8.06 submitted with the Development Application, except as amended by the following:
  - 1 *Allocasuarina torulosa* (Forest Oak) shall be relocated from (within 3 metres of) the south-eastern corner of House 3 to the position of 1 *Eucalyptus paniculata* (Grey Ironbark) close the north-eastern corner of the same house. The *Eucalyptus paniculata* (Grey Ironbark) shall be deleted.
  - 1 *Syncarpia glomulifera* (Turpentine) shall be relocated from (0.5 metre of) a wall near the north-western corner of House 6 and beneath the southern edge of the canopy of 1 *Lophostemon confertus* (Brushbox) located close to the western boundary to between Houses 4 and 7.
60. Topsoil shall be stripped from areas to be developed and stock-piled within the site. Stock-piled topsoil on the site shall be located outside drainage lines and tree canopies, and be protected from run-on water by suitably positioned diversion banks. Where the period of storage will exceed fourteen (14) days stock-piles are to be seeded or sprayed with an appropriate emulsion solution to minimise particle movement.

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61. Canopy and/or root pruning of the following tree/s which is necessary to accommodate the approved building works shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate:

No/Tree/Location	Tree Works
22/ <i>Liquidambar styraciflua</i> (Liquidambar) 3 metres from the south-western corner of House 4.	Canopy and/or root pruning to accommodate House 4.

62. No tree roots of 30mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period:

No/Tree/Location	Radius From Trunk
5/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and towards the access handle's Hastings Road end.	4 metres
6/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and at the centre of the access handle.	8 metres
9/ <i>Syncarpia glomulifera</i> (Turpentine) Adjacent to the western side of the driveway a t the southern end of the access handle.	8 metres
11/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the centre of the site's western boundary.	7 metres
16/ <i>Cedrus deodara</i> (Himalayan Cedar) Near the centre of the site's northern boundary.	11 metres
23/ <i>Juniperus sp.</i> (Juniper) Adjacent to the eastern end of the site's southern boundary.	4 metres

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

Tree/Location	Radius From Trunk
5/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and towards the access handle's Hastings Road end.	4 metres

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6/*Lophostemon confertus* (Brushbox) 8 metres  
Adjacent to the western side of the driveway and at the centre of the access handle.

9/*Syncarpia glomulifera* (Turpentine) 8 metres  
Adjacent to the western side of the driveway and at the southern end of the access handle.

11/*Lophostemon confertus* (Brushbox) 7 metres  
Adjacent to the centre of the site's western boundary.

16/*Cedrus deodara* (Himalayan Cedar) 11 metres  
Near the centre of the site's northern boundary.

64. The applicant shall ensure that at all times during the site works no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
65. All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.
66. The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

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

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

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

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

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69. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
70. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
- a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
71. Prior to issue of the Construction Certificate the applicant is to submit plans which show:
- Provision for two vehicles to pass at the entry driveway clear of Hastings Road;
  - A passing bay at the end of the entry driveway;
  - Driveways are to have a minimum width of 3.0 metres;
  - Internal waste storage and collection area which is accessible to Council's small waste collection vehicle, with turning circles for a small rigid truck to demonstrate that the collection vehicle can turn within the site with one reversing manoeuvre;
  - No doors or gates which would prevent the collection of waste by the small truck.
- The amended plans are to be approved by the Principal Certifying Authority prior to issue of the Construction Certificate.
72. Prior to issue of the Construction Certificate the Applicant must submit, for approval by the Principal Certifying Authority, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements clearly dimensioned. A qualified

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civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:

- All parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply in full with Australian Standard 2890.1 – 2004 “Off-street car parking”.
- No doors or gates are provided in the access driveway which would prevent unrestricted access for internal garbage collection at any time from the garbage storage and collection area.
- The dimensions of all parking spaces including lengths and widths comply with the State Environmental Planning Policy for Seniors Living relating to height clearances and space dimensions.

The vehicle access and accommodation arrangements are to be constructed in accordance with the certified plans.

73. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the NSW Department of Housing document “Managing Urban Stormwater – Soils and Construction” (1998). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (available on the Council website).
74. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:
  - Exact location and reduced level of discharge point.
  - Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).
  - Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems. Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
  - Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the BASIX commitments.
  - Details of the required **on-site detention** tanks required under Ku-ring-gai Council Water Management DCP 47 including dimensions, materials, locations, orifice and discharge control pit details as required (refer chapter 6 and appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements).
  - Details of the water quality measures required by Chapter 8 of DCP 47.

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The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47, Australian Standards 3500.2 and 3500.3 - *Plumbing and Drainage Code* and the BCA. The plans may be generally based on the Stormwater Concept Plans by MYD Consulting Engineers submitted for Development Application approval, which are to be advanced as necessary for construction issue purposes.

75. Prior to issue of the Construction Certificate footpath and driveway levels for the new vehicular crossing between the property boundary and road alignment must be obtained from Council. The footpath crossing is to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings". These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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

The design and construction of the layback is to be in accordance with RTA requirements. A detail of this requirement is to be obtained from the Roads and Traffic Authority's Project Services Manager, Traffic Projects Section on (02) 8814 2114. A copy of this detail should be submitted to Council with the driveway levels application.

Note 1: The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations.

Note 2: When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

76. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FIVE (5) ADDITIONAL DWELLINGS IS CURRENTLY \$43,755.00. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

Item 2

This contribution shall be paid to Council prior to the release of the Construction Certificate and the amount payable shall be in accordance with the Council's adopted Section 94 Contributions Plan for Residential Development, effective from 20 December 2000, calculated for additional person as follows:

1.	Preparation of New Residents Kit	\$10.98
2.	New Resident Survey	\$9.87
3.	New Library bookstock	\$17.95
4.	New Public Art	\$2.93
5.	Acquisition of Open Space -Turramurra/Warrawee	\$1,966.00
6.	Koola Park upgrade and reconfiguration	\$143.09
7.	North Turramurra Sportsfield development	\$986.80
8.	Section 94 2000-2003 Study and Interim Plan preparation cost	\$49.34
9.	Section 94 Officer for period of Plan 2000-2003	\$118.42
10.	Preparation of New SEPP 5 Residents Kit	\$22.44
11.	SEPP 5 S94 Study and Interim Plan, 2000-2003	\$108.95

To obtain the total contribution figure the occupancy rate for all SEPP 5 developments is 1.3 persons

77. Paving works within the specified radius of the trunk/s of the following tree/s shall be of type and construction to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be prepared by a suitably qualified professional and submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate:

No/Tree/Location	Radius From Trunk
5/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and towards the access handle's Hastings Road end.	4 metres
6/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and at the centre of the access handle.	8 metres
9/ <i>Syncarpia glomulifera</i> (Turpentine) Adjacent to the western side of the driveway and at the southern end of the access handle.	8 metres
11/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the centre of the site's western boundary.	7 metres
16/ <i>Cedrus deodara</i> (Himalayan Cedar) Near the centre of the site's northern boundary.	11 metres



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

The plan shall indicate the location of services, erosion and drainage management, tree protection measures including tree protection zones, areas nominated for storing materials, site access, construction access requirements and where vehicle parking is proposed during construction.

79. A CASH BOND/BANK GUARANTEE of \$10,000.00 shall be lodged with Council as a Landscape Establishment Bond prior to release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan/s and other landscape conditions.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

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

80. A CASH BOND/BANK GUARANTEE of \$20,000.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond:

No/Tree/Location	Bond Value
5/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and towards the access handle's Hastings Road end.	\$1,000.00
6/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and at the centre of the access handle.	\$3,000.00
9/ <i>Syncarpia glomulifera</i> (Turpentine)	\$3,000.00

Item 2

Adjacent to the western side of the driveway and at the southern end of the access handle.

11/*Lophostemon confertus* (Brushbox) \$3,000.00  
Adjacent to the centre of the site's western boundary.

16/*Cedrus deodara* (Himalayan Cedar) \$9,000.00  
Near the centre of the site's northern boundary.

23/*Juniperus sp.* (Juniper) \$1,000.00  
Adjacent to the eastern end of the site's southern boundary.

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

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

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

84. Prior to the commencement of any works on site and prior to issue of the Construction Certificate the applicant must submit, for review by Council Engineers, a Traffic /Parking and Delivery Management Plan. The plan must be prepared by a qualified civil/traffic engineer in accordance with the documents SAA HB81.1 – 1996 – “Field Guide for Traffic Control at Works on Roads – Part 1” and RTA “Traffic Control at Work Sites (1998)”. The following matters must be addressed:

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**Heavy vehicle routes**

- a. Safe points of vehicular access to the construction site and details of the proposed route of heavy vehicles servicing the site. Light traffic roads and those subject to a load limit are to be avoided.

**Safe ingress and egress**

- a. How the site will be safely accessed by all vehicles servicing the site including provision for forward ingress and egress and details of traffic control for the site, including provision of a flagperson to control vehicle movements to and from the site.
- b. How safe egress for vehicles will be controlled on those occasions where forward egress is not possible.
- c. How pedestrians will be safely managed across the frontage of the site. **During demolition an accredited traffic controller is to assist pedestrians across the vehicular entrance to the site.**

**Parking control**

- a. The provision of on-site parking for employee, tradesperson and construction vehicles.

**Traffic Control Plans for the different stages of the construction works**

- a. The Traffic Control Plans must recognise the different stages of the work, including site establishment, bulk excavation, concrete pours and tradesperson and landscaper access, and specify the traffic management requirements of each stage.

NOTE 1: The Traffic Control Plans shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council shall be obtained prior to the issue of the Construction Certificate. The Plan shall be prepared by a suitably qualified and experienced person (RTA red card) and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

NOTE 2: The traffic management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of any works on-site including excavation.

85. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

No/Tree/Location

Radius in Metres

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16/*Cedrus deodara* (Himalayan Cedar) 10 metres  
Near the centre of the site's northern boundary.

23/*Juniperus sp.* (Juniper) 4 metres  
Adjacent to the eastern end of the site's southern boundary.

86. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the approved DRIVEWAY, HOUSE 4 and GARAGE for HOUSE 7 shall be fenced off for the specified radius from the trunk to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site:

No/Tree/Location	Radius From Trunk
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5/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and towards the access handle's Hastings Road end.	4 metres
--	----------

6/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and at the centre of the access handle.	8 metres
---	----------

9/ <i>Syncarpia glomulifera</i> (Turpentine) Adjacent to the western side of the driveway and at the southern end of the access handle.	8 metres
---	----------

11/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the centre of the site's western boundary.	7 metres
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22/ <i>Liquidambar styraciflua</i> (Liquidambar) 3 metres from the south-western corner of House 4.	7 metres
--	----------

87. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.

88. Prior to works commencing tree protection signage is to be attached to each tree Protection Zone and displayed in a prominent position and the sign repeated at 10m intervals or closer where the fence changes direction. Each sign shall advise in a clearly legible form, the following minimum information:

1. Tree Protection Zone
2. This fence has been installed to prevent damage to the trees and their growing environment both above and below ground, and access is restricted.
3. If encroachment or incursion into this Tree Protection Zone is deemed to be essential the consulting Arborist should be informed prior to the undertaking of such works

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4. Name, address, and telephone number of the developer.
89. Prior to works commencing the area of the Tree Protection Zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood. The depth of mulch and type as indicated, to be maintained for the duration of the project & Principal Certifying Authority.
90. To preserve the following tree/s, no work shall commence until the trunk/s are protected by the placement of 2.0 metre lengths of 50 x 100mm hardwood timbers spaced at 150mm centres and secured by 2mm wire at 300mm spacings over suitable protective padding material. The trunk protection shall be maintained intact until the completion of all work on site. Any damage to the tree/s shall be treated immediately by an experienced Horticulturist/Arborist, with minimum qualification of Horticulture Certificate or Tree Surgery Certificate and a report detailing the works carried out shall be submitted to the Principal Certifying Authority:

No/Tree/Location

5/*Lophostemon confertus* (Brushbox)/Adjacent to the western side of the driveway and towards the access handle's Hastings Road end.

6/*Lophostemon confertus* (Brushbox)/Adjacent to the western side of the driveway and at the centre of the access handle.

9/*Syncarpia glomulifera* (Turpentine)/Adjacent to the western side of the driveway and at the southern end of the access handle.

91. Upon completion of the installation of the required tree protection measures you are required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.

CONDITIONS TO BE COMPLIED WITH PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

92. The applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the site on-site stormwater detention facilities. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (available from Council on request) and to the satisfaction of Council. The location of the on-site detention facilities for all dwellings is to be denoted on the final plan of subdivision.
93. The applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to

Item 2

maintain the site retention and re-use facilities. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of retention and re-use facilities" (available from Council on request) and to the satisfaction of Council. The location of the retention and re-use facilities for all dwellings are to be denoted on the final plan of subdivision

94. The creation of a Restriction-on-Use under the Conveyancing Act, restricting the occupation of the premises to:
  - a. People aged 55 years or over, or people with a disability as defined by the provisions of the State Environmental Planning Policy for Seniors Living.
  - b. People who live with such people as defined in (a) above.
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
95. An easement for waste collection must be provided. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
96. For endorsement of the linen plan/issue of the subdivision certificate, the Applicant shall submit an original plan of subdivision plus six (6) copies, suitable for endorsement by the consent authority. The following details **must** be submitted with the plan of Subdivision and its (5) copies, where Council is the consent authority:
  - a. The endorsement fee current at the time of lodgment.
  - b. The 88B Instruments plus six (6) copies,
  - c. A copy of the Occupation Certificate,
  - d. The Consulting Engineer's certification of the on-site stormwater detention facility. This must be on the standard Council on-site detention certification sheet, available from Council's customer services.
  - e. A copy of all works-as-executed plans required under the consent,
  - f. All Surveyor's and/or Consulting Engineer's certification(s) required under this consent,
  - g. The Section 73 (Sydney Water) Compliance Certificate.

Council officers will check the consent conditions on the subdivision. Failure to submit the required information will delay endorsement of the linen plan, and may require payment of rechecking fees.

- Note 1: Plans of subdivision and copies must not be folded.  
Note 2: Council will not accept bonds in lieu of completing subdivision works.  
Note 3: If the certifying authority is not Council, then a copy of all of the above must be provided to Council

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97. For endorsement of the linen plan / subdivision certificate issue, the Applicant shall submit an original instrument under Section 88B of the Conveyancing Act with the plan of subdivision, plus six (6) copies. This is to create any required easements, rights-of-carriageway, positive covenants, restrictions-on-use or other burdens/benefits as may be required. Ku-ring-gai Council must be named as the authority whose consent is required to release, vary or modify the same.
98. The applicant shall create all burdens including but not limited to drainage easements, easements for services and rights-of-carriageway, as required. A registered surveyor is to certify, prior to release of the linen plan/issue of the subdivision certificate, that all existing interallotment drainage lines, services and/or driveways are fully contained within the proposed burdens and/or that future provision of such are fully covered by the proposed burdens. Alternatively, where the surveyor is of the opinion that no interallotment easements or rights-of-carriageway are required, then certification to this effect must be submitted to the Principal Certifying Authority (PCA).

CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

99. Prior to the release of any occupation certificate, a compliance certificate must be obtained from an accredited certifier, certifying that the building works for the building to be occupied comply with the plans and specifications approved by this development consent; and any construction certificate associated with this consent for the buildings to be occupied. If the PCA is not the Council, then this compliance certificate must be submitted to the Council at the same time as the occupation certificate is submitted to the Council in accordance with Clause 151(2) of the E P & A Act regulations.
100. Prior to issue of an Occupation Certificate, the following works must be completed:
- a. Construction of the new driveway crossing and layback in accordance with the levels and specifications issued by Council,
  - b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.

Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council. This shall be at no cost to Council.

101. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate, the following must be provided to Council (attention Development Engineer):

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- a. A copy of the approved Construction Certificate stormwater detention/retention design for the site, and
- b. A copy of the works-as-executed drawing of the as-built on-site detention/retention system, and
- c. The Engineer's certification of the as-built system.

This condition is required so Council may maintain its database of as-constructed on-site stormwater detention systems, and also applies if the Principal Certifying Authority (PCA) is not the Council.

102. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate, the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).
103. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of works), the applicant shall submit to the Principal Certifying Authority (PCA) certification from a suitably qualified and experienced traffic/civil engineer, that:
  - a. The dimensions of all as-constructed private carparking spaces meet the dimension requirements of the Seniors Living SEPP (as last amended), and
  - b. No doors or gates have been provided in the access driveway which would prevent unrestricted access for internal garbage collection from the garbage storage area.
104. Prior to issue of the Occupation Certificate a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:
  - That the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans.
  - That the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 respectively, have been achieved in full.
  - That retained water is connected and available for irrigation.
  - That all grates potentially accessible by children are secured.
  - That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
  - All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

The following certification sheets **must be accurately completed and attached** to the certification:



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- Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
  - On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.
105. Prior to issue of the Occupation Certificate a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:
- As built (reduced) surface and invert levels for all drainage pits.
  - Gradients of drainage lines, materials and dimensions.
  - As built (reduced) level(s) at the approved point of discharge to the public drainage system.
  - As built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site.
  - The achieved storage volumes of the installed retention and detention storages and derivative calculations.
  - As built locations of all access pits and grates in the detention and retention system(s), including dimensions.
  - The size of the orifice or control fitted to any on-site detention system.
  - Dimensions of the discharge control pit and access grates.
  - The maximum depth of storage possible over the outlet control.
  - Top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system.

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

106. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Inspections by and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work. Documentary evidence of compliance with this condition shall be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate:

No/Tree/Location	Time of inspection
5/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and towards the access handle's Hastings Road end.	Demolition, driveway construction and landscape stages.

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6/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the western side of the driveway and at the centre of the access handle.	Demolition, driveway construction and landscape stages.
9/ <i>Syncarpia glomulifera</i> (Turpentine) Adjacent to the western side of the driveway and at the southern end of the access handle.	Demolition, driveway construction and landscape stages.
11/ <i>Lophostemon confertus</i> (Brushbox) Adjacent to the centre of the site's western boundary.	Demolition, driveway construction and landscape stages.
16/ <i>Cedrus deodara</i> (Himalayan Cedar) Near the centre of the site's northern boundary.	Demolition, dwelling construction, drainage and landscape stages.
22/ <i>Liquidambar styraciflua</i> (Liquidambar) 3 metres from the south-western corner of House 4.	Demolition, dwelling construction, drainage and landscape stages.
23/ <i>Juniperus sp.</i> (Juniper) Adjacent to the eastern end of the site's southern boundary.	Demolition, dwelling construction, drainage and landscape stages.

107. Noxious and/or environmental weed species shall be removed from the property prior to the issue of the Occupation Certificate. Documentary evidence of the compliance with conditions of consent in this regard shall be submitted to the Principal Certifying Authority prior to the release of the Occupation Certificate:

Plant species

*Acer negundo* (Box Elder)  
*Cinnamomum camphora* (Camphor laurel)  
*Cotoneaster sp.* (Cotoneaster)  
*Erigeron karvinskianus* (Seaside Daisy)  
*Erigeron karvinskianus* (Seaside Daisy)  
*Ficus pumila* (Creeping Fig)  
*Hedera sp.* (Ivy)  
*Hedychium gardnerianum* (Ginger lily)  
*Jasminum polyanthum* (Jasminum)  
*Ligustrum lucidum* (Large-leaved Privet)  
*Nephrolepis cordifolia* (Fishbone fern)  
*Ochna serrulata* (Ochna)  
*Raphiolepis indica* (Indian Hawthorn)  
*Tradescantia albiflora* (Wandering Jew)

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108. The landscape works, shall be installed in accordance with the approved plan/s and/ or conditions of consent, be completed prior to release of Occupation Certificate and be maintained in a healthy and vigorous condition at all times.
109. The Principal Certifying Authority shall ensure that the landscape works, have been installed correctly, consistent the approved landscape plan(s), specification and the conditions of consent prior to release of the Occupation Certificate.

J Kim  
Development Assessment Officer

S Segall  
Team Leader  
Development Assessment - North

M Leotta  
Acting Manager  
Development Assessment Services

M Miocic  
Director  
Development & Regulation

**Attachments:**      **Location sketch - 672953**  
                             **Zoning extract - 672953**  
                             **Site analysis - 672954**  
                             **Architectural plan - 672955**  
                             **Confidential attachments – Floor and landscape plans**

# LOCATION SKETCH

## 42A - 50 Hastings Road, WARRAWEE

### DEVELOPMENT APPLICATION No 11/06



INCLUDES OBJECTIONS FROM OUTSIDE OF MAP



AGREEMENT



OBJECTION



SUBJECT LAND



PETITION



SUBMISSION



CIRCULATED AREA



Scale : 1:2500

27-07-2006



# Zoning Extract

42a 50 HASTINGS RD WARRAWEE DA 11/06



## ZONES

### 2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G
- (h) RESIDENTIAL H



### 3. BUSINESS

- (a) RETAIL SERVICES

#### FLOOR SPACE RATIOS

- A1 2.0:1
- A2 1.0:1
- A3 0.75:1

- (b) COMMERCIAL SERVICES

#### FLOOR SPACE RATIOS

- B1 1.0:1
- B2 1.0:1



### 5. SPECIAL USES

- (a) SPECIAL USES A (Schools etc)

- (a1) SPECIAL USES A1

- (b) SPECIAL USES (Railway)

### 6. OPEN SPACE

- (a) RECREATION EXISTING

- (b) RECREATION PRIVATE

- (c) RECREATION PROPOSED



## RESERVATIONS

### OPEN SPACE

- (a) OPEN SPACE (Public Parks & Recreation)

- (b) COUNTY OPEN SPACE

### SPECIAL USES

- SPECIAL USES (Parking etc)

### ROADS

- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED
- (d) LOCAL ROAD WIDENING



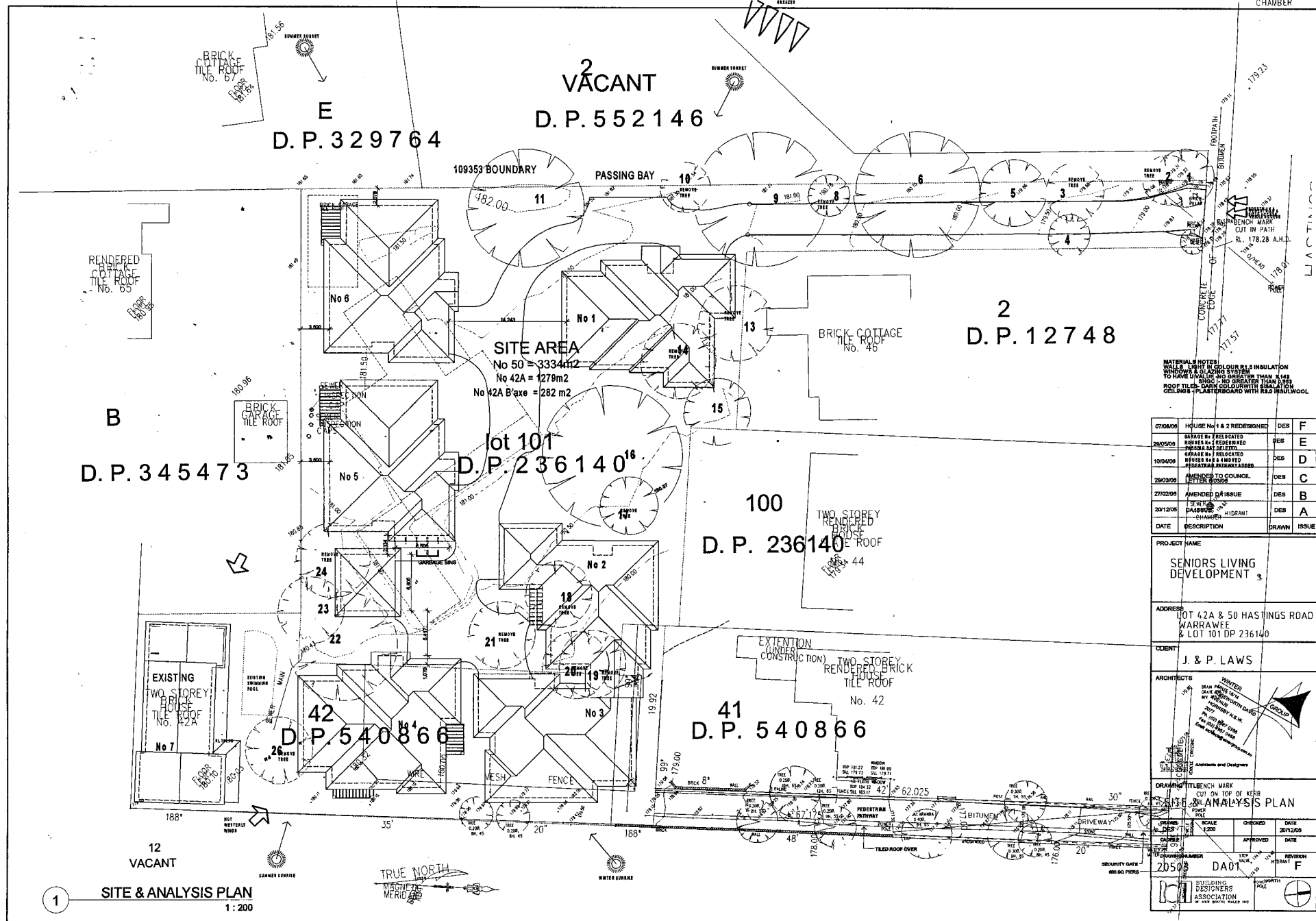
## GENERAL

- EXISTING COUNTY ROAD
- OTHER PLANNING INSTRUMENTS



Scale: 1:2500

Date: 28-07-2006

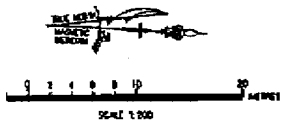




7 EAST ELEVATION 1:200



**BUILDING  
DESIGNERS  
ASSOCIATION**  
OF NEW SOUTH WALES INC



D.P. 348473

D.P. 339744

2  
VARIANT  
D.P. 1192145

D.P. 132748

1103  
D.P. 1201541

41  
D.P. 540845

D.P. 4049

D.P. 11045

11  
VARIANT  
D.P. 11045

- NOTES:
1. BOUNDARIES AND ELEVATIONS ARE SHOWN ON LOT 101 AND THE SURROUNDING LOT 42. THE BOUNDARIES SHOWN ARE THE CURRENT BOUNDARIES.
  2. ALL BOUNDARIES AND ELEVATIONS HAVE BEEN CHECKED FROM THE PLANS AND FOUND TO BE CORRECT. THE LAND IS NOT TO BE USED FOR ANY OTHER PURPOSE.
  3. BOUNDARIES OF LOT 101 AND LOT 42 ARE SHOWN ON THE PLANS.
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42  
D.P. 540866  
TOTAL SITE AREA  
1084m<sup>2</sup>

COURT

TOTAL COMBINED SITE AREA  
LOT 101 D.P. 236140 AND LOT 42 D.P. 540866  
= 4919m<sup>2</sup>

PLAN SHOWING BOUNDARIES, RELATIVE HEIGHTS & PHYSICAL FEATURES OVER LOT 101 IN D.P. 236140 AND LOT 42 IN D.P. 540866 SHOWN AS NO. 5 & 50 HASTINGS ROAD, WARRAWEE.

(S.A.) 80-5000-001



**BEE & LETHERIDGE PTY. LIMITED.**  
SURVEYORS  
CONSULTING SURVEYORS  
14 STURGEON  
ST. SYDNEY  
NEW SOUTH WALES  
(02) 9551 1111



THE SURVEYORS' ASSOCIATION OF NEW SOUTH WALES  
INCORPORATED IN AUSTRALIA  
(S.A.) 80-5000-001

BOUNDARY  
ELEVATION

BOUNDARY  
ELEVATION

PLAN NO. 50 HASTINGS ROAD, WARRAWEE.			
DATE: 1/10/01		SCALE: 1:200	
DRAWN: J.L.		CHECKED: J.L.	
APPROVED: J.L.		DATE: 1/10/01	
PROJECT: 50 HASTINGS ROAD, WARRAWEE.		DRAWN: J.L.	
CHECKED: J.L.		DATE: 1/10/01	
APPROVED: J.L.		DATE: 1/10/01	



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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	8 SQUADRON COURT, LINDFIELD - CONSTRUCTION OF A TWO STOREY DWELLING
<b>WARD:</b>	Roseville
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	39/06
<b>SUBJECT LAND:</b>	8 Squadron Court, Lindfield
<b>APPLICANT:</b>	Charleston Homes Pty Ltd
<b>OWNER:</b>	Mrs F M De Swart & Mr J M De Swart
<b>DESIGNER:</b>	Charleston Homes Pty Ltd
<b>PRESENT USE:</b>	Vacant residential allotment
<b>ZONING:</b>	Residential 2(b)
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	KPSO, DCP 40, DCP 43, DCP 47, DCP 17, DCP 38
<b>COMPLIANCE WITH CODES/POLICIES:</b>	No
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP 55, SEPP (BASIX), SEPP 19, SREP (Sydney Harbour Catchment) 2005
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	17 January 2006
<b>40 DAY PERIOD EXPIRED:</b>	26 February 2006
<b>PROPOSAL:</b>	Construction of a two storey dwelling
<b>RECOMMENDATION:</b>	Refusal

<b>DEVELOPMENT APPLICATION N<sup>o</sup></b>	<b>39/06</b>
<b>PREMISES:</b>	<b>8 SQUADRON COURT, LINDFIELD</b>
<b>PROPOSAL:</b>	<b>CONSTRUCTION OF A TWO STOREY DWELLING</b>
<b>APPLICANT:</b>	<b>CHARLESTON HOMES PTY LTD</b>
<b>OWNER:</b>	<b>MRS F M DE SWART &amp; MR J M DE SWART</b>
<b>DESIGNER</b>	<b>CHARLESTON HOMES PTY LTD</b>

### **PURPOSE FOR REPORT**

To determine development application No 39/06, which seeks consent for construction of a new two storey dwelling house. This matter has been called to full Council by Councillor Shelley.

### **EXECUTIVE SUMMARY**

Permissible Under:	Ku-ring-gai Planning Scheme Ordinance
Integrated Development:	No
Bushfire Prone Land:	Yes (bushfire prone vegetation buffer)
Heritage Item:	No
In the vicinity of a Heritage Item	No
Conservation Area:	No
Issues:	Streetscape, front setback, bulk and scale, garaging location and fill to the front yard
Submissions:	Two (2) submissions
LEC Appeal:	Appeal against deemed refusal, lodged 16 August 2006. First callover 4 October 2006
Recommendation:	Refusal

### **HISTORY**

December 2005	Pre-lodgement consultation (inadequate front setback raised by Council officers)
17 January 2006	Application lodged.
24 January 2006	Application processed at DRU, issues identified relating to setbacks, garage, future pool and non-compliances with DCP 17 and DCP 38
1 February 2006	Stop the Clock letter sent to applicant, requesting further landscaping details and works located within the Energy Australia easement to be deleted

Item 3

- 21 February 2006 Outstanding information received (21 days from Stop the Clock letter)
- 17 March 2006 Meeting involved the applicant, owners, builder and Council officers. Issues raised include:
- Front setback to the dwelling inadequate in relation to DCP 38 and DCP 17
  - Non-compliant garage location, forward of the dwelling house
  - Reduction of the ceiling height of the single storey portion of the dwelling (southern elevation) for view retention
  - Overshadowing
  - Unrelieved wall length
  - Front fence/retaining wall
  - Excessive fill to the front yard
  - Location of the OSD tanks (within front yard) and the tank located above ground adjoining the southern boundary
  - Floor space ratio exceeds the maximum allowed under DCP 17
  - Deletion of the pool from the landscape plan
  - Privacy concerns regarding balcony located on the northern elevation
  - Bulk and scale of the front entry including the front portico
  - BASIX certificate to be amended to reflect changes
  - Pergola located on the front façade
- 30 March 2006 Council sent letter to applicant confirming the above issues
- 19 May 2006 Follow-up letter sent to applicant requesting amended plans
- 6 June 2006 Additional information received (82 days from meeting, 69 days from letter)
- 24 July 2006 Meeting with applicant and applicant's solicitor
- 16 August 2006 Class 1 (deemed refusal) appeal lodged by applicant

## THE SITE AND SURROUNDING AREA

### The site

Zoning:	Residential 2(b)
Visual Character Study Category:	1945-1968
Lot Number:	28
DP Number:	1088187
Heritage Affected:	No
Bush Fire Prone Land:	Yes (bushfire prone vegetation buffer)
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	Remediated: see SEPP 55 assessment

Item 3

### Site description

The subject site is legally identified as Lot 28, DP 1088187 and is known as 8 Squadron Court, West Lindfield. The site has a total area of 1207m<sup>2</sup>, with a frontage of 26.56 metres to Squadron Court. The site is irregular in shape, with an arc-shaped frontage to Squadron Court due to the adjoining cul-de-sac. The site is located on the eastern side of Squadron Court. The undeveloped site is located on the high side of the street, with a steep front setback rising 1.5 metres over a distance of 13 metres. The remainder of the site is relatively flat.

### The surrounding area

The site is situated within the CSIRO subdivision approved by Council under Development Application 897/03 (Approved 11 May 2004). The subdivision included the creation of 29 residential allotments and the construction of two internal roads namely; Squadron Court and Brevet Avenue.

## THE PROPOSAL

The proposal is to construct a new dwelling house, detached double garage, associated landscaping and stormwater works.

### Amended plans - 6 June 2006

Amended plans were submitted in response to issues and concerns raised by Council officers.

The amended plans included the following changes:

- increased front setback from 6.5m to 8.2m
- deletion of a 900mm wall adjoining the driveway
- reduced fill within the front yard, from 900mm to a stepped level (500mm and 700mm)
- relocation of raised rainwater tank behind the building line adjoining the southern boundary
- separation of the driveway and pedestrian access
- amendments to the building design including additional modulation to the front façade

## CONSULTATION - COMMUNITY

In accordance with Council's Notification DCP, owners of adjoining properties were given notice of the application. Two objections were received from the following:

1. *Mr. Narayanaswamy of 18 Bradfield Road, West Lindfield*
2. *Peter & Roberta Delaney of 2 Browns Road, Gordon (10 Squadron Court, West Lindfield)*

The submissions raised the following issues:

### *Location of swimming pool*

Item 3

Concern was raised over the location of the proposed swimming pool and filter box (DA115/06). The pool does not form part of the current application and is therefore is not a relevant consideration.

***Possible loss of future potential views***

Concern was also raised with regard to potential view loss from adjoining property to the rear (No. 18 Bradfield Road) should the proposed dwelling be relocated further toward the rear boundary in order to increase the front setback. The objector discussed future plans to submit a development application which would include a gallery and balcony at the rear of the dwelling capturing views to Chatswood.

The impact of the proposed dwelling on future development on the adjoining property is outside the scope of the current development application and is not a relevant consideration under Section 79C of the Environmental Planning and Assessment Act 1979. Any future application for development on the adjoining property would be assessed on its individual merits. Council can not make an assessment of a possible future rear balcony and gallery.

***Inadequate front setback***

The proposal does not comply with the setback requirements of DCP 38 which require new residential development to be set back 12-14 metres from the front boundary for dwellings located on the high side of the street. The proposed setback is inadequate.

***Pool fencing***

The proposed pool and fencing (DA115/06) are subject of a separate DA and are not relevant to this application.

**CONSULTATION – EXTERNAL**

**NSW Rural Fire Service**

The NSW Rural Fire Service has raised no objection to the proposal.

**CONSULTATION - WITHIN COUNCIL**

**Landscaping Assessment Officer**

Council's Landscape Assessment Officer, Ian Francis, considered the proposed development and raised no objection.

**Development Engineer**

Council's Development Engineer, Masahiro Kimura, considered the proposed development and raised no objection. The Development Engineer provided the following comment:

*"The site drains to the street."*

Item 3

*The Applicant has proposed a dual OSD/OSR system as part of their stormwater management plan.*

*The submitted drainage plans comply with both BASIX and Water Management DCP47.*

*Garage dimensions comply with AS/NZS 2890.1 (2004) - "Off-street car parking".*

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

*Driveway profile needs to be provided to ensure compliance with AS/NZS 2890.1 (2004) - "Off-street car parking".*

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

## **PROVISIONS OF RELEVANT LEGISLATION**

### **STATUTORY PROVISIONS**

#### **State and Sydney Regional Environmental Planning Policies**

##### **State Environmental Planning Policy (BASIX) 2005**

A BASIX certificate has been submitted. The proposal is consistent with the BASIX certificate.

##### **State Environmental Planning Policy 55- Remediation of land**

The remediation strategy for the subdivision DA (897/03) adopted for this site along with the balance of the new subdivision entailed the complete removal of the soil and asbestos down to a minimum 500mm depth or until no asbestos contamination could be detected.

Remediation of the site commenced in early 2002 and involved the removal of all soil across the site, testing of soil beneath existing vegetation to check the presence for asbestos and then removal if found to be positive and finally, validation testing of the site to verify that the remediation strategy was successful.

On 11 February 2003, at the end of the remediation process, a Site Audit Statement (SAS) was issued by Environmental Resources Management, which declared that the site was suitable for the intended residential use. A further SAS by HLA Envirosiences Ltd, issued in February 2005, clarified that the area remediated included this site.

##### **State Environmental Planning Policy 19 – Urban Bushland**

SEPP 19 applies to the site and is aimed at protecting bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes by ensuring that the impacts of future land uses are considered.

## Item 3

The proposal involves only minor excavation. With appropriate conditions of consent imposed there would be no unreasonable impacts attributed to the proposed development on surrounding urban bushland. It is considered that the proposed development meets the relevant aims and objectives of SEPP 19.

**State Environmental Planning Policy (Sydney Harbour Catchment) 2005**

SREP Sydney Harbour Catchment 2005 applies to the site. It aims to protect the environment of Sydney Harbour Catchment by ensuring that the impact of future development is considered. The proposal is for a new dwelling, associated structures and landscaping works. The works are considered to satisfy the objectives pursuant to Part 2, clause 13 of SREP (Sydney Harbour Catchment) 2005 and will not adversely impact on the Sydney Harbour Catchment

The proposal is satisfactory having regard to the relevant matters for consideration under the applicable State Environmental Planning Policies.

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

<b>COMPLIANCE TABLE</b>		
<b>Development Standard</b>	<b>Proposals Numeric Compliance</b>	<b>Complies</b>
<b>Minimum size allotments</b>		
• Site area: 836m <sup>2</sup> (min)	1207m <sup>2</sup>	<b>YES</b>
• Site width: 18m (min)	25.4m	<b>YES</b>
<b>Building height</b> 8m (max)	6.21m	<b>YES</b>
<b>Built-upon areas</b> <b>60%</b> (724.2m <sup>2</sup> )(max)	45.5% (549m <sup>2</sup> )	<b>YES</b>

**Aims and objectives for residential zones:**

The development is unsatisfactory having regard to the following aims and objectives for residential development as outlined by Schedule 9:

*... to ensure that -*

- (e) *all new dwelling-houses and additions to existing dwelling-houses are of a height, size and bulk generally in keeping with that of neighbouring properties and, where larger buildings are proposed, they are designed so as not to dominate and so far as possible to harmonise with neighbouring development; and*

Whilst the CSIRO subdivision currently has no predominant streetscape, character or established building line, the design guidelines contained within DCP 38 and DCP 17 encourage new residential development that is well set back from the street and is situated within a landscaped setting. The proposed dwelling is inconsistent with the desired future character envisaged by the design guidelines and would result in a development that is of an excessive bulk and scale.

Item 3

The proposed design fails to achieve these design intents which are reflected in the aims and objectives pursuant to schedule 9 of the KPSO.

**POLICY PROVISIONS**

**Development Control Plan No. 38 - Ku-ring-gai Residential Design Manual**

<b>COMPLIANCE TABLE</b>		
<b>Development Control</b>	<b>Proposed Numeric Compliance</b>	<b>Complies</b>
<b>4.1 Streetscape:</b>		
<b>Building setbacks (s.4.1.3)</b>		
<ul style="list-style-type: none"> <li>Front setback: 14m (avg) -75% front elevation 12m (min) – 25% front elevation</li> </ul>	<p><i>Dwelling</i> 8.2 – 11.3m</p> <p><i>Garage</i> 10.5 – 12.4m</p>	<p><b>NO</b></p> <p><b>NO</b></p>
<ul style="list-style-type: none"> <li>Side setback: Ground floor: 2.916m(min)  1<sup>st</sup> floor: 3.8m (min)</li> </ul>	<p><i>Ground Floor</i> 3.5 - 5m</p> <p><i>First Floor</i> 6.0 - 9.2m</p>	<p><b>YES</b></p> <p><b>YES</b></p>
<ul style="list-style-type: none"> <li>Rear setback: 9.5m(min)</li> </ul>	7.2m – 16.2m	<b>NO</b>
<b>Front fences (s.4.1.5)</b>		
<ul style="list-style-type: none"> <li>Height: 900m(max) – solid</li> </ul>	500mm	<b>YES</b>
<b>Hedges (s.4.1.5)</b>		
<ul style="list-style-type: none"> <li>Height: 2m (max)</li> </ul>	2m	<b>YES</b>
<b>4.2 Building Form:</b>		
<b>FSR (s.4.2.1)</b> 0.34:1 (411.4m2max)	0.3417:1 (413.15m2)	<b>NO</b>
<b>Height of building (s.4.2.2)</b>		
<ul style="list-style-type: none"> <li>2 storey (max) and 8m (site &gt;20° slope) or 7m (site &lt;20° slope)</li> </ul>	2 storeys & 6.21m	<p><b>YES</b></p> <p><b>YES</b></p>
<b>Building height plane (s.4.2.3)</b> 45° from horizontal at any point 3m above boundary	Fits within height plane	<b>YES</b>
<b>First floor (s.4.2.4)</b>		
<ul style="list-style-type: none"> <li>FSR: &lt; 40% total FSR</li> </ul>	40.3%	<b>NO</b>
<b>Roof Line (s.4.2.6)</b>		
<ul style="list-style-type: none"> <li>Roof height (5m – single storey) (3m – two<sup>+</sup> storey)</li> </ul>	2.4m	<b>YES</b>



Item 3

COMPLIANCE TABLE		
Development Control	Proposed Numeric Compliance	Complies
<ul style="list-style-type: none"> <li>Roof pitch 35<sup>0</sup> (max)</li> </ul>	26 <sup>0</sup>	YES
<b>Built-upon area (s.4.2.7)</b> 50% (603.5m <sup>2</sup> ) (max)	45.5% (549m <sup>2</sup> )	YES
<b>Unrelieved wall length (s.4.2.8)</b> 12m (max) (walls <4m high) 8m (max) (walls >4m high)	8.7m – south	NO
<b>Solar access (4.2.11)</b> 4h solar access to adjoining properties between 9am to 3pm	>4 hours to adjoining properties	YES
BASIX commitments Min 40% reduction in water usage	48%	YES
Min 25% reduction in energy usage.	25%	YES
<b>Cut &amp; fill (s.4.2.15)</b> <ul style="list-style-type: none"> <li>Max cut 900mm</li> <li>max cut &amp; fill across building area of 1800mm and 900mm</li> </ul>	257mm  Dwelling Max. Fill 500mm Max. Cut 257mm Garage Max. fill 600mm	YES  YES YES YES
<ul style="list-style-type: none"> <li>no cut or fill within side setbacks</li> </ul>		YES
<b>4.3 Open space &amp; landscaping:</b>		
<b>Soft landscaping area (4.3.3)</b> 50% (603.5m <sup>2</sup> ) (min)	54.5% (658m <sup>2</sup> )	YES
<b>Tree replenishment (s.4.3.6)</b> 7 Trees required	8 trees provided	YES
<b>Landscaping cut &amp; fill (4.3.7)</b> <ul style="list-style-type: none"> <li>max cut or fill 500mm relative to natural ground</li> <li>no cut &amp; fill within 2m of boundary</li> </ul>	700mm (front yard)	NO  YES
<b>Useable open space (s.4.3.8)</b> Min depth 5m and min area 50m <sup>2</sup>	Depth >5m Area 50m <sup>2</sup>	YES YES

## Item 3

COMPLIANCE TABLE		
Development Control	Proposed Numeric Compliance	Complies
<b>4.4 Privacy &amp; Security:</b>		
Refer discussion	Complies	YES
<b>4.5 Access &amp; parking:</b>		
<b>No. of car parking spaces (s.4.5.1)</b>		
• 2 spaces (min), and	2 spaces	YES
• Located Behind building line	Forward of building line	NO
<b>Size of car parking space (s.4.5.2)</b>		
5.4m x 5.4m	5.6m x 5.4m	YES
<b>Driveway width (s.4.5.6)</b> 3.5m	3.5m	YES

**Part 4.1 – Streetscape:****Front setback**

The controls contained in Part 4.1 of DCP 38 require new development to be set back between 12-14 metres for sites located on the high side of the street.

The proposed development does not comply with the set back requirement, with a large proportion of the dwelling situated forward of the 12-14 metres setback zone. The proposal does not at any point achieve the 14 metres average setback requirement, as evidenced on the attached setback Diagram (Appendix A). This diagram shows a significant proportion of the front two storey section of the dwelling located forward of the 12 metres minimum setback requirement. The proposed detached double garage also fails to comply, despite there being space available between the dwelling and the garage to set the garage further back on the site.

The siting and location of the dwelling is inconsistent with the desired future streetscape of Squadron Court, as envisaged by the setback controls in DCP38 and the provisions of DCP 17. The proposed dwelling will dominate this part of Squadron Court and would have an unacceptable impact in terms of bulk and scale to the street.

The bulk and scale of the development is exacerbated by the amount of fill proposed within the front setback and results in the proposed elevated finished floor height of the dwelling, being approximately 1.83 metres above the footpath level. The two storey height of the dwelling at the front of the site also contributes to the bulk of the development, as does the location of the double garage forward of the main dwelling façade.

The setback requirements of DCP 38 and the streetscape objectives contained within DCP 17 are essential to ensure that consistent setbacks are established within the subdivision. This is of particular importance as the site is prominent in the street and as there is yet no established building line within the street.

Item 3

The purpose of the setback requirement of DCP 38 and the streetscape objectives contained within DCP 17 is to ensure that future dwellings are sited so as to minimise the imposition of buildings on the streetscape and to maximise landscaping within the front setback. The proposed dwelling fails to achieve this.

The proposal is unsatisfactory with regard to the setback requirements of DCP 38, is inconsistent with other approved sites within the CSIRO subdivision and would result in the unnecessary imposition of bulk and scale to Squadron Court.

**Rear setback**

The minimum rear setback under DCP 38 is 9.5 metres. The proposal has a rear setback ranging from 7.2 to 16.2 metres. The encroachment of the dwelling into the rear setback is only over a very small corner of the building and is acceptable noting the juxtaposition of the dwelling to the rear boundary. The first floor bedrooms are also unlikely to result in any material impact to the adjoining property to the rear as bedrooms are low use rooms.

**Part 4.2 – Building form:**

Primarily the development is compliant with the relevant numerical controls for built form. However, the proposed design is vertical in its appearance, with little articulation or horizontal elements to the front façade. The vertical emphasis of the design is exacerbated by a large portion of the first floor that is not stepped back from ground floor elements. The proposals excessive bulk and scale is compounded by its inadequate front setback.

**Part 4.3 – Landscaping cut and fill:**

The proposal does not comply with the maximum fill controls of DCP 38. It is proposed to fill the steep front setback by 700mm to largely accommodate the required on site retention and formalise the front entry to the dwelling. The dwelling is sited 500mm above existing levels, resulting in the dwelling being sited a total of 1.87 metres higher than the footpath level and adjoining sites. This exacerbates the dominance of the dwelling to the street.

**Part 4.5 – Access and parking:**

The siting of the detached garage does not comply with section 4.5.3 of DCP 38 in that the garage is located forward of the required 12-14 metres front setback and forward of the proposed dwelling. Council may consider a reduced front setback where there are limited side setbacks, where the structure is to be open sided, located at the maximum possible distance from the front property boundary and be of a scale and form compatible with the surrounding character.

In this instance, the site is undeveloped and free of any existing physical constraints and garaging can be located on the site in accordance with Council's controls. The proposed structure is utilitarian in nature and is not located at the maximum distance from the street with a 2.5 metres wide courtyard located between the proposed dwelling and the detached garage. The detached garage also fails to comply with the minimum side setback and is not well integrated with the dwelling facade.

## Item 3

**Development Control Plan No. 17 – CSIRO Land, Bradfield Road, West Lindfield**

DCP 17 applies specifically to the CSIRO subdivision and includes objectives for new residential development along Bradfield Road, Squadron Court and Brevet Avenue. The design guidelines contained in DCP 17 should be read in conjunction with those contained in DCP 38.

**Objectives and principles of DCP 17:**

The aims of the DCP are:

- a. *to allow for reasonable and sensitive development by the Commonwealth Government and subsequent owners of the land; and*
- b. *to maintain and, where appropriate, improve the existing amenity and environmental character of the residential zone.*
- c. *to permit new residential development only where it is compatible with the existing environmental character of the locality and has a sympathetic and harmonious relationship with nearby development.*
- d. *to not grant consent to an application inconsistent with the development standards contained in this Plan, unless in Council's opinion such consent is consistent with the specific objectives contained in this Plan and the Ku-ring-gai Planning Scheme Ordinance*

The proposal is considered against the following relevant design guidelines:

<b>COMPLIANCE TABLE</b>		
<b>Development Control</b>	<b>Proposed Numeric Compliance</b>	<b>Complies</b>
<b>Streetscape/public domain:</b>		
<b>Materials (Cl. 26.8)</b>		
Earth tones	utilised	<b>YES</b>
Low reflective finishes	utilised	<b>YES</b>
<b>Bulk (Cl. 26)</b>		
Rooftops avoid bulky appearance	Bulky roof avoided	<b>YES</b>
Elevations relieved by horizontal elements/landscaping	Façade vertical in appearance	<b>NO</b>
<b>Protection of bushland (Cl. 36)</b>		
<ul style="list-style-type: none"> <li>Prevents pollutants enriching soils</li> <li>Prevents weed invasion</li> <li>Prevents erosion and sedimentation</li> </ul>	Stormwater is adequately managed on the site, reducing the potential for pollution or erosion. Sediment controls would be required as a condition of consent. Landscaping includes endemic species.	<b>YES</b>

## Item 3

COMPLIANCE TABLE		
Development Control	Proposed Numeric Compliance	Complies
<b>View retention (Cl. 26)</b>		
Promote view sharing principles	Views from adjoining properties will be available	<b>YES</b>
<b>Balconies</b>		
<ul style="list-style-type: none"> <li>Not to be enclosed (Cl. 38)</li> <li>Avoid elevated platforms, stilts &amp; decks (Cl. 26.11)</li> </ul>	Open balcony Elevated deck on first floor	<b>YES</b> <b>NO</b>
<b>Solar access (Cl. 28)</b>		
Adequate solar access to adjoining sites between 9am to 3pm	Solar access is adequate	<b>YES</b>
<b>Open space &amp; landscaping:</b>		
<b>Built-upon area (Cl. 23.2)</b> 50% (m <sup>2</sup> ) (max)	45.5% (549m <sup>2</sup> )	<b>YES</b>
<b>Retention of existing trees (Cl. 24)</b>	Callistemon to be removed	<b>YES</b>
<b>Private open space (Cl. 29)</b> <ul style="list-style-type: none"> <li>Min depth 6m (ground level)</li> <li>Accessed from living area</li> <li>Not front setback</li> </ul>	Depth >6m off living area at the rear of the proposed dwelling	<b>YES</b> <b>YES</b> <b>YES</b>

**Design guidelines****Streetscape, building design**

Clause 25.3 of DCP 17 refers to the design guidelines for the residential environment of Ku-ring-gai described pursuant to clause 10 of DCP 17. Clause 10 states *inter alia*;

*Whilst there is a great variety of development forms contributing to the residential environment of Ku-ring-gai, there are a number of features essential to creating its residential character which are constant throughout the majority of the Municipality. These are:*

- a. Large allotments containing high quality detached housing of 1-2 storeys.*
- b. Buildings set well back from the street to provide ample front yards generally containing substantial planting.*

Item 3

- c. *Significant private tree and vegetation planting to complement street trees. Certain areas exhibit even stronger associations than those described above.*

The proposed development does not comply with the set back requirements contained of DCP 38 and is inconsistent with the desire future streetscape of Squadron Court, as envisaged by these setback controls and DCP 17.

The setback requirements of DCP 38 and the streetscape objectives contained within DCP 17 are essential to ensure that consistent setbacks are established within the subdivision. This is of particular importance as the site is prominent in the street and as there is yet to be an established building line within the street.

The proposal is also inconsistent with other approved sites within the CSIRO subdivision and would result an unnecessary imposition of bulk and scale to Squadron Court. The proposal fails to achieve the setback requirements of DCP 38 and is unsatisfactory with regard to the streetscape objectives of DCP 17.

**Bulk (Clause 26)**

Clause 26 of DCP 17 includes objectives for visually prominent sites. In this regard, the proposed dwelling is located on a ridge top, with views spanning to Chatswood. The objectives of Clause 26.1 state;

- a. *To encourage residential development that ensures dwelling forms, including alterations and additions, that do not degrade the amenity of the surrounding residential area or the aesthetic quality of the area.*
- b. *To minimise the visual impact of development when viewed from adjoining areas.*
- c. *To ensure that dwellings are designed with regard to the site conditions, to minimise the impact on the landform and visual amenity of the site.*
- d. *To ensure that the existing natural features on the site are retained where appropriate to screen future development.*
- e. *To ensure that dwelling designs have regard to preserving existing views.*
- f. *To ensure that dwelling designs have regard to the impact on the amenity of adjoining development and surrounding properties.*

Further, Clause 26.6 of DCP 17 seeks to avoid bulky buildings. It also requires buildings to be softened with the use of horizontal elements such as pergolas or suitable planting schemes. The proposed building has a dominant vertical emphasis and is bulky in appearance. A pergola has been sited to the front of the dwelling to minimise the scale and bulk of the development but this element does very little to relieve the overall impression of scale and bulk.

Item 3

Whilst some elements have been incorporated into the design to reduce the bulk of the dwelling, the location of the site, proposed fill and the siting of the dwelling results in a development which will dominate the future streetscape. In this regard, the development is not considered to be of appropriate bulk or scale.

**Balconies (Clause 27.3)**

Clause 27 of DCP 17 includes objectives relating to privacy which state;

*Development shall be sited and designed so as to minimise the potential for overlooking of or looking back into, neighbours' habitable rooms and recreation areas and must provide a reasonable level of privacy thereto.*

*Rooftop terraces, balconies, decks and the like will generally not be approved where they directly overlook or have the potential to directly overlook habitable rooms, laundries, bathrooms, recreation areas of neighbouring properties or the adjoining golf course.*

The proposal features a balcony on the northern elevation at first floor level adjoining Bedroom 3 and Bedroom 1. There are distances of between 14 metres from the balcony to the northern boundary and 9.4 metres from the balcony to the western boundary. In this respect, noting the balconies are located off bedrooms, the separation between sites and the proposed on site vegetation, the proposed development is considered acceptable in terms of privacy.

**Likely impacts**

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

**Suitability of the site**

The site is suitable for residential development. This development proposal, however, will not result in a good town planning outcome nor does the proposal respond appropriately to the site.

**Any submissions**

All submissions received have been considered.

**Public interest**

For the reasons advanced above, the proposal is not in the public interest.

**CONCLUSION**

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

## RECOMMENDATION

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

That Council, as the consent authority, refuse development consent to Development Application No. 39/06 for construction of a two storey, dwelling house on land at 8 Squadron Court, West Lindfield, as shown on plans numbered Sheet 2 Site Plan, Sheet 3 Ground Floor Plan, Sheet 4 First Floor Plan, Sheets 5 & 6 Elevations, Sheet 7 Section AA, dated 14 May 2006 Sheet 8 Roof Plan, dated 16 May 2006 prepared by Charleston Homes Pty Ltd, and lodged on 6 June 2006, for the following reasons;

### Streetscape impact

1. The proposed development results in an adverse streetscape impact by virtue of its excessive scale and bulk, inadequate setbacks and incompatibility with the desired future character of the locality and surrounding natural environment.

### Particulars

- a) The proposed dwelling and detached garage fail to comply with the setback requirements of Part 4.1 of DCP 38 which specify that new residential development must be set back 12-14 metres from the street boundary, for a development on the high side of the street.
- b) The proposed dwelling is situated above the street and results in two storey elements that have an excessive bulk and scale and that are set back between 8.2-11.3 metres from the Squadron Court boundary.
- c) The proposed detached garage is situated above the street and is set back 10.5-12.4 metres from the Squadron Court boundary.
- d) The siting and design of the detached garage fails to comply with Part 4.5.3 of DCP 38 in that the proposed detached garage fails to comply with the minimum side setback requirement and is located in front of the proposed dwelling.
- e) The proposal is inconsistent with Clause 10 of DCP 17 in that it has an inadequate front setback which will have a detrimental impact on the streetscape character of Squadron Court. The proposed dwelling will dominate this part of Squadron Court and would have an unacceptable impact in terms of bulk and scale to the street.
- f) The proposal fails to comply with Clause 26 of DCP 17 as it would have an excessive bulk and scale when viewed from Squadron Court and as the proposed dwelling is situated well above the street and would incorporate dominant by vertical design features.



Item 3

- g) The proposal is contrary to the objective stated in Clause 1(e) of Schedule 9 of the Kuring-gai Planning Scheme Ordinance as it is incompatible with the desired future intent of the area as described by DCP 17, whereby large front setbacks are intended characteristics with dwellings that avoid bulky appearances or are to be softened with the use of horizontal elements.
- h) The proposal fails to maintain the natural topography of the site with excessive fill to the front of the site, which is inconsistent with Section 4.3.7 of DCP 38.

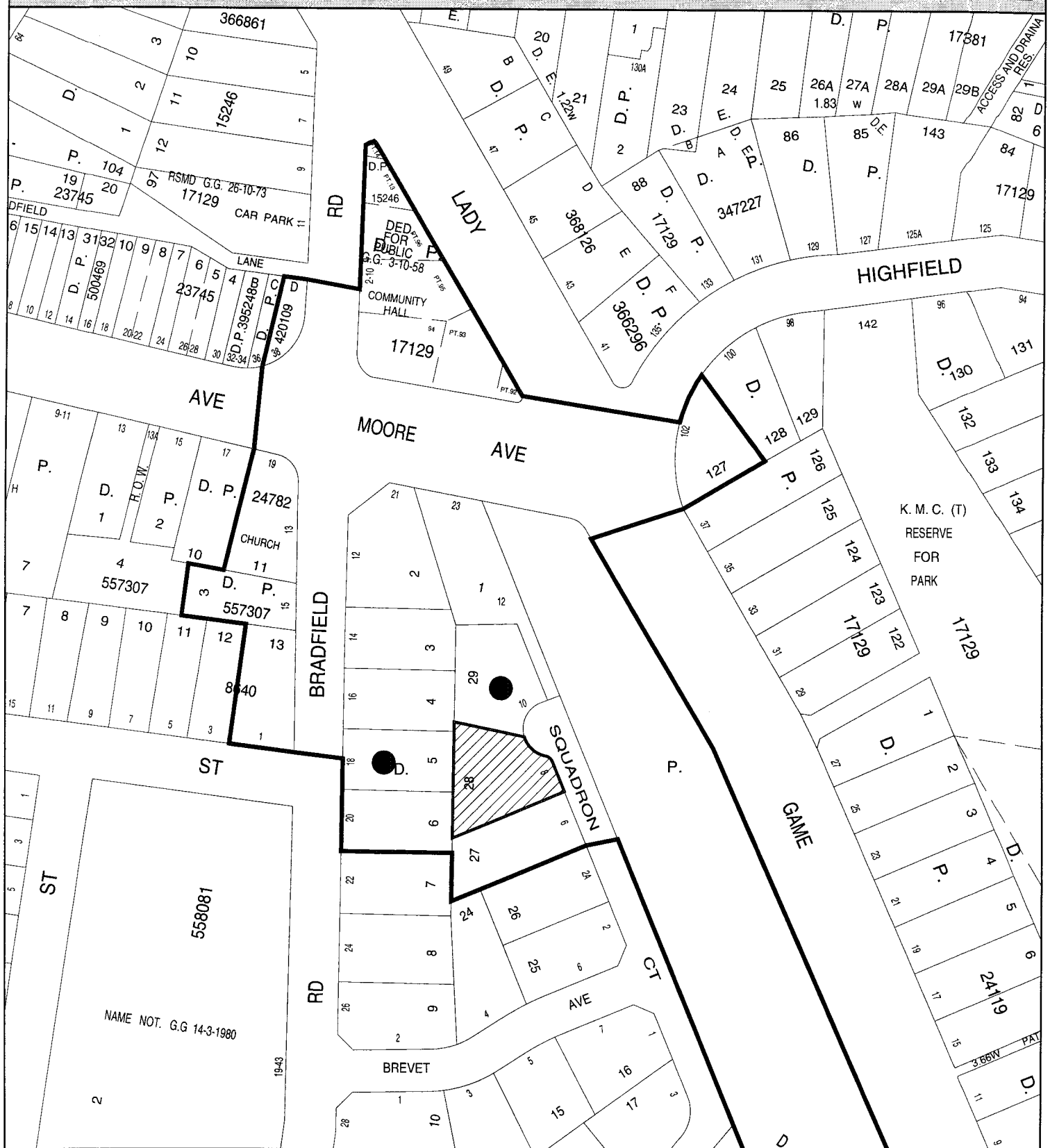
B Sneesby  
**Assessment Officer**

R Kinninmont  
**Team Leader**  
**Development Assessment - Central**

M Leotta  
**Acting Manager**  
**Development Assessment Services**

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

**Attachments:**      **Location sketch & Zoning Extract - 672904**  
                             **Site Plans - 672909**  
                             **Elevations - 672910**  
                             **Map of approved setbacks in Squadron Court & Brevet Avenue - 672911**  
                             **Landscape plan - 672912**

**DEVELOPMENT APPLICATION No 39/06**

**Scale : 1:2000**

**15-09-2006**



## AGREEMENT



OBJECTION



SUBJECT LAND



# PETITION



## SUBMISSION



CIRCULATED AREA



# Zoning Extract

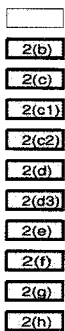
8 Squadron Court WEST LINDFIELD - DA 39/06



## ZONES

### 2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G
- (h) RESIDENTIAL H



### 3. BUSINESS

- (a) RETAIL SERVICES

#### FLOOR SPACE RATIOS

- A1 2.0:1
- A2 1.0:1
- A3 0.75:1

- (b) COMMERCIAL SERVICES

#### FLOOR SPACE RATIOS

- B1 1.0:1
- B2 1.0:1



### 5. SPECIAL USES

- (a) SPECIAL USES A (Schools etc)

- (a1) SPECIAL USES A1

- (b) SPECIAL USES (Railway)

### 6. OPEN SPACE

- (a) RECREATION EXISTING

- (b) RECREATION PRIVATE

- (c) RECREATION PROPOSED



## RESERVATIONS

### OPEN SPACE

- (a) OPEN SPACE (Public Parks & Recreation)

- (b) COUNTY OPEN SPACE

### SPECIAL USES

- SPECIAL USES (Parking etc)

### ROADS

- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED
- (d) LOCAL ROAD WIDENING

## GENERAL

- EXISTING COUNTY ROAD
- OTHER PLANNING INSTRUMENTS



Scale:1:2000

Date:15-09-2006

# **SITE CALCULATIONS:**

GROUND FLOOR LIVING 234.56m<sup>2</sup>  
 FIRST FLOOR LIVING 164.48m<sup>2</sup>  
 GARAGE 42.67m<sup>2</sup>  
 ENTRY 8.79m<sup>2</sup>  
 PORCH 2.54m<sup>2</sup>  
 PATIO 24.65m<sup>2</sup>  
 BALCONY 10.35m<sup>2</sup>  
 Total Area 488.03m<sup>2</sup>

SITE AREA: 1207.00m<sup>2</sup>

DRIVEWAY & PAVING AREA: 66.29m<sup>2</sup>

FLOOR SPACE REQUIRED: 170+20%= 411.40 m<sup>2</sup>  
 FLOOR SPACE ACHIEVED: 410.71m<sup>2</sup>

FIRST FLOOR PERCENTAGE OF FLOOR SPACE: 40%

Built Up Area Required: 54% of Site  
 Foot print 310.11m<sup>2</sup> + Driveway & Paving 66.29m<sup>2</sup>= 376.4m<sup>2</sup> (31.1% of Site)

Landscape Ratio Required: (46% of Site) 555.22m<sup>2</sup>  
 Landscape Ratio Achieved: (68.9%), 830.6m<sup>2</sup>

## **NOTES:**

Stormwater drainage to be in accordance with Hydraulic Engineer's storm water design based on Council's stormwater management system or DCP.

ALL LANDSCAPING AND RETAINING WALLS, IF REQUIRED, SHALL BE CONSTRUCTED BY THE OWNER.

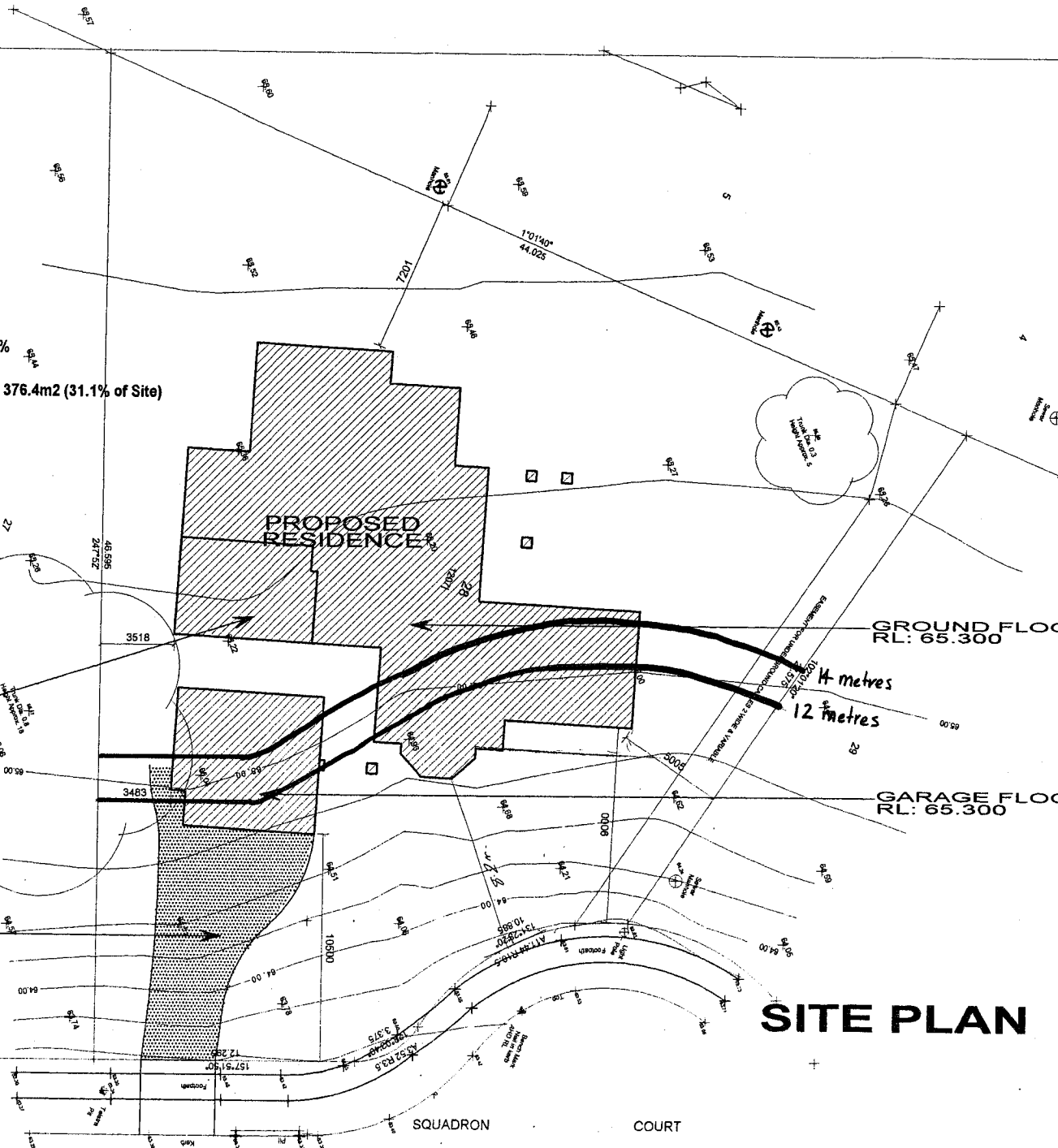
THERE ARE TWO GARDEN TAPS, ONE TO THE FRONT & ONE TO THE REAR, TO BE POSITIONED AT THE DISCRETION OF THE PLUMBER.

LOWER GROUND FLOOR LEVEL RL: 65.043

GROUND FLOOR LEVEL RL: 65.300

GARAGE FLOOR LEVEL RL: 65.300

## **SITE PLAN**



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 Note: All work shall be in accordance with the relevant Building Code of Australia and the relevant Australian Standards as stated in the general housing specifications.

DESIGN: VILLA FRANCESCA (ROMA) CONCEPT

CLIENT: MR & MRS J. DeZwart

ADDRESS: LOT 28, SQUADRON COURT, WEST LINFIELD

DATE: 2nd November 2006

SCALE: 1:200

DRAWN BY: DPZ

OWNERS APPROVAL:

JOB NUMBER:

DEZ32105

### **AMENDMENTS:**

1st November 2006: Preliminary Plan  
 22nd November 2006: Survey Information  
 22nd November 2006: Plan Amendments  
 14th December 2006: Plan Amendments  
 19th April 2006: Amended Plans  
 2nd May 2006: Amended Driveway  
 19th May 2006: Variation 2 to Tender

NOTE: ALL DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO THE SCALE OF THE PLAN. THE PLAN IS TO BE CONFIRMED BY A REGISTERED SURVEYOR'S PLAN.

SHEET

**GROUND FLOOR LIVING**234.56m2  
**FIRST FLOOR LIVING**164.48m2  
**GARAGE** 42.67m2  
**ENTRY** 8.79m2  
**PORCH** 2.64m2  
**PATIO** 24.65m2  
**BALCONY** 10.35m2  
**Total Area** 488.03m2

**DRIVEWAY & PAVING AREA: 66.29m2**

**FLOOR SPACE REQUIRED:**  $170+20\%= 411.40 \text{ m}^2$   
**FLOOR SPACE ACHIEVED:**  $410.71 \text{ m}^2$

**FIRST FLOOR PERCENTAGE OF FLOOR SPACE: 40%**

**Built Upon Area Required: 54% of Site**  
**Foot print 310.11m<sup>2</sup> + Driveway & Paving 66.29m<sup>2</sup>= 376.4m<sup>2</sup> (31.1% of Site)**

**Landscape Ratio Required: (46% of Site) 555.22m<sup>2</sup>**  
**Landscape Ratio Achieved: (68.9%), 830.6m<sup>2</sup>**

Stormwater drainage to be in accordance with Hydraulic Engineer's storm water design based on Council's stormwater management system or DCP.

**ALL LANDSCAPING AND RETAINING WALLS, IF REQUIRED, SHALL BE CONSTRUCTED BY THE OWNER.**

THERE ARE TWO GARDEN TAPS, ONE TO THE FRONT & ONE TO THE REAR. TO BE POSITIONED AT THE DISCRETION OF THE PLUMBER.

LOWER GROUND FLOOR  
LEVEL RL: 65.043

FOR DRIVEWAY, CROSSING AND  
LANDSCAPE DETAILS REFER  
TO THE LANDSCAPE PLAN  
BY THE OWNER

# SITE PLAN

Charleston

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4177 No. 501/10/20  
All building materials shall be in accordance with the relevant  
Building Code of Australia and the relevant Australian Standards  
as stated in the general housing specifications.

DESIGN: VILLA FRANCESCA (ROMA) CONCEPT

CLIENT: MRS. & MRS. J. DeZwart

ADDRESS:  
LOT 28, SQUADRON COURT,  
WEST LINDFIELD

DATE: 2nd November 2005

SCALE: 1:200

DRAWN BY: DEF

OWNERS APPROVAL

JOB NUMBER

PE23210F

## AMENDMENTS:

7th November 2006, Preliminary Plans  
10th November 2006, Survey Information  
22nd November 2006, Plan Amendments  
14th December 2006, Plan Amendments  
11th April 2007, Amended Plans  
19th April 2006, Amended Plans  
2nd May 2006, Amended Drawings  
14th May 2006, Variation 1 to Tender

NOTE: ALL DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO THE SCALE OF THE DRAWING.  
ALL GROUND LINES ARE INDICATIVE ONLY.

544

RIDGE RL: 73.126

CEILING RL: 70.96

FIRST FLOOR RL: 68.260  
CEILING RL: 68.000

GROUND FLOOR RL: 65.300



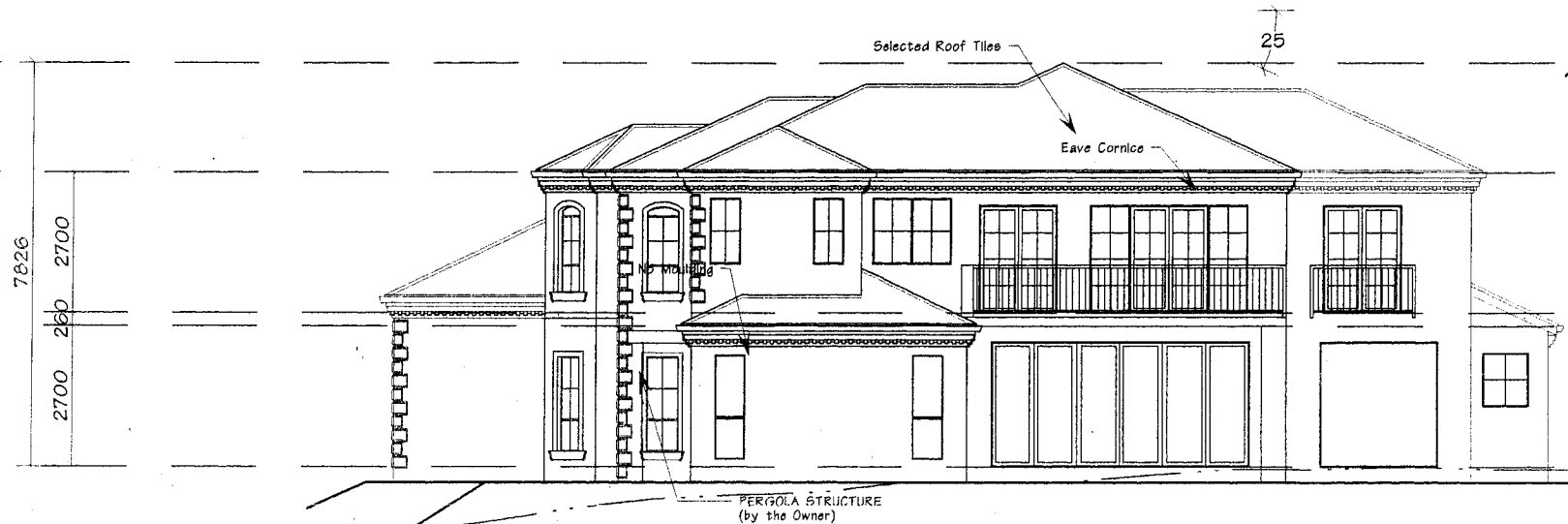
## FRONT ELEVATION

RIDGE RL: 73.126

CEILING RL: 70.96

FIRST FLOOR RL: 68.260  
CEILING RL: 68.000

GROUND FLOOR RL: 65.300



## RIGHT ELEVATION



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No other material shall be in accordance with the relevant Building Code of Australia and the relevant Australian Standards as stated in the general housing specifications.

DESIGN: VILLA FRANCESCA (ROMA) CONCEPT

CLIENT: MR & MRS J. DeZwart

ADDRESS: LOT 28, SQUADRON COURT, WEST LINFIELD

DATE: 2nd November 2005

SCALE: 1:100

DRAWN BY: DFZ

OWNERS APPROVAL

JOB NUMBER: DE230105

**AMENDMENTS**  
7th November 2005, Preliminary Plan  
10th November 2005, Survey Information  
22nd November 2005, Plan Amendment  
14th December 2005, Plan Amendment  
11th April 2006, Amended Plans  
14th May 2006, Variation 4 to Tender

**NOTE:** ALL DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO THE SCALE OF THE DRAWING.  
ALL GROUND LINES ARE INDICATIVE ONLY & ARE TO BE CONFIRMED BY A REGISTERED SURVEYORS CONTOUR PLAN.

RIDGE RL: 73.126

CEILING RL: 70.96

FIRST FLOOR RL: 68.260  
CEILING RL: 68.000

GROUND FLOOR RL: 65.300

Selected Roof Tiles

No Mouldings

4243

## REAR ELEVATION

RIDGE RL: 73.126

CEILING RL: 70.96

FIRST FLOOR RL: 68.260  
CEILING RL: 68.000

GROUND FLOOR RL: 65.300

Selected Roof Tiles

Selected Fascia & Gutter

Selected Rendered Finish

Eave Cornice

E14 Moulding

25

3243

Finished Ground Level

## LEFT ELEVATION

*Charleston*

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proceedings.

Building Code of Australia and the relevant Australian Standards  
as stated in the general housing specifications.

DESIGN: VILLA FRANCESCA (ROMA) CONCEPT

CLIENT: MR & MRS J. DeZwart

ADDRESS:  
LOT 2B, SQUADRON COURT,  
WEST LINDFIELD

DATE: 2nd November 2005

SCALE: 1:100

DRAWN BY: DFZ

OWNER'S APPROVAL:

JOB NUMBER:

DE250105

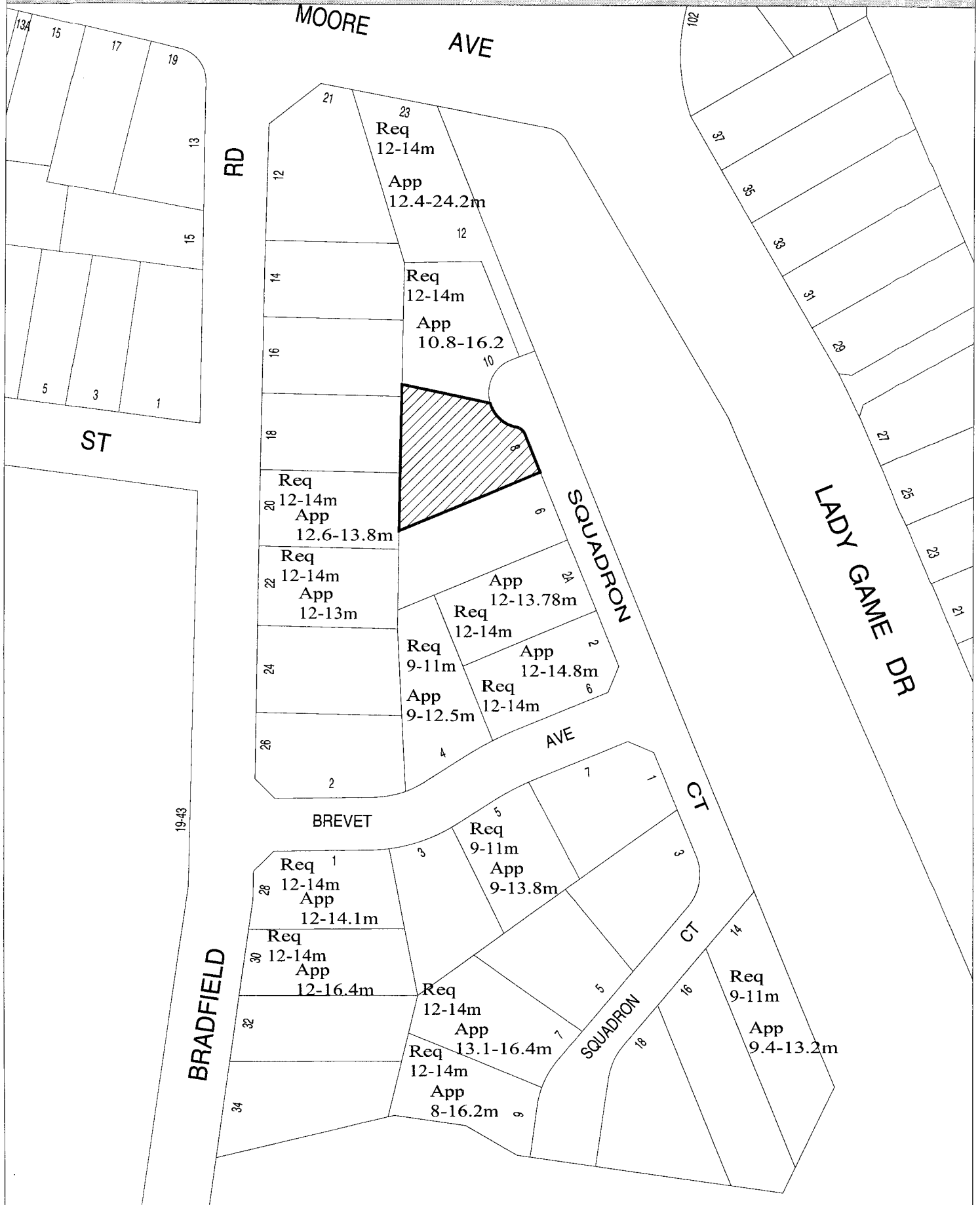
AMENDMENT D:  
7th November 2005, Preliminary Plans  
15th November 2005, Survey Information  
22nd November 2005, Plan Amendment  
18th December 2005, Plan Amendment  
11th April 2006, Amended Plans  
15th April 2006, Amended Plans  
16th May 2006, Variation 4 to Tender

NOTE: ALL DIMENSIONS ARE TO BE TAKEN IN PREFERENCE  
TO THE SCALE OF THE DRAWING  
ALL GROUND LINES ARE INDICATIVE ONLY & ARE TO BE  
CONFIRMED BY A REGISTERED SURVEYORS CONTOUR PLAN.

SHEET

# LOCATION SKETCH

## REQUIRED AND APPROVED FRONT SETBACKS FOR PROPERTIES IN SQUADRON CT & BREVET AVE LINDFIELD



SCALE: 1:1500

DATE: 18-09-2006



SUBJECT LAND







Item 4

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	212 TO 216 MONA VALE ROAD, ST IVES - DEMOLITION OF 3 DWELLING HOUSES AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING COMPRISING 52 UNITS, BASEMENT CAR PARKING FOR 99 VEHICLES AND ASSOCIATED LANDSCAPING AND DRAINAGE.
<b>WARD:</b>	St Ives
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	338/06
<b>SUBJECT LAND:</b>	212 to 216 Mona Vale Road, St Ives
<b>APPLICANT:</b>	Mr Angus Hislop, c/- Glendinning Minto & Associates Pty Ltd
<b>OWNER:</b>	Mvrsi Pty Limited
<b>DESIGNER:</b>	Marchese and Partners International
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2(d3)
<b>HERITAGE:</b>	No
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	KPSO, DCP 31 - Access, DCP 40 - Waste Management, DCP 43 - Car Parking, DCP 47 - Water Management, DCP 55 - Multi-unit Housing
<b>COMPLIANCE WITH CODES/POLICIES: GOVERNMENT POLICIES APPLICABLE:</b>	Yes SEPP 65, SEPP 55, SEPP (Sydney Harbour Catchment) 2005, SEPP (BASIX)
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	12 April 2006
<b>40 DAY PERIOD EXPIRED:</b>	22 May 2006
<b>PROPOSAL:</b>	Demolition of 3 dwelling houses and construction of a residential flat building comprising 52 units, basement car parking for 99 vehicles and associated landscaping and drainage.
<b>RECOMMENDATION:</b>	Approval

Item 4

**DEVELOPMENT APPLICATION N<sup>o</sup>** 338/06  
**PREMISES:** 212-216 MONA VALE ROAD, ST IVES  
**PROPOSAL:** DEMOLITION OF 3 DWELLING HOUSES  
AND CONSTRUCTION OF A RESIDENTIAL  
FLAT BUILDING COMPRISING 52 UNITS,  
BASEMENT CAR PARKING FOR 99  
VEHICLES AND ASSOCIATED  
LANDSCAPING AND DRAINAGE.  
**APPLICANT:** MR ANGUS HISLOP, C/- GLENDINNING  
MINTO & ASSOCIATES PTY LTD  
**OWNER:** MVRSI PTY LIMITED  
**DESIGNER** MARCHESE AND PARTNERS  
INTERNATIONAL

**PURPOSE FOR REPORT**

To determine development application No 338/06, which seeks consent for the demolition of 3 dwelling houses and construction of a residential flat building, comprising 52 units and basement car parking for 105 vehicles.

**EXECUTIVE SUMMARY**

**Issues:** Setbacks, building length, privacy, trees, driveway access, compliance with Memorial Avenue Precinct master plan.

**Submissions:** Five (5) submissions received.

**Pre-DA:** 20 March 2006

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

**Recommendation:** Approval

**HISTORY**

**Site history:**

The site is currently used for residential purposes.

**Rezoning history:**

The site was rezoned to Residential 2(d3) as part of LEP 194. The rezoning conferred upon the site a development potential for residential flat development up to a maximum of five (5) storeys height.

**THE SITE AND SURROUNDING AREA**

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Zoning:	Residential 2(d3)
Visual Character Study Category:	1945-1968
Legal Description:	Lot 13 in DP 29167 (No. 212 Mona Vale Road), Lot 14 in DP 631319 (No. 214 Mona Vale Road), Lot 15 in DP 631319 (No. 216 Mona Vale Road),
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

The site is located on the northern side of Mona Vale Road, opposite the intersection of Mona Vale Road and Stanley Street, St Ives. The St Ives Shopping Village is located to the south-west and Stanley Street shops to the south.

The site is comprised of three properties identified as Nos 212, 214 to 216 Mona Vale Road, St Ives. Together they form an 'L' shaped parcel with a total area of 4351m<sup>2</sup>. The site has a combined frontage of 57.6 metres to Mona Vale Road. The longest boundary (north-east) has a depth of 91.7 metres including the access handle for No. 216 which is a battle-axe allotment. The side (south-west) boundary to No. 212 Mona Vale Road is shorter, having a depth of 52 metres.

The site contains 3 detached residences, one on each of the 3 lots, along with a swimming pool on No. 212 and a swimming pool and tennis court to the rear of No. 216.

Driveway access is provided to each lot from Mona Vale Road, with the access handle for No. 216 located along the north eastern boundary of the site.

The property is relatively flat, with only a slight fall to Mona Vale Road.

The site adjoins a Council car park to the south-west (No. 208-210 Mona Vale Road) and residential properties to the north-west, north and north-east. The adjoining property to the rear (No. 5A Memorial Avenue) is bound on two sides by the development site. The adjoining property to the rear (No. 5A) is situated to the west of Nos. 212 & 214 and to the south-west of No. 216. All adjoining properties are zoned Residential 2(d3).

A total of thirty nine (39) trees are identified as being located on the site. The principle tree cover is generally forward of the existing dwellings along the Mona Vale Road frontage and along the common boundary with the Council car park. Two mature *Cedrus deodara* (Himalayan Cedar) located forward of the existing dwelling on No. 214 Mona Vale Road are readily visible from the street. Two mature *Lophostemon confertus* (Brushbox) are located to the rear of the existing dwelling at No. 214 and are to be retained.

In addition to trees located within the site, there are three significant street trees located between the site boundary and the road verge to Mona Vale Road. Of these trees, one is proposed to be removed, being a *Ginko Biloba* (Maiden Hair Tree). A Tallowwood and Willow Gum are to be retained.

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## THE PROPOSAL

The proposed development application seeks consent for the demolition of existing structures and the construction of two residential flat buildings, comprising 52 units, basement car parking for 105 vehicles and associated landscaping. Details of the proposed development are as follows:

Demolition of the existing residences situated on each allotment, including the removal of outbuildings, two swimming pools, a tennis court, the removal of trees and the removal of driveways and other paved areas. Some existing sandstone flagging associated with the dwelling on No. 216 Mona Vale Road is to be retained as part of the development.

The construction of 2 x 5 storey residential flat buildings. Building A is located at the front of the site fronting Mona Vale Road and Building B is located to the rear of Building A and orientated perpendicular to the front building. The development comprises 2 levels of basement car parking under both Building A & B, accessible via a single driveway entry from Mona Vale Road.

The proposed unit mix consists of 22 x 3 bedroom, 23 x 2 bedroom units and 7 x 1 bedroom units.

The proposed basement levels contain 86 parking spaces for residents, 13 visitor parking spaces and 6 disabled spaces. The basement level also contains secured storage areas and a garbage collection room.

Landscape works, including the removal of twenty five (25) trees on site and tree replenishment of an additional thirty three (33) tall canopy trees capable of attaining a minimum height of 13.0m. Removal of one (1) street tree.

Associated site works, including the construction of a variable width driveway and crossover, new pedestrian pathways, reconstruction of the adjoining public footpath, new retaining walls and garden beds, construction of boundary fencing along Mona Vale Road and drainage works.

## CONSULTATION - COMMUNITY

In accordance with Council's Notifications DCP, owners of surrounding properties were given notice of the application. In response, submissions from the following were received:

1. *Mr J G Levitt & Mrs N Levitt, 5A Memorial Avenue ST IVES*
2. *J Dryden, 10 Garrick Road ST IVES*
3. *Mrs M C Rawlingson, 9 Memorial Avenue ST IVES*
4. *Mrs M A Stokes-Hughes, 13 Memorial Avenue ST IVES*
5. *Mrs B L Lorge & Mr B S Lorge, 6/ 2 Stanley Street ST IVES*

The submissions raised the following issues:

### *Traffic impacts*

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A traffic report by Masson Wilson Twiney Traffic Consultants has been submitted with the application. This report concludes that the existing road system has sufficient capacity to accommodate the additional traffic associated with the development. It is anticipated that a maximum of 23-29 additional vehicle trips per hour (vtp/h) will be generated, based on vehicle generation rates known for high to medium density developments and taking into account the traffic generation of the three existing dwellings on the site.

Council's Development Engineer, Kathy Hawken, has reviewed the traffic report submitted and raises no objections to the proposed development or the presentation of traffic data in the report.

The proximity of the site to local shopping facilities and existing public transport services has been considered in the assessment. Traffic impacts are reasonable for this form of development within the context of the St Ives Town Centre and existing traffic issues in the local street network. The level of additional traffic generation spread over the available routes will represent a relatively small increase in vehicle trips in the locality, with negligible impact to peak traffic flows. The net impact is considered to be acceptable in the context of the local street network.

***Impacts during construction (traffic, dust, noise)***

The construction impacts associated with the development will be incidental only and will be limited to the duration of construction. The Protection of the Environment Operations Act 1997 provides environmental monitoring standards for the control of nuisance and excessive noise associated with development sites.

Standard conditions restricting working hours and measures to protect adjoining public land have been recommended. A condition requiring a Construction and Traffic Management Plan to be prepared and submitted to the RTA prior to the commencement of works has also been recommended. **(Refer Condition No. 94).**

***Car parking within the development will be inadequate***

A total of 105 parking spaces are provided, 86 spaces for residents, 13 visitor parking spaces and 6 disabled spaces. The proposal complies with the car parking requirements as contained within LEP 194.

***Re-zoning of the St Ives town centre.***

The subject site is situated outside the proposed St Ives Town Centre, currently on exhibition. Consequently, issues relating to the proposed re-zoning of the town centre are outside the scope of this application.

***Privacy impacts to adjoining dwellings in Memorial Avenue***

Proposed Building B is located in the northern portion of the site and adjoins residential properties with frontages to Memorial Avenue. The location of balconies and terraces within both Building A and Building B will result in some level of overlooking of these adjoining sites. However, all

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adjoining sites are similarly zoned Residential 2(d3) and are capable of sustaining residential flat development up to 5 storeys.

The proposed development achieves the minimum requirements for deep soil landscaping and is satisfactory with regard to side and rear boundary setbacks. Therefore, despite some privacy impacts to existing residential development, the future privacy impacts of the proposed development on adjoining sites is consistent with Council's design requirements and would not compromise the development potential of adjoining sites.

The development is likely to impact upon adjoining residential properties, however the impacts are consistent with the form of development envisaged in the Residential 2(d3) zone and the design guidelines of DCP 55 and LEP 194. The impacts of the proposed development are consistent with objectives for development in the Residential 2(d3) zone.

***Over development of the site***

The proposal complies with all development standards applicable to residential flat development including site coverage, setbacks floor space ratio, and deep soil landscaping. The proposal is not an over development of the site.

***Deterioration of existing infrastructure (water pressure)***

Should consent be granted, it is a requirement that the consent holder obtain a S73 Certificate from Sydney Water prior to works commencing to ensure that adequate infrastructure is in place to accommodate the proposed development.

***Impact of Building B on 5A Memorial Avenue; building length, overshadowing, loss of privacy to existing dwelling and loss of development potential***

The adjoining property at No. 5A Memorial Avenue is a battle-axe allotment, located to the south-west of proposed Building B. The adjoining property is roughly triangular in shape and has two common boundaries with the subject site along its northern and eastern boundaries. The adjoining property has also been zoned Residential 2(d3) and has a development potential for residential flat development up to 5 storeys.

Proposed Building A is set back a minimum of 12.5 metres from the common boundary with No. 5A, whereas Building B is located 6 metres from the common boundary. The proposed development will result in overlooking of the existing dwelling and tennis court from the upper level balconies and top floor terraces of both Building A and B. The adjoining site will also be affected by overshadowing from Building B during morning periods throughout the year.

Despite these impacts, the proposed development is satisfactory with regard to the setback requirements of DCP 55. The impacts of the development are commensurate with those anticipated under the zoning, the development controls contained in LEP 194 and the design guidelines of DCP 55. The proposal does not unreasonably impact on adjoining sites in terms of their future

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development potential. Issues in relation to overlooking and solar access to adjoining properties are considered in greater detail under “Statutory Provisions” and “Policy Provisions” below.

***Non-compliance with Memorial Avenue Precinct Master Plan***

The proposed development departs from the Memorial Avenue Precinct Master Plan, as contained within Part 7 of DCP 55. The departures from the plan are considered in detail below and, whilst the development differs in some respects from that envisaged in the master plan, the development satisfies the aims and objectives of the master plan. (Refer discussion under Part 7 of DCP 55).

***Building B in isolation fails to achieve the controls for residential flat development such as site coverage and floor space ratio***

The proposed development achieves compliance with all development standards applicable to residential flat development and meets all requirements for building height, site coverage, setback, landscaping and floor space ratio. Building B cannot be considered in isolation to other parts of the development in relation to the applicable development standards as it is a component of the overall development of the site.

***The irregular shape of the land leads to development impacts which should be given substantial weight in the consideration of the application***

The site is not unreasonably constrained in terms of topography, orientation or shape. The proposal complies with all development standards applicable to residential flat development. Specifically, the proposal is satisfactory with regard to side and rear setbacks and does not result in any unreasonable or sustained level of overshadowing to adjoining properties. Consideration of the likely impacts of the development and the suitability of the site in greater detail is provided below.

**CONSULTATION - WITHIN COUNCIL**

**Urban Design Panel**

Council’s Urban Design Consultant, Russell Ollson, has commented on the proposal as follows:

***Principle 1: Context***

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

***Comment:***

*The proposed site is located one block from St Ives Shopping Centre and is in close proximity to three parks St Ives Village Green, William Cowan Oval and Rotary Park. The site consists of three parcels of land known as 212, 214 and 216 Mona Vale Road*



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*all of which are zoned 2(d3). The site is approximately 57 metres wide and has a depth ranging from approximately 51 metres to 110 metres.*

*The built form context is comprised of –*

- *on the proposed site, 3 single and two storey detached residential dwellings fronting Mona Vale Road.*
- *to the east and west predominately single detached residential dwellings zoned 2(d3).*
- *to the south existing 2 to 3 storey residential development and 2 storey commercial development zoned 2(d), 2(d3), 2(e) and Business.*

*The site contains a number of significant trees that will be retained to maintain the established landscape character of the immediate area.*

*The Residential 2 (d3) zoning of this site and adjoining sites establishes the future scale of development on these sites as being 5 storeys maximum. The relationship to the future planned context is acceptable.*

**Principle 2: Scale**

*SEPP 65: Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings. Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing transition proposed bulk and height needs to achieve the scale identified for the desired future character of the area.*

*Comment:*

*The scale of the proposed building is acceptable, as it complies with the height controls in LEP 194. The proposed building has a length of 44 metres to the street front, DCP 55 requires a maximum street frontage of 36 metres but the proposed building is sufficiently recessed and articulated for this to be acceptable.*

**Principle 3: Built Form**

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

*Comment:*

1. *The DCP 55 states that "where a site has a depth of more than 45 metres and a width of more than 35 metres, a front setback zone of 13 to 15 metres from the boundary shall apply" this control does not apply to sites fronting Mona Vale*

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*Road. Therefore a street setback zone between 10-12 metres is required the proposed development has setbacks between 11-16 metres.*

2. *The proposed development consists of two buildings that have a minimum separation of 12 metres which complies with DCP 55.*
3. *The setbacks for the eastern and western boundary are acceptable, i.e. 6 metres and complies with DCP 55.*

**Principle 4: Density**

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

*Comment:*

*The site coverage is 35%, which is in compliance with LEP 194. The 5th level occupies approximately 60% of the floor area of the lower floors. There are 22 x 3 bedroom, 23 X 2 bedroom units and 7 X 1 bedroom units. The density is acceptable.*

**Principle 5: Resource, energy and water efficiency**

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

*Comment:*

*85% of living rooms/balconies in the apartments will receive greater than 2 hours sunlight between 9am and 3pm in mid-winter. This is above that recommended in the Residential Flat Design Code of 70%. There are no south facing apartments. 25% of all the kitchens are located on external walls, which is above that recommended in the Residential Flat Design Code of 25%. 85% of apartments are naturally ventilated which is above that recommended in the Residential Flat Design Code of 60%.*

*The development achieves the minimum requirement for deep soil landscaping.*

**Principle 6: Landscape**

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

*Comment:*

*The development achieves the minimum requirement for deep soil landscaping. The proposed landscape design is acceptable.*

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***Principle 7: Amenity***

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

*Comment:*

*The proposed development has a high percentage of apartments receiving sunlight and cross ventilation. There are no visual or acoustic issues and the apartments are, overall, efficiently designed.*

***Principle 8: Safety and Security***

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

*Comment:*

*There are no perceived safety and security issues.*

***Principle 9: Social Dimensions***

*SEPP 65: Good design responds to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities. New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood, or, in the case of precincts undergoing transition, provide for the desired future community.*

*Comment:*

*The mix of apartments is acceptable.*

***Principle 10: Aesthetics***

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

*Comment:*

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*The perspectives shows that the balustrade and wall materials are the same and the elevations show that they are different materials. It is important that they are different materials. The elevations nominate the balustrades as "masonry" which is insufficient information, for example, face brick balustrades would be undesirable. It is recommended that the balustrade material and/or colour be distinctly different to the walls, and be more accurately specified. The colour elevation and sample board has not been supplied as part of the documentation provided to the reviewer.*

*Otherwise the aesthetics of the proposed development is acceptable.*

## **2.0 Conclusion and recommendations**

*It is recommended that:*

- *a clear distinction should be shown between materials for the walls and the balustrades and the quality of the proposed material for the balustrades be carefully considered.*

*The proposal is otherwise acceptable in terms of SEPP 65 design principles, and should be approved in terms of this SEPP 65 assessment.*

### **Comment:**

In accordance with the recommendations of Council's Urban Design Consultant, a condition has been recommended to require that the construction materials are consistent with those shown on the colour schedule submitted with the application. The schedule of colours and finishes submitted with the application indicate that the proposed balconies shall be finished in a warm neutral colours, which is in contrast to the exterior paint finish of the building façades. This is consistent with the intentions of SEPP 65 and the comments of Council's Urban Design Consultant. **(Refer Condition Nos 1 and 90).**

### **Landscaping**

Council's Landscape and Tree Assessment Officer, Tempe Beaven, commented on the proposal as follows:

#### ***Site***

*The almost level site of 4,351m<sup>2</sup> fronts onto Mona Vale Road. Existing mature trees provide landscape amenity to the front setback and along side boundaries. The front setback is dominated by two mature Cedrus deodara (Himalayan Cedar). Two mature Lophostemon confertus (Brushbox) are also proposed to be retained between Building A and B.*

#### ***Deep soil landscaping***

*Numerical compliance 50.3%*

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*Landscape Services is in agreement with the areas included within the Deep Soil Landscape area.*

***Tree removal/impacts/tree replenishment***

*A tree report prepared by Earthscape Horticultural Services, dated April 2006, has been submitted. Tree numbers refer to this report. Root mapping of Trees 28, 29, 35 and 36 was required to determine the extent of impact due to excavation. Impact on tree canopies was also required to be assessed in detail.*

***Root mapping and arborist report***

*The outcome of the arborist report is that there would be no significant adverse impacts upon the above trees. The root mapping was limited in the extent of tree roots that would be affected. One tree (Tree 35) was included in the scope of works, however, no results regarding this tree were included in the report.*

*The arborist report states that damage to the canopy would be avoided with arborist supervision and by tying back some of the branches. In our opinion, the construction impacts, including the piling operations and scaffolding, as well as clearance for the building, will result in the removal of a substantial amount of branches from the north eastern side of Tree 29 and to a lesser extent Tree 28. Of an 8m radius canopy, the scaffolding would require clearance up to approximately 2 metres from the trunk at the closest point on the northern side and 3.5 metres from the trunk on the western side. The piling rig will require clearance up to 3.5 metres from the tree at the closest point on the northern side and 5 metres from the trunk on the western side.*

*The applicant's arborist has supported the retention of the tree. Conditions have been provided permitting the removal of branches within the building footprint only. All other branches are to be tied back and protected as recommended by the arborist under the supervision of a qualified arborist.*

*Number of existing trees to be removed 25 (1 additional street tree on Mona Vale Road to be removed)*

*Number of existing trees to be retained 14*

***Trees to be retained***

- *Ginkgo biloba (Maiden-hair Tree) Tree 1/ 11H, 8S, 380DBH, nature strip, good condition, streetscape amenity*
- *Eucalyptus microcorys (Tallowwood) Tree 3/ 17H, 11S, 600DBH, nature strip, good condition streetscape amenity - excavation for driveway 3m from tree, applicant's engineers have assessed that the tree is not within sight line for driveway exit to Mona Vale Road.*

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- *Pinus patula* (Mexican Pine) Tree 7/ 14H,10S,520DBH, front setback, south-western boundary - pathway within critical root area
- *Cedrus deodara* (Himalayan Cedar) Tree 28/15H,16S,520DBH, front setback, crown lifted to 3m, good condition, visually prominent, typical of streetscape character - 5.6m from basement, 6.6m from driveway
- *Cedrus deodara* (Himalayan Cedar) Tree 29/15H,16S,500DBH, front setback, crown lifted to 3m, good condition, visually prominent, typical of streetscape character - 3.6m from basement, canopy overhangs private courtyards
- *Lophostemon confertus* (Brushbox) Tree 35/16H,10S,650DBH - 6.5m from basement carpark to north-west, 6.8m from basement carpark to south-east, 3.4m from 225mm stormwater pipe to north east, canopy overhangs private courtyards to south-east. To reduce impact of proposed stormwater lines that further encroach upon these setbacks, it can be conditioned that they be strapped to the basement walls.
- *Lophostemon confertus* (Brushbox) Tree 36/18H,12S,1000DBH - 6.5m from basement carpark to northwest, 6.8m from basement carpark to southeast and 5m to south, canopy overhangs private courtyards to south-east. Arborist report states that the 'extent of the incursion to the TPZ of the tree 36 exceeds acceptable limits' To reduce impact of proposed stormwater lines that further encroach upon these setbacks, it can be conditioned that they be strapped to the basement walls.
- *Persea americana* (Avocado Pear) Tree 58/10H,10S, 370DBH - basement excavation 4m from tree

***Comment on vegetation removal***

1. *Ten Cupressus torulosa* (Bhutan Cypress) Tree 41/ 8H, north-west rear boundary to be removed. Arborist report states that pool removal will compromise tree stability. Removal supported.
2. No significant trees in the middle of the site to be removed for building
3. Street trees to be removed - Mona Vale Road  
- *Ginkgo biloba* (Maiden-hair Tree) Tree 2/7H. Removal supported, subject to replacement planting.

Number of canopy trees to be planted: 33

***Landscape design***

***Common open space***

*Proposed common open space is located around the perimeter of the development. There is a narrowing of the communal area to 2.4m along the south-west boundary and to 2.8m along the north-east boundary, due to basement and private courtyards setbacks. These minimal setbacks restrict the proposal's ability to comply with the landscape intent of LEP194.*

*Two communal open spaces have been provided located north-west of the building. They consist of level lawn area with seating. To optimise solar access to these areas and private*

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*courtyards, a mix of deciduous and evergreen planting is located along the north-west boundary of both spaces.*

***Other comments***

***Front fence***

*The existing low sandstone front fence to no. 214 Mona Vale Road is to be retained with new contemporary gates to be installed. It is also proposed to construct a 1.8m high palisade fence, set back 1m from front boundary to the front of 212 Mona Vale Road, with Photinia glabra 'Rubens' hedge planted along the front boundary.*

***Courtyard fences***

*The landscape plan submitted indicates that 'all fences are to be timber with horizontal slats'. Architectural elevations that show masonry courtyard walls are to be amended in accordance with Landscape Plans.*

*The application is supported, subject to conditions. (Refer Conditions Nos 52 to 67, 82 to 88, and 96 to 102).*

**Comment:**

Council's Landscape Development Officer supports the proposed development but raises concerns in relation to compliance with the side setback requirements of DCP 55 and in relation to the retention of two Himalayan Cedar trees at the front of the site.

Council's Landscape Development Officer is of the opinion that the close proximity of Building A to both trees will likely result in significant pruning to both trees and the likely removal of Tree No. 29. Both trees are considered to be of high landscape significance and would soften the appearance of the development from Mona Vale Road.

The applicant has acknowledged the benefit of retaining these existing trees and has provided detailed root mapping and an arborist report to demonstrate that the proposed development would not have a detrimental impact on the trees. The findings of these reports suggest that both trees can be retained with proper management during construction, such as hand excavation within the critical root zone, tying the limbs back of both trees and monitoring by an appropriately qualified arborist.

The advice of Council's Landscape Development Officer is that, despite the inherent value of the retention of these existing trees and the immediate softening effect on the appearance of the development to Mona Vale Road, no objection is raised to the removal of the trees, subject to conditions to require replenishment with suitably sized replacement trees. However, as the proposed design seeks to retain these trees, conditions have been recommended to require adequate tree protection measures to be put in place and maintained during construction. In the event the trees are

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severely damaged or removed, a S.96 application would be required to modify the consent, allowing replenishment trees to be required. (**Refer Condition No 98**).

Concerns have also been raised in relation to the location of basement car parking beneath Building B at the rear of the site. The proposed basement levels intrude into the north-eastern side setback area, failing to comply with the side requirement of DCP 55.

The intrusion of basement levels into the side setback should be avoided where possible, however the width of site requires that basement levels below Building B extend up of 2.9 metres from the side boundary to allow adequate vehicle circulation and manoeuvring space within the building. This necessitates the intrusion along the north-east boundary.

In order to provide adequate landscaping along this boundary, the proposed landscape design includes seven canopy trees. The staggered design of the basement also permits the retention of three trees on the common boundary with No. 220 Mona Vale Road. Council's Landscape Development Officer has advised that sufficient landscaped area has been provided to accommodate the proposed plantings along this boundary.

In accordance with the recommendations of Council's Landscape Development Officer, conditions have been recommended to ensure the implementation of tree protection measures and the provision of adequate landscaping within the site. (**Refer Conditions Nos 52 to 67, 82 to 88, and 96 to 102**).

## Engineering

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

### ***Water management***

*The property is relatively flat with a slight fall to Mona Vale Road. A combined retention/ detention tank is proposed for each building. The total volume of retention shown is 156m<sup>3</sup>, which is based on 3 000 litres per unit. The BASIX commitments indicate re-use for toilet flushing, clothes washing and irrigation in Building B. On site detention is provided in two locations and the volume shown is as required by DCP 47.*

*The design shows the construction of a new kerb inlet pit over the existing underground stormwater pipe. This is acceptable. RTA approval will need to be obtained for this work, but no problems are anticipated.*

### ***Traffic generation***

*The site only has access to Mona Vale Road, an arterial road, and that access is left in/ left out only. The development is expected to generate some 23-29 vehicle trips per peak hour, probably with a 70/30 directional split. This is approximately equivalent to one vehicle every 3-4 minutes in peak hour and is not a significant increase over the existing traffic volumes in Mona Vale Road.*



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***Vehicular access and parking***

*The development requires a total of 74 resident and 13 visitor spaces. The architectural plans show 105 spaces which is ample. The entry/ exit driveway is split, which will allow more efficient vehicle movements, particularly into the site. There is adequate sight distance for vehicles entering the traffic flow in Mona Vale Road.*

*The dimensions of the parking spaces and aisles comply with AS2890.1. Mirrors are shown on the bend to the lower basement carpark. This is satisfactory.*

***Construction management***

*Access to the site can only be by left in/ left out from Mona Vale Road. The site management plan shows separate entry and exit points for the construction period. This will be appropriate. A traffic management plan and traffic control plans will also be required for each stage of the work. The site management plan does not show a Works Zone. This would require the approval of the Roads and Traffic Authority. If necessary, application can be made prior to commencement of works.*

***Waste collection***

*The grade of the entry ramp and headroom are suitable for access by the small waste collection vehicle.*

*The architectural plans show a roller shutter at the entrance to the carpark. Unrestricted access is required for the waste collection vehicle. It is understood that this can be by means of a concealed button or other device, but the applicant will need to obtain approval from Council's Manager Waste Services for this. This can be done following issue of development consent and during the construction period. There is adequate manoeuvring space on the outside of the security line, to allow for forward entry and exit with one turn.*

***Geotechnical investigation***

*Four boreholes were drilled to 12-15 metres depth. The boreholes encountered clay over sandstone at 5-7 metres, with shale below 12-14 metres in two boreholes. Both rock strata encountered were variable in strength and weathering but generally extremely low to low strength. A groundwater level of 5 metres depth was measured in one borehole.*

*Excavation to about 7 metres depth will be required to achieve the basement level. The excavation may encounter low strength rock. The report states that vibrations are not expected to be an issue during excavation, however, when the report was prepared, only 4.5 metres of excavation was envisaged. Dilapidation reporting of neighbouring*

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*structures is recommended. It is noted that the reports are mainly photographic and are kept by Council for record keeping purposes only.*

*Seepage into the excavation may occur, however, should be easily treated. The basement is not expected to have a long term effect on the groundwater profile, due to the impermeable nature of the subsurface materials.*

*Further investigation is recommended in the report, but mainly for the identification of founding materials. The report contains recommendations for shoring or batters. To preserve significant trees and because of the relative proximity of the excavation face to the site boundaries, it is likely that shoring will be mostly used. Approval will be required from property owners if temporary anchors are to extend beyond the boundaries of the site. It is unlikely to extend into the road reserve, however the procedure in that event is outlined in the recommended conditions.*

*The application is supported subject to conditions. (Refer Conditions Nos 32 to 46, 73 to 80, and 91 to 95).*

## **STATUTORY PROVISIONS**

### **State Environmental Planning Policy No 55 - Remediation of Land**

SEPP 55 requires Council to consider the development history of a site and its potential for containing contaminated material.

The subject site has historically been used for residential purposes and is unlikely to be affected by contamination.

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

SEPP 65 aims to improve the design quality of residential flat buildings across NSW and to provide an assessment framework and design code for assessing 'good design'.

A Design Verification Statement has been submitted with the application in accordance with the requirements of the SEPP.

Part 2 sets out design principles against which design review panels and consent authorities may evaluate the merits of a design. This section is to be considered in addition to the comments of Council's *Urban Design Consultant* above. The proposal has been assessed against the heads of consideration specified in SEPP 65, as follows:

#### **Principle 1: Context:**

The site is located in close proximity to the St Ives Town Centre and has been re-zoned for residential flat development, as have adjoining properties to the immediate north, south and west.

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Development in the vicinity of the site is a mixture of commercial and medium density residential. The St Ives Shopping Village and Stanley Street shops dominate the streetscape along Mona Vale Road, providing an established urban setting. Memorial Avenue to the west is a mixture of open space and parkland, with single detached dwelling houses facing St Ives Village Green.

The site is included as part of the St Ives Triangle or Memorial Avenue Precinct identified as an area in which residential flat development is encouraged. The St Ives Triangle is defined by Mona Vale Road, Sturt Place, Killeaton Road and Memorial Avenue. It is envisaged that the majority of existing sites within the St Ives Triangle will be developed as residential flats in the near future.

The core objectives of LEP 194 and DCP 55 are to encourage residential flat developments that are situated within a landscaped setting. The site is suitable for residential flat development, having regard for the existing site characteristics, the nature of adjoining development and the desired future character for land included in the St Ives Triangle. The size of the site and the ability to sustain new significant tree plantings will achieve this objective.

**Principle 2: Scale:**

The development meets the prescribed building envelope requirements of LEP 194, including building height, deep soil landscaping, site coverage and setbacks. Its scale is considered acceptable.

**Principle 3: Built form:**

The proposed development is fully compliant with the planning controls contained within LEP 194 and is satisfactory with regard to the setback and landscaping requirements contained within DCP 55. The development is well set back from site boundaries, is well articulated along the street boundary and will accommodate significant canopy trees and new landscaping within the site. The development is consistent with the desired local character and the future context of the locality.

**Principle 4: Density:**

The development complies with the development standards and controls relating to density. The proposal achieves a high level of residential amenity, with good solar access, cross ventilation and open space areas for occupants, without adversely impacting on the visual amenity of the area. The density proposed is consistent with the Residential 2(d3) zoning.

**Principle 5: Resource, energy and water efficiency:**

More than 70% of the apartments achieve greater than 3 hours sunlight to living areas between 9am and 3pm in mid winter. There are no south-facing, single aspect apartments. Greater than 60% of apartments have natural cross ventilation. 85% of apartments are naturally ventilated, which is above the 60% recommended in the Residential Flat Design Code.

**Principle 6: Landscape:**

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The proposed development results in a total deep soil area of 50.3% and complies with the prescribed standard in LEP 194.

The proposed landscaping is consistent with the desired future character of the area and maintains existing large canopy trees at the site perimeters which will soften the buildings and contribute to the streetscape.

**Principle 7: Amenity:**

The proposed units will have good solar access and visual and acoustic privacy. Terraces and balconies are functional and are generally easily accessible from living areas. Each individual unit has its own entry lobby and secure internal access to the basement car park by lift or stairs.

**Principle 8: Safety and security:**

Good design optimises safety and security, both internally and externally by maximising overlooking to public areas and allowing passive surveillance.

The development addresses the street and provides pedestrian connection and reasonable passive surveillance. The development is acceptable with respect to Principle 8.

**Principle 9: Social dimensions:**

Development should respond to lifestyles, affordability and local community needs, providing a mixture of housing choices.

The proposal provides housing for a mixture of income levels, family structures and accessibility levels and is consistent with both SEPP 65 and DCP 55 in this regard.

**Principle 10: Aesthetics:**

The proposed built form is responsive to the site characteristics, is well articulated and is consistent with the desired character encouraged by DCP 55.

The façade facing Mona Vale Road is composed of a variety of horizontal and vertical elements and is articulated into three defined elements, being a central core and two subordinate wings based around two entry foyers. The top floor is set in from the edge of both buildings and recedes in form and finish.

The choice of materials includes a combination of masonry, glass, timber and concrete, which are considered acceptable architectural compositions and mediums, creating a modern development in natural and recessive colour tones. Council's SEPP 65 Consultant has advised that materials to balconies should contrast with the façade materials to reduce the appearance of bulk. Conditions have been recommended to achieve this and to require that the balcony materials are consistent with the materials and colour schedule submitted with the application. **(Refer Conditions Nos 1 and 90).**

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**Residential Flat Design Code**

**Relating to the local context:**

The building envelope, in terms of setbacks, is considered satisfactory having regard to the desired future character of the locality.

**Site analysis:**

An appropriate site analysis was submitted, indicating building edges, landscape response, access and parking and building performance. The site analysis included an assessment of the Memorial Avenue Precinct Master Plan, including setbacks from future residential flat development to the north and west of the site. A minimum of 12 metres separation is maintained between the proposed development and the location of residential flat buildings as shown on the master plan, enabling the retention of significant boundary landscaping.

In terms of site configuration, the proposal provides acceptable locations for deep soil landscape areas, in compliance with Council's guidelines.

The siting and orientation of the development allows adequate solar access for the habitable areas and private open spaces for the development and adjoining properties.

The merits of the application with respect to stormwater management, access and privacy are discussed within the report below.

**Building design:**

As detailed in this report, the development provides suitable residential amenity for future occupants in compliance with SEPP 65 and DCP 55.

All other relevant matters relating to building design are detailed elsewhere in this report.

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

SREP 20 applies to land within the catchment of the Hawkesbury Nepean River. The general aim of the plan is to ensure that development and future land uses within the catchment are considered in a regional context. The Plan includes strategies for the assessment of development in relation to water quality and quantity, scenic quality, aquaculture, recreation and tourism.

The development has the potential to impact on water quality and volumes to the catchment.

Council's Development Engineer considers the proposed stormwater system as acceptable, subject to conditions, and is consistent with the provisions of SREP 20.

**State Environmental Planning Policy – Building Sustainability Index (BASIX)**

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A BASIX Certificate has been submitted with the development application. The proposed development is therefore deemed to comply with the requirements of SEPP (BASIX).

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

<b>COMPLIANCE TABLE</b>		
<b>Development standard</b>	<b>Proposed</b>	<b>Complies</b>
<b>Site area (min):</b> 2400m <sup>2</sup>	4351.3m <sup>2</sup>	<b>YES</b>
<b>Deep landscaping (min):</b> 50%	50.3%	<b>YES</b>
<b>Street frontage (min):</b> 30m	57.6m	<b>YES</b>
<b>Number of storeys (max):</b> 5	5	<b>YES</b>
<b>Site coverage (max):</b> 35%	35%	<b>YES</b>
<b>Top floor area (max):</b> 60% of level below	59.9%	<b>YES</b>
<b>Storeys and ceiling height (max):</b> 5 and 13.4m	Building A: 5 & 13.2m Building B: 5 & 13m	<b>YES</b>
<b>Car parking spaces (min):</b> <ul style="list-style-type: none"> <li>• 13 (visitors)</li> <li>• 74 (residents)</li> <li>• 87 (total)</li> </ul>	13 spaces 86 spaces 105 spaces (including a total of 6 disabled spaces)	<b>YES</b> <b>YES</b> <b>YES</b>
<b>Manageable housing (min):</b> 10% or 6 units	10% (6 units)	<b>YES</b>
<b>Lift access:</b> required if greater than three storeys	Lift access provided	<b>YES</b>

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

The site is not located in a heritage conservation area nor affected by any heritage or conservation status.

**Residential zone objectives and impact on heritage:**

The development satisfies the objectives for residential zones as prescribed in clause 25D.

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**POLICY PROVISIONS**

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

<b>COMPLIANCE TABLE</b>		
<b>Development control</b>	<b>Proposed</b>	<b>Complies</b>
<b>Part 4.1 Landscape design:</b>		
<b>Deep soil landscaping (min)</b> <ul style="list-style-type: none"> <li>150m<sup>2</sup> per 1000m<sup>2</sup> of site area = 600m<sup>2</sup></li> </ul>	Area 1 (front setback): 13m x 27m = 560m <sup>2</sup> Area 2 (rear Building A): 7.6m x 33m = 250m <sup>2</sup> Area 3 (rear Building B): 9.25m x 20m = 250m <sup>2</sup>  Total Consolidated Deep Soil Area = 1060m <sup>2</sup>	<b>YES</b>
<b>No. of tall trees required (min):</b> 15 trees	14 existing canopy trees to be retained, and 33 new canopy trees to be planted	<b>YES</b>
<b>Part 4.2 Density:</b>		
<b>Building footprint (max):</b> <ul style="list-style-type: none"> <li>35% of total site area</li> </ul>	35%	<b>YES</b>
<b>Floor space ratio (max):</b> <ul style="list-style-type: none"> <li>1.3:1</li> </ul>	1.23:1	<b>YES</b>
<b>Part 4.3 Setbacks:</b>		
<b>Street boundary setback (min):</b> <ul style="list-style-type: none"> <li>10-12 metres (&lt;40% of the zone occupied by building footprint)</li> </ul>	16.4 metres (generally) 11.4 metres (min)  <40% of the building footprint occupies the 10-12m front setback zone	<b>YES</b>   <b>YES</b>
<b>Rear boundary setback (min):</b> <ul style="list-style-type: none"> <li>6m</li> </ul>	Building A: 13m Building B: 6.2m	<b>YES</b> <b>YES</b>
<b>Side boundary setback (min):</b> <ul style="list-style-type: none"> <li>6m</li> </ul>	North-east: 2.9m (basement) 6m (building façade) South-west: 2.0m (basement) 6.7m (building façade)	<b>NO</b> <b>YES</b> <b>NO</b> <b>YES</b>
<b>Setback of ground floor courtyards to street boundary (min):</b>		

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<ul style="list-style-type: none"> <li>8m</li> </ul>	>11m	YES
<b>% of total area of front setback occupied by private courtyards (max):</b> <ul style="list-style-type: none"> <li>15%</li> </ul>	<5%	YES
<b>Part 4.4 Built form and articulation:</b>		
<b>Façade articulation:</b> <ul style="list-style-type: none"> <li>Wall plane depth &gt;600mm</li> <li>Wall plane area &lt;81m<sup>2</sup></li> </ul>	>600mm <81m <sup>2</sup>	YES YES
<b>Built form:</b> <ul style="list-style-type: none"> <li>Building width (max):               <ul style="list-style-type: none"> <li>- fronting street &lt; 36m</li> <li>- to side boundary: &lt;36m</li> </ul> </li> <li>Balcony projection: &lt; 1.2m</li> </ul>	Building A: 45m (street elevation) Building B: 34m (side elevations) >1.2m	NO YES NO
<b>Part 4.5 Residential amenity</b>		
<b>Solar access:</b> <ul style="list-style-type: none"> <li>&gt;70% of units receive 3+ hours direct sunlight in winter solstice</li> <li>&gt;50% of the principle common open space of the development receives 3+ hours direct sunlight in the winter solstice</li> <li>&lt;15% of the total units are single aspect with a western orientation</li> </ul>	84% >50% <15%	YES YES YES
<b>Visual privacy:</b> Separation b/w windows and balconies of a building and any neighbouring building on site or adjoining site: Storeys 1 to 4 <ul style="list-style-type: none"> <li>12m b/w habitable rooms</li> <li>9m b/w habitable and non-habitable rooms</li> <li>6m b/w non-habitable rooms</li> </ul>	<i>Separation between Building A and B            (Refer "4.3 - setbacks" for separation from adjoining properties)</i> >17m >17m >17m	YES YES YES



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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>5th Storey</b> <ul style="list-style-type: none"> <li>18m b/w habitable rooms</li> <li>13m b/w habitable and non-habitable rooms</li> <li>9m b/w non-habitable rooms</li> </ul>	<p>&gt;22m</p> <p>&gt;22m</p> <p>&gt;22m</p>	<p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p>
<b>Internal amenity:</b> <ul style="list-style-type: none"> <li>Habitable rooms have a minimum floor to ceiling height of 2.7m</li> <li>Non-habitable rooms have a minimum floor to ceiling height of 2.4m</li> <li>1-2 bedroom units have a minimum plan dimension of 3m in all bedrooms</li> <li>3+ bedroom units have a minimum plan dimension of 3m in at least two bedrooms</li> <li>Single corridors:                             <ul style="list-style-type: none"> <li>- serve a maximum of 8 units</li> <li>- &gt;1.5m wide</li> <li>- &gt;1.8m wide at lift lobbies</li> </ul> </li> </ul>	<p>3.05m</p> <p>&gt;2.4m</p> <p>&gt;3m</p> <p>&gt;3m</p> <p>4 units (max)</p> <p>&gt;1.5m</p> <p>&gt;1.8m</p>	<p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p>
<b>Outdoor living:</b> <ul style="list-style-type: none"> <li>ground floor apartments have a terrace or private courtyard greater than 25m<sup>2</sup> in area</li> <li>Balcony sizes:                             <ul style="list-style-type: none"> <li>- 10m<sup>2</sup> – 1 bedroom unit</li> <li>- 12m<sup>2</sup> – 2 bedroom unit</li> <li>- 15m<sup>2</sup> – 3 bedroom unit</li> </ul> </li> </ul> <p>NB. At least one space &gt;10m<sup>2</sup></p> <ul style="list-style-type: none"> <li>primary outdoor space has a minimum dimension of 2.4m</li> </ul>	<p>&gt;25m<sup>2</sup></p> <p>10m<sup>2</sup></p> <p>12m<sup>2</sup></p> <p>15m<sup>2</sup></p> <p>&gt;2.4m</p>	<p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p> <p><b>YES</b></p>

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COMPLIANCE TABLE		
Development control	Proposed	Complies
<b>Part 4.7 Social dimensions:</b>		
<b>Visitable units (min):</b> • 70%	100%	<b>YES</b>
<b>Housing mix:</b> • Mix of sizes and types	Mix of 1, 2 and 3 bedroom units	<b>YES</b>
<b>Part 5 Parking and vehicular access:</b>		
<b>Car parking (min):</b> • 13 resident spaces • 74 visitor spaces • 87 total spaces	13 spaces 86 spaces 105 spaces (including a total of 6 disabled parking spaces)	<b>YES</b> <b>YES</b> <b>YES</b>

**Part 2: Elements of good design**

The proposal utilises high quality finishes and building materials and provides for a variety of front, side and rear setbacks in order to achieve good articulation and interest to the streetscape and adjoining properties. Significant landscaping elements located forward of the building will ensure that the development is consistent with the building setback objectives as expressed in the DCP. The design is consistent with the elements of good design.

**Part 3 Local context:**

The proposed development is fully compliant with the planning controls contained within LEP 194 and is also satisfactory with regard to the design guidelines contained within DCP 55. The proposal departs from the Memorial Avenue Precinct Master Plan, however, the development is well set back from site boundaries and will encourage the establishment of significant canopy trees and new landscaping within the site. The development achieves the design principles of SEPP 65 and DCP 55 and is consistent with the desired local character and the future context of the locality.

**Part 4.1 Landscape design:**

The proposal complies with the deep soil landscaping and site coverage requirements of LEP 194 and is satisfactory with regard to the landscape design guidelines of DCP 55. The proposal reinforces the landscape character of the area and allows adequate area for canopy tree planting.

The retention of the existing masonry wall to the front of No. 214 Mona Vale Road and the inclusion of open palisade fencing in front of No. 212 Mona Vale Road will compliment the proposed landscape design and the appearance of the development to the street.

The proposal is satisfactory with regard to the landscape design guidelines of DCP 55.

**Part 4.3 Setbacks:*****Side setbacks***

The side setback provisions of DCP 55 require that new residential flat development should be set back a minimum of 6 metres from all side and rear boundaries, including basement levels. The

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intention of the side setback provisions is to encourage effective landscaping and tree planting between buildings and adjoining sites as well as adequate distance between buildings.

The proposed basement levels encroach into the side setback area in two places; adjacent to the north-eastern edge of Building B and adjacent to the southern corner of Lot 15 (No. 216). The most significant departure occurs along the north-eastern boundary where the basement levels are set back a minimum of 2.9 metres from the side boundary for a total distance of approximately 36 metres.

The proposed landscape design includes the provision of seven new canopy trees between the basement levels of Building B and the north-eastern side boundary. The basement levels have also been staggered along this boundary to accommodate existing trees on the adjoining property.

Council's Landscape Development officer has advised that the proposed landscape design provides sufficient deep soil landscaping to ensure the establishment of effective landscaping in this part of the site. The provision of such landscaping is consistent with the intention of the side setback requirement. By virtue of this and, as the upper levels of Building B comply with the minimum side setback requirement, the intrusion of the basement levels into the side setback does not result in any significant adverse impact in terms of bulk, privacy or overshadowing. The departure from the control is supported in this instance.

**Part 4.4 Built form and articulation:**

Part 4.4 contains design guidelines to prevent buildings visually impacting on the public domain and dominating the streetscape and to control the separation and landscaping between buildings.

The intention of Part 4.4 is to encourage buildings which do not dominate the street and to encourage a predominance of landscape features. The proposed building is well articulated, achieves compliant setbacks from the street and is satisfactory with regard to side boundary setbacks. The development also maintains significant areas of deep soil landscaping forward of Building A, to the rear of Building A and to the side and rear setbacks to Building B. These areas are suitable for tall canopy tree plantings and will provide a landscape buffer between the development and adjoining properties.

The proposed building has a width of 45 metres to the street, exceeding the building width control by 9 metres. Despite this, Building A provides a well articulated façade to Mona Vale Road that will contribute to the desired future character of the area, as envisaged by the DCP controls and the Memorial Avenue Precinct Master Plan (refer below). The provision of adequate setbacks and good areas of deep soil landscaping at the front and side of the development will result in a development that is situated in a well landscaped setting. The proposal is acceptable in relation to built form and articulation.

**Part 4.5 Residential amenity:**

The building layout, orientation and provision of outdoor space and landscaping should ensure acceptable internal and external amenity for occupants.

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DCP 55 contains technical requirements relating to availability of space, storage, solar access, natural solar ventilation, visual and acoustic privacy and outdoor living.

A review of the compliance of the development with these controls is provided in the *Compliance Table* above. The development achieves compliance with the applicable controls. The proposal provides good residential amenity for future occupants in terms of solar access, private open space, room dimensions and building separation.

**Part 4.6 Safety and security:**

Refer to discussion of *SEPP 65 Principle 8: Safety and Security*.

Apartments adjacent to public streets are required to have at least one window or a habitable room with an outlook to that area. Entries and common open space should be visible from public areas or apartments and lighting should be provided to increase visibility.

The proposal provides windows and balcony areas that overlook the street and external access areas. Pathway areas leading to the main access are clearly visible and identifiable. These areas are viewed from ground floor units and courtyard areas, providing acceptable passive surveillance. The development does not provide entrapment areas and is consistent with Part 4.6.

**Part 4.7 Social dimensions:**

Refer to discussion of *SEPP 65 Principle 9: Social Dimensions*.

As indicated in the *Compliance Tables* above, the proposal provides 12% 'manageable' units in accordance with LEP 194 Clause 25N and 100% 'visitable' units, internal paths of travel and visitor and resident parking spaces in accordance with DCP55 Clause 4.7 C-3.

The development provides a flexible mix of housing types and a suitable variety of unit sizes to meet market demand for a range of medium density accommodation.

**Part 5 Parking and vehicular access:**

Refer to *Compliance Table*.

Car parking is provided in accordance with the numerical requirements of DCP 55 and DCP 43 - Car Parking for resident, visitor and accessible parking spaces is also compliant.

Clearly defined and separate pedestrian access routes are provided throughout the development, reducing the potential for pedestrian or vehicular conflicts.

**Part 7 Nominated areas:**

**7.3 Memorial Avenue Precinct, St Ives**

The proposed development departs from the Memorial Avenue Precinct Master Plan, as contained within Part 7 of DCP 55.

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In its original form, the Memorial Avenue Master Plan envisaged the construction of an east-west link road from Sturt Place through to Memorial Avenue. However, the link road was not implemented following the approval of DA 221/05, which affects a large number of sites in the northern portion of the precinct (i.e. Meriton site). Despite this, the master plan remains a consideration for new development in the precinct by virtue of its inclusion in Part 7 of DCP 55 and by virtue of the requirements of SEPP 65 that Council consider the "desired future character" of an area.

In this respect, the proposed development results in a number of departures from the master plan in terms of height and setbacks, most notably at the rear of the site where the proposed Building B has a height of 5 storeys. The master plan envisages that development on this part of the site would have a maximum height of 3 storeys, with a 3 metre side setback to the south-west boundary and a reduced set back to link road from Sturt Place to Memorial Avenue. The 3 storey limit sought by the master plan, and the indicative building footprint makes little allowance for significant trees within the site and contradicts the provisions of LEP 194.

The master plan seeks to impose greater restrictions on the site than would otherwise be permitted by the controls contained within LEP 194. Under such circumstances the LEP 194 controls prevail, thus permitting 5 storey development over the entire site.

The proposed development is fully compliant with the planning controls contained within LEP 194 and is satisfactory with regard to the design guidelines contained within DCP 55. The development does not unreasonably impact upon the development potential of adjoining sites or the desired future character of the area. This is consistent with the objectives of the zone and the intentions of the master plan.

### **Development Control Plan 31 – Access**

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

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

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

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

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

### **Development Control Plan 47 – Water Management**

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

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**Section 94 Plan**

The development attracts a section 94 contribution of \$906,093.62 which is required to be paid by **Condition No 72**.

This figure is calculated on the following basis, utilising the Ku-ring-gai Section 94 Contributions Plan 2004-2009 Residential Development as of 30 June 2004:

<b>S.94 Contributions Table</b>					
<b>Size/No. Dwellings</b>	<b>Small (under 75m<sup>2</sup>)</b>	<b>Medium (75-110m<sup>2</sup>)</b>	<b>Large (111-150m<sup>2</sup>)</b>	<b>Very Large (&gt;150m<sup>2</sup>)</b>	<b>TOTAL</b>
Building A	7	15	10	2	
Building B	0	8	10	0	
Sub Total	7	23	22	2	52
\$ Value/dwg	\$11,796.40	\$16,533.54	\$23,778.57	\$32,324.00	
Contribution	\$82,574.8	\$380,271.42	\$475,571.40	\$64,648.00	\$1,003,065.62
<b>Credit</b>					
Existing Dwg				3	
\$ Value/dwg	\$11,796.40	\$16,533.54	\$23,778.57	\$32,324.00	
Discount				\$96,972.00	\$96,972.00
<b>TOTAL</b>					<b>\$906,093.62</b>

**LIKELY IMPACTS**

The likely impacts of the development have been considered within this report and are deemed to be acceptable.

**SUITABILITY OF THE SITE**

The site is suitable for the proposed development.

**ANY SUBMISSIONS**

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

**PUBLIC INTEREST**

The proposal is considered to be in the public interest.

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

There are no other matters for consideration.

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**CONCLUSION**

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

**RECOMMENDATION**

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

THAT the Council, as the consent authority, grant development consent to DA 338/06 for Demolition of 3 dwelling houses and construction of a residential flat building comprising 52 units, basement car parking for 99 vehicles and associated landscaping and drainage. on land at 212-216 Mona Vale Road, St Ives, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

**GENERAL CONDITIONS**

1. The development must be carried out in accordance with plans identified in the following schedule and endorsed with Council's approval stamp, except where amended by the following conditions:

Dwg No	Issue	Description	Author	Dated	Lodged
A2.01	B	Basement Level Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.02	B	Lower Basement Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.03	C	Site/Ground Floor Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.04	A	Level 2-4 Plan (Typical)	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A2.05	B	Level 5 Plan	Marchese and Partners Intl	31 Jul 2006	15 Aug 2006
A2.06	A	Roof Plan	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A4.01	A	Section A-A	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.01	A	Elevations (Sheet 1)	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.02	A	Elevations (Sheet 2)	Marchese and Partners Intl	11 Apr 2006	15 Aug 2006
A3.03	A	Colours and finishes	Marchese and Partners Intl	11 Apr 2006	12 Apr 2006
0501	a06	Landscape plan	dem	4 Aug 2006	15 Aug 2006
0502	a06	Landscape plan	dem	4 Aug 2006	15 Aug 2006

2. The developer shall submit to Council a letter from the energy supply authority and either Telstra or Optus, confirming that satisfactory arrangements have been made for the provision of underground telephone and power services, prior to the release of the Subdivision Certificate or Occupation. Application may be made to Energy Australia Phone No. 13 1525 and either Optus, Network Operations, Facsimile No 9837 9060, Phone No 9837 9010, or Telstra Phone No 12 455.
3. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and Public Holidays. Furthermore, the operation of the

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unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measure at the nearest adjoining boundary.

4. To avoid the proliferation of plant equipment that is visible to the street, individual air conditioning units shall not be installed on any unit balcony or on the roof of any residential flat building. All air conditioning condenser equipment shall be contained within the basement levels of the building and all ducting contained wholly within the building.
5. All building works shall comply with the Building Code of Australia.
6. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
7. The approved building shall not be occupied unless the development has been completed in accordance with all conditions of consent and the approved plans and a Occupation Certificate has been issued.
8. For the purpose of health and amenity, the disposal of backwash and/or the emptying of a swimming pool into a reserve, watercourse, easement or stormwater drainage system is prohibited. These waters are to discharge via a permanent drainage line into the Sydney Water's sewer. Permission is to be obtained from the Sydney Water prior to the emptying of any pool to the sewer.
9. The swimming pool is to be made safe during all demolition work by the erection of temporary safety fence to the satisfaction of the Principal Certifying Authority.
10. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
11. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
12. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.



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

13. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
14. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
15. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
16. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
17. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

18. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
19. The fence and footings shall be constructed entirely within the boundaries of the property.
20. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
21. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.

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22. Where a new development is not commencing immediately following demolition, the demolition shall be limited to the extent of the footprint of the building/s on the site and no excavation shall be carried out.
23. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
24. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.  
  
The requirements and standards imposed by the Authority, its consultants or contractors shall be complied with.
25. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
26. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
  - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
    - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
    - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
  - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
27. A temporary construction exit and sediment trap to reduce the transport of sediment from the site onto public roads shall be provided before demolition commences.

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28. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
29. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
30. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the WorkCover guidelines to prevent personal and environmental contamination.
31. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
  - a. stating that unauthorised entry to the work site is prohibited, and
  - b. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

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

This clause does not apply to:

- a. building work carried out inside an existing building, or
  - b. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
32. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
33. A mandatory rainwater retention and re-use system comprising storage tanks and ancillary plumbing must be provided for the development. The (minimum) total storage volume of the rainwater tank system, and the prescribed re-use of the water on site, must satisfy the BASIX commitments.
34. In addition to the mandatory rainwater retention and re-use system provided, an on-site stormwater detention system must be provided for the development to control the rate of runoff leaving the site. The minimum volume of the required on-site detention system must be determined in accordance with chapter 6 of the Ku-ring-gai Council Water Management Development Control Plan 47 (DCP 47) - having regard to the specified volume concession offered in lieu of installing rainwater retention tanks. The design of the on-site detention system must be performed by a qualified civil/hydraulic engineer and must satisfy the design controls set out in appendix 5 of DCP 47.
35. For stormwater control a 200mm wide grated channel/trench drain with a heavy-duty removable galvanized grate is to be provided in front of the garage door/basement parking

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slab to collect driveway runoff. The channel drain shall be connected to the main drainage system and must have an outlet of minimum diameter 150mm to prevent blockage by silt and debris.

36. To control surface runoff all new exposed impervious areas graded towards adjacent property and/or habitable areas are to be drained via the main drainage system. This may require the installation of suitable inlets pits, cut-off structures (e.g. kerb), and/or barriers that direct such runoff to the formal drainage system. Details for such measures shall be shown on the approved Construction Certificate issue drawings, to the satisfaction of the Principal Certifying Authority.
37. During construction, stormwater runoff must be disposed in a controlled manner that is compatible with the erosion and sediment controls on the site. Immediately upon completion of any impervious areas on the site (including roofs, driveways, paving) and where the final drainage system is incomplete, the necessary temporary drainage systems must be installed to manage and control runoff as far as the approved point of stormwater discharge. Such measures shall be to the satisfaction of the Principal Certifying Authority.
38. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant - **after** the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.
39. Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services at the appropriate stage of development (including water, phone, gas and the like). Council accepts no responsibility whatsoever for any matter arising from its approval of this application involving any influence upon utility services provided by another authority.
40. All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials and plant must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "*Traffic Control Devices for Work on Roads*". **If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.**

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41. The provision of temporary sediment and erosion control facilities and measures must be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works up to completion. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
42. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with the minimum requirements of Australian Standard 2890.1 (2004) "Off-Street car parking".
43. The Applicant must obtain a **Section 73 Compliance Certificate** under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. The Applicant is to refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
44. In order to allow **unrestricted access at all times** for Ku-ring-gai Council waste collection vehicles into the basement garbage collection area - no doors, grilles, gates or other devices are to be provided in the access driveways to the basement carpark which would prevent this service.
45. A contractor with specialist excavation experience must undertake the excavations for the development and a suitably qualified and consulting geotechnical engineer must oversee the excavation procedure. Geotechnical aspects of the development work, namely:
  - Appropriate excavation methods and techniques,
  - Vibration management and monitoring,
  - Support and retention of excavated faces,
  - Hydrogeological considerations,must be undertaken in accordance with the recommendations of the report 20166Vrpt by Jeffery and Katauskas and all subsequent geotechnical inspections carried out during the excavation and construction phase. Approval must be obtained from all affected property owners, including Ku-ring-gai Council where rock anchors (both temporary and permanent) are proposed below adjacent private or public property.
46. The geotechnical and hydrogeological works implementation, inspection, testing and monitoring program for the excavation and construction works must be in accordance with the report by Jeffery and Katauskas. Over the course of the works a qualified Geotechnical/hydrogeological Engineer must complete the following:

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- Further geotechnical investigations and testing recommended in the above report(s) and as determined necessary,
  - Further monitoring and inspection at the hold points recommended in the above report(s) and as determined necessary,
  - Written report(s) including certification(s) of the geotechnical inspection, testing and monitoring programs.
47. Under no circumstances shall building materials, demolition waste, fill, soil or any other material from any source be placed or stored within any public reserve.
48. For the purpose of health and amenity, effective measures are to be taken at all times to prevent any nuisance being caused by noise, vibrations smells, fumes, dust, smoke, waste water products and the like.
49. To prevent pollution, all vehicles making a delivery to or from the site are to be covered to prevent loose materials, dust etc falling from the vehicles.
50. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission (phone (02) 9284 9600) in respect of your application.
51. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.
52. Removal or pruning of the following trees is not approved as part of this Development Application. A tree report prepared by Earthscape Horticultural Services, dated April 2006, has been submitted. Tree numbers refer to this report.

Tree/Location

*Ginkgo biloba* (Maiden-hair Tree) Tree 1  
*Eucalyptus microcorys* (Tallowood) Tree 3  
*Eucalyptus scoparia* (Willow Gum) Tree 4

53. Approval is given under this development consent for the following tree works to be undertaken to trees within the subject property:

Tree/Location

Tree Works

<i>Cupressocyparis x leylandii</i> (Leyland Cypress) Trees 9	Removal
<i>Jacaranda mimosifolia</i> (Jacaranda) Tree 10	Removal
<i>Cupressus macrocarpa</i> 'Brunniana' (Golden Cypress) Tree 11	Removal
<i>Araucaria columnaris</i> (Cook's Pine) Tree 12	Removal
<i>Melaleuca sp.</i> (Paperbark) Tree 16	Removal
<i>Lagerstroemia indica</i> (Crepe Myrtle) Tree 19	Removal

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<i>Tiboucina granulosa</i> (Lasiandra) Tree 20	Removal
<i>Michelia champaca</i> (Golden Champaca) Tree 21	Removal
<i>Eucalyptus nicholii</i> (Small Leaved Peppermint) Tree 22	Removal
<i>Eucalyptus nicholii</i> (Small Leaved Peppermint) Tree 23	Removal
<i>Agonis flexuosa</i> (Willow Myrtle) Tree 24	Removal
<i>Nerium oleander</i> (Oleander) Tree 26	Removal
<i>Nerium oleander</i> (Oleander) Tree 27	Removal
<i>Jacaranda mimosifolia</i> (Jacaranda) Tree 32	Removal
<i>Callitris rhomboidea</i> (Port Jackson Pine) Tree 33a	Removal
<i>Melaleuca styphelioides</i> (Prickly Paperbark) Tree 34	Removal
<i>Pittosporum undulatum</i> (Sweet Pittosporum) Tree 35	Removal
<i>Betula pendula</i> (Weeping Birch) Tree 38	Removal
<i>Cupressus torulosa</i> (Bhutan Cypress) Tree 41	Removal
<i>Cupressus torulosa</i> (Bhutan Cypress) Row of 10 / Tree 42	Removal
<i>Cupressocyparis x leylandii</i> (Leyland Cypress) Tree 44	Removal
<i>Cupressocyparis x leylandii</i> (Leyland Cypress) Tree 45	Removal
<i>Cupressocyparis x leylandii</i> (Leyland Cypress) Tree 46	Removal
<i>Virgilia oroboides</i> (Virgilia) Tree 47	Removal
<i>Lagerstroemia indica</i> (Crepe Myrtle) Tree 52	Removal

54. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Regular inspections and documentation from the Arborist to the Principal Certifying Authority are required at the following times or phases of work.

**Tree/location**

All existing trees located on site being retained

**Time of inspection**

Prior to demolition  
At the completion of demolition  
Prior to excavation works  
At the completion of excavation works  
Prior to the start of construction works  
At monthly intervals during construction  
At the completion of construction works  
At the completion of all works on site

55. Canopy pruning of the following tree/s which may be necessary to accommodate the approved building footprint shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate. All other branches are to be tied back and protected during construction as recommended in the arborist report, under the supervision of a qualified arborist.

**Tree/Location**

*Pinus patula* (Mexican Pine) Tree 25  
*Cedrus deodara* (Himalayan Cedar) Tree 28  
*Cedrus deodara* (Himalayan Cedar) Tree 29  
*Lophostemon confertus* (Brushbox) Tree 35  
*Persea Americana* (Avocado Pear) Tree 58

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56. Removal/pruning of the following tree/s from Council's nature strip shall be undertaken at no cost to Council by an experienced Tree Removal Contractor/Arborist holding Public Liability Insurance amounting to a minimum cover of \$10,000,000.

Tree/Location

*Ginkgo biloba* (Maiden-hair Tree) Tree 2

57. Root pruning of the following tree/s which may be necessary to accommodate the approved building works shall be undertaken by an experienced Arborist/Horticulturist, with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate:

Tree/Location

Tree Works

*Pinus patula* (Mexican Pine) Tree 7

Root pruning

*Pinus patula* (Mexican Pine) Tree 25

Root pruning

*Cedrus deodara* (Himalayan Cedar) Tree 28

Root pruning

*Cedrus deodara* (Himalayan Cedar) Tree 29

Root pruning

*Liquidambar styraciflua* (Liquidambar) Tree 33b

Root pruning

*Lophostemon confertus* (Brushbox) Tree 35

Root pruning

*Lophostemon confertus* (Brushbox) Tree 36

Root pruning

*Persea americana* (Avocado Pear) Tree 58

Root pruning

58. If tree roots are required to be severed for the purposes of constructing the approved works they shall be cut cleanly by hand, by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate

59. No mechanical excavation for the approved driveway shall be undertaken within the specified radius of the trunk/s of the following tree/s until root pruning by hand along the perimeter line of such works is completed:

Tree/Location

Radius From Trunk

*Eucalyptus microcorys* (Tallowwood) Tree 3

6m

*Eucalyptus scoparia* (Willow Gum) Tree 4

6m

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

Tree/Location

Radius From Trunk

*Pinus patula* (Mexican Pine) Tree 7

5m

*Pinus patula* (Mexican Pine) Tree 25

6m

*Cedrus deodara* (Himalayan Cedar) Tree 28

8m

*Cedrus deodara* (Himalayan Cedar) Tree 29

8m

*Liquidambar styraciflua* (Liquidambar) Tree 33b

7m

*Lophostemon confertus* (Brushbox) Tree 35

5m

*Lophostemon confertus* (Brushbox) Tree 36

6m

*Persea Americana* (Avocado Pear) Tree 58

5m



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61. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of the following tree/s shall be carried out using the thrust boring method. Thrust boring shall be carried out at least 600mm beneath natural ground level to minimise damage to tree/s root system

Tree/Location	Radius From Trunk
<i>Pinus patula</i> (Mexican Pine) Tree 7	5m
<i>Pinus patula</i> (Mexican Pine) Tree 25	6m
<i>Cedrus deodara</i> (Himalayan Cedar) Tree 28	8m
<i>Cedrus deodara</i> (Himalayan Cedar) Tree 29	8m
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 33b	7m
<i>Lophostemon confertus</i> (Brushbox) Tree 35	5m
<i>Lophostemon confertus</i> (Brushbox) Tree 36	6m
<i>Persea Americana</i> (Avocado Pear) Tree 58	5m

62. The applicant shall ensure that at all times during the site works no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.

63. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along Turramurra Ave as an evenly spaced avenue planting. The tree/s used shall be a minimum 25 litre container size specimen/s trees:

Tree Species	Quantity
<i>Eucalyptus microcorys</i> (Tallowood)	2

64. Following removal of Tree 2 from Council's nature strip, the nature strip shall be rehabilitated to the satisfaction of Council at no cost to Council.

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

66. The following noxious and/or environmental weed species shall be removed from the property prior to completion of the proposed building works

## Plant Species

*Asparagus densiflorus* (Asparagus Fern)  
*Hedera helix* (English Ivy)  
*Tradescantia albiflora* (Wandering Jew)  
*Chlorophytum comosum* (Spider Plant)  
*Ochna serrulata* (Ochna)  
*Jasminum polyanthum* (Jasminum)  
*Nephrolepis cordifolia* (Fishbone fern)

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67. The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

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

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

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

69. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
70. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
71. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:

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- a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
72. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF FORTY-NINE (49) ADDITIONAL DWELLINGS IS CURRENTLY \$906,093.62. The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

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

1. Community Facilities	\$1,117.76
2. Park Acquisition and Embellishment Works - St Ives	\$6,574.28
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

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

OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

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

73. Prior to issue of the Construction Certificate the Applicant must consolidate the existing Torrens lots which will form the development site. Evidence of lot consolidation, in the form of a plan registered with Land and Property Information, must be submitted for approval of the Principal Certifying Authority prior to issue of the Construction Certificate. This condition is imposed to ensure continuous structures will not be placed across separate titles.

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

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

75. The Applicant proposes to carry out the following infrastructure works in the Public Road:
- construct a new kerb inlet pit over the existing underground stormwater drainage pipe in Mona Vale Road.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF THE ROADS ACT 1993** for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council and/ or the Roads and Traffic Authority has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council's "Specification for Road and Drainage Works". In addition, the drawings must detail existing services and trees affected by the works, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998).

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NOTE 1: A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate.

NOTE 2: An engineering assessment fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees.

NOTE 3: Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

76. Prior to issue of the Construction Certificate the Applicant must submit, for approval by the Principal Certifying Authority, certified parking layout plan(s) to scale showing all aspects of the vehicle access and accommodation arrangements clearly dimensioned. A qualified civil/traffic engineer must review the proposed vehicle access and accommodation layout and provide written certification on the plans that:

- All parking space dimensions, driveway and aisle widths, driveway grades, transitions, circulation ramps, blind aisle situations and other trafficked areas comply in full with Australian Standard 2890.1 – 2004 "Off-street car parking".
  - A clear height clearance of 2.5 metres (required under DCP40 for waste collection trucks) is provided over the designated garbage collection truck manoeuvring areas within the basement.
  - No doors or gates are provided in the access driveways to the basement carpark which would prevent unrestricted access for internal garbage collection at any time from the basement garbage storage and collection area.
- The vehicle access and accommodation arrangements are to be constructed in accordance with the certified plans.

77. Prior to issue of the Construction Certificate and prior to commencement of any works that may be subject to erosion, the applicant must submit, for approval by the Principal Certifying Authority, a Soil and Erosion Control Plan prepared in accordance with the Landcom document "*Managing Urban Stormwater – Soils and Construction, Volume 1*" (2004). A qualified and experienced civil/environmental engineer shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management Development Control Plan 47.

78. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:

- Exact location and reduced level of discharge point to the public drainage system.
- Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater

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plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).

- Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems. Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
- Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the Ku-ring-gai Council Development Control Plan 47 and/or BASIX commitments.
- Details of the required **on-site detention** tanks required under Ku-ring-gai Council Water Management DCP 47 including dimensions, materials, locations, orifice and discharge control pit details as required (refer chapter 6 and appendices 2, 3 and 5 of DCP 47 for volume, PSD and design requirements).
- Details of water quality measures as required by DCP 47 Chapter 8.
- The required basement stormwater pump-out system to cater for driveway runoff and subsoil drainage (refer appendix 7.1.1 of Development Control Plan 47 for design).

The above construction drawings and specifications are to be prepared by a qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47, Australian Standards 3500.2 and 3500.3 - *Plumbing and Drainage Code* and the BCA. The plans may be generally based on the Stormwater concept plan by AFCE Environment + Building submitted for Development Application approval, which are to be advanced as necessary for construction issue purposes.

79. Prior to issue of the Construction Certificate the Applicant must contact Energy Australia regarding power supply for the subject development. A written response detailing the full requirements of Energy Australia (including any need for underground cabling, substations or similar within or in the vicinity the development) shall be submitted to the Principal Certifying Authority for approval prior to issue of the Construction Certificate. Any structures or other requirements of Energy Australia shall be reflected on the plans issued with the Construction Certificate, to the satisfaction of the Principal Certifying Authority and Energy Australia. The requirements of Energy Australia must be met in full prior to issue of the Occupation Certificate.
80. Prior to issue of the Construction Certificate the applicant must make contact with all relevant utility providers whose services will be impacted upon by the approved development. A written copy of the requirements of each provider, as determined necessary by the Principal Certifying Authority, must be obtained. All utility services or appropriate conduits for the same, including electricity, gas, telephone, water and sewerage must be provided by the developer in accordance with the specifications of those supply authorities.
81. The applicant shall ensure that no underground services (ie water, sewerage, drainage and gas) shall be laid beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.

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82. Paving works within the specified radius of the trunk/s of the following tree/s shall be of type and construction to ensure that existing water infiltration and gaseous exchange to the tree/s root system is maintained. Details for the paving shall be prepared by a suitably qualified professional and submitted to and approved by the Principal Certifying Authority prior to the release of the Construction Certificate:

Tree/Location	Radius From Trunk
<i>Pinus patula</i> (Mexican Pine) Tree 7	5m
<i>Pinus patula</i> (Mexican Pine) Tree 25	6m
<i>Cedrus deodara</i> (Himalayan Cedar) Tree 28	8m
<i>Cedrus deodara</i> (Himalayan Cedar) Tree 29	8m
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 33b	7m
<i>Lophostemon confertus</i> (Brushbox) Tree 35	5m
<i>Lophostemon confertus</i> (Brushbox) Tree 36	6m
<i>Persea Americana</i> (Avocado Pear) Tree 58	5m

83. The submitted landscape plan la-0501/a06 and la-0502/a06 prepared by DEM and dated 4/08/06 is not approved. An amended, detailed plan of the proposed landscape works for the site shall be prepared by a Landscape Architect or qualified Landscape Designer. The plan must be submitted to, and approved by the Principal Certifying Authority, prior to the release of the Construction Certificate. The landscape works shall be carried out and installed in accordance with the approved landscape plan/s.

The following amendments to the plan shall apply:

- > Existing levels are to be retained beneath the canopy drip lines of all trees to be retained on site and adjoining properties. Particular attention is given to Trees 35 and 36 where level changes are proposed.
- > Proposed planting of all canopy trees, to be minimum 5 metres from any building.
- > Two additional tall endemic canopy trees, capable of attaining a minimum height of 13m, are to be planted with a minimum spacing of 5m, to Building A along north-eastern site boundary.
- > Three additional tall endemic canopy trees capable of attaining a minimum height of 13m are to be planted with a minimum spacing of 5m, to Building B along north eastern site boundary
- > Two additional endemic canopy trees are to be located in the front setback, one in the eastern corner of the site and two to the south of the main entry.
- > One additional endemic canopy tree is to replace one of the *Michelia champaca* located to the south-east of Tree 58
- > Proposed planting of 2 *Tristania laurina* and 1 *Elaeocarpus eumundii* located along the south-western elevation of Building A to be substituted with *Syncarpia glomulifera* (Turpentine)

84. To maximise landscape amenity for the site, the following private courtyards are to be amended to ensure that proposed screen planting and tree replenishment is within the ownership of the body corporate. The private courtyards are to be reduced in size as detailed by the following;

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The courtyard for Units A102 within the side setback are to not encroach closer than 3.5m to any south-western site boundary. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

85. To preserve the ongoing viability of the following trees, the private courtyards to Unit A107 and A106 to be set back a minimum of 4m from trees 35 and 36, as measured from centre of trunk. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Tree/Location

*Lophostemon confertus* (Brushbox) Tree 35

*Lophostemon confertus* (Brushbox) Tree 36

86. To preserve the health and condition of the following tree excavation for the driveway ramp is not to be within the specified radius. The amended plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate.

Tree/Location

Radius From Trunk

*Eucalyptus microcorys* (Tallowood) Tree 3

4.5m

87. A CASH BOND/BANK GUARANTEE of \$10 000 shall be lodged with Council as a Landscape Establishment Bond prior to release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan/s and other landscape conditions.

Fifty percent (50%) of this bond will be refunded upon verification by Council that the landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after the initial satisfactory inspection, where landscape works have been satisfactorily established and maintained.

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

88. A CASH BOND/BANK GUARANTEE of \$7 500 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree/Location

Bond Value (\$)



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<i>Cedrus deodara</i> (Himalayan Cedar) Tree 28	\$2,500
<i>Lophostemon confertus</i> (Brushbox) Tree 35	\$2,500
<i>Lophostemon confertus</i> (Brushbox) Tree 36	\$2,500

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

89. Prior to the commencement of any work, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder who intends to carry out the approved works.
90. In order to ensure the development does not detract from the appearance of adjoining buildings and surrounding areas, a schedule of colours and finishes for all external works shall be submitted to the Principal Certifying Authority and approved in writing prior to the release of the Construction Certificate. All external materials, finishes and colours shall be consistent with the schedule of colours and finishes submitted with the development application. All external surfaces shall be finished to the final satisfaction of the Principal Certifying Authority.
91. Prior to the commencement of any works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of the following structures:
  - Residence at 220 Mona Vale Road;
  - Residence and tennis court at 5a Memorial Avenue.

The report should include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal and the recommendations of the submitted geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports on adjoining structures are required, certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. Upon submitting a copy of the dilapidation report to Council (or certification that no report is required), a written acknowledgment from Council development engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

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92. Prior to the commencement of **any** works on site the applicant must submit, for review by Council Engineers, a *Construction Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

**A plan view of the entire site and frontage roadways indicating:**

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of proposed Work Zones in the frontage roadways,
- Location of any proposed crane standing areas
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
- The provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible and if not possible, an estimate of the number of on- street parking spaces necessary and an alternative legal on-street location for employee parking.

**Traffic Control Plans for the project**

- All traffic control plans are to be prepared by a person accredited to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.

**A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided. Routes for construction vehicles travelling south, or approaching the site from the north are to be indicated.**

- Light traffic roads and those subject to a load or height limit must be avoided unless otherwise approved.
- A copy of this route is to be made available to all contractors, and shall be clearly depicted at a location within the site.

In addition, the plan must address:

- Evidence of RTA concurrence where construction access is provided directly or within 20m of an Arterial Rd.
- A schedule of site inductions to be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations. These must specify that construction-related vehicles to comply with the approved requirements.

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- Minimising construction related traffic movements during school peak periods.

The *Construction Traffic Management Plan* shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation. As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site. A fee is payable for the assessment of the plan by Ku-ring-gai Council.

93. If a Works Zone is proposed, the Applicant must make a written application to the Ku-ring-gai Local Traffic Committee to install the 'Work Zone'. Approval for a Works Zone on Mona Vale Road is not guaranteed and the final decision would rest with the Roads and Traffic Authority.

The application must be made at least 15 days prior to the commencement of any works on site approved under this consent. Works Zones are provided specifically for the set down and pick up of materials and not for the parking of private vehicles associated with the site. Works Zones will generally not be approved where there is sufficient space on-site for the setting down and picking up of goods being taken to or from a construction site. If the Works Zone is approved by the Committee, the Applicant must obtain a written copy of the related resolution from the Ku-ring-gai Local Traffic Committee and submit a copy of this to the Principal Certifying Authority for approval prior to commencement of any works on the site. Where approval of the 'Work Zone' is resolved by the Committee, the necessary 'Work Zone' signage shall be installed (at the cost of the Applicant) and the adopted fee paid prior to commencement of any works on the site. Further, at the expiration of the Works Zone approval, the Applicant is required to remove the Works Zone signs and reinstate any previous signs, all at the Applicant's cost.

94. Prior to the commencement of any works on site the applicant shall submit to Ku-ring-gai Council a full dilapidation report on the visible and structural condition (**including a photographic record**) of the following public infrastructure:

- Half road pavement width, including kerb and gutter, of Mona Vale Road northbound.

The report must be completed by a consulting structural/civil engineer. Particular attention must be paid to accurately recording (both via photo and in written format) *existing* damaged areas on the aforementioned infrastructure so that Council is fully informed when assessing any damage to public infrastructure caused as a result of the development.

95. If the use of temporary rock anchors extending into the road reserve is proposed, then approval must be obtained from Council and/or the Roads and Traffic Authority in accordance with Section 138 of the Roads Act 1993. The Applicant is to submit details of all the work that is to be considered and the works are not to commence until approval has been granted. The designs are to include details of the following:

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- RTA concurrence to the proposed temporary rock anchors
- How the temporary rock anchors will be left in a way that they will not harm or interfere with any future excavation in the public road
- That the locations of the rock anchors are registered with Dial Before You Dig
- That approval of all utility authorities likely to use the public road has been obtained. All temporary rock anchors are located outside the allocations for the various utilities as adopted by the Streets Opening Conference.
- That any remaining de-stressed rock anchors are sufficiently isolated from the structure that they cannot damage the structure if pulled during future excavations or work in the public road.
- That signs will be placed and maintained on the building stating that de-stressed rock anchors remain in the public road and include a contact number for the building manager. The signs are to be at least 600mm x 450mm with lettering on the signs is to be no less than 75mm high. The signs are to be at not more than 60m spacing. At least one sign must be visible from all locations on the footpath outside the property. The wording on the signs is to be submitted to Council's Director Technical Services for approval before any signs are installed.

Permanent rock anchors are not to be used where any part of the anchor extends outside the development site into public areas or road reserves.

All works in the public road are to be carried out in accordance with the Conditions of Construction issued with any approval of works granted under Section 138 of the Roads Act 1993.

96. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s, is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/Location	Radius in Metres
<i>Ginkgo biloba</i> (Maiden-hair Tree) Tree 1	4.5m
<i>Pinus patula</i> (Mexican Pine) Tree 7	6.2m
<i>Pinus patula</i> (Mexican Pine) Tree 25	6.0m
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 33b	7.2m
<i>Persea Americana</i> (Avocado Pear) Tree 58	4.4m

97. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding the proposed driveway, is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/Location	Radius in Metres
<i>Eucalyptus microcorys</i> (Tallowood) Tree 3	6m
<i>Eucalyptus scoparia</i> (Willow Gum) Tree 4	6m

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98. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding the proposed building, is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree/Location	Radius in Metres
<i>Pinus patula</i> (Mexican Pine) Tree 25	6.0m
<i>Cedrus deodara</i> (Himalayan Cedar) Tree 28	6.2m
<i>Cedrus deodara</i> (Himalayan Cedar) Tree 29	6.0m
<i>Lophostemon confertus</i> (Brushbox) Tree 35	7.8m
<i>Lophostemon confertus</i> (Brushbox) Tree 36	9.0m

99. The tree protection fence shall be constructed of galvanised pipe at 2.4 metre spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
100. Prior to works commencing tree protection signage is to be attached to each tree Protection Zone and displayed in a prominent position and the sign repeated at 10m intervals or closer where the fence changes direction. Each sign shall advise in a clearly legible form, the following minimum information:
1. Tree Protection Zone
  2. This fence has been installed to prevent damage to the trees and their growing environment both above and below ground, and access is restricted.
  3. If encroachment or incursion into this Tree Protection Zone is deemed to be essential the consulting Arborist should be informed prior to the undertaking of such works
  4. Name, address, and telephone number of the developer.
101. Prior to works commencing the area of the Tree Protection Zone is to be mulched to a depth of 100mm with composted organic material being 75% Eucalyptus leaf litter and 25% wood, The depth of mulch and type as indicated, to be maintained for the duration of the project & Principal Certifying Authority.
102. Upon completion of the installation of the required tree protection measures, the consent holder is required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.

#### CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

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

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104. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.
105. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of the works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition of the existing structures originally assessed at 220 Mona Vale Road and 5a Memorial Avenue. The report must be completed by a consulting structural/geotechnical engineer. If a structure has been demolished in the meantime under a separate Development Approval then no such report is required.
106. Prior to issue of the Occupation Certificate, the Principal Certifying Authority (where not Council) must provide Ku-ring-gai Council with a signed declaration that the following works in the road reserve have been completed in full:
  - New concrete driveway crossing in accordance with levels and specifications issued by Council.
  - Removal of **all** redundant driveway crossings and kerb laybacks (or sections thereof) and reinstatement of these areas to footpath, turfed verge and upright kerb and gutter. (Reinstatement works to match surrounding adjacent infrastructure with respect to integration of levels and materials).
  - Full repair and resealing of any road surface damaged during construction.
  - Full replacement of damaged sections of grass verge with a non-friable turf of native variety to match existing.

All works must be completed in accordance with the *General Specification for the Construction of Road and Drainage Works in Ku-ring-gai Council*, dated November 2004. The Occupation Certificate must not be issued until all damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council. Repair works shall be at no cost to Council.

107. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B or 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (refer to appendices of Ku-ring-gai Council Water Management DCP 47) and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.
108. Prior to issue of the Occupation Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88B or 88E of the Conveyancing Act 1919,

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burdening the property with the requirement to maintain the site stormwater retention and re-use facilities on the property. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instruments for protection of retention and re-use facilities" (refer to appendices of Ku-ring-gai Council Water Management DCP 47) and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the reuse and retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

109. Prior to issue of the Occupation Certificate, the following must be provided to Council (attention Development Engineer):

- A copy of the approved Construction Certificate stormwater detention/retention design for the site, and
- A copy of any works-as-executed drawings required under this consent
- The Engineer's certification of the as-built system.

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

110. Prior to issue of an Occupation Certificate, the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority.

111. Prior to issue of an Occupation Certificate, the applicant must submit certification from a suitably qualified and experienced traffic/civil engineer to the Principal Certifying Authority. This certification must be based on a site inspection of the constructed vehicle access and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:

- That the as-constructed car park complies with the approved Construction Certificate plans,
- That mirrors are provided where necessary.
- That the completed vehicle access and accommodation arrangements comply in full with Australian Standard 2890.1 – 2004 "Off-Street car parking" in terms of minimum parking space dimensions provided,
- That finished driveway gradients and transitions will not result in the scraping of the underside of cars.
- That no doors, gates, grilles or other structures have been provided in the access driveways to the basement car park, which would prevent unrestricted access for internal garbage collection from the basement garbage storage and collection area.
- That the vehicular headroom requirements of:
  1. Australian Standard 2890.1 - "Off-street car parking",
  2. 2.44m height clearance for waste collection trucks (refer DCP 40) are met from the public street into and within the applicable areas of the basement car park.

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112. Prior to issue of the Occupation Certificate, a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:

- That the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans.
- That the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 respectively, have been achieved in full.
- That retained water is connected and available for uses including toilet flushing, laundry, car washing and garden irrigation.
- That basement and subsoil areas are able to drain via a pump/sump system installed in accordance with AS3500.3 and appendix 7.1.1 of Ku-ring-gai Council Water Management DCP 47.
- That all grates potentially accessible by children are secured.
- That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
- All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.

The following certification sheets **must be accurately completed and attached** to the certification:

- Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
- On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.

113. Prior to issue of the Occupation Certificate, a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:

- As built (reduced) surface and invert levels for all drainage pits.
- Gradients of drainage lines, materials and dimensions.
- As built (reduced) level(s) at the approved point of discharge to the public drainage system.
- As built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site.
- The achieved storage volumes of the installed retention and detention storages and derivative calculations.
- As built locations of all access pits and grates in the detention and retention system(s), including dimensions.



Item 4

- The size of the orifice or control fitted to any on-site detention system.
- Dimensions of the discharge control pit and access grates.
- The maximum depth of storage possible over the outlet control.
- Top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system.

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

114. Prior to issue of the Occupation Certificate, a maintenance regime shall be prepared for the basement stormwater pump-out system and submitted to Principal Certifying Authority. The regime shall specify that the system is to be regularly inspected and checked by qualified practitioners.
115. Prior to issue of the Occupation Certificate, a suitably qualified and experienced geotechnical engineer is to provide certification to the Principal Certifying Authority that excavation and construction of the basement level, including temporary and permanent shoring and retention measures, have been carried out :
  - According the relevant Australian Standards and guidelines, and
  - According to any approved Geotechnical report undertaken for the development, and
  - In a manner that ensures that the structural amenity of adjoining structures and property is fully maintained.
116. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as specified in the Report on Geotechnical Investigation by Jeffery and Katauskas Consulting Engineers, and the professional geotechnical input over the course of the works, must be compiled in report format and submitted to the Principal Certifying Authority for approval.
117. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate, an easement for waste collection must be provided. This is to permit legal access for Council, and Council's contractors, and their vehicles over the subject property for the purpose of collecting waste from the property. The terms of the easement are to indemnify Council and Council's contractors against damages to private land or property whilst in the course of carrying out waste collection services. The terms of the easement are to be generally in accordance with Council's draft terms for an easement for waste collection.
118. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of the works) the Applicant shall submit to the Principal Certifying Authority (PCA) a follow up dilapidation report on the visible and structural condition of the existing structures originally assessed including:
  - Half road pavement width, including kerb and gutter, of Mona Vale Road northbound.

Item 4

The Report must be completed by a practicing consulting structural engineer and be submitted for Council records prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

119. The trees to be retained shall be inspected, monitored and treated when necessary by a qualified Arborist before, during and after completion of development works to ensure their long term survival. Inspections by and documentation from the Arborist to the Principal Certifying Authority is required as specified. Documentary evidence of compliance with this condition shall be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.
120. The landscape works, shall be installed in accordance with the approved plan/s and/ or conditions of consent, be completed prior to release of Occupation Certificate and be maintained in a healthy and vigorous condition at all times.
121. The Principal Certifying Authority shall ensure that the landscape works, have been installed correctly, consistent the approved landscape plan(s), specification and the conditions of consent prior to release of the Occupation Certificate.

D Hoy  
**Executive Assessment Officer**

R Kinninmont  
**Team Leader**  
**Development Assessment - Central**

M Leotta  
**Acting Manager**  
**Development Assessment Services**

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

**Attachments:**

- Locality map - 672917**
- Zoning extract - 672917**
- Site analysis, showing floor plans - Confidential**
- Deep soil landscaping calculations - 672920**
- Basement and lower basement plans - 672922**
- Elevations - 672924**
- Sections - 672924**
- Roof plan - 672924**
- Shadow diagrams - 672926**
- Landscape plan - 672926**
- Memorial Avenue Precinct Master Plan - 672928**

**DEVELOPMENT APPLICATION No 338/06**



**338/06**



## AGREEMENT



OBJECTION



SUBJECT LAND



PETITION



## SUBMISSION



CIRCULATED AREA



**Scale : 1:2000**

**15-09-2006**



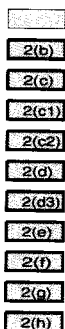
# Zoning Extract

212 - 216 Mona Valr Rd ST IVES - DA 338/06



## 2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G
- (h) RESIDENTIAL H



## 3. BUSINESS

- (a) RETAIL SERVICES
- FLOOR SPACE RATIOS
- A1 2.0:1
- A2 1.0:1
- A3 0.75:1



- (b) COMMERCIAL SERVICES
- FLOOR SPACE RATIOS
- B1 1.0:1
- B2 1.0:1



## 5. SPECIAL USES

- (a) SPECIAL USES A (Schools etc)
- (a1) SPECIAL USES A1
- (b) SPECIAL USES (Railway)



## 6. OPEN SPACE

- (a) RECREATION EXISTING
- (b) RECREATION PRIVATE
- (c) RECREATION PROPOSED



## RESERVATIONS

### OPEN SPACE

- (a) OPEN SPACE (Public Parks & Recreation)
- (b) COUNTY OPEN SPACE

### SPECIAL USES

- SPECIAL USES (Parking etc)

### ROADS

- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED
- (d) LOCAL ROAD WIDENING

## GENERAL

- EXISTING COUNTY ROAD
- OTHER PLANNING INSTRUMENTS



Scale:1:3000  
Date:15-09-2006

SITE AREA = 4352 sq.m



BASEMENT OUTLINE



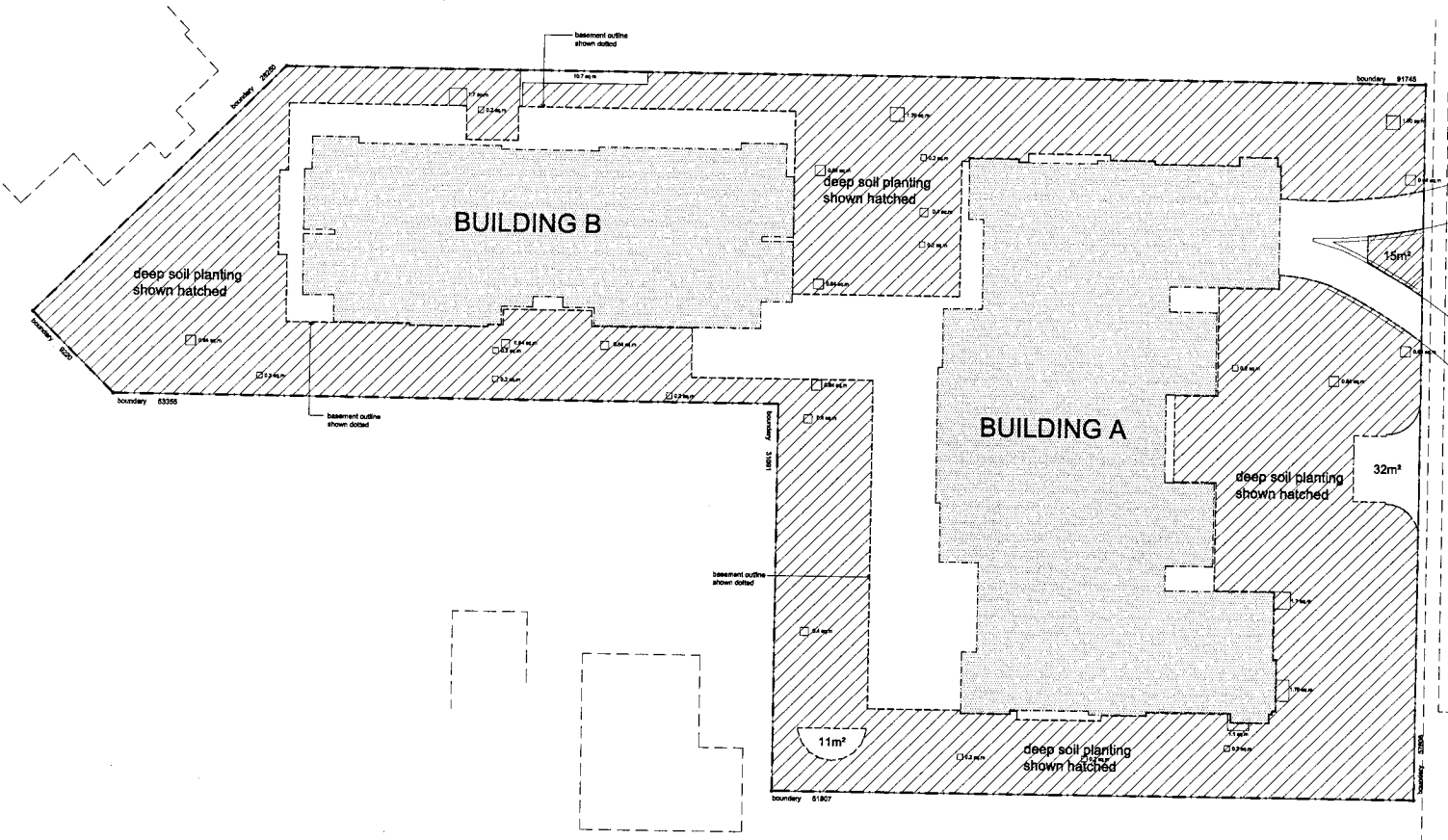
BUILDING OUTLINE SHOWN DOTTED



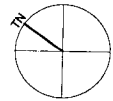
DEEP SOIL PLANTING SHOWN HATCHED = 2190.4m<sup>2</sup> (50.3%)

excluding:

- front entry paving
- driveway island
- pergola
- osd access covers
- rwt access covers
- stormwater pits
- retaining wall (building B)



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A 21.07.08 REVISOR DETAILED DEEP SOIL CALCULATION  
ISSUE DATE DESCRIPTION BY



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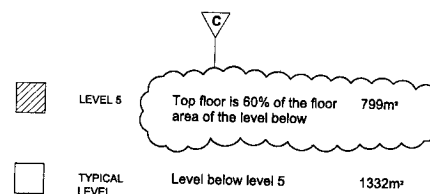
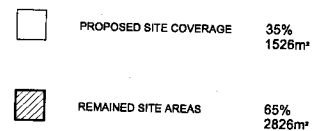
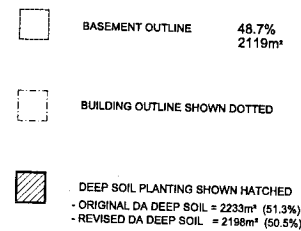
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As trustee for  
**St Ives Property Trust**

Development Application  
212-216  
mona vale road  
ST.IVES

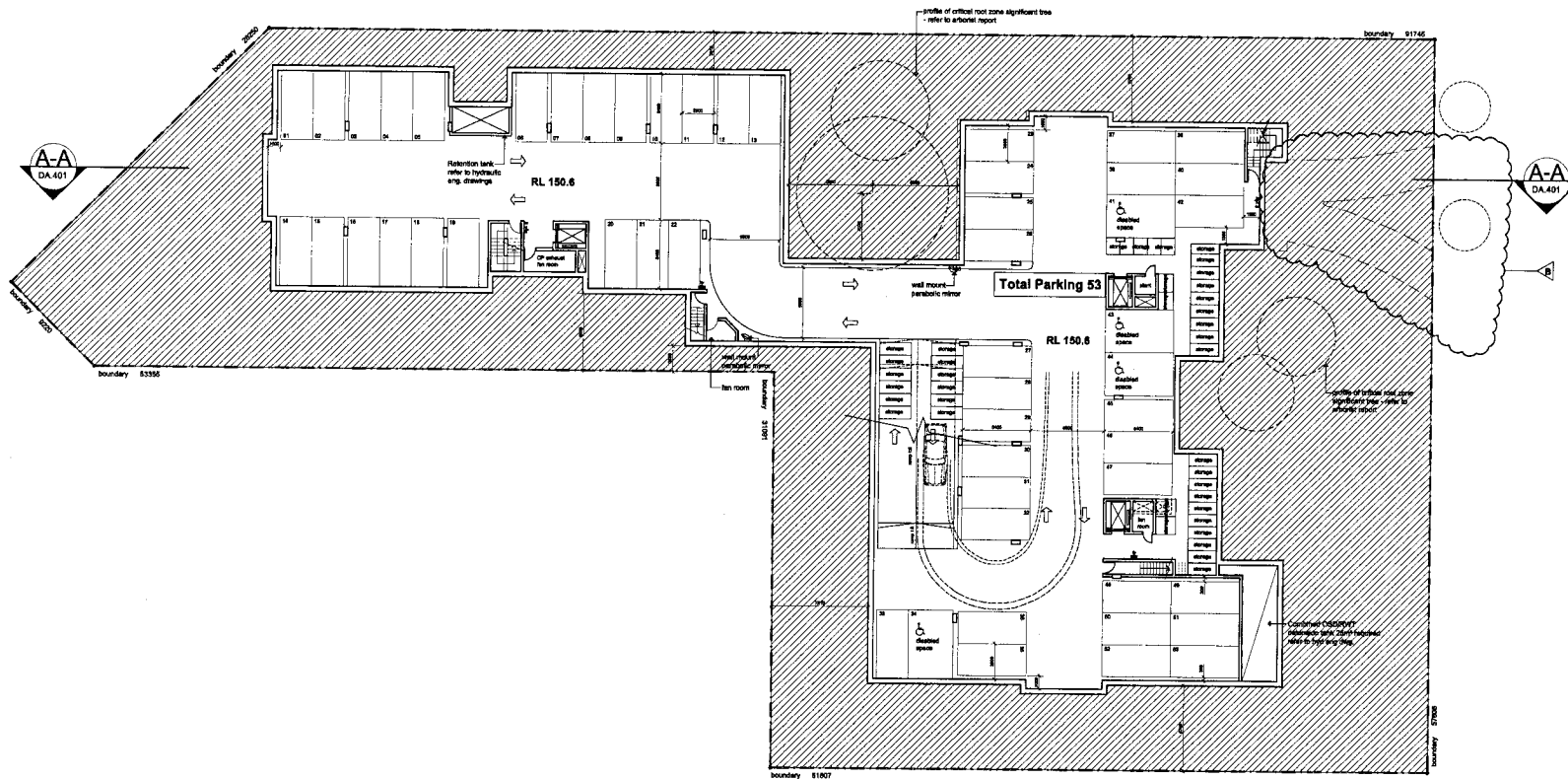
deep soil calculation

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JOB No.	DRAWING No.	ISSUE	
05079	A1.01		A



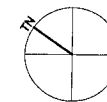
SCALE 1:500	DATE 04/06	DRAWN KH	CHECKED IR
JOB No. 05079	DRAWING No. A1.05		ISSUE C





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B	31.07.08	DRIVEWAY AMENDED TO REFLECT	IR
A	11.04.08	DEVELOPMENT APPLICATION	IR
ISSUE	DATE	DESCRIPTION	BY



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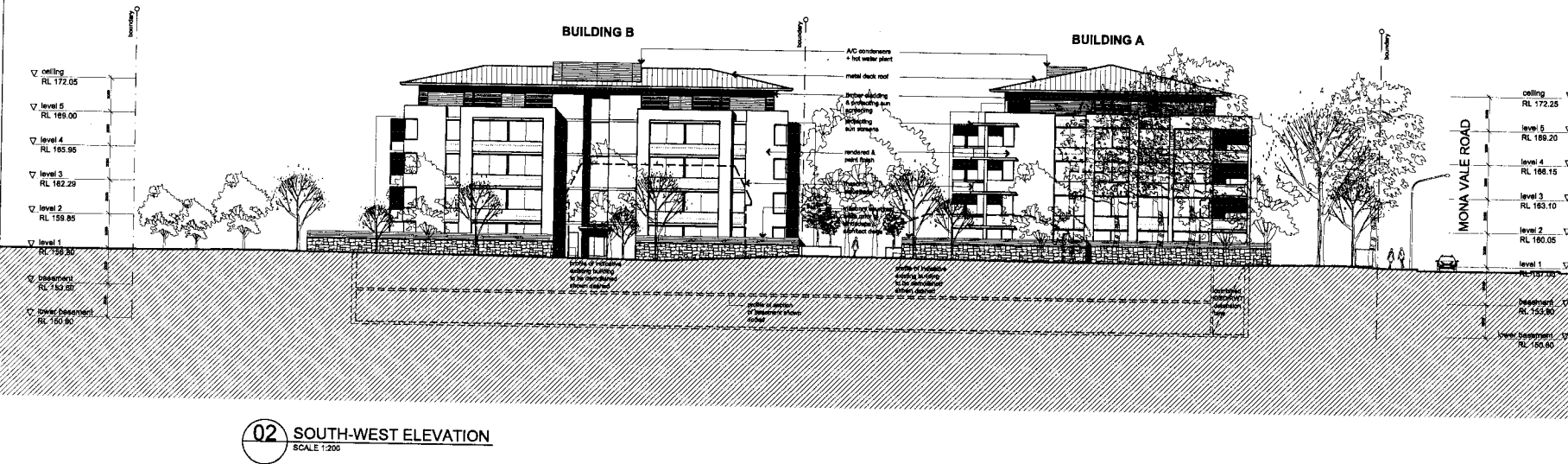
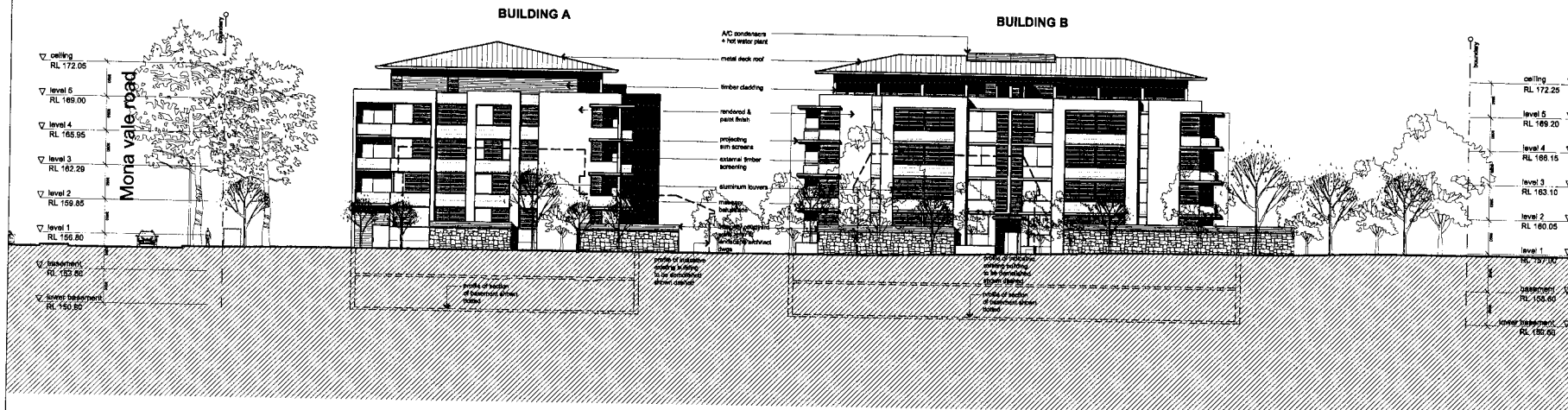
**LOWER BASEMENT**

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JOB NO.	DRAWING NO.	ISSUE	
05079	A2.02	B	



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**212-216**  
**mona vale road**  
**ST.IVES**

**DRAWING TITLE**  
**NORTH-EAST ELEVATION**  
**SOUTH-WEST ELEVATION**

SCALE	DATE	DRAWN	CHECKED
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JOB NO.	DRAWING NO.	ISSUE	
05079	A3.01	A	

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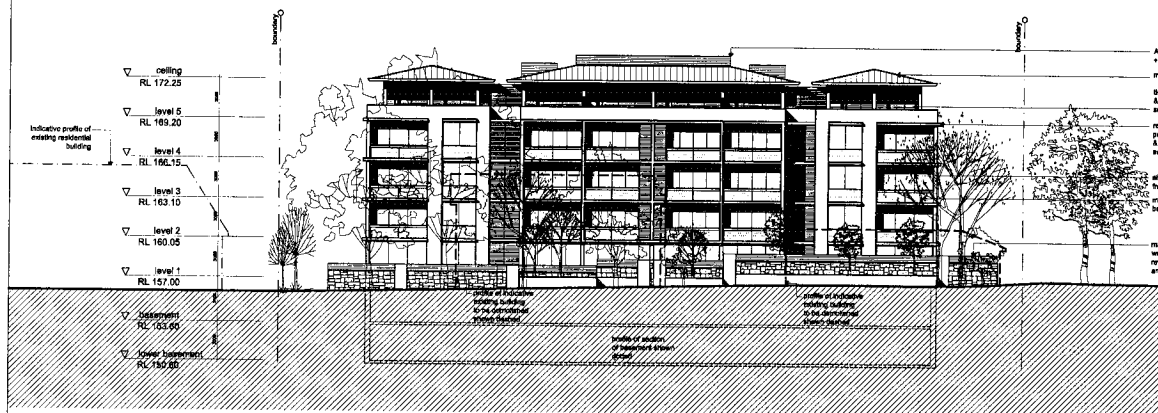
Do not scale from drawings

All dimensions to be checked on site before commencement of work

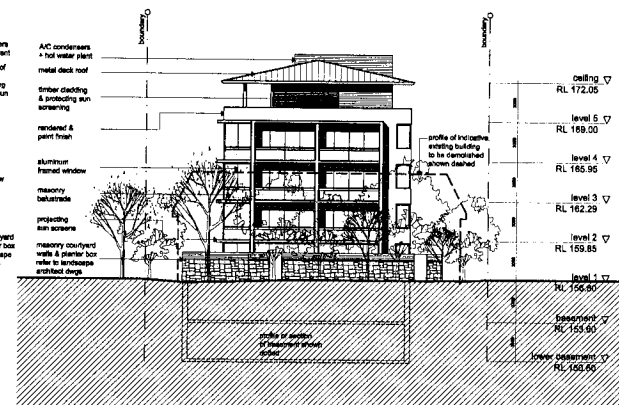
All discrepancies to be brought to the attention of the Architect

Upper scale drawings are within dimensions may preference

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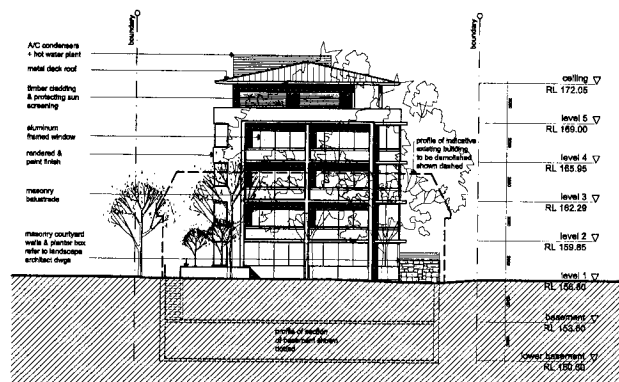
**01 NORTH-WEST ELEVATION**  
BUILDING A - INTERNAL ELEVATION



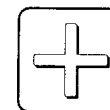
**02 NORTH-EAST ELEVATION**  
BUILDING B - REAR ELEVATION



**03 SOUTH-EAST ELEVATION**  
BUILDING A - MONA VALE ROAD ELEVATION



**04 NORTH-WEST ELEVATION**  
BUILDING B - INTERNAL REAR ELEVATION



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**DRAWING TITLE**  
**NORTH-WEST ELEVATION**  
**SOUTH-EAST ELEVATION**

SCALE	DATE	DRAWN	CHECKED
1:200	04/06	KH.C.K	IR
JOB NO.	DRAWING NO.	ISSUE	
05079	A3.02		A

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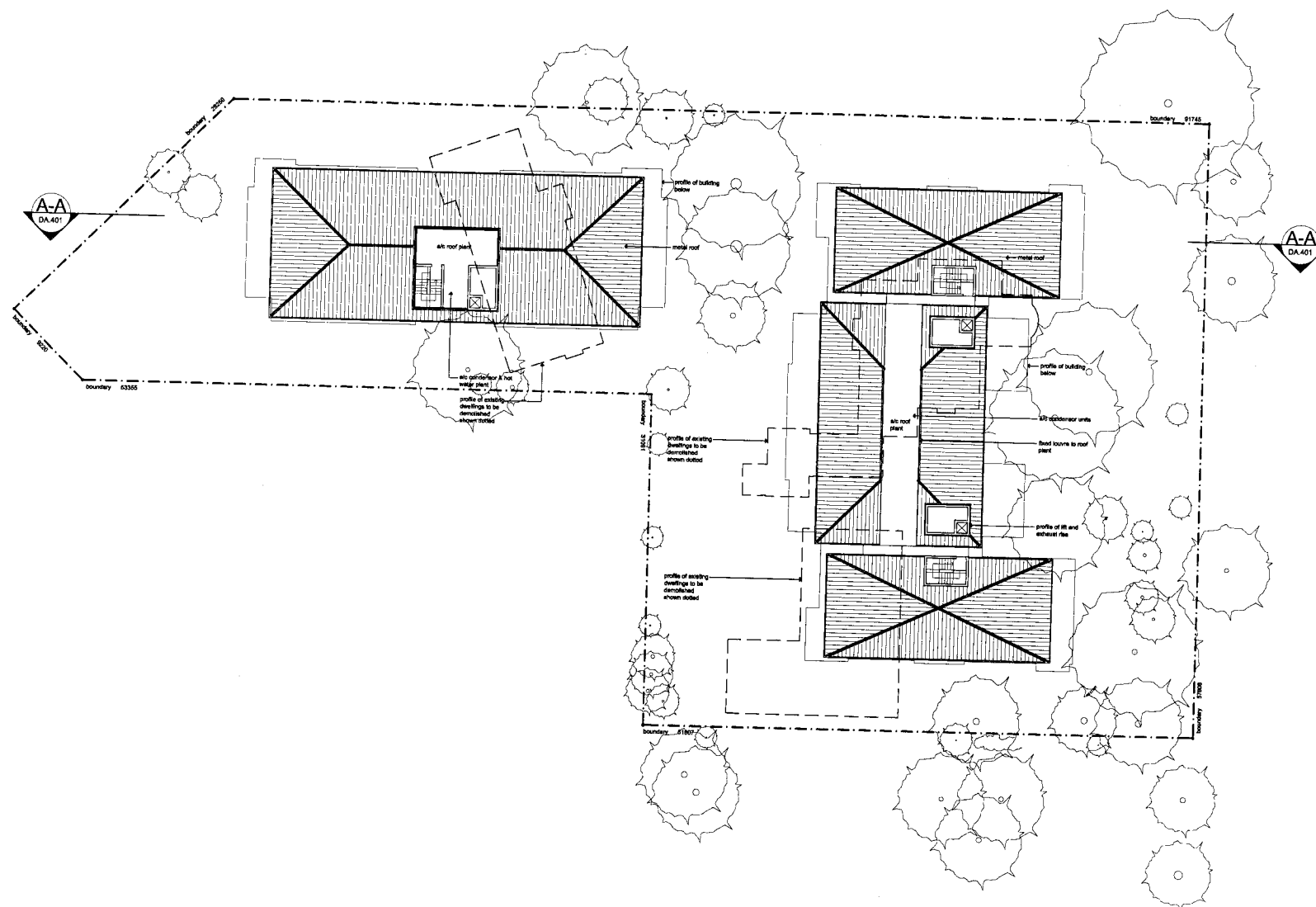
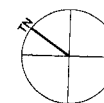
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SCALE 1:200	DATE 04/08	DRAWN KH	CHECKED IR
JOB No. 05079	DRAWING No. A4.01		ISSUE A

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A	11.04.08	DEVELOPMENT APPLICATION	04
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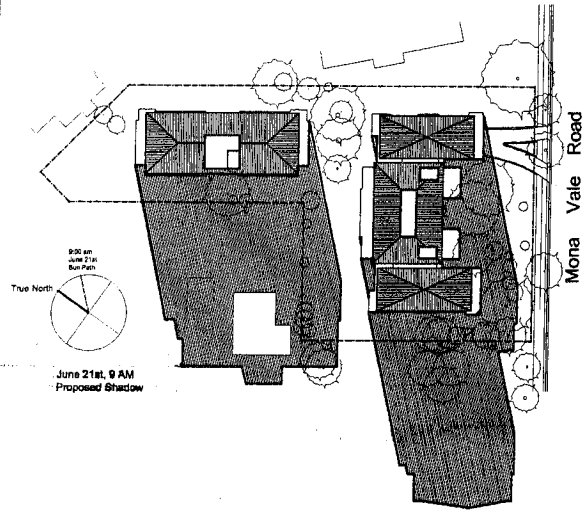
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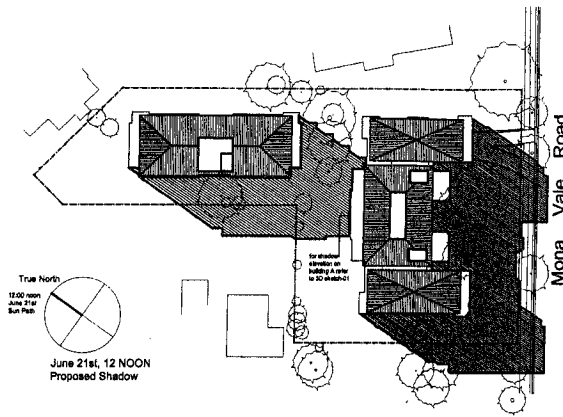
**PROJECT**  
**Development Application  
 212-216  
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**DRAWING TITLE**  
**ROOF PLAN**

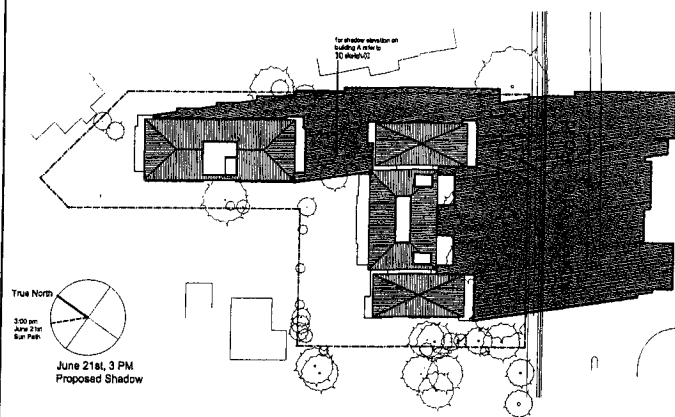
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JOB No.	DRAWING No.	ISSUE	
05079	A2.06	A	



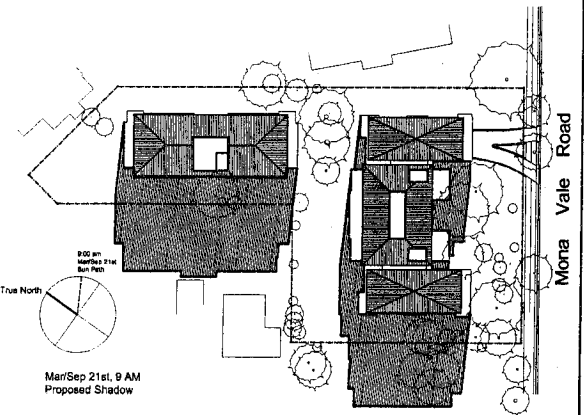
01 JUNE 21ST, WINTER  
9:00 AM SHADOW



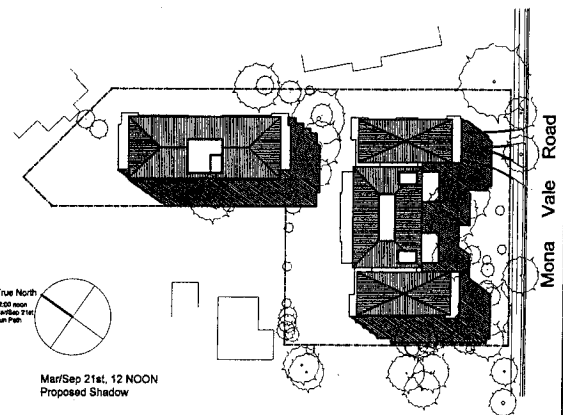
02 JUNE 21ST, WINTER  
12:00 NOON SHADOW



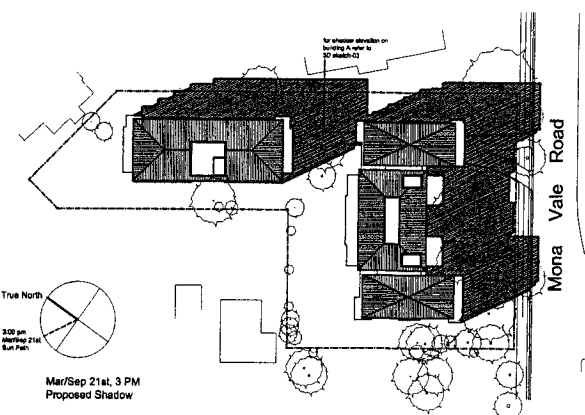
03 JUNE 21ST, WINTER  
3:00 PM SHADOW



04 MAR/SEP 21ST, EQUINOX  
9:00 AM SHADOW

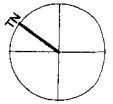


05 MAR/SEP 21ST, EQUINOX  
12:00 NOON SHADOW



06 MAR/SEP 21ST, EQUINOX  
3:00 PM SHADOW

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DRAWING TITLE  
**SHADOW DIAGRAMS  
JUNE, EQUINOX (MAR/SEP.) 21ST**

SCALE	DATE	DRAWN	CHECKED
1:800	04/08	KK	IR
JOB No.	DRAWING No.	ISSUE	BY
05079	A1.04	ISSUE	A

COMMUNAL AREA  
OF BUILDING B  
Retain & protect the existing  
Camellia and Photinia hedges  
Plant the following  
understorey species:  
6 x Hfio  
33 x As @ 750 cts  
33 x Se @ 750 cts  
33 x Bm @ 750 cts  
33 x Wl @ 750 cts  
152 x PpV @ 400 cts  
102 x PpV @ 400 cts  
152 x Hs @ 500 cts

Code	Botanic Name	Common Name	Size	Height	Quantity
PLANT SCHEDULE					
TREES					
Al	Angiospermus latifolia	ROUSH-BARKED APPLE	75L	2m	14
Es	Elaeagnus argentea (cedar leaf)	EUMUND GUMWOOD	100L	10-20m	2
Epa	Eucalyptus paniculata	GREY WICKBARK	75L	20-30m	4
Epr	Eucalyptus pulchella	BLACKBUTT	75L	10m	3
Er	Eucalyptus reticulata	BLUEBERRY ASH	100L	10m	3
Eu	Eucalyptus urophylla	SHOOPY GUM	75L	10m	3
Es	Eucalyptus saligna	SYDNEY BLUE GUM	75L	20-30m	3
Go	Ginkgo biloba	MAJESTIC TREE	100L	24m	3
Ho	Hovea longistylis	KENTIA PALM	75L	10m	3
Lp	Laportea laevis	CREPE MYRTLE	200L	6-8m	3
Mh	Michelia chrysocoma	CHAMPAK	100L	30m	6
Ny	Nyssa australis	TURKISH	200L	30m	6
Py	Pyrus cembra 'Charidrae'	ORNAMENTAL PEAR	200L	11-14m	3
TPC	Thuja 'Pink Cloud'	PINK CLOUD	200L	6m	3
Sg	Syringa guthrieana	TURPENTINE	75L	30m	6
TL	Trochodendron laurifolium	WATERGUM	100L	8m	6
SHRUBS					
AAW	Acacia 'Alba Magna'	ACACIA	25L	1m	14
As	Asplenium platyneuron	ELLY PALLY	25L	1m	14
Be	Banksia ericoides	HEATH LEAVED BANKSIA	25L	1m	52
Bm	Banksia marginata	SILVER BANKSIA	25L	1m	52
BmF	Banksia marginata	JAPANESE BOP	25L	1m	36
Ca	Camellia japonica	JAPANESE CAMELLIA	25L	1m	60
Cl	Claytonia rosea	SLINGER PALM LILY	25L	1m	60
Csa	Camellia sasanqua	SASANQUA CAMELLIA	25L	1m	60
Gm	Gardenia jasminoides	GARODENA	25L	1.5-2m	60
MT	Myrica laevis	MYRTLE BARK	25L	1m	60
MP	Murraya paniculata	ORANGE JESSAMINE	25L	1m	60
PgT	Photinia glabra 'Rubra'	RUBENS	25L	1m	60
SE	Syringa elaeagnifolia	ELLY	25L	1m	60
SHG	Syringa 'Hartland Gold'	HARTLAND GOLD	25L	1m	60
TL	Trochodendron laurifolium	TROCHODENDRON	25L	1m	60
Vo	Viburnum coccineum	VIBURNUM	25L	1m	60
Wl	Westringia frutescens	COASTAL ROSEMARY	25L	1m	60
GROUNDCOVERS, ACCENTS & CLIMBERS					
As	Asplenium platyneuron	NATIVE GINGER	250mm	1m	60
Am	Asplenium platyneuron	SPIDER PLANT	250mm	1m	60
As	Asplenium platyneuron	BIRDS NEST FERN	25L	0.5 to 1m	60
Ch	Chamaecrista nictitans	KAYE LILY	250mm	1m	60
Ch	Chamaecrista nictitans	SPY TREE FERN	25L	1m	60
DCB	Dianella caerulea 'Cassia Blue'	CASSIA BLUE	150mm	1m	60
DCB	Dianella caerulea 'Virens'	BREZZA	150mm	1m	60
Do	Doronicum aegyptium	STYRIA LILY	25L	1m	60
Ho	Hibiscus scaberrimus	CLIMBING GUINEA FLOWER	150mm	1m	60
He	Hesperaloe parviflora	NATIVE BANANILLA	150mm	1m	60
LT	Lonicera 'Hedge'	FRUIT LEAF LONICERA	150mm	1m	60
Un	Utricularia muscicola	TURF LILY	150mm	1m	60
Un	Utricularia muscicola	WIBBON GRASS	150mm	1m	60
Un	Utricularia muscicola	BULBOWS	150mm	1m	60
Un	Utricularia muscicola	MONDO GRASS	150mm	1m	60
Un	Utricularia muscicola	SHRIMP TONGUE	150mm	1m	60
Un	Utricularia muscicola	BLUE TURBOGRASS	200mm	1m	60
Un	Utricularia muscicola	RUBRUM	200mm	1m	60
Un	Utricularia muscicola	STAY GREEN	200mm	1m	60
Un	Utricularia muscicola	NATIVE VIOLET	150mm	1m	60

NOTE: 1. Indicate indigenous plants of the Roush-gal area.  
2. Indicate plants that have a low water requirement.  
3. Indicate plants that are shade tolerant.  
4. Indicate plants that are drought tolerant.

## GENERAL NOTES:

- DIMENSIONS ARE IN MILLIMETRES. LEVELS SHOWN ARE IN METRES. DO NOT SCALE THIS DRAWING.
- FOR ARCHITECTURAL DETAILS REFER ARCHITECT'S DRAWINGS.
- FOR CIVIL AND STRUCTURAL DETAILS REFER TO ENGINEERS' DRAWINGS.
- FOR DRAINAGE DETAILS REFER HYDRAULIC ENGINEERS' DRAWINGS.
- FOR LIGHTING & ELECTRICAL DETAILS REFER TO ELECTRICAL ENGINEERS' DRAWINGS.
- ALL SERVICES TO BE CHECKED AND VERIFIED ON SITE.
- FOR PLANT SCHEDULES REFER LANDSCAPE DRAWING NO. LA 0501
- SURVEY INFORMATION TAKEN FROM DENNY LINKER & CO. CONSULTING SURVEYORS DATED 28.11.05

## LEGEND

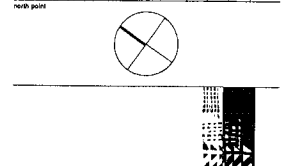
- BUILDING OUTLINE  
refer architect's drawings
- BASINEMENT UNDERNEATH  
refer architect's drawings
- RETAINING WALLS AND PLANTERS ON SLAB  
refer landscape finishes plan
- PROPOSED TURF
- PROPOSED DECORATIVE GRAVEL
- PROPOSED CONCRETE PATH & BANDING
- PROPOSED MILD STEEL EDGING
- PROPOSED PERGOLA STRUCTURE
- EXISTING TREES TO RETAIN & PROTECT
- PROPOSED TREES
- PROPOSED SHRUBS AND GROUNDCOVERS
- PROPOSED LARGER FORMAT CONCRETE STEPPING STONES
- PROPOSED LANDSCAPE SEATING

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Figured dimensions to be taken in preference to stated dimensions. Verify all dimensions on the job before preparing any drawings or commencing work. Dimensions shown are computer generated and the architect is to apply standard building tolerances.

verified suitable for the use intended by the relevant council/authority. If not, it is the responsibility of the user to ensure that the use is appropriate.

no.	date	amendment	by	chk	init	signed
001	31.08.05	preliminary to construction	de	de		
002	16.09.05	revision to construction	de	de		
003	27.09.05	revision	de	de		



division: landscape architecture

level 8 15 havel street chiswood nsw 2067  
p: 02 936 5036 west chiswood nsw 1516  
t: (02) 9366 6000 f: (02) 9366 9111  
e: sydney@dem.com.au

**212 - 216 Mona Vale Road  
St Ives**

St Ives Property SPV Pty Limited  
As trustee for  
St Ives Property Trust

marcuse + partners international  
level 7, 107 mont street  
north sydney nsw 2060  
ph: 02 9922 4375 fx: 02 9929 5786

landscape planting plan

**da issue**

original: 1:200  
a1: 1:200  
ab: 3899-00

drawing no: 0501  
date: 2005

## 7.3 Memorial Avenue Precinct, St Ives

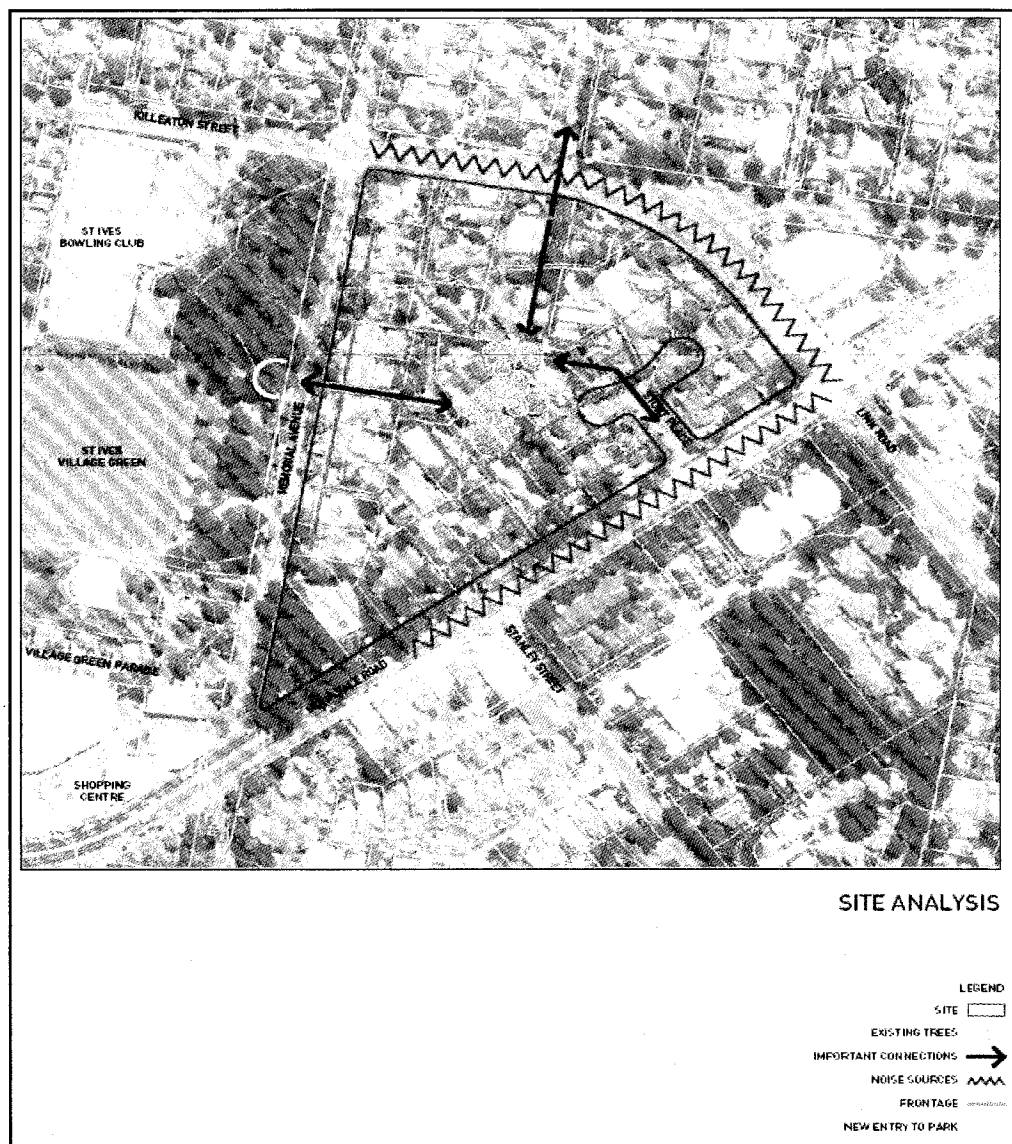
### 7.3.1 Site Location and Site Analysis

The planning principals and controls in this section apply to the land bounded by Memorial Avenue, Killeaton Street, Link Road and Mona Vale Road, St Ives as shown in Figure 24 below.

The main features of the site include the following:

- Memorial Avenue provides a prestigious address, with an avenue of trees, ceremonial character and views across the Village Green;
- Mona Vale Road and Killeaton Street / Link Road are heavily trafficked regional roads;
- Pedestrian links to the north, east and west of the site are desirable; and
- Vehicular and pedestrian addresses should be provided to all future buildings in the centre of the block.

Figure 24: Area Subject to Specific Controls and Site Analysis



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### 7.3.2 Design Objectives

The design objectives provide a framework for the orderly development of all lots in this precinct.

- O-1 The new buildings in Mona Vale Road and Killeaton Street / Link road are placed in a landscape setting with appropriate breaks between the buildings.
- O-2 The character of Memorial Avenue as a prestigious address is reinforced by the development of 3 storey terrace type buildings.
- O-3 The retention of significant trees along the edge of the precinct and internally.
- O-4 Existing stormwater easements retained.
- O-5 Car and pedestrian access to the centre of the site, and to the west, north and east of the site.
- O-6 A new east west link through the site resulting in a:
  - i. through site link to the village green
  - ii. vehicular and pedestrian addresses for future buildings in the centre of the block; and
  - iii. cohesive form of development following alignments along its perimeter.
- O-7 The southern side of the through link is addressed by 3 storey terrace type buildings, which do not overshadow the apartment buildings on their southern side.
- O-8 Inter - connected underground car parking provided under buildings that avoids excessive loss of deep soil area. Access is gained primarily from Sturt Place and the new through site link.
- O-9 Existing driveways removed from Mona Vale Road and access to underground car parks along Mona Vale Road is gained from the through site link.
- O-10 Access to underground car parks along Memorial Avenue gained from the north-west and south-west corner of the block.

### 7.3.3 Design Controls

The proposed design controls for this precinct are contained in Figure 25 below. These controls take the form of nominated lot amalgamations, building envelope controls, setbacks, basement car parking locations and pedestrian and vehicular access through the site.

These proposed controls and lot amalgamations are Council's preferred scheme for achieving the intended design objectives and developed outcomes sought for this precinct. Should an applicant propose a different solution to that presented in Figure 25, then the onus is on the applicant to demonstrate how the alternative solution achieves the nominated design objectives while not preventing Council's preferred solution from being achieved in the remainder of the precinct.



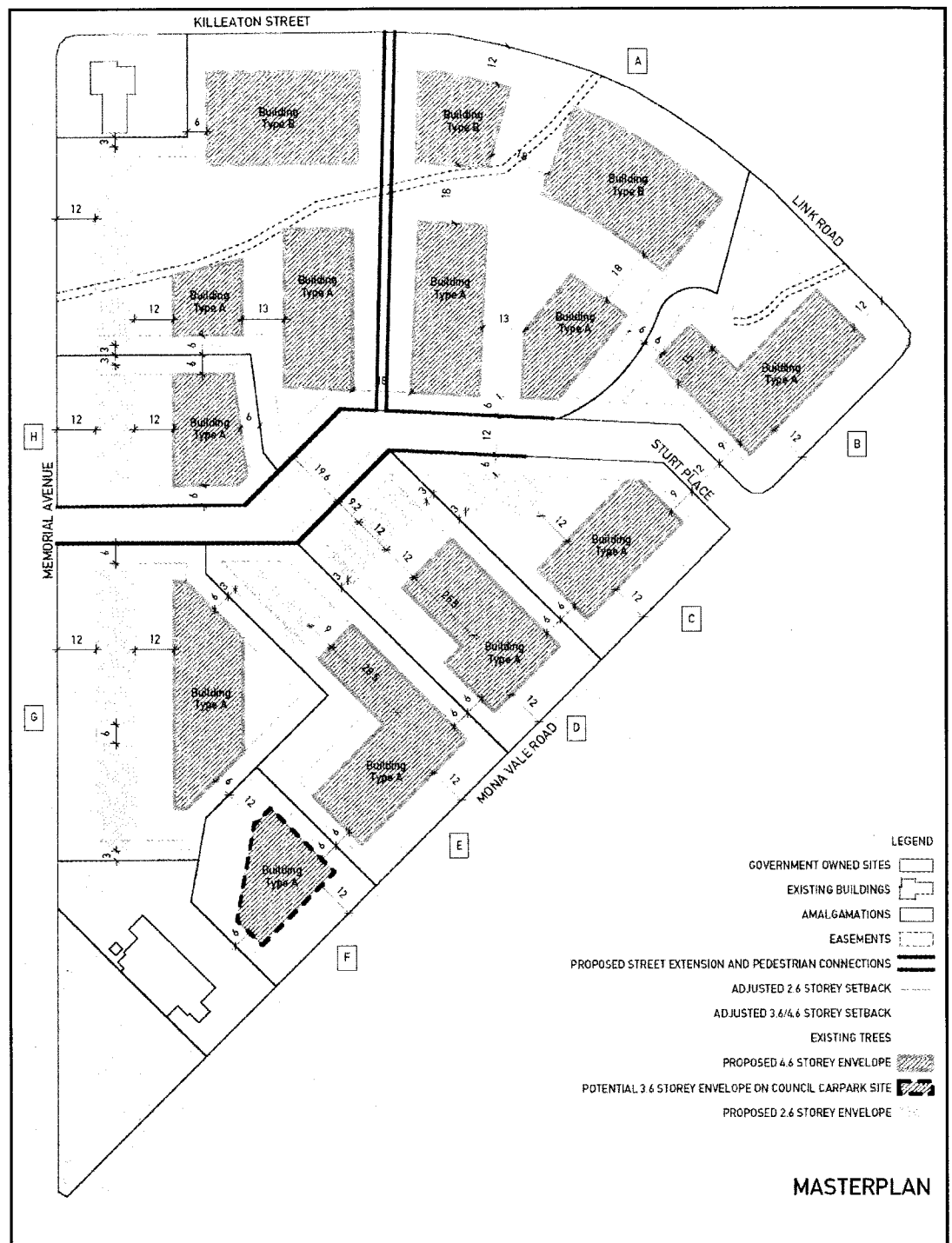


Figure 25: Site Masterplan

Item 5

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	1 TO 9 WONIORA AVENUE, WAHROONGA - AMEND CONDITION 92 TO ALLOW CONCRETE DELIVERY TRUCKS DURING SCHOOL DROP OFF AND PICK UP TIMES
<b>WARD:</b>	Wahroonga
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	1364/04 'B' VOL 4
<b>SUBJECT LAND:</b>	1 to 9 Woniora Avenue, Wahroonga
<b>APPLICANT:</b>	Woniora Avenue Pty Ltd
<b>OWNER:</b>	Karinya Apartments
<b>DESIGNER:</b>	Owen and Gilsenan Architects
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	2(d3)
<b>HERITAGE:</b>	Yes- close proximity to a listed Item
<b>PERMISSIBLE UNDER:</b>	Ku-ring-gai Planning Scheme Ordinance
<b>COUNCIL'S POLICIES APPLICABLE:</b>	KPSO, DCP55, DCP40, DCP47, DCP56
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP 55, SREP 20
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	27 April 2006
<b>40 DAY PERIOD EXPIRED:</b>	6 June 2006
<b>PROPOSAL:</b>	S.96 to amend Condition 92 to allow concrete delivery trucks during school drop off and pick up times
<b>RECOMMENDATION:</b>	Approval

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<b>DEVELOPMENT APPLICATION N<sup>o</sup></b>	<b>1364/04B</b>
<b>PREMISES:</b>	<b>1-9 WONIORA AVENUE, WAHROONGA</b>
<b>PROPOSAL:</b>	<b>AMEND CONDITION 92 TO ALLOW CONCRETE DELIVERY TRUCKS DURING SCHOOL DROP OFF AND PICK UP TIMES</b>
<b>APPLICANT:</b>	<b>WONIORA AVENUE PTY LTD</b>
<b>OWNER:</b>	<b>KARINYA APARTMENTS</b>
<b>DESIGNER</b>	<b>OWEN AND GILSENAN ARCHITECTS</b>

**PURPOSE FOR REPORT**

To determine Section 96 application 1364/04B which seeks consent to allow concrete delivery trucks during school drop off and pick up times.

**EXECUTIVE SUMMARY**

<b>Issues:</b>	Residential amenity and safety
<b>Submissions:</b>	24 objections received
<b>Pre DA:</b>	N/A
<b>Land &amp; Environmental Court Appeal:</b>	No
<b>Recommendation:</b>	Approval

**HISTORY**

Council granted development consent to development application 1364/04 for demolition of existing structures on site and construction of 58 dwellings within three separate buildings, associated access, basement parking and landscaping and strata subdivision on 14 June 2005.

Condition 92 of the consent specifies:

*“Deliveries are not to be made to the site between the hours of 8.00am to 9.30am and 2.30pm to 4.00pm.”*

This is a standard condition, which is imposed on all consents for more substantial development.

**THE SITE**

Visual Character Study Category: 1920-1945

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Legal Description:                   1 Woniara Avenue  
  Lot 2 DP300066

  3 Woniara Avenue  
  Lot 99 DP2666

  5 Woniara Avenue  
  Lot 98 DP2666

  7 Woniara Avenue  
  Lot 97 DP2666

  9 Woniara Avenue  
  Lot 96 DP2666

Bush fire prone land:               No

Endangered species:               No

Urban bushland:                   No

Contaminated land:               No

Integrated development:           No

## SITE DESCRIPTION

The site has an area of approximately 5262m<sup>2</sup> and is rectangular in shape, with the exception of a deeper boundary to No. 1 Woniara Avenue. It has a total southern frontage to Woniara Avenue of 83.82 metres. The northern boundary of the property adjoins four single residential properties on Burns Road (one of which, No. 7, is a heritage listed property). The northern boundary has a total length of 83.82 metres. The eastern boundary is approximately 70.71 metres in length and adjoins five single dwellings. The western boundary is approximately 60.96 metres in length and adjoins No. 11 Woniara Avenue, which is comprised of three dwellings (two x 2-storey and one x single storey).

Generally, the surrounding area is residential. However, Wahroonga Preparatory School and a small shopping strip are located to the east and south-east of the subject site, respectively. Wahroonga Town Centre and Wahroonga Railway Station are located further to the south.

## THE PROPOSAL

The proposal seeks to modify Condition 92 of Development Consent 1364/04 to allow concrete delivery trucks to access the site during school drop off and pick up times (8.00am – 9.30am and 2.30pm – 4.00pm). The applicant has advised, large concrete pours will take place on average only once a week until mid December 2006, should the Section 96 be approved. Due to the size of each pour, it is very difficult to provide a continuous pour to each deck within the delivery times currently imposed in Condition No.92. For the structural integrity of the development, continuous pours are required. This is supported by a letter, dated 11 September 2006, from the applicant's structural engineer. See **attachments**.

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The applicant originally proposed a route that included a right turn from Junction Road into Coonanbarra Road from the Hornsby Shire departure point. This was unacceptable as no right hand turns are permitted at this intersection. An alternative route was discussed that included a continuation along Myra Street, Hornsby left down Alexandra Avenue/ Millewa Avenue and left into Woonona Avenue North then into Woniara Avenue (maps of the original, the first alternative and current second alternative proposed concrete delivery routes are below).

The alternative route was referred to Hornsby Council for comment. However, they did not accept this alternative route because it was along a 'load limited' street. This resulted in a second alternative route, travelling east along Junction Street, right turn into Grosvenor Street, right into Bareena Avenue, left onto Coonanbarra Street and right into Woniara Avenue. This latest route was not referred to Hornsby Shire Council because it uses the same roads within the Hornsby Shire that were accepted by Hornsby Council's Traffic Committee under the original route discussed above.

Condition 92 of the consent reads as follows:

*"92. Deliveries are not to be made to the site between the hours of 8.00am to 9.30am and 2.30pm to 4.00pm."*

The applicant has provided the following additional arguments in support of the proposal and the most recent alternative route:

1. *Truck route objectives:*

- a. Council imposed route designed to cause minimal disruption.*
- b. Bypass's most schools.*
- c. Minimises the usage of streets with tonnage restrictions, thus reducing infrastructure damage.*
- d. Avoids travelling through Redleaf Avenue and Wahroonga Town Centre.*

2. *On-site objectives:*

- a. Satisfy our structural engineering requirements by allowing continuous concrete pours as they have been designed as Post – tensioned decks.*
- b. Reduces the programme time to enable earlier completion of development.*
- c. Concrete is to be delivered within the restricted hours only for large slab pours.*
- d. Large slab pours will all take place within the next three months only.*

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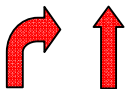
Map showing original, first alternative and second current alternative route for concrete delivery vehicles.



Concrete delivery vehicles starting point.



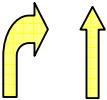
Travel route from Hornsby area. This remains the same for the original and current second alternative route recommended for approval.



Original travel route, however no right hand turn permitted at Coonanbarra Road, as noted above.



First alternative route not supported by Hornsby Council.



Current, second alternative travel route that is recommended for approval.



Subject site/ destination point.

## CONSULTATION - COMMUNITY

In accordance with Council's Notification DCP 56, owners of surrounding properties were given notice of the application. The proposal was re-notified given that the proposed truck route was modified. Submissions were received from the following:

**Item 5**

1.	Mrs Kerrie Piper	23A Bareena Ave, Wahroonga
2.	Peter & Beverley Middlebrook	83 Coonanbarra Rd, Wahroonga
3.	Rory & Julie-Ann Gray	10 Bareena Ave, Wahroonga
4.	Dr NPJ Stamford	( Unknown)
5.	Anthony & Diane Walker	5 Bareena Ave, Wahroonga
6.	Dianne & Ian grant	15 Bareena Ave, Wahroonga
7.	GS & WA Foley	21 Bareena Ave, Wahroonga
8.	Matthew & Stephanie Long	25 Bareena Ave, Wahroonga
9.	Mrs J E Brennan	77 Coonanbarra Rd, Wahroonga
10.	Judy & Barrie Hungerford	31 Grosvenor St, Wahroonga
11.	Margaret & Ian Symington	19 Bareena Ave, Wahroonga.
12.	Deidre & Alex Illes	7 Bareena Ave, Wahroonga
13.	Paul & Robyn Hammond	18 Grosvenor St, Wahroonga
14.	Francis Kennedy	81 Coonanbarra Rd, Wahroonga
15.	Richard & Toni Chard	16A Bareena Ave, Wahroonga
16.	Stephen & Britta Page	4 Bareena Ave, Wahroonga
17.	Dr A B and Mrs J C Lawrence	( Unknown)
18.	Angus & Natalie Foley	( Unknown)
19.	David & Sue Croston	96 Coonanbarra Rd, Wahroonga
20.	Richard Alldis	( Unknown)
21.	Ian A Ramage	2/ 25-29 Millewa Ave, Wahroonga
22.	EM & DJ Tilley	100 Coonanbarra Rd, Wahroonga
23.	RJ & JM Hellyer	1/11 Woniora Ave, Wahroonga
24.	Ellen Wells	Townhouse 2/ 68 Coonanbarra Rd, Wahroonga

The submissions raised the following issues:

**Traffic congestion**

The proposed modification will not add excessive traffic congestion, given the minor number of pours predicted at approximately 1 per week and the short period of time until the pours are completed, being mid December 2006. In addition, traffic within the area will be reduced during school holiday periods.

Continuous concrete pours are needed for the structural integrity of the post-tensioned decks used for the development. In light of this, Condition 92 is overly restrictive for concrete deliveries and will unreasonably prolong the construction timeframe. Minimal impact on traffic flow will be experienced as deliveries for concrete are limited to approximately 1 pour per week up until mid December 2006 only and will avoid Wahroonga Town Centre and passing local schools within the Ku-ring-gai area. In addition, this would not exclude the drivers from obeying road rules, particularly in terms of speed within school zones.

**Safety**

The proposed truck route is reasonable in this instance. There will be minimal impacts given the limited number of deliveries being an average of 1 per week and they are only for a relatively short

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period of time, to mid December 2006. The impacts will be lessened during the school holiday periods and the delivery route does not directly pass schools within Ku-ring-gai area with the exception of a small section of the Wahroonga Preparatory School, 'school zone'.

**Imperative Council preserves weekend work to the approved hours**

The proposal does not seek to increase the 'Hours of Work'. It only seeks to allow limited concrete truck deliveries during school drop off and pick up times on weekdays only.

**Lack of supervision by the PCA**

This is not relevant to this application.

**Other issues that have caused disruption to the area such as noise, dust and asbestos**

This application does not alter the responsibility of the developer to comply with all conditions of consent, including those that seek to minimise amenity impacts, such as noise, dust and that require the appropriate removal and disposal of asbestos.

**Road damage/ who is going to pay for the restoration/ what steps are being made to fix pot holes?**

**Condition 33** of the development consent places responsibility with the applicant for the cost for repairing Council property damaged during the demolition process. **Condition 43** requires all public footways and roadways fronting and adjacent to the site to be maintained in a safe condition at all times. **Condition 80** requires a bond to be paid to cover the restoration of any damage to public infrastructure caused as a result of construction works.

**The developer has flagrantly ignored conditions of consent**

This is a compliance matter and is irrelevant to the scope of this application.

**Heavy vehicles using light traffic 'tonnage' restricted streets**

Heavy vehicles will be using 'load limited' or 'maximum tonnage' roads to access the site. The 'load limited' road rule seeks to stop heavy vehicles weaving their way through the local residential street networks as a short-cut. However, this rule provides that vehicles in excess of the load limit may use these roads, providing they have a destination point. In this instance, concrete trucks will travel to 1-9 Woniora Avenue (destination point). Therefore, the vehicles will not be breaking this rule.

**There is no guarantee s.94 contributions will be used to fix the roads**

This is not relevant to this application.



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**There is a better alternative route**

Alternative routes were considered. The proposed route is acceptable for the reasons given within this report.

**Lack of information within the notification letter**

The notification letter advises that the information contained therein, may not be comprehensive and all information forming part of the development application can be viewed at Council's offices.

**Damage to trees along the truck route**

This proposal to modify the condition will not result in an impact on street trees.

**CONSULTATION - WITHIN COUNCIL**

**Engineering**

Council's Engineering Team Leader, Kathy Hawken, supports the proposal.

**STATUTORY PROVISIONS**

**S.96(1A) SUBSTANTIALLY THE SAME DEVELOPMENT EPA Act 1979**

Pursuant to Section 96(1A) of the *Environmental Planning and Assessment Act, 1979*, Council may modify a consent granted if it is satisfied that the modification is

***“(1A) Modifications involving minimal environmental impact***

*A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:*

- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
- (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- (c) it has notified the application in accordance with:*
  - (i) the regulations, if the regulations so require, or*
  - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

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*(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be."*

The proposed modification falls within the ambit of s.96(1A) because:

1. The amendment is of minimal environmental impact for the reasons discussed in this report;
2. The development, as modified, remains substantially the same for the demolition of existing structures and construction of 58 dwellings within three separate buildings, basement car-parking, landscaping and strata subdivision;
3. The proposed amendment has been notified in accordance with the Environmental Planning and Assessment Regulations 2000 and Council's Notification DCP No.56; and
4. Council has considered all the submissions made relating to the proposed modification.

**S96 (2) (B) CONSULTATION WITH MINISTER, PUBLIC AUTHORITY OR APPROVAL BODY**

Consultation is not required under the Act. Nevertheless, as a courtesy, Hornsby Council's Traffic Committee were referred the original concrete truck route which travelled east along Junction Street and proposed a right hand turn into Coonanbarra Road, which they accepted. However, when it was discovered that vehicles cannot turn right into Coonanbarra from Junction Street, the first alternative route was raised as a possible solution to this issue and was consequently referred to Hornsby Council.

As noted earlier, this alternative route was not supported, which resulted in the current second alternative route before Council. The current alternative route differs from the original in that concrete delivery vehicles travel further east along Junction Street and turn right into Grosvenor Street. This route was not referred to Hornsby Council because it does not affect the roads within the Hornsby Council area.

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

The original assessment acknowledged that the site is unlikely to be contaminated. This proposal does not change this conclusion.

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

The aim of this Plan is to protect and provide total catchment management for the environment of the Hawkesbury-Nepean River catchment by ensuring that the impacts of future land uses are considered in a regional context.

There will not be a significant detrimental impact contrary to the objectives of SREP 20 given the nature of the modification proposed.

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

### Aims and Objectives

The proposal is consistent with Objective 25(1)(b) and (c) to encourage the orderly development of land and resources in Ku-ring-gai because it will allow continuous pours of concrete, lessening the impacts of deliveries by reducing the length of time required for these types of pours. This will reduce the time of construction, which is a positive impact. There will be minimal impacts to the surrounding environment because on average, there will be approximately 1 pour per week and it will only be required up until mid December 2006. In addition, the route chosen for the concrete deliveries minimises the number of residential dwellings and schools passed during deliveries and ensures that deliveries will only partially encroach within the school 'zone', but not actually pass Wahroonga Preparatory School.

It should also be noted that continuous pours are needed structurally for the integrity of the concrete. Stopping mid-pour will result in a safety issue. This is supported by the applicant's engineer, as noted within their letter dated 11 September 2006. However, to ensure there are minimal impacts, this application will be conditioned to only allow pours up to and including 15 December 2006. This is reasonable in this instance as it will meet the applicant's need for continuous pours and minimise impacts on the community.

Given the scope of this modification, there are no other relevant statutory or policy considerations.

### **Likely impacts**

The development will not result in a significant detrimental impact for the reasons discussed in this report.

### **Any submissions**

All submissions received have been considered.

### **Public interest**

The proposal is in the public's interest for the reasons given within this report.

## **CONCLUSION**

Having regard to the provisions of s.96(1A) and s.79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the proposed modification be approved.

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**RECOMMENDATION**

**Pursuant to Section 96(1A) of the Environmental Planning and Assessment Act, 1979**

THAT Council, as the consent authority, modify development consent to Development Application No. DA 1364/04 to allow construction vehicle movements within school drop off and pick up times on land at 1-9 Woniora Avenue, Wahroonga, in the following manner:

**Condition No.92** is modified so as to read as follows:

“To ensure minimal amenity impacts, deliveries are not to be made to the site between the hours of 8.00am to 9.30am and 2.30pm to 4.00pm, with the exception of concrete delivery trucks up until and including 15 December 2006. No deliveries of any kind are to be made between the hours of 8.00am to 9.30am and 2.30pm to 4.00pm after 15 December 2006.

S Garland  
**Executive Assessment Officer**

S Segall  
**Team Leader**  
**Development Assessment – North**

M Leotta  
**Acting Manager**  
**Development Assessment Services**

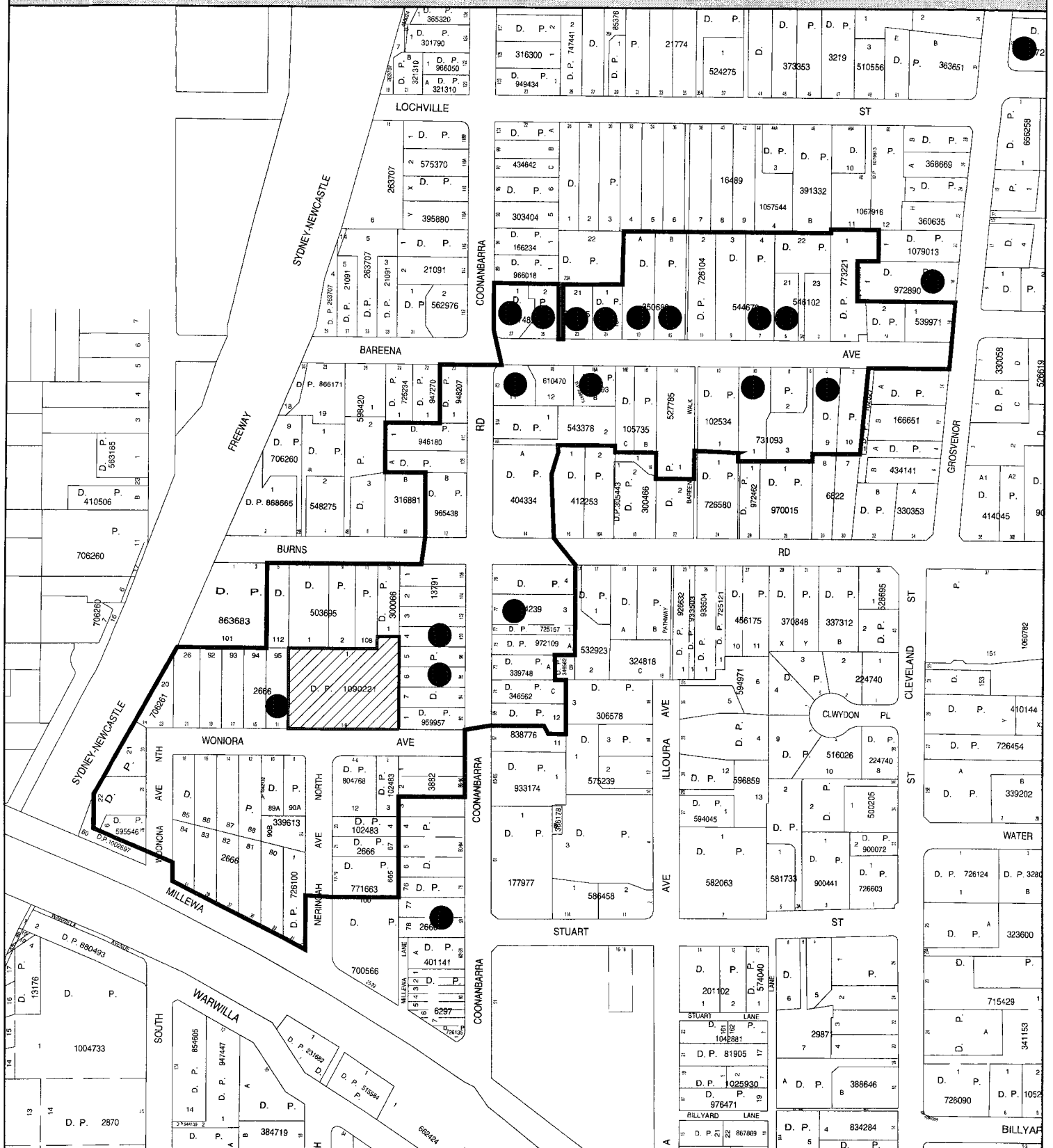
M Miocic  
**Director**  
**Development & Regulation**

**Attachments:**      **Location sketch - 672975**  
                             **Zoning sketch - 672975**  
                             **Structural engineer's letter - 672975**

# LOCATION SKETCH

## 1-9 Woniora Avenue, WAHROONGA

### DEVELOPMENT APPLICATION No 1364/04-5



Scale : 1:4000

15-09-2006



AGREEMENT

OBJECTION

SUBJECT LAND



PETITION

SUBMISSION

CIRCULATED AREA



# **Zoning Extract**

**1-9 WONIORA AVE DA 1364/04-5**



## ZONES

## 2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G
- (h) RESIDENTIAL H

### 3. BUSINESS

- (a) RETAIL SERVICES
- FLOOR SPACE RATIOS
- |    |        |         |
|----|--------|---------|
| A1 | 2.0:1  | 3(a)-A1 |
| A2 | 1.0:1  | 3(a)-A2 |
| A3 | 0.75:1 | 3(a)-A3 |
- (b) COMMERCIAL SERVICES
- FLOOR SPACE RATIOS
- |    |       |         |
|----|-------|---------|
| B1 | 1.0:1 | 3(b)-B1 |
| B2 | 1.0:1 | 3(b)-B2 |

## 5. SPECIAL USES

- |                                     |        |
|-------------------------------------|--------|
| (a) SPECIAL USES A<br>(Schools etc) | SCHOOL |
| (a1) SPECIAL USES A1                | 5(a1)  |
| (b) SPECIAL USES (Railway)          |        |

## 6. OPEN SPACE

- (a) RECREATION EXISTING [REDACTED]  
(b) RECREATION PRIVATE [REDACTED]  
(c) RECREATION PROPOSED [REDACTED]

## RESERVATIONS

OPEN SPACE

- (a) OPEN SPACE  
(Public Parks & Recreation)

## SPECIAL USES

- SPECIAL USES (Parking etc) **PARKING**

## ROADS

- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED
- (d) LOCAL ROAD WIDENING

GENERAL

- EXISTING COUNTY ROAD 
- OTHER PLANNING INSTRUMENTS 



**Scale:1:3000**  
**Date:15-09-2006**



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D TEMPLETON, BE(Hons), MIE Aust, CPEng, RPEQ

Our Ref: 2006-208-DT

11 September 2006

Estate Constructions of Australia  
8 West Street  
NORTH SYDNEY NSW 2060

Attention: Sarkis Elia

Dear Sir

**RE: 1-9 WONIORA AVENUE, WAHROONGA**

---

As the structural engineers on the above project we wish to state that interrupting or stopping concrete placement during placement of a floor slab is not structurally acceptable. This will lead to cold joints between the old and the new concrete which will be a point of weakness particularly near anchorages in post tensioned slabs such as we have on this project. Furthermore the absence of reinforcing bars across this joint will give rise to inadequate shear transfer between the two slabs.

Yours faithfully  
SCP CONSULTING PTY LTD

David Templeton  
Associate Director



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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	1 KINTORE STREET, WAHROONGA - DEMOLITION AND ERECTION OF SENIORS LIVING DEVELOPMENT COMPRISING FOUR DWELLINGS
<b>WARD:</b>	Wahroonga
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	DA470/05
<b>SUBJECT LAND:</b>	1 Kintore Street, Wahroonga
<b>APPLICANT:</b>	The Turnbull Group Pty Ltd
<b>OWNER:</b>	Robert Fechter
<b>DESIGNER:</b>	Hugh Slayter and Associates
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2(c)
<b>HERITAGE:</b>	Within UCA 28
<b>PERMISSIBLE UNDER:</b>	SEPP – Seniors Living
<b>COUNCIL'S POLICIES APPLICABLE:</b>	DCP47 - Water Management, DCP 43- Car Parking, DCP 40 - Waste Management, DCP 31 - Access and DCC 1/99 Housing for Older People and People with a Disability
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP – Seniors Living, SEPP 55, SREP 20
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	17 May 2005
<b>40 DAY PERIOD EXPIRED:</b>	26 June 2005
<b>PROPOSAL:</b>	Demolition and erection of seniors living development comprising four dwellings
<b>RECOMMENDATION:</b>	Approval



<b>DEVELOPMENT APPLICATION N<sup>o</sup></b>	<b>470/05</b>
<b>PREMISES:</b>	<b>1 KINTORE STREET, WAHROONGA</b>
<b>PROPOSAL:</b>	<b>DEMOLITION AND ERECTION OF SENIORS LIVING DEVELOPMENT COMPRISING FOUR DWELLINGS</b>
<b>APPLICANT:</b>	<b>THE TURNBULL GROUP PTY LTD</b>
<b>OWNER:</b>	<b>ROBERT FECHTER</b>
<b>DESIGNER</b>	<b>HUGH SLAYTER AND ASSOCIATES</b>

### **PURPOSE FOR REPORT**

Independent town planning report for Council to consider in determining Development Application No 470.05.

### **EXECUTIVE SUMMARY**

The proposal is for the demolition of existing structures and the erection of a seniors living development containing two x two storey buildings. The front building is to contain two x four bedroom dwellings (one capable of conversion to 5 bedrooms) and the rear building is to contain two x three bedroom dwellings.

### **HISTORY**

There is no development history of relevance to the application.

Development Application No. 470/05 was lodged on 17 May 2005 for demolition of the existing structures and erection of a seniors living development comprising two buildings over basement parking for 16 cars. The two buildings were to contain four x two bedroom and three x three bedroom dwellings, being of two storey construction, except at the rear of the site where the building was one storey. A preliminary assessment raised concerns related to traffic, loss of trees and deep soil landscaping.

As a result amended plans and information (geotechnical report) were lodged on 23 November 2005. Further concerns were raised in relation to tree loss and deep soil zones and a second set of amended plans was lodged on 16 March 2006. These plans are the subject of this assessment report.

An assessment report was considered by Council at its meeting of 27 June 2006, which recommended approval subject to conditions. Determination of the application was deferred to allow an onsite inspection, which was held on 1 July 2006. A report addressing the site inspection and recommending approval subject to conditions was considered by Council at its meeting of 8 August 2006. At this meeting Council resolved to defer consideration of the application and to seek an independent assessment of the application. This report contains the requested independent assessment.

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## THE SITE

Zoning:	Residential 2(c)
Visual Character:	1920-1945
Lot Number:	A
DP Number:	656258
Area:	1655.8m <sup>2</sup>
Side of Street:	Southern side of Kintore St and western side of Grosvenor St
Cross Fall:	1.5m from south-east to north-west
Stormwater Drainage:	To street
Heritage Affected:	Within UCA 28
Integrated Development:	No
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

## SITE DESCRIPTION

### The site

The site is located on the south-eastern corner of the intersection of Grosvenor Street and Kintore Street, Wahroonga and comprises one allotment, being Lot A in DP 656258. The site has a frontage to Kintore Street of 21.97m and to Grosvenor Street of 48.375m with a curved boundary at the intersection. The southern boundary has a dimension of 33.3m and the eastern a dimension of 54.25m. The site is roughly rectangular in shape and has an area of 1655.8m<sup>2</sup>. The site is relatively flat, with a small fall of approximately 1.5m from the south-east to the north-west.

The site is currently developed with a two storey brick dwelling located towards the Kintore Street frontage, with a setback of approximately 17m. A part one and part two storey outbuilding also exists adjacent to the eastern boundary containing accommodation for vehicles and storage. This site also contains several significant and large trees, including both native and exotic species.

### Surrounding development

The area has a low density residential character, with the predominant form of development being single detached dwellings of one or two storeys located in garden settings. There is no consistent architectural style in the area, with the age of development varying significantly. Similarly, there are a variety of dwelling sizes in the area, from smaller single storey dwelling to very large two storey dwellings.

Whilst there are some exceptions, the streetscapes of the area are characterised by landscaping, with buildings not generally being the dominant streetscape element. Exceptions to this occur at 3 Kintore Street, where the newly constructed dwelling, though having a large setback, dominates the streetscape given the lack of landscaping within the front setback and 6 Kintore Street, containing a large two storey dwelling on a smaller setback.

## THE PROPOSAL

It is proposed to demolish the existing structures on the site and to erect a two storey SEPP – Seniors Living development containing 4 dwellings. The development is to comprise two buildings, with two dwellings in each building.

The building closest to the intersection contains two dwellings, both addressing Kintore Street and has variable setbacks from Kintore Street between 9m and 12.2m. The building is setback from Grosvenor Street between 5m and 8.7m. The building is proposed to be two storey, with the first floor facing Kintore Street having little additional setback from that of the ground floor, but with only one bedroom facing Grosvenor Street having the same setback as the ground floor.

Dwelling 1 has a tandem garage and carport adjoining the eastern boundary and the ground floor contains the living areas and one bedroom, with the first floor containing three additional bedrooms. Private open space for this dwelling comprises a north facing courtyard off the living room between the dwelling and Kintore Street and a second courtyard to the south off the family room.

The second dwelling in this building has a double garage off Grosvenor Street and the living area and one bedroom at the ground level and three additional bedrooms and a hobby room at the first floor level. Private open space for this dwelling comprises a north facing courtyard off the living room between the dwelling and Kintore Street and a second courtyard to the south off the family room.

The building located in the rear portion of the site contains two dwellings, both addressing Grosvenor Street and has variable setbacks from Grosvenor Street of between 7.5m and 10m. The building is setback from the rear boundary by between 5.4m and 8.7m and from the eastern boundary by between 3m and 7.7m. The building is proposed to be two storey, with the first floor facing Grosvenor Street being significantly reduced in size and located towards Grosvenor Street, away from the two neighbouring properties.

Dwelling 3 has a tandem garage and carport to the north of the dwelling accessed off Grosvenor Street and the ground floor contains the living areas and one bedroom, with the first floor containing two additional bedrooms. Private open space for this dwelling comprises an east facing courtyard off the living room.

The fourth dwelling has a single garage off Grosvenor Street and the living area and two bedrooms at the ground level, with an additional bedroom at the first floor level. Private open space for this dwelling comprises an east facing courtyard off the living room and a second area to the south with no direct connectivity to the dwelling.

## CONSULTATION - COMMUNITY

In accordance with Council's policy, adjoining owners were given notice of the original and amended application.

Eighty six objections were received to the original notification, thirty one to the second notification and thirty three to the notification of the subject plans. The following persons objected to various

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versions of the proposal, with a <sup>(1)</sup> next to the persons who objected to the first set of plans, a <sup>(2)</sup> for the second set and a <sup>(3)</sup> for the current plans:

Robertson and Hindmarsh Pty Ltd <sup>(1) (2) (3)</sup>	on behalf of residents of 5, 6, 8, 9, 10, 11, 12, 14, 23, 29, 29A and 38 Kintore Street, 38 and 49 Lochville Street, 8, 29 and 45 Braeside Street, 7, 11, 17, 29, 31, 32 and 42 Grosvenor Street and 146 Eastern Road, Wahroonga;
Ingham Planning <sup>(1) (2)</sup>	on behalf of 43 affected residents;
Perfect Outdoors <sup>(1)</sup>	on behalf of Moira Hill 8 Kintore Street, Wahroonga;
Marisa and David Johnston <sup>(1) (3)</sup>	6 Grosvenor Street, Wahroonga;
NJ and SE Nolan <sup>(1) (2) (3)</sup>	7 Grosvenor Street, Wahroonga;
Lyndall and John Cummine <sup>(1)</sup>	14 Grosvenor Street, Wahroonga;
AJ Tinworth <sup>(1)</sup>	16 Grosvenor Street, Wahroonga;
Roger and Judith Lipscomb <sup>(1) (2) (3)</sup>	17 Grosvenor Street, Wahroonga;
Mr and Mrs P Hammond <sup>(1) (2)</sup>	18 Grosvenor Street, Wahroonga;
Mike Healy <sup>(1)</sup>	26 Grosvenor Street, Wahroonga;
R and K Lenehan <sup>(1) (3)</sup>	28 Grosvenor Street, Wahroonga;
AW and DJ Hirst <sup>(1) (2)</sup>	29 Grosvenor Street, Wahroonga;
Greg and Maria McNally <sup>(1)</sup>	29A Grosvenor Street, Wahroonga;
JA Jungerford <sup>(1) (2) (3)</sup>	31 Grosvenor Street, Wahroonga;
Ian and Susan Maxton <sup>(1) (2)</sup>	32 Grosvenor Street, Wahroonga;
Mike Healy <sup>(1)</sup>	36 Grosvenor Street, Wahroonga;
Janet and Owen Thomas <sup>(1) (2) (3)</sup>	40 Grosvenor Street, Wahroonga;
Douglas and Jennifer Meares <sup>(1) (2) (3)</sup>	42 Grosvenor Street, Wahroonga;
Brian and Anne Bartlett <sup>(1)</sup>	48 Grosvenor Street, Wahroonga;
Kim and Chris Taylor <sup>(1)</sup>	82 Grosvenor Street, Wahroonga;
Don Crocker <sup>(1)</sup>	87a Grosvenor Street, Wahroonga;
J and J Kyle <sup>(1)</sup>	141 Grosvenor Street, Wahroonga;
Lillian Armitage <sup>(1)</sup>	36 Lochville Street, Wahroonga;
JA and AJ Hart <sup>(1)</sup>	38 Lochville Street, Wahroonga;
Dr DJ and Mrs AC du Temple <sup>(1)</sup>	45 Lochville Street, Wahroonga;
David McGilvray <sup>(1)</sup>	50 Lochville Street, Wahroonga;
Paul M Cook <sup>(1)</sup>	97 Boundary Road, Wahroonga;
Rowe and Rhonda Kelly <sup>(1)</sup>	1 Braeside Street, Wahroonga;
Brian L Bolton <sup>(1) (3)</sup>	4 Braeside Street, Wahroonga;
M Donaldson <sup>(1) (3)</sup>	8 Braeside Street, Wahroonga;
JW and P Mitchell <sup>(1) (2) (3)</sup>	10 Braeside Street, Wahroonga;
LJ and MJ Perrett <sup>(1) (2)</sup>	12 Braeside Street, Wahroonga;
Garth Rossler <sup>(1)</sup>	20 Braeside Street, Wahroonga;
Mr WS Cloros <sup>(1) (2) (3)</sup>	21 Braeside Street, Wahroonga;
Andrew Hestelow <sup>(1)</sup>	41 Braeside Street, Wahroonga;
BA and PM Pointon <sup>(1) (2) (3)</sup>	45 Braeside Street, Wahroonga;
Helen and Michael Markiewicz <sup>(1)</sup>	49 Braeside Street, Wahroonga;
Charles Mckinnon <sup>(1)</sup>	56 Braeside Street, Wahroonga;
Daniel and Houmana Sukari <sup>(1) (2)</sup>	3 Kintore Street, Wahroonga;
Robert and Susan Cribb <sup>(1)</sup>	4 Kintore Street, Wahroonga;
Wu Family <sup>(1)</sup>	5 Kintore Street, Wahroonga;

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Lori and John Feely <sup>(1) (2) (3)</sup>	6 Kintore Street, Wahroonga;
Brendon and Ginetta Shriffer <sup>(1)</sup>	7 Kintore Street, Wahroonga;
DCW and M Hill <sup>(1) (2) (3)</sup>	8 Kintore Street, Wahroonga;
Brian Wright <sup>(1) (2) (3)</sup>	9 Kintore Street, Wahroonga;
David and Karen Peaston <sup>(1) (2) (3)</sup>	10 Kintore Street, Wahroonga;
Scott J Barnett <sup>(1) (3)</sup>	11 Kintore Street, Wahroonga;
Thomas Kennedy <sup>(1) (2) (3)</sup>	12 Kintore Street, Wahroonga;
John and Sally Asnicar <sup>(1) (3)</sup>	14 Kintore Street, Wahroonga;
Barry and Judith Foster <sup>(1) (3)</sup>	15 Kintore Street, Wahroonga;
Chris Capell <sup>(1) (2) (3)</sup>	18 Kintore Street, Wahroonga;
K L Moore <sup>(1) (3)</sup>	22 Kintore Street, Wahroonga;
Patrick and Margaret Sutcliffe <sup>(1)</sup>	27 Kintore Street, Wahroonga;
LE Tutt <sup>(1) (2)</sup>	29 Kintore Street, Wahroonga;
TS and V Stedman <sup>(1)</sup>	29A Kintore Street, Wahroonga;
DR JVV and KA Read <sup>(1)</sup>	33 Kintore Street, Wahroonga;
Graham and Marjorie Coulsen <sup>(1)</sup>	34 Kintore Street, Wahroonga;
GM and RE Ward <sup>(1) (2)</sup>	36 Kintore Street, Wahroonga;
Robert and Christine Bruce <sup>(1) (2)</sup>	41 Kintore Street, Wahroonga;
David and Diane Gold <sup>(1)</sup>	41a Kintore Street, Wahroonga;
Brad and Roula Crosling <sup>(1)</sup>	45 Kintore Street, Wahroonga;
G and R Ward <sup>(1)</sup>	46 Kintore Street, Wahroonga;
JM and MD Huggart <sup>(3)</sup>	48 Kintore Street, Wahroonga;
Ruth and Trevor Wetmore <sup>(1) (3)</sup>	47 Kintore Street, Wahroonga;
Brent Hudson <sup>(1) (2) (3)</sup>	50 Kintore Street, Wahroonga;
Peta Edwards <sup>(1) (2) (3)</sup>	52 Kintore Street, Wahroonga;
L and A Kennedy <sup>(1) (2)</sup>	53 Kintore Street, Wahroonga;
Helen, Tony and Rowan Muir <sup>(1)</sup>	61 Kintore Street, Wahroonga;
ER and BC Kennedy <sup>(1) (2) (3)</sup>	65a Kintore Street, Wahroonga;
Graham and Shirley Lighfoot <sup>(1) (3)</sup>	6 Wahroonga Avenue, Wahroonga;
Yvonne and Colin Bain <sup>(1)</sup>	8 Wahroonga Avenue, Wahroonga;
John Gissing <sup>(1)</sup>	9A Water Street, Wahroonga;
Peter Berkley <sup>(1)</sup>	12A Water Street, Wahroonga;
Charles and Margaret Sharpe	<sup>(1)</sup> 24 Water Street, Wahroonga;
Claudine Parr <sup>(1)</sup>	42 Water Street, Wahroonga;
Simon and Anne Olding <sup>(1)</sup>	16 Mona Street, Wahroonga
Dr and Mrs AB Lawrance <sup>(1)</sup>	8 Bareena Avenue, Wahroonga;
Dianne and Ian Grant <sup>(1) (3)</sup>	15 Bareena Avenue, Wahroonga;
Dr NPJ and Mrs LA Stamford <sup>(1) (2) (3)</sup>	16 Bareena Avenue, Wahroonga;
Richard Bamann <sup>(1)</sup>	16b Bareena Avenue, Wahroonga;
Megan Allsop <sup>(1)</sup>	PO Box 219, Wahroonga;
Patrick and Margaret Sutcliff <sup>(1) (2) (3)</sup>	PO Box 1096, Wahroonga;
Gillian Scott <sup>(1)</sup>	PO Box 19, Lindfield
Dr R Lloyd Williams <sup>(1) (2) (3)</sup>	146 Eastern Road, Wahroonga.
David and Barbara Pennells <sup>(1)</sup>	No address given
John E V Cameron <sup>(1)</sup>	32 Burns Road, Wahroonga;
David and Joanna Hovenden <sup>(1)</sup>	35A Junction Road, Wahroonga;
Ross Jackson <sup>(1)</sup>	No address given

The submissions raised the following issues:

***Other developments for seniors on the market need to be sold***

The existence of other seniors living developments in the area and whether they have sold or not are not valid reasons for refusal of the application.

***Site is near schools and should be used for family not seniors accommodation***

The location of the site in proximity to schools does not prevent it from being a suitable site for seniors living accommodation. It is noted that such accommodation is also for persons with a disability and such families may contain children.

***Increased noise***

Noise increases related to the proposal will be residential in nature (other than during construction), and whilst noise levels may increase from that experienced from a single dwelling, the increase is not of such significance as to warrant refusal of the application.

***Increased traffic/traffic noise***

The degree of increase in traffic is not of such significance that it will result in either Kintore Street or Grosvenor Street, or the intersection of the two roads, being pushed beyond an appropriate level of service or environmental capacity.

***Inappropriate for underground parking in this area (related to 7 dwelling proposal)***

The current plans do not contain underground parking.

***Loss of property values***

The proposed development is a permissible use on the site and subject to an appropriate design, any impact on property values in the area is not a valid reason for refusal of the application.

***Impact on underground watercourse***

This concern related to the impact of the underground parking area and is no longer a concern with the current plans that do not proposed underground parking.

***Will cause disruption during construction***

Whilst the proposal is likely to cause inconvenience during construction in relation to noise, traffic and potentially pedestrian movements, such is not a valid reason for refusal of the application. Impacts of construction can be appropriately minimised by conditions of consent.

***Impact on local heritage significance/ setting of 28 and 32 Grosvenor Street***

The application has been assessed by Council's Heritage Advisor and that assessment indicates that the proposal will not have a significant impact on the heritage significance of the nearby heritage items, resulting in only a minor loss of context and setting.

In relation to the impact on Urban Conservation Area No. 28 (UCA 28), the Heritage Advisor indicates that the current contribution of the site is by way of its landscaping, which significantly screens the existing dwelling. The Heritage Advisor concludes that the proposal has setbacks and an intensity that conflict with the character of UCA 28, but that retention of some of the perimeter trees would assist in providing a better relationship with UCA 28.

The trees that are proposed to be retained (the retention of which is supported by the Landscape Officer), are Trees 1, 3, 4, 5, 10, 11, 14, 17, 18, 24, 25, 26, 34. Additionally, it is proposed to plant smaller trees (5m-7m) in the gaps between the larger trees along the Kintore Street and Grosvenor Street frontages.

The trees provide a significant tree canopy to the Kintore Street and Grosvenor Street frontages of the site and screening along the southern boundary of the site. The trees to be retained will, with appropriate under planting of shrubs, provide for significant and substantial screening of the development as viewed from both street frontages and will maintain the existing streetscape to both streets in that the landscaping will dominate the building on the site. To this extent the site will continue its current roll within UCA 28, albeit it may take some time for the shrubs to attain a suitable level of height to achieve a similar degree of screening.

***Excessive traffic on Grosvenor Street make it not safe for senior citizens to cross/proximity of vehicular crossing to intersection***

The existing level of traffic on Grosvenor Street is not such that it is unsafe for seniors to cross, it is noted that it is likely that anyone crossing the road would do so at the safest point and would be unlikely to cross it at the intersection.

***Out of scale/character with streetscape***

The design, which will present as two x two storey large dwellings is a reasonable design approach in an area characterised by larger dwellings. Whilst the two buildings are provided with less separation than those in the area, they will be substantially screened by landscaping, and in particular two substantial trees are to be retained in the setback to Grosvenor Street in front of that separation, enhancing the visual separation of the buildings.

***Loss of trees***

The extent of tree loss proposed is considered acceptable, with the majority of trees to be removed being located internally within the site. The number of trees to be retained will still result in the site having a significantly better canopy cover than other sites in the vicinity of the site and will allow the site to continue its roll within UCA 28.

***Proposal is inconsistent with single family dwelling character of area***

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The aim of SEPP Seniors Living is to provide accommodation for older and/or disabled persons within residential areas to allow these people to live in the areas they have previously lived, retaining links with their friends, families and communities. For this reason, such a proposal is appropriate in the area.

***Two storey modern design is out of character***

Two storey buildings are not out of character with the area, with several such structures in the surrounding area. The design, which will present as two x two storey large dwellings is a reasonable design approach in an area characterised by larger dwellings. The design, whilst modern, has appropriate features such that it will not be incongruous in an area of diverse architectural styles and periods.

***Noise from vehicular movements on 3 Kintore Street***

This was largely related to the original plan that provided for all vehicles to use a driveway adjacent to the boundary with 3 Kintore Street. The current proposal provides for only one dwelling to use the proposed driveway in that location, which is the same as the existing situation and will result in no significant change in noise from vehicular movements.

***Should be designed as two distinctly separate buildings (6-7m separation) with landscaping between (related to 7 dwelling proposal)***

The amended plans do provide for two distinct buildings, and whilst the setback between the two is not as suggested in the submission, for the reasons discussed previously (ie extent of tree retention), the separation proposed is considered to be adequate.

***Second building to Grosvenor Street should have increased setback***

The amended plans provide for increased setbacks to the second building in Grosvenor Street and the additional setback, together with the large setback to the kitchen/living area provides for an appropriate treatment in relation to the setback of 19 Grosvenor Street, given the corner location of the site.

***Need for onsite detention system***

The proposal includes the provision of onsite detention and the proposed stormwater strategy for the site is supported by Council's Development Engineer.

***Site not located within 400m of a bus stop/infrequent service***

The site is located within 400m of a bus stop that provides a service that satisfies the requirements of SEPP- Seniors Living.

***Breach of 8m height control***



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The maximum height of the proposal is 6.7m, complying with the control as it is measured to the ceiling not the ridge of the roof.

***Less than 30% landscaping provided***

The proposal provides for 50% of the site as landscaped area in accordance with the control.

***Poor design with regard to energy efficiency(related to 7 dwelling proposal)***

The proposal provides for an acceptable level of solar access to living areas and areas of private open space.

***Design unsuitable for elderly – two storey, inadequate size***

Two storey dwellings are an acceptable design approach for housing for older or disabled persons subject to the living areas and one bedroom being located on the ground floor, and the proposal complies with this requirement. According to the access report, the size of rooms satisfies the controls of SEPP – Seniors Living.

***Elevations incorrectly show adjoining 1 storey dwelling as having a higher ridge***

The survey plan submitted with the application shows that the elevation is correct as the ridge height of the adjoining 1 storey building is higher than the proposed ridge heights.

***Non-compliance with SEPP Seniors Living***

The proposal is compliant with the requirements of SEPP Seniors Living.

***Extra driveways will have impact on streetscape***

The provision of three driveways to Grosvenor Street is consistent with the numerical requirements of no more than 2 driveways per 18m of frontage, providing 3 driveways in 48m. The two additional driveways are sufficiently separated to allow for the retention of street trees and will not result in any significant detrimental impact upon the streetscape.

***Overdevelopment (related to 7 dwelling proposal)/excessive density***

The proposal now comprises 4 dwellings and has a compliant FSR of 0.47:1, and as such the provisions of SEPP – Seniors Living do not allow the refusal of the proposal on the basis of density.

***Non-compliance with setback codes/FSR controls***

The proposal complies with the FSR and setback requirements of SEPP – Seniors Living.

**CONSULTATION - WITHIN COUNCIL:**

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***Engineering***

Council's Development Engineers, Team Leader, Kathy Hawken, has assessed the proposal and made the following comment:

***Traffic***

The property shares a vehicular crossing with the neighbour at 3 Kintore Street. This is to be retained for the use of Unit 1 only, which is acceptable. Three other entry driveways are to be constructed along the Grosvenor Street frontage. Since the boundary is 48 metres long and Council requires a minimum frontage of 18 metres for two crossings, it is considered that three will be acceptable in this case. Each is for the use of one unit only.

Internal garbage collection is not required since the number of units no longer exceeds six.

A construction and traffic management plan will be required prior to commencement of works, as well as photographs of the road and Council infrastructure outside the site.

***Stormwater drainage***

The stormwater concept plans show retention and re-use of roof water as well as on site detention. This is satisfactory and in accordance with DCP 47.

***Access***

The access report confirms that the site is within 400 metres of a bus stop. Some kerb ramps may need to be upgraded. Details can be submitted prior to Construction Certificate issue.

The application is supported subject to conditions.

The recommended conditions are included in the recommendation.

***Landscape***

Council's Landscape Office, Geoff Bird, has assessed the application and made the following comments:

The proposed amendments are considered satisfactory in relation to landscape issues. The amendments are as follows:

***Tree removal***

No objection is raised to the removal of the following trees.

***Tree No. / Species / Health & Condition***

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*Tree 2 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition*  
*Tree 6 / Ulmus sp. (Elm) / 25 metres high in good condition*  
*Tree 7 / Ulmus sp. (Elm) / 12 metres high in good condition*  
*Tree 8 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition*  
*Tree 9 / Lophostemon confertus (Brushbox) / 25 metres high in fair condition*  
*Tree 12 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition*  
*Tree 15 / Liquidambar styraciflua (Liquidambar) / 14 metres high in poor condition*  
*Tree 21 / Fraxinus sp / 18 metres high in fair condition*  
*Tree 22 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition*  
*Tree 23A & B / Syncarpia glomulifera (Turpentine) / 25 metres high in good condition*  
*Tree 27 / Syncarpia glomulifera (Turpentine) / 20 metres high in fair condition, smothered in ivy*  
*Tree 29 / Acer negundo (Box Elder) / 10 metres high in fair condition*  
*Tree 30 / Acer negundo (Box Elder) / 10 metres high in fair condition*  
*Tree 32 / Betula pendula (Silver Birch) / 7 metres high in fair condition*  
*Tree 33 / Brachychiton acerifolius (Flame Tree) / 10 metres high in poor condition*

***Recommended tree removal***

The plans shall indicate the removal of Tree 28 - Eucalyptus racemosa (Large Scribbly Gum) as the main branch has failed and is considered unstable.

***Tree replenishment***

Ten (10) existing trees will be retained and will comply with Clause 5.3.6 of DCP 38.

***Stormwater proposal***

The stormwater plan by Toby Fiander & Associates, Plan No. tFA2944/01 and dated 10/05/05 is considered satisfactory in relation to landscape issues.

***Deep soil zone***

The DSZ complies with Clause 81d of the Seniors Living Policy.

***Landscape proposal***

*The landscape plan by Landscape Architectural Services, Drawing No. LPDA 06-86/1 and dated November 2005 is not satisfactory and will require the following amendments.*

- *The 1200mm high picket fence shall be deleted.*
- *The existing healthy mature shrubs along the northern and western boundaries shall be individually noted on the plan to be retained and the replanting of additional species reduced or changed to suit.*
- *The plan shall indicate the removal of Tree 28.*
- *The plan shall note the use of medium to large pebbles as mulch along the eastern boundary as this area will be a stormwater flow path. No ground covers such as Myoporum or Trachelospermum shall be planted as they will interrupt the overland flow.*

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- *The proposed cultivar that will reach a minimum height of 3 to 4 metres of Syzygium paniculatum (Brush Cherry) shall be indicated.*

The recommended conditions are incorporated in **Condition Nos. 3-5, 65-70 and 78-83.**

***Heritage***

Council's Heritage Advisor, Paul Dignam, has assessed the application and made the following comments:

*The application has been amended in the following ways:*

- *4 new dwellings rather than 7 dwellings as proposed in the earlier application;*
- *In form, the dwelling are "town houses" as opposed to "residential flat building" as proposed o the previous application;*
- *On grade car parking, not basement parking;*
- *Common open areas have been removed and each dwelling has its own courtyard area on the ground floor;*
- *Setbacks are improved;*
- *The upper floor is smaller;*
- *Facades propose similar materials and architectural elements;*
- *First floor balconies have been remove apart from the balcony to unit No. 1; and*
- *A number of trees will be retained around the perimeter of the site.*

*In my earlier memo, I made the following conclusion:*

*I do not object to demolition of the subject building provided archival recording is undertaken as it is graded as contributory item in UCA 28.*

*In my opinion, the impacts on the nearby heritage items are minor and related to a minor loss of context and setting. The would be no substantial loss of heritage significance to No. 28 Grosvenor Street or 32 Grosvenor Street resulting from this development.*

*The proposed development would impact on the streetscape of Kintore Street, Grosvenor Street and UCA No. 28, primarily because it is not consistent with the existing setbacks, density gardens and landscapes and does not have a harmonious relationship with the low intensity of nearby development as it will read as an attached 'flat type' buildings.*

*In my opinion increase setbacks, unifying the facades to read as two separate distinct buildings rather than attached 'flat type' dwellings and less intensive development on the site would result in an acceptable impact on the streetscape of Kintore Street, Grosvenor Street and UCA 28.*

***Impact on nearby heritage items***

*In my earlier memo, I did not consider that the impact on the nearby heritage items at No. 298 and No. 32 Grosvenor Street was sufficient to refuse the application. This revised application has not resulted in additional impacts and is considered satisfactory.*

### ***Impact on streetscape and UCA***

*The house is similar in scale to other houses in the area, is graded as contributory but is not considered remarkable. The contribution of the existing site to the UCA and streetscape is primarily the contribution of its dense vegetation which visually screens the house and its garden setting.*

*The revised application proposed a 'town house' type of development rather than a 'flat type' development as proposed in the first scheme. Parking is on grade rather than basement parking and a separate entry is provided to each dwelling rather than common foyer areas and lifts which is typical of 'flat development'. Some of the tall gums around the perimeter of the site will be retained, which would assist the contribution of the site to the UCA and streetscape. The majority of first floor balconies have been deleted and setbacks are slightly more generous.*

*In my earlier comments, I suggested that increased setbacks, unifying the facades to read as two separate distinct buildings rather than attached 'flat type' dwellings, and less intensive development on the site would result in an acceptable impact on the streetscape of Kintore Street, Grosvenor Street and UCA 28. Some of the suggestions have been followed.*

*The development would read as two large separate buildings rather than 'flat type' accommodation. The setbacks are marginally improved, however, are still not consistent with the setbacks in the existing streetscape and UCA. A number of trees around the perimeter of the site are to be retained. In my opinion, given the standards for Seniors Living, the applicant has tried to develop a workable scheme. However, the fact remains that this type of development does not exist in the streetscape and UCA 28 and conflicts with it mainly due to the intensity of the building on the site, lack of garden setting, the setbacks and conflict with the predominant residential pattern which is single residential houses on medium to large lots with established gardens and generous front and side setbacks.*

### ***Conclusions and recommendation***

*Demolition of the existing house is acceptable provided archival recording is undertaken prior to demolition.*

*Impacts on the nearby heritage items are related to loss of context and setting. In my opinion, the revised application would have minor and acceptable impacts on the significance of the nearby heritage items.*

*The revised scheme is an improvement over the first scheme, however, the setbacks and intensity on the site would still conflict with the existing streetscape and UCA. I note that retention of some of the perimeter trees would assist in providing a better relationship with the streetscape and UCA.*

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The proposed additional setback of the first floor of the front building to 11m from Kintore Street (see discussion under assessment of SEPP – Seniors Living) together with the retention of significant trees to the Grosvenor Street and Kintore Street frontages will address concerns of impact upon the streetscape and UCA 28.

## PROVISIONS OF RELEVANT LEGISLATION

### Environmental Planning Instruments

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

SEPP 55 requires Council to consider the likelihood that a site is contaminated, prior to determination of any development applications. The site has a history of residential use and as such it is unlikely that it contains any contamination. It is therefore considered to be suitable for residential use. No further investigations are necessary given the low risk of the history of use of the site.

#### State Environmental Planning Policy– Seniors Living

##### Aims of Policy

The aims of the instrument are detailed and addressed following:

This Policy aims to encourage the provision of housing (including residential care facilities) that will:

- (a) increase the supply and diversity of residences that meet the needs of seniors and people with a disability, and*
- (b) make efficient use of existing infrastructure and services, and*
- (c) be of good design.*

The proposal will increase the supply and diversity of residences in the vicinity of the site and makes efficient use of the existing infrastructure and services. Subject to changes required by proposed conditions of consent, the proposal is considered to be of good design.

##### Permissibility

Clause 4 indicates that the policy applies to land that is zoned primarily for urban purposes and on which dwelling houses are permitted.

Clause 13 identifies self-contained dwellings as a dwelling housings for seniors or people with a disability where private facilities for significant cooking, sleeping and washing are included in the dwelling and facilities for clothes washing are provided within the dwelling or on a shared basis. All of the proposed dwellings provide for all of these requirements within the dwelling and as such the proposal constitute self-contained dwellings.

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Clause 14 indicates that seniors housing that consists of 2 or more self-contained dwellings where meals, cleaning services, personal care and nursing care are not provided onsite is in-fill self-care housing. None of these services are provided onsite and as such the proposal constitutes in-fill self-care housing.

Clause 17 identifies that, despite any provision of another environmental planning instrument, development of any form of seniors housing is permissible on land zoned primarily for urban purposes. As such the proposed in-fill self-care housing is permissible on the subject site.

Location and access to facilities

Clause 25 identifies the location requirements of a site for it to be appropriately located in relation to access to facilities. The clause requires that residents of a proposed development must have compliant access to shops, banks and other retail and commercial services that may reasonably be required, community services, recreation facilities and the practice of a general medical practitioner.

Access is compliant if the facilities are located not more than 400m from the site, with the path of travel having an average gradient of no more than 1:14, with other greater gradients allowed for specified distances. The proposal does not satisfy this location requirement, being 1.2km from the nearest shopping centre (ie Wahroonga).

Access is also compliant if a site is zoned primarily for urban purposes, is within the Sydney Statistical Division and if a suitable public transport system service is available. A suitable public transport service must be available for travel both to and from the services/facilities, be located not more than 400m from the site and must take residents to within 400m of the relevant facilities or services. Further the service must be available for a return trip at least once between 8am and 12pm and once between 12pm and 6pm Monday to Friday.

The issue of access has been addressed in the Access Assessment Report prepared by Accessibility Solutions dated 12 May 2005. In the report it is identified that the site is approximately 125m from a bus stop south of the site and a similar distance to the north of the site. The bus route serviced by the bus stops is Route 575. The Shorelink website indicates that the service operates on a loop service from Turrumurra Railway Station through Turrumurra, Wahroonga and North Wahroonga. The service runs 10 morning and 15 afternoon/evening services on Mondays to Fridays, 11 services on Saturdays and 6 on Sundays. This bus service also connects to Route 576, which travels to Wahroonga Railway Station.

Turrumurra shopping centre contains a range of appropriate services and facilities to satisfy clause 25, having banks, a supermarket, chemist, fruit and vegetable shop, butcher, hairdresser, café, takeaway, bread shop, hardware shop, nursery, medical practitioners and dentists as well as a community centre.

Bush fire prone land

The site is not identified as being bush fire prone under Council's mapping.

Water and sewer

Clause 27 requires that a site must be connected to a reticulated water system and have adequate facilities for the removal or disposal of sewerage. This site is currently connected to a reticulated water system and sewerage system and the proposed development will be connected to the existing supplies.

Site analysis

Clause 28 requires that the development application must contain a site analysis. The site analysis is required to provide the following information in relation to the site:

- dimensions and property boundaries;
- topography details/north point;
- location of areas of contamination;
- services and easements;
- existing vegetation, spread and species of trees;
- buildings/structures, identifying heritage items, fences;
- pedestrian and vehicular access;
- views to and from the site;
- shadowing by neighbouring structures; and
- orientation and prevailing winds.

The site analysis is also required to show the following information in relation to the surrounds of the site:

- location, height and use of neighbouring buildings, location of balconies and living room windows overlooking the site, doors and windows facing the site, walls built to the boundary (including height and materials);
- pedestrian and vehicular access;
- private open spaces;
- differences in levels;
- views and solar access enjoyed;
- major trees;
- street front features (poles, trees, crossovers, bus stops, services);
- heritage features of the locality;
- distances to local shops, schools, public transport, recreation and community facilities, location and use of public open spaces; and
- sources of nuisance (flight paths, noisy roads or other noise sources, sources of pollution).

A site analysis plan was lodged with the original plans, which provided much of the above information. Additional information was provided in the shadow diagrams, survey plan, access report and heritage report. When read in conjunction, the above information satisfies the requirements of clause 28.



Design of in-fill self-care housing

Clause 29 requires that in determining a development application, Council must take into consideration the provisions of *Seniors Living Policy: Urban Design Guideline for Infill Development*. The Guidelines contain a series of rules of thumb that are applied to developments for seniors and persons with a disability that are addressed in the following table.

<b>Urban design guideline for infill development rule of thumb</b>	<b>Proposed</b>	<b>Compliance Yes/No</b>
The proportion of a site for landscaping (30% minimum) should be increased on large lots	The site is not a large site and as such the 30% minimum is applicable. The landscaped area is 827m <sup>2</sup> , equating to 50% of the site.	Yes
Maximum 50% of side setbacks are to be less than 1.2m	Setback to eastern boundary varies between 1m and 7.7m. The 1m setback occurs for a length of 12.2m adjoining a garage and carport and comprises 36.5% of the 33.4m length of buildings	Yes
Length of unrelieved walls along narrow setbacks not greater than 8m	The maximum length of wall with the 1m setback is 6.2m (with the carport not having a wall)	Yes
Living rooms of neighbouring dwellings retain 3 hours solar access in mid winter	The shadow diagrams show no additional impact on the living rooms of neighbouring dwellings.	Yes
Solar access to private open space of neighbouring properties not unreasonably reduced	The shadow diagrams show no additional impact on the private open space areas of neighbouring dwellings.	Yes
1.2m separation between habitable rooms and driveway or car parks	Each dwelling has a separate driveway and no driveways are within 1.2m of another dwelling.	Yes

Neighbourhood amenity and streetscape

The requirements of clause 31 relate to neighbourhood amenity and streetscape and are addressed following:

- (a) *recognise the desirable elements of the location's current character (or, in the case of precincts undergoing a transition, where described in local planning controls, the desired future character) so that new buildings contribute to the quality and identity of the area, and*

The character of the streetscape is varied, however the setbacks are generally relatively large, though variation does exist, and buildings are generally within a landscaped setting, though again some properties have little landscaping. Dwellings are generally large and a mix of one and two storey dwellings occur in the area. The most consistent character is set by the combination of

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setbacks and landscaping, which provide a setting for the variety of dwelling forms and architectural styles in the area.

The proposal provides for the retention of a significant number of mature trees on the site to the two street frontages and to the rear of the site, which will ensure the landscaped setting of the property remains consistent with the character of the area. This is assisted by a recommended condition from Council's Landscape Architect requiring the retention of existing healthy and established shrubs at the street frontage to ensure the retention of the landscaped character of the site.

The setbacks proposed are not consistent with those of the immediately adjoining properties, however are not so small so as to result in a discordant element in the streetscapes, given the proposed retention of significant amounts of landscaping on the site. The increased setback from Grosvenor Street of the second building combined with the large setback from the southern boundary provide an appropriate transition from the traditionally smaller setbacks on a secondary street frontage to the larger ones in Grosvenor Street. This combined with the retention of the canopy trees at the point of the boundary in front of the portion of the site separating the two buildings will ensure each building has the bulk and scale of a large dwelling in a landscaped setting.

As viewed from Kintore Street, the location of a building forward of the building line of the dwelling at 3 Kintore Street is not unreasonable given the particularly large setback of that dwelling and its visual dominance due to the lack of landscaping, including canopy trees, on that site. The proposed building is setback between 12m (to the garage) and 9m at its closest point, with a single storey element at the edges of the building. The central portion of the building is the strongest façade element to Kintore Street and this is setback at both levels to between 9m and 9.5m. It is considered that such a setback at the ground floor level is reasonable, however a larger setback to 11m would be more appropriate at the first floor level, to make the bulk of this building more recessive in the streetscape.

An amendment to the plans could be achieved relatively easily to allow for such a setback. The amendment would require the ensuite and walk-in-robe of Dwelling 1 to be reduced in size and the balcony removed. The amendment would also require the redesign of the first floor of Dwelling 2, deleting the hobby room and relocating and rearranging bedrooms 3 and 4. Subject to these amendments the first floor would become appropriately recessive as viewed from the street, and this together with the retention of existing mature trees would result in the development having an appropriate response to the streetscape of the area. **Condition 60** reflecting this change is included in the recommendation.

*(b) retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan, and*

This issue has in large been dealt with by the comments of Council's Heritage Advisor, who indicated the proposal would have minimal impact on the setting of the heritage items at Nos. 28 and 32 Grosvenor Street. Further, it was indicated that whilst the intensity of the development and the setbacks conflict with the character of UCA 28, the retention of the canopy trees reduce this impact. The above mentioned amendment to the first floor setback from Kintore Street and the retention of canopy trees to both streets will result in a development that complements and

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harmonises with UCA 28 in the context of the density and form of development permissible under SEPP – Seniors Living.

- (c) *maintain reasonable neighbourhood amenity and appropriate residential character by:*
- (i) *providing building setbacks to reduce bulk and overshadowing, and*
  - (ii) *using building form and siting that relates to the site's land form, and*
  - (iii) *adopting building heights at the street frontage that are compatible in scale with adjacent development, and*
  - (iv) *considering, where buildings are located on the boundary, the impact of the boundary walls on neighbours, and*

The proposal provides appropriate setbacks from the adjoining properties to the south and east to reduce the visual bulk and shadow impacts and provide a building form and siting that relates to the site's landforms and the existing trees on the site. No buildings are located on the boundary.

The maximum ridge height of the front building is compatible with the high single storey roof of the adjoining dwelling at 3 Kintore Street with a proposed ridge height of RL 195.4 and an existing ridge height of RL 196.18 at 3 Kintore Street. However, the eaves line of the front building is higher and well forward of the building at 3 Kintore Street and therefore the additional setback of the first floor is recommended.

The component of the rear building adjoining the property at 19 Grosvenor Street is single storey and has a ridge height of RL 192.07, which is compatible with the ridge height of RL 192.81 of 19 Grosvenor Street. The eaves line, being single storey at this point, is also compatible.

- (d) *be designed so that the front building of the development is set back in sympathy with, but not necessarily the same as, the existing building line, and*

The setback of the front building has been addressed previously in relation to clause 31(a). As discussed it is considered that subject to the additional setback of the first floor to 11m, the setback, whilst not the same as the existing building line of the adjoining development, would be setback in sympathy with that building line.

- (e) *embody planting that is in sympathy with, but not necessarily the same as, other planting in the streetscape, and*

The retention of a number of the existing significant canopy trees on the site will ensure the planting on the site is in sympathy with the streetscape of the area. It is noted that even with the loss of the other trees on the site, the number of significant trees retained will still result in the development having more canopy trees than most nearby properties.

- (f) *retain, wherever reasonable, major existing trees, and*

See above comments in relation to (e).

- (g) *be designed so that no building is constructed in a riparian zone.*

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The site does not contain a riparian zone.

Visual and acoustic privacy

The requirements of clause 32 relate to visual and acoustic privacy and are to be achieved by use of the following:

- (a) *appropriate site planning, the location and design of windows and balconies, the use of screening devices and landscaping, and*

The design of the proposal is such that at the first floor level only three bedroom windows face 3 Kintore Street. All of these windows are offset from the windows of that property and this combined with the setbacks and use of those rooms will result in an appropriate retention of privacy to 3 Kintore Street. Only one bedroom window faces 19 Grosvenor Street and it is located forward of the front building line of that dwelling, resulting in no privacy concerns.

In terms of privacy within the site, the hobby room of Dwelling 2 has the potential to look into the bedroom 3 windows of Dwelling 3, however, given the 12m separation the privacy impact will be minimal. The hobby room windows can also look into the yard area of Dwelling 3, however the area concerned is occupied by the carport and as such no privacy concern arises. The northern windows of bedroom 3 of Dwelling 3 will have a direct view into the courtyard of Dwelling 2, with a separation of only 4.5m. Given the density of development and the limit in the size of the courtyards, privacy is paramount and these windows should be treated to ensure privacy. **Condition 60** to this effect is recommended.

Finally, bedroom 4 of Dwelling 1 has the opportunity to overlook the eastern most dining room window in the northern facade of Dwelling 3 (though the western most one is protected by the carport). In order to minimise the privacy impact, it is recommended that the bedroom window be relocated westward such that the carport minimises overlooking into both dining room windows (see **Condition 60**).

- (b) *ensuring acceptable noise levels in bedrooms of new dwellings by locating them away from driveways, parking areas and paths.*

Each dwelling has a separate driveway, which is located away from the bedrooms of adjoining dwellings, satisfying this criteria.

Solar access and design for climate

The requirements of clause 33 relate to solar access and design for climate and are addressed following:

- (a) *ensure adequate daylight to the main living areas of neighbours in the vicinity and residents and adequate sunlight to substantial areas of private open space, and*

The shadow diagrams show that the proposal has minimal impact on solar access to the living areas and areas of private open space of 3 Kintore Street and 19 Grosvenor Street.

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- (b) *involve site planning, dwelling design and landscaping that reduces energy use and makes the best practicable use of natural ventilation solar heating and lighting by locating the windows of living and dining areas in a northerly direction.*

The design of the proposal is such that all living areas have a north facing component to maximise solar access. The living areas of Dwellings 1 and 2 face north and will receive an appropriate level of solar access, as will their north facing courtyards.

Dwelling 3 has northern and eastern windows to its living area and a courtyard with northern and easterly orientation. The shadow diagrams show that living area will receive good solar access between 9am and 1pm at mid-winter and substantial areas of the courtyard will receive good solar access between 9am and noon.

Dwelling 4 has northern and eastern windows to its living area and a courtyard with northern and easterly orientation. The shadow diagrams show that living areas will receive good solar access between 9am and noon at mid-winter and a reasonable area of the courtyard will receive solar access between 9.30am and 12.30pm.

Stormwater

The requirements of clause 34 relate to stormwater and are to achieve the following:

- (a) *control and minimise the disturbance and impacts of stormwater runoff on adjoining properties and receiving waters by, for example, finishing driveway surfaces with semi-pervious material, minimising the width of paths and minimising paved areas, and*
- (b) *include, where practical, on-site stormwater detention or re-use for second quality water uses.*

A concept drainage plan has been lodged which provides for onsite detention and the plan is considered acceptable to Council's Development Engineer.

Crime prevention

The requirements of clause 35 relate to crime prevention and are to be addressed using the following methods:

- (a) *site planning that allows, from inside each dwelling, general observation of the street, the site and the approaches to the dwelling's entry, and*

Side windows adjoining each entry door allow surveillance of approaches to the dwelling and living or bedroom windows from each dwelling allow for casual surveillance of the street.

- (b) *where shared entries are required, providing shared entries that serve a small number of dwellings and that are able to be locked, and*

No shared entries are proposed.

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- (c) *providing dwellings designed to allow residents to see who approaches their dwelling without the need to open the front door.*

See comments in relation to (a) above.

Accessibility

The requirements of clause 36 relate to accessibility and require the development to achieve following:

- (a) *have obvious and safe pedestrian links from the site that provide access to public transport services or local facilities; and*

Subject to upgrading to ramp crossings, as are conditioned, safe pedestrian access will be available to public transport.

- (b) *provide attractive, yet safe, environments for pedestrians and motorists with convenient access and parking for residents and visitors.*

Safe and attractive pedestrian and vehicular access is available to all dwellings.

Waste management

Clause 37 requires that the development be provided with waste facilities that maximise recycling. Appropriate areas exist within each courtyard for the storage of bins for garbage and recycling.

Minimum sizes and building height

Clause 38 contains a series of development standards related to minimum sizes and heights. For a site to be suitable for housing for seniors and disabled persons it must have a minimum area of 1000m<sup>2</sup> and a minimum frontage of 20m, measured at the building line. The site area is 1655.8m<sup>2</sup> and the frontage to Kintore Street is 21.97m (excluding the arc of the curve at the intersection), satisfying the controls.

This clause also contains a maximum height for buildings of 8m or less and requires that a building that is adjacent to a boundary be no more than 2 storeys in height. All buildings are a maximum of two storeys and the maximum height of the proposal is 6.7m, complying with the control.

Self-contained dwellings – standards concerning access and usability

Clauses 52-72 identify access and usability standards that must be met by a proposed development. The Access Assessment Report submitted with the application shows that the proposal will satisfy these controls.

Standards that cannot be used to refuse development consent for self-contained dwellings

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Clause 81 sets a series of standards, each addressed following, which if met cannot be used by a consent authority as a ground for refusal. It is noted that the standards can be varied and do not require a SEPP 1 objection to be varied as they are not “development standards”.

SEPP-Seniors Living Cl. 81 Control	Proposed	Compliance Yes/No
Height - 8m (measured to ceiling)	6.7m	Yes
FSR - 0.5:1	786m <sup>2</sup> , 0.47:1 (reduces by 19.4m <sup>2</sup> to 766.6m <sup>2</sup> , 0.46:1 with increased first floor setback)	Yes
Solar access for minimum 3hrs - 70% living rooms - 70% private open space	3hrs to 100% of living rooms and private open space	Yes
Parking – 0.5 space per bedroom	14 bedrooms and 7 parking spaces	Yes
Landscaped area – 30% of site (496.74m <sup>2</sup> )	The landscaped area is 827m <sup>2</sup> , equating to 50% of the site.	Yes
Deep soil zones - 15% of site (248.37m <sup>2</sup> ) 2/3 area at rear – min 3m width (165.58m <sup>2</sup> )	The deep soil landscaped area is 541.2m <sup>2</sup> , equating to 32.7% of the site. Deep soil landscaped area at the rear of the site is 205.4m <sup>2</sup> .	Yes
Private open space - ground floor 15m <sup>2</sup> , min. dim. 3m x 3m	Private open space at ground floor minimum 3m x 3m Dwelling 1 – 77.7m <sup>2</sup> Dwelling 2 – 91.1m <sup>2</sup> Dwelling 3 – 68.0m <sup>2</sup> Dwelling 4 – 110.4m <sup>2</sup>	Yes

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

SREP 20 applies to the site as it is within the catchment of the Hawkesbury Nepean River. The plan aims to ensure development is considered in a regional context with regard to the issues of water quality and quantity, scenic quality, aquaculture, recreation and tourist.

The potential impacts of the proposal upon the Hawkesbury Nepean River system stem from increase runoff from the site due to increased hard surfaces and the water quality of that runoff. Council’s Development Engineer is satisfied with the method of collection of the stormwater from the site, which includes onsite detention, ensuring the speed of the flow from the site is not significantly altered. As such, subject to conditions, the proposal satisfies the requirements of SREP 20.

**Policy Controls**

**Development Control Code 1/99 Housing for Older People and People with a Disability**

The Code provides guidance to ensure an appropriate form of development occurs in relation to the character of Ku-ring-gai. Following is a table that addresses the proposal's compliance with the provisions of the Code

<b>Provisions</b>	<b>Proposed</b>	<b>Compliance</b>
Zoning	Residential	Yes
500m to local shops	1.2km from shops but has access to a compliant bus service under the requirements of SEPP – Seniors Living	Yes
250m to public transport	125m	Yes
Site analysis required	Provided	Yes
SEPP – Seniors Living Standards	See above assessment	Yes
Sympathetic design	Addressed in assessment of SEPP – Seniors Living	Yes
Buildings to address street	Each building addresses the street it fronts	Yes
Minimise visual impact of driveways	Located to minimise impact on street trees and minimise width and length	Yes
No bland building facades	Appropriate articulation provided	Yes
Emphasis entries	Entries are appropriately located and designed	Yes
Match adjoining setbacks	Setbacks do not match but with condition will be compatible as required by the provisions of SEPP – Seniors Living	No
Integrate garage design	Garages integrated into the design of the buildings	Yes
Level private open space	Open space of appropriate size and is level	Yes
Living areas connected to private open space	Living areas connected to private open space	Yes
Landscaping to enhance and screen development	Retention of significant existing landscaping will ensure proposal is in garden setting	Yes
Retain significant trees	Yes	Yes
Car parking provided to meet demand	Car parking requirement satisfies SEPP – Seniors Living	Yes
Energy efficient design	Appropriate solar access and cross ventilation	Yes
Privacy	Subject to conditions appropriately addressed	Yes
Lighting	Addressed in SEPP – Seniors Living	Yes
Waste collection	Appropriate areas for storage of bins	Yes
Letterboxes, TV antenna, services, house numbers	Addressed in SEPP – Seniors Living	Yes
Covered entry porch	Provided	Yes
Internal space requirements	Addressed in SEPP – Seniors Living	Yes
Bedroom design	Addressed in SEPP – Seniors Living	Yes
Support service	Addressed in SEPP – Seniors Living	Yes



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The proposal is consistent with the requirements of the Code, with the exception of when the requirements are inconsistent with SEPP – Seniors Living. In such case the provisions of SEPP – Seniors Living prevail and as such the proposal is satisfactory.

**Development Control Plan 31 – Access**

The accessibility of the site has been assessed under the provisions of SEPP – Seniors Living and is acceptable.

**Development Control Plan 40 – Waste**

The Plan requires proposals to be designed to minimise waste and requires the submission of a Construction and Demolition Waste Management Plan. A Construction and Demolition Waste Management Plan was lodged with the application and is satisfactory. Appropriate space is provided for storage of bins for garbage and recycling within the courtyard of each dwelling.

**Section 94 Plan**

A section 94 contribution is required for 3 additional dwellings as a credit is given for the existing large dwelling on the site. **Condition No. 77** requires the payment of the section 94 contribution prior to the release of the Construction Certificate.

**Likely impacts**

The proposal as amended is unlikely to have any significant impact on the environment, landscape or scenic quality of the locality, threatened species, populations or ecological communities or their habitats or any other protected fauna or protected native plants.

**Suitability of the site**

The site is considered to be suitable for the proposed development.

**Any submissions**

Submissions received have been addressed previously within this report.

**Public interest**

It is not considered that the proposal will have any detrimental impacts in relation to the public interest.

**CONCLUSION**

The proposal has been assessed against the controls of SEPP – Seniors Living and other relevant instruments, codes and policies and subject to conditions is considered to be acceptable. The proposal has minimal and acceptable impact upon the privacy and solar access of adjoining properties. The retention of a number of significant trees and the proposed condition requiring an

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additional setback of the first floor of the front dwelling from Kintore Street combine to result in minimal impacts on the setting of heritage items and an acceptable impact upon the streetscape and UCA 28. As such, subject to conditions the proposal is recommended for consent.

## RECOMMENDATION

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

THAT the Council, as the consent authority, grant development consent to DA 470/05 for demolition of the existing building and construction of a SEPP Seniors Living Development comprising 4 dwellings on land at 1 Kintore Street, Wahroonga, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

## GENERAL CONDITIONS

1. The development to be in accordance with Development Application No 470/05 and Development Application plans prepared by HSA Architects, reference number 49105.DA1, Issue C, 49105.DA2, Issue C, 49105.DA3, Issue C, 49105.DA4, Issue C, 49105.DA5, Issue C, dated 9 March 2006 and Landscape Plan prepared by Landscape Architectural Services, Drawing No.LPDA 06 – 86/1, dated November 2005 and endorsed with Council's approval stamp, except where amended by the following conditions:
2. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
3. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

Tree No /Species /Location	Radius From Trunk
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Western boundary	5 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Western boundary	5 metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Southern boundary	7 metres

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

Tree No /Species /Location	Radius From Trunk
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum)	7 metres

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/ Western boundary

Tree 11 / *Pinus patula* (Mexican Pine)

7 metres

/ Western boundary

Tree 24 / *Eucalyptus pilularis* (Blackbutt)

7 metres

/ Southern boundary

5. To preserve the following tree, the driveway to Unit 1 shall be constructed of asphalted concrete.

Tree No /Species /Location

Tree 1 / *Angophora costata* (Sydney Red Gum)

/ North-eastern corner

6. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
7. A mandatory rainwater re-use tank system, together with the additional on-site stormwater detention/retention requirements described in chapter 6 of Councils Water Management Development Control Plan 47 (DCP47), shall be provided for the development. DCP47 is available in hard copy at Council and on the Council website.
8. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant - after the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.
9. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
10. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and

protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.

11. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
12. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
13. For the purpose of any inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final consent from Council.
14. The Applicant must obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
15. Stormwater quality control measures as described in chapter 8 of Councils Water Management Development Control Plan 47 (DCP47), shall be provided for the development. DCP47 is available in hard copy at Council and on the Council website.
16. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission (phone (02) 9284 9600) in respect of your application.
17. The proposed development is to be compliant with both AS 1428 (Design for Access and Mobility and AS 4299 (Adaptable Housing) and the design requirements of SEPP (Seniors Living).
18. The interior design of dwellings, ancillary facilities (eg letterboxes, lighting etc) and circulation space within the development shall comply with the standards contained in clause

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13A of SEPP 5. A Compliance Certificate prepared by a suitably qualified and experienced person, certifying compliance with the provisions and standards contained in this clause, shall be submitted to the Principal Certifying Authority prior to occupation of the development.

19. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.
20. No mobile outdoor surveillance systems shall be installed without prior approval of Council.
21. No advertising signs are to be erected without the prior consent of Council.
22. Master TV antennas are to be provided to avoid having individual antennas. The master antenna should be located at the rear of the site to reduce visibility from the street. Alternatively, location within the roof space should be considered.
23. Letter boxes must be provided in accordance with the requirements of Australia Post and be accessible to wheelchair users
24. On site power must be underground and satisfy the requirements of Energy Australia.
25. Unit/dwelling numbers must be clearly displayed and visible for emergency vehicles and visitors.
26. Each dwelling must have a child proof storage place for poisons or other dangerous substances.
27. Main entry doors to each unit shall be provided with peep holes.
28. Walls and Fences within the development are to be in accord with Council's Development Control Code 1/99 or as otherwise directed or approved.
29. The development is to provide night lighting along all driveways and footpaths throughout the site such that the full length of travel paths are illuminated. Lighting is to be shielded so that neighbouring residences are not adversely affected.
30. Throughout the development it is necessary to utilise non-slip materials. Surfaces which will be slippery when wet are not permitted. Loose material such as gravel or sand should be avoided near footpaths.
31. Locate TV antenna outlets on interior walls (away from windows and potential glare problems) in positions that maximise, options for TV location in the living and sleeping areas.
32. Locate telephone sockets so that residents have a choice of places/rooms to put a telephone and its related furniture.

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33. Courtyard fences between units shall be constructed of masonry to a height of 1.8 metres or as otherwise indicated.
34. The use of landscaping should not affect driver sight distance to see other vehicles/pedestrians etc. for vehicles entering /exiting the subject site. The use of low growing shrubs around driveways is recommended.
35. The creation of a Restriction as to use of land under Section 88E of the Conveyancing Act 1919, restricting the occupation of the premises to:
  - a. People 55 or over or people who have a disability;
  - b. People who live with people 55 or over or people who have a disability;
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
36. The development is to remain as Housing for Aged or Disabled Persons within the meaning of State Environmental Planning Policy (Seniors Living) at all times.
37. All advertising, signage, marketing or promotion of the sale of the dwellings in this development shall make clear reference to the fact that this is a SEPP (Seniors Living) development and that at least one occupier shall be aged 55 years or over or have a disability.
38. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
39. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
40. HOURS OF WORK: For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

Whilst work on Saturdays may be performed until 5.30pm, such work or any associated activities shall not involve the use of any noise generating processes or equipment.
41. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the

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site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.

42. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
43. To maintain existing ground levels all excavated material shall be removed from the site.
44. For the purpose of maintaining visual amenity, electricity cabling shall be provided underground and must not disturb the root system of any trees. Please contact the energy supply authority's local customer service office to obtain documentary evidence that the authority has been consulted and that their requirements have been met. This information is to be submitted prior to the release of the occupation certificate.
45. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
46. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

47. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

48. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
49. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before

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8am and after 10pm Saturday, Sunday and Public Holidays. Furthermore, the operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measure at the nearest adjoining boundary.

50. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
51. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
52. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

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

53. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
54. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.
  - a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
    - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
    - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
  - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
55. Soil on vacant sites is to be stabilised as soon as possible to prevent erosion and the site shall be kept clear of excess vegetation.



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56. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
57. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safety stockpiled and not likely to become a harbourage for vermin.
58. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
59. In order to increase streetscape and residential amenity, any existing sandstone removed from the Kintore or Grosvenor Street frontages to accommodate driveway and pathway areas shall be retained and used elsewhere within landscaped areas on site.

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

60. Amended plans are to be provided for approval with the Construction Certificate Application detailing the following changes:
  - a) The first floor of the northern building is to be reduced in size such that it has a minimum setback of 11m from Kintore Street and the first floor balcony is to be deleted. Internal changes to the layouts of Dwellings 1 and 2 will be necessary to achieve this change, however the external dimensions of the first floor are to remain the same with the exception of the specified change;
  - b) The southern window within bedroom 4 of Dwelling 1 is to be located 1m westward as possible so as to minimise overlooking of the north facing dining room windows of Dwelling 3; and
  - c) The north facing windows of bedroom 3 in Dwelling 3 are to have frosted glazing to the bottom pane of the window to a minimum height of 1.5m above the floor level to prevent overlooking of the southern courtyard of Dwelling 2.
61. The Long Service Levy is to be paid to Council in accordance with the provisions of Section 34 of the Building and Construction Industry Payments Act 1986 prior to the issue of the Construction Certificate.

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

61. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with

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the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

62. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
63. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
64. The applicant shall ensure that no underground services (ie water, sewerage, drainage and gas) shall be laid beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.

65. The submitted landscape plan by Landscape Architectural Services, Drawing No. LPDA 06-86/1 and dated November 2005 is not approved. An amended plan and specification of the proposed landscape works for the site shall be prepared in accordance with Council's Development Control Plan No 38, and conditions of consent by a Landscape Architect or qualified Landscape Designer to enhance the amenity of the built environment and protect the Ku-ring-gai landscape character. The plan must be submitted to, and approved by the

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Principal Certifying Authority prior to the release of the Construction Certificate. The landscape works shall be carried out in accordance with the approved landscape plan.

The following amendments to the plan shall apply:

- The 1200mm high picket fence shall be deleted.
  - The existing healthy mature shrubs along the northern and western boundaries shall be individually noted on the plan to be retained and the replanting of additional species reduced or changed to suit.
  - The plan shall indicate the removal of Tree 28.
  - The plan shall note the use of medium to large pebbles as mulch along the eastern boundary as this area will be a stormwater flow path. No ground covers such as Myoporum or Trachelospermum shall be planted as they will interrupt the overland flow.
  - The proposed “cultivar” that will reach a minimum height of 3 to 4 metres of Syzygium paniculatum (Brush Cherry) shall be indicated.
66. The property shall support a minimum number of 10 canopy trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, the existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be prepared by a Landscape Architect or qualified Landscape Designer and be submitted to the Principal Certifying Authority for approval prior to release of Construction Certificate.
67. A cash bond/bank guarantee of \$8,000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.
- Fifty percent (50%) of the bond will be refunded upon issue of the Occupation Certificate, where landscape works as approved have been satisfactorily installed. The balance of the bond will be refunded 3 years after issue of the building certificate, where landscape works has been satisfactorily established and maintained.
- It is the responsibility of the applicant to notify Council in relation to the refunding of the bond at the end of the 3 year period. Where a change of ownership occurs during this period it is the responsibility of the applicant to make all arrangements regarding transference of the bond and to notify Council of such.
68. A cash bond/bank guarantee of \$15,000.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time

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during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree No /Species /Location /Bond

Tree 1 / *Angophora costata* (Sydney Red Gum)  
/ North-eastern corner  
/ \$4,000.00

Tree 5 / *Lophostemon confertus* (Brushbox)  
/ North-western corner  
/ \$3,000.00

Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ Middle of western boundary  
/ 2,000.00

Tree 11 / *Pinus patula* (Mexican Pine)  
/ Middle of western boundary  
/ \$2,000.00

Tree 24 / *Eucalyptus pilularis* (Blackbutt)  
/ Middle of southern boundary  
/ \$4,000.00

69. To preserve the following trees the proposed driveways to Units 2 & 3 shall be constructed at existing soil levels and suspended on isolated piers within the specified radius of the trunks. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

Tree No /Species /Location	Radius in metres
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Western boundary	7 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Western boundary	7 metres

70. To preserve the following tree/s, footings of the proposed Unit 4 shall be isolated pier or pier and beam construction within the specified radius of the trunk/s. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

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Tree No /Species /Location	Radius in Metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Middle of southern boundary	7 metres

71. Prior to issue of the Construction Certificate, submission of details and certification by a qualified civil/traffic engineer, for approval by the Principal Certifying Authority (PCA), that the parking provisions comply with the following standards:

- The State Environmental Planning Policy for Seniors Living (particularly relating to height clearances and space dimensions) and
- Australian Standard 2890.1 – 2004 “Off-street car parking”.

72. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the Landcom document “Managing Urban Stormwater – Soils and Construction, Volume 1” (2004). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (avail able on the Council website).

73. The Applicant must carry out the following infrastructure works in the Public Road:

Construct kerb ramps to Council’s specification between the subject site and the nearest bus stop.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF THE ROADS ACT 1993** for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council’s “Specification for Road and Drainage Works”. In addition, the drawings must detail existing services and **trees affected by the works**, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998).

NOTE 1: A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate.

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NOTE 2: An engineering assessment fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees.

NOTE 3: Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

74. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage volume requirements for an on-site stormwater detention/retention system. The design may be generally based on the concept plans TFA2944/01 Sheets 1 to 3 Issue A by Toby Fiander & Associates, advanced for construction purposes. The storage volumes and design shall comply with Councils Water Management DCP 47 (available on the Council website and at Council customer services), the manufacturers' specifications and the relevant plumbing codes. Rainwater tank(s) shall be designed to capture and retain runoff from a minimum 100m<sup>2</sup> roof area for each 5000 litres of storage. Overflow shall revert to the main drainage system. Water quality measures are to be included as required by DCP47. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer and may be incorporated on the overall site drainage plan.
75. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and/or detention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 available on the Council website and at Council, and AS 3500.2 - Plumbing and Drainage Code.
76. Prior to issue of the Construction Certificate footpath and driveway levels for the new vehicular crossings between the property boundary and road alignment must be obtained from Council. The footpath crossings are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings". These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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

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NOTE 1: The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations.

NOTE 2: When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

77. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF 4 (FOUR) ADDITIONAL DWELLINGS IS CURRENTLY \$12,306.64 (including a credit for the existing dwelling on the site). The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

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

1. Community Facilities (If Seniors Living \$412.07)	\$1,117.76
2. Park Acquisition and Embellishment Works - Wahroonga	\$6,574.28
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

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

OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

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

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

78. To preserve and enhance the natural environment, the downslope side of the proposed construction area of the site is to be enclosed with a suitable erosion control barrier (e.g. straw bales or geofabric fence) along contour before any other work on the site commences.

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

Tree No /Species /Location

Tree 1 / *Angophora costata* (Sydney Red Gum)  
/ North eastern corner

Tree 16 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ South western corner

Tree 36 / *Nyssa sylvatica* (Tupelo)  
/ Grosvenor Street nature strip

80. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed driveways is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree No /Species /Location	Radius in Metres
Tree 3 / <i>Acer palmatum</i> (Japanese Maple) / Northern boundary	3 metres
Tree 5 / <i>Lophostemon confertus</i> (Brushbox) / North western corner	3 metres
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Middle of western boundary	3 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Middle of western boundary	3 metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Middle of southern boundary	5 metres
Tree 34 / <i>Acer palmatum</i> (Japanese Maple) / Front boundary	3 metres
<i>Franklinia axillaris</i> (Gordonia) / Western boundary near northern end	3 metres

81. The tree protection fence shall be constructed of galvanised pipe at 2.4 metres spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.



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82. To preserve the following tree, no work shall commence until temporary measures to avoid soil compaction (eg rumble boards) beneath the canopy of the following tree is installed over the proposed designated construction entrance/exit off Grosvenor Street.

Tree/Location

Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ Middle of western boundary

83. Upon completion of the installation of the required tree protection measures you are required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.
84. Prior to the commencement of **any** works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

**A plan view of the entire site and frontage roadways indicating:**

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.

**Traffic Control Plan(s) for the site**

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication "Traffic Control Worksite Manual" and be designed by a licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.
- The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation. As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site. A fee is payable for the assessment of the plan by Ku-ring-gai Council.

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85. Prior to the commencement of any works on site the applicant must submit to Ku-ring-gai Council and the Principal Certifying Authority a photographic record on the visible condition of the existing public infrastructure over the full site frontage (in colour - preferably saved to cd-rom in 'jpg' format). The photos must include detail of:
- The existing footpath
  - The existing kerb and gutter
  - The existing full road surface between the opposite kerb
  - The existing verge area
  - The existing driveway and layback where to be retained
  - Any existing drainage infrastructure including pits, lintels, grates.
  - Particular attention must be paid to accurately recording any pre-developed *damaged* areas on the aforementioned infrastructure so that Council is fully informed when assessing damage to public infrastructure caused as a result of the development (which is not to be repaired by the Applicant as part of the development). The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated under the requirements of this condition prior to the commencement of any works.
86. A Compliance Certificate pursuant to Section 73 Sydney Water Act 1994, as evidence of compliance with the provisions of Division 9 of that Act, to be obtained from Sydney Water prior to the commencement of any work on the site.
87. A simple photographic record of the affected parts of the heritage item are to be submitted to Council prior to the commencement of work. Recording shall be undertaken in accordance with the *Guidelines for Photographic Recording of Heritage Sites, Building and Structures* prepared by the New South Wales Heritage Office.

Information shall be bound in an A4 report format. It shall include copies of black and white photographs, referenced to plans of the affected property. Two (2) copies (one (1) copy to include negatives of photographs) shall be submitted to Council's Department of Environmental and Regulatory Services, to be held in the Local Studies Collection of Ku-ring-gai Library.

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

88. The landscape works, shall be installed in accordance with the approved plan/s and/ or conditions of consent, be completed prior to release of Occupation Certificate and be maintained in a healthy and vigorous condition at all times.
89. The Principal Certifying Authority shall ensure that the landscape works, have been installed correctly, consistent the approved landscape plan(s), specification and the conditions of consent prior to release of the Occupation Certificate.
90. Prior to issue of an Occupation Certificate, the following works must be completed:
- a. Construction of the new driveway crossings and laybacks in accordance with the levels and specifications issued by Council,

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- b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
- c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.

Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council. This shall be at no cost to Council.

91. Prior to issue of an Occupation Certificate, the approved road, footpath and/or drainage works must be completed in the road reserve, in accordance with the Council approved *Roads Act 1993* drawings, conditions and specifications. The works must be supervised by the applicant's designing engineer and the works shall be completed and approved in full to the satisfaction of Council's Engineers. The supervising consulting engineer is to provide certification upon completion that the works were constructed in accordance with the Council approved drawings. The works are also to be subject to inspection by Council at the hold points noted on the approved drawings. Any conditions attached to the approved drawings for these works must be met in full.
92. Prior to issue of an Occupation Certificate, the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).
93. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of works), the applicant shall submit to the Principal Certifying Authority (PCA) certification from a suitably qualified and experienced traffic/civil engineer, that:
  - a. The dimensions of all as-constructed private car parking spaces meet the dimension requirements of the Seniors Living SEPP (as last amended), and
  - b. The as-constructed car park complies with the approved Construction Certificate plans, and
  - c. The vehicular headroom requirements of:  
the Seniors Living SEPP (as last amended) for accessible parking spaces, and  
Australian Standard 2890.1 - "Off-street car parking", are met.
94. Prior to issue of the Occupation Certificate a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:
  - Approved Construction Certificate drainage plans.
  - That the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 respectively, have been achieved in full.

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- That retained water is connected and available for uses including all toilet flushing, laundry and garden irrigation.
  - That all grates potentially accessible by children are secured.
  - That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
  - All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.
  - The following certification sheets must be accurately completed and attached to the certification:
    - Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
    - On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.
95. Prior to issue of the Occupation Certificate a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:
- a. As built (reduced) surface and invert levels for all drainage pits.
  - b. Gradients of drainage lines, materials and dimensions.
  - c. As built (reduced) level(s) at the approved point of discharge to the public drainage system.
  - d. As built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site.
  - e. The achieved storage volumes of the installed retention and detention storages and derivative calculations.
  - f. As built locations of all access pits and grates in the detention and retention system(s), including dimensions.
  - g. The size of the orifice or control fitted to any on-site detention system.
  - h. Dimensions of the discharge control pit and access grates.
  - i. The maximum depth of storage possible over the outlet control.
  - j. Top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system.
- The WAE plan(s) must show the as-built details above in comparison to those shown on the drainage plans approved with the Construction Certificate prior to commencement of works. All relevant levels and details indicated must be marked **in red** on a copy of the Principal Certifying Authority stamped construction certificate stormwater plans.
96. Prior to issue of an Occupation Certificate, the applicant is to create a Restriction-on-Use under the Conveyancing Act, restricting the occupation of the premises to:
- a. People aged 55 years or over, or people with a disability as defined by the provisions of the State Environmental Planning Policy for Seniors Living.

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- b. People who live with such people as defined in (a) above.
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
97. Prior to issue of an Occupation Certificate, the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater detention/retention and re-use facilities on the property. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (available from Council on request) and to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention/ retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Kerry Gordon  
**Director**  
**Kerry Gordon Planning Services Pty Ltd**

**Attachments:      Report to Council 8 August - 649723  
                                 and attachments 645689, 629357, 629362, 629364, 629368 and confidential  
                                 attachments**

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## 1 KINTORE STREET, WAHROONGA - SUPPLEMENTARY REPORT FOLLOWING SITE INSPECTION

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To determine Development Application No. 470/05 demolition of existing dwelling and the construction of a SEPP (Seniors Living) development

**BACKGROUND:**

Report on site meeting held 1 July 2006

**RECOMMENDATION:**

Approval

## PURPOSE OF REPORT

To determine Development Application No. 470/05 demolition of existing dwelling and the construction of a SEPP (Seniors Living) development

## BACKGROUND

DA 470/05 was reported to Council on 27 June 2006, with a recommendation for approval.

Determination of the application was deferred following a site inspection which was held on 1 July 2006.

## SUMMARY

Following are responses to the questions arising from the site inspection:

### 1. Acceptance of amended DA

- 1) *Council staff to provide reasons why Council's standard procedure for the assessment of DA's has been altered as the amended DA appears to be substantially different to the original application. Staff to confirm if amendments of this nature (including the reduction in density from 7 dwellings down to 4 as proposed) would normally be the subject of a new DA.*

#### **Comment:**

The plans were amended to address the concerns raised by Council staff and objectors.

Pursuant to Clause 55 of the Environmental Planning and Assessment Regulation 2000, a development application may be amended or varied by the applicant with the agreement of the consent authority, at any time before the application is determined.

The amended plans represent changes to improve the proposal in terms of relationship to surrounding development and the local area.

The proposal has been substantially modified. Whether the development constitutes 'substantially the same development' is a statutory qualifier for Section 96 applications and Section 82A reviews not for development applications. The modifications have been made to address Council's concerns. Furthermore, the NSW Land and Environment Court process now facilitates substantial amendments prior to determination.

### 2. Streetscape impact/front setbacks

- 1) *Staff to provide further comment on the proposal's streetscape impact and confirm the front setbacks of dwellings either side of the proposal in Kintore Street and Grosvenor Street in relation to the proposed development.*

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**Comment:**

Please refer to comments in the assessment report under SEPP (Seniors Living) in relation to 'streetscape' and 'objectives' of the KPSO. The site is located on a street corner and the setbacks proposed vary along the two street frontages, providing articulation and visual relief. The proposed setbacks allow opportunity for pathways and landscaping.

The proposal achieves a front setback ranging between 12.5 metres and 8.5 metres along Kintore Street and between 5.5 metres and 10 metres along Grosvenor Street. The existing dwelling at No. 3 Kintore Street is set back 18.5 metres from the street and the dwelling existing at No. 19 Grosvenor Street is set back some 17 metres from Grosvenor Street.

Building setbacks are generally uniform and generous along both Kintore and Grosvenor Streets. However, the majority of properties contain large residential dwellings, with high solid fencing in the foreground, forming a dominant visual feature within the streetscape. Fencing is particularly dominant within the Grosvenor Street streetscape.

The proposed setbacks are forward of the directly adjoining dwellings. However, architectural articulation, tree retention and landscaping are achieved. The proposed setback provides for the retention and replenishment of landscaping along the frontage, particularly given the low scale fencing provided. The setback integrates the development with the landscaped character of the area and diminishes the impact of built form behind foliage. Existing tall canopy trees are to be retained, particularly along the Kintore Street frontage.

- 2) *Staff to explain the comment under the heading Surrounding Development within the report which states that 'The site is adjoined to the south and east by large 2 storey dwelling houses' and provide further comment on the proposal's streetscape impact having regard to the low scale single storey nature of surrounding development.*

The adjoining dwellings are single storey in height. Surrounding development comprises a mixture of large one and two storey dwellings.

The adjoining dwelling located at 3 Kintore Street is particularly large and visually dominant within the streetscape. Although this dwelling is single storey, the overall height achieved is 7.5 metres which is commensurate with the height of the proposed development (between 4.5 and 8 metres). Minimal landscaping exists within the frontage of this property so the built form is the dominant feature within the streetscape.

### 3. Power Lines

- 1) *Staff to amend Condition No. 44 to ensure that all overhead powerlines adjacent to the property boundaries are relocated underground prior to the issue of the Occupation Certificate.*



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Condition No. 44 has been amended to read:

*'For the purpose of maintaining visual amenity, electricity cabling shall be provided underground and must not disturb the root system of any trees. Please contact the energy supply authority's local customer service office to obtain documentary evidence that the authority has been consulted and that their requirements have been met. This information is to be submitted prior to the release of the occupation certificate.'*

**Trees**

- 2) *Staff to confirm that the Tree Assessment Report, prepared by Malcolm Bruce and dated 1 April 2005, has been considered as part of the DA assessment, having regard to the proposed tree removal.*

The Tree Assessment Report prepared by Malcolm Bruce was considered as part of the assessment.

- 3) *Staff to confirm that Tree Nos. 23A & 23B are Turpentine as described in Appendix 1 of the Tree Assessment Report prepared by Malcolm Bruce dated 1 April 2005.*

Trees Nos. 23A and 23B are Turpentine, as described in the abovementioned report.

- 4) *Staff to liaise with the applicant to ascertain if the driveway for the double garage on Grosvenor Street can be relocated to assist with retention of the large Queensland Box Eucalypt Tree.*

Council's Landscape Development Officer approved the removal of the Brushbox located within the Grosvenor Street frontage. The retention of this tree would require the re-design of the driveway, the garage and the courtyard for dwelling 2. This change is not feasible as it would alter compliance with the requirements of SEPP (Seniors Living) in terms of garage dimensions and private open space provision.

**4. Shadow Diagrams**

- 1) *Staff to confirm that the shadow diagrams submitted by the Applicant provide an accurate depiction of the proposal's overshadowing effects on surrounding properties.*

**Comment:**

The proposed shadow diagrams have been checked and are accurate. As indicated within the assessment report, proposed shadowing on June 21 is not considered unreasonable with respect to preserving surrounding residential amenity.

**5. Recycling**

- 1) *Staff to include a condition to address recycling of the sandstone located in the driveway and pathways of the existing development.*

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**Comment:**

Condition No. 59 is recommended in relation to the recycling of sandstone.

**RECOMMENDATION**

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

THAT the Council, as the consent authority, grant development consent to DA 470/05 for demolition of the existing building and construction of a SEPP Seniors Living Development comprising 4 dwellings on land at 1 Kintore Street, Wahroonga, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

**GENERAL CONDITIONS**

1. The development to be in accordance with Development Application No 470/05 and Development Application plans prepared by HSA Architects, reference number 49105.DA1, Issue C, 49105.DA2, Issue C, 49105.DA3, Issue C, 49105.DA4, Issue C, 49105.DA5, Issue C, dated 9 March 2006 and Landscape Plan prepared by Landscape Architectural Services, Drawing No.LPDA 06 – 86/1, dated November 2005 and endorsed with Council's approval stamp, except where amended by the following conditions:
2. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.
3. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

Tree No /Species /Location	Radius From Trunk
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Western boundary	5 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Western boundary	5 metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Southern boundary	7 metres

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

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Tree No /Species /Location

Radius From Trunk

Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ Western boundary

7 metres

Tree 11 / *Pinus patula* (Mexican Pine)  
/ Western boundary

7 metres

Tree 24 / *Eucalyptus pilularis* (Blackbutt)  
/ Southern boundary

7 metres

5. To preserve the following tree, the driveway to Unit 1 shall be constructed of asphalted concrete.

Tree No /Species /Location

Tree 1 / *Angophora costata* (Sydney Red Gum)  
/ North-eastern corner

6. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
7. A mandatory rainwater re-use tank system, together with the additional on-site stormwater detention/retention requirements described in chapter 6 of Councils Water Management Development Control Plan 47 (DCP47), shall be provided for the development. DCP47 is available in hard copy at Council and on the Council website.
8. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant - after the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.
9. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
10. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on

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or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 *"Traffic Control Devices for Work on Roads"*. If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.

11. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
12. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
13. For the purpose of any inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final consent from Council.
14. The Applicant must obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92. Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.
15. Stormwater quality control measures as described in chapter 8 of Councils Water Management Development Control Plan 47 (DCP47), shall be provided for the development. DCP47 is available in hard copy at Council and on the Council website.
16. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission (phone (02) 9284 9600) in respect of your application.
17. The proposed development is to be compliant with both AS 1428 (Design for Access and Mobility and AS 4299 (Adaptable Housing) and the design requirements of SEPP (Seniors Living).

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18. The interior design of dwellings, ancillary facilities (eg letterboxes, lighting etc) and circulation space within the development shall comply with the standards contained in clause 13A of SEPP 5. A Compliance Certificate prepared by a suitably qualified and experienced person, certifying compliance with the provisions and standards contained in this clause, shall be submitted to the Principal Certifying Authority prior to occupation of the development.
19. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.
20. No mobile outdoor surveillance systems shall be installed without prior approval of Council.
21. No advertising signs are to be erected without the prior consent of Council.
22. Master TV antennas are to be provided to avoid having individual antennas. The master antenna should be located at the rear of the site to reduce visibility from the street. Alternatively, location within the roof space should be considered.
23. Letter boxes must be provided in accordance with the requirements of Australia Post and be accessible to wheelchair users
24. On site power must be underground and satisfy the requirements of Energy Australia.
25. Unit/dwelling numbers must be clearly displayed and visible for emergency vehicles and visitors.
26. Each dwelling must have a child proof storage place for poisons or other dangerous substances.
27. Main entry doors to each unit shall be provided with peep holes.
28. Walls and Fences within the development are to be in accord with Council's Development Control Code 1/99 or as otherwise directed or approved.
29. The development is to provide night lighting along all driveways and footpaths throughout the site such that the full length of travel paths are illuminated. Lighting is to be shielded so that neighbouring residences are not adversely affected.
30. Throughout the development it is necessary to utilise non-slip materials. Surfaces which will be slippery when wet are not permitted. Loose material such as gravel or sand should be avoided near footpaths.
31. Locate TV antenna outlets on interior walls (away from windows and potential glare problems) in positions that maximise, options for TV location in the living and sleeping areas.

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32. Locate telephone sockets so that residents have a choice of places/rooms to put a telephone and its related furniture.
33. Courtyard fences between units shall be constructed of masonry to a height of 1.8 metres or as otherwise indicated.
34. The use of landscaping should not affect driver sight distance to see other vehicles/pedestrians etc. for vehicles entering /exiting the subject site. The use of low growing shrubs around driveways is recommended.
35. The creation of a Restriction as to use of land under Section 88E of the Conveyancing Act 1919, restricting the occupation of the premises to:
  - a. People 55 or over or people who have a disability;
  - b. People who live with people 55 or over or people who have a disability;
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
36. The development is to remain as Housing for Aged or Disabled Persons within the meaning of State Environmental Planning Policy (Seniors Living) at all times.
37. All advertising, signage, marketing or promotion of the sale of the dwellings in this development shall make clear reference to the fact that this is a SEPP (Seniors Living) development and that at least one occupier shall be aged 55 years or over or have a disability.
38. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
39. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.
40. **HOURS OF WORK:** For the purpose of residential amenity, noise generating work carried out in connection with building and construction operation, including deliveries of building materials and equipment, is restricted to the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted. The use of the following items of plant on the site is also restricted to the abovementioned hours: compressors, bulldozers, power operated woodworking machines, excavators and loaders, jackhammers, Ramset guns, concrete mixers and concrete delivery wagons, hoists, winches, welding and riveting plant.

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

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41. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
42. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
43. To maintain existing ground levels all excavated material shall be removed from the site.
44. For the purpose of maintaining visual amenity, electricity cabling shall be provided underground and must not disturb the root system of any trees. Please contact the energy supply authority's local customer service office to obtain documentary evidence that the authority has been consulted and that their requirements have been met. This information is to be submitted prior to the release of the occupation certificate.
45. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
46. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

47. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
  - a. must preserve and protect the building from damage, and
  - b. if necessary, must underpin and support the building in an approved manner, and
  - c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

48. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

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

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

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



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55. Soil on vacant sites is to be stabilised as soon as possible to prevent erosion and the site shall be kept clear of excess vegetation.
56. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
57. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safety stockpiled and not likely to become a harbourage for vermin.
58. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.
59. In order to increase streetscape and residential amenity, any existing sandstone removed from the Kintore or Grosvenor Street frontages to accommodate driveway and pathway areas shall be retained and used elsewhere within landscaped areas on site.

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

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

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

61. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).
62. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway,

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footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.

63. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
64. The applicant shall ensure that no underground services (ie water, sewerage, drainage and gas) shall be laid beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.

65. The submitted landscape plan by Landscape Architectural Services, Drawing No. LPDA 06-86/1 and dated November 2005 is not approved. An amended plan and specification of the proposed landscape works for the site shall be prepared in accordance with Council's Development Control Plan No 38, and conditions of consent by a Landscape Architect or qualified Landscape Designer to enhance the amenity of the built environment and protect the Ku-ring-gai landscape character. The plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The landscape works shall be carried out in accordance with the approved landscape plan.

The following amendments to the plan shall apply:

- The 1200mm high picket fence shall be deleted.
- The existing healthy mature shrubs along the northern and western boundaries shall be individually noted on the plan to be retained and the replanting of additional species reduced or changed to suit.
- The plan shall indicate the removal of Tree 28.
- The plan shall note the use of medium to large pebbles as mulch along the eastern boundary as this area will be a stormwater flow path. No ground covers such as

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Myoporum or Trachelospermum shall be planted as they will interrupt the overland flow.

- The proposed “cultivar” that will reach a minimum height of 3 to 4 metres of *Syzygium paniculatum* (Brush Cherry) shall be indicated.
66. The property shall support a minimum number of 10 canopy trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, the existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be prepared by a Landscape Architect or qualified Landscape Designer and be submitted to the Principal Certifying Authority for approval prior to release of Construction Certificate.
67. A cash bond/bank guarantee of \$8,000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

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

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

68. A cash bond/bank guarantee of \$15,000.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged.

In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree No /Species /Location /Bond

Tree 1 / *Angophora costata* (Sydney Red Gum)  
/ North-eastern corner  
/ \$4,000.00

Tree 5 / *Lophostemon confertus* (Brushbox)  
/ North-western corner  
/ \$3,000.00

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Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ Middle of western boundary  
/ 2,000.00

Tree 11 / *Pinus patula* (Mexican Pine)  
/ Middle of western boundary  
/ \$2,000.00

Tree 24 / *Eucalyptus pilularis* (Blackbutt)  
/ Middle of southern boundary  
/ \$4,000.00

69. To preserve the following trees the proposed driveways to Units 2 & 3 shall be constructed at existing soil levels and suspended on isolated piers within the specified radius of the trunks. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

Tree No /Species /Location	Radius in metres
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Western boundary	7 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Western boundary	7 metres

70. To preserve the following tree/s, footings of the proposed Unit 4 shall be isolated pier or pier and beam construction within the specified radius of the trunk/s. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

Tree No /Species /Location	Radius in Metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Middle of southern boundary	7 metres

71. Prior to issue of the Construction Certificate, submission of details and certification by a qualified civil/traffic engineer, for approval by the Principal Certifying Authority (PCA), that the parking provisions comply with the following standards:

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- The State Environmental Planning Policy for Seniors Living (particularly relating to height clearances and space dimensions) and
  - Australian Standard 2890.1 – 2004 “Off-street car parking”.
72. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the Landcom document “Managing Urban Stormwater – Soils and Construction, Volume 1” (2004). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (available on the Council website).
73. The Applicant must carry out the following infrastructure works in the Public Road:

Construct kerb ramps to Council’s specification between the subject site and the nearest bus stop.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF THE ROADS ACT 1993** for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council’s “Specification for Road and Drainage Works”. In addition, the drawings must detail existing services and **trees affected by the works**, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998).

NOTE 1: A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate.

NOTE 2: An engineering assessment fee (set out in Council’s adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees.

NOTE 3: Plans and specifications must be marked to the attention of Council’s Development Engineers. In addition, a copy of this condition must be provided,

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together with a covering letter stating the full address of the property and the accompanying DA number.

74. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage volume requirements for an on-site stormwater detention/retention system. The design may be generally based on the concept plans TFA2944/01 Sheets 1 to 3 Issue A by Toby Fiander & Associates, advanced for construction purposes. The storage volumes and design shall comply with Councils Water Management DCP 47 (available on the Council website and at Council customer services), the manufacturers' specifications and the relevant plumbing codes. Rainwater tank(s) shall be designed to capture and retain runoff from a minimum 100m<sup>2</sup> roof area for each 5000 litres of storage. Overflow shall revert to the main drainage system. Water quality measures are to be included as required by DCP47. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer and may be incorporated on the overall site drainage plan.
75. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and/or detention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 available on the Council website and at Council, and AS 3500.2 - Plumbing and Drainage Code.
76. Prior to issue of the Construction Certificate footpath and driveway levels for the new vehicular crossings between the property boundary and road alignment must be obtained from Council. The footpath crossings are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings". These are issued with alignment levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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

NOTE 1: The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations.

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NOTE 2: When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

77. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF 4 (FOUR) ADDITIONAL DWELLINGS IS CURRENTLY \$12,306.64 (including a credit for the existing dwelling on the site). The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

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

1. Community Facilities (If Seniors Living \$412.07)	\$1,117.76
2. Park Acquisition and Embellishment Works - Wahroonga	\$6,574.28
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

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

#### OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

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

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

78. To preserve and enhance the natural environment, the downslope side of the proposed construction area of the site is to be enclosed with a suitable erosion control barrier (e.g. straw bales or geofabric fence) along contour before any other work on the site commences.

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

Tree No /Species /Location

Tree 1 / *Angophora costata* (Sydney Red Gum)  
/ North eastern corner

Tree 16 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ South western corner

Tree 36 / *Nyssa sylvatica* (Tupelo)  
/ Grosvenor Street nature strip

80. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed driveways is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree No /Species /Location	Radius in Metres
Tree 3 / <i>Acer palmatum</i> (Japanese Maple) / Northern boundary	3 metres
Tree 5 / <i>Lophostemon confertus</i> (Brushbox) / North western corner	3 metres
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Middle of western boundary	3 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Middle of western boundary	3 metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Middle of southern boundary	5 metres
Tree 34 / <i>Acer palmatum</i> (Japanese Maple) / Front boundary	3 metres
<i>Franklinia axillaris</i> (Gordonia) / Western boundary near northern end	3 metres



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81. The tree protection fence shall be constructed of galvanised pipe at 2.4 metres spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.
82. To preserve the following tree, no work shall commence until temporary measures to avoid soil compaction (eg rumble boards) beneath the canopy of the following tree is installed over the proposed designated construction entrance/exit off Grosvenor Street.

Tree/Location

Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ Middle of western boundary

83. Upon completion of the installation of the required tree protection measures you are required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.
84. Prior to the commencement of **any** works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

**A plan view of the entire site and frontage roadways indicating:**

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.

**Traffic Control Plan(s) for the site**

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication "Traffic Control Worksite Manual" and be designed by a licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.
- The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation. As the plan has a direct impact on the local road

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network, the plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site. A fee is payable for the assessment of the plan by Ku-ring-gai Council.

85. Prior to the commencement of any works on site the applicant must submit to Ku-ring-gai Council and the Principal Certifying Authority a photographic record on the visible condition of the existing public infrastructure over the full site frontage (in colour - preferably saved to cd-rom in 'jpg' format). The photos must include detail of:
  - The existing footpath
  - The existing kerb and gutter
  - The existing full road surface between the opposite kerb
  - The existing verge area
  - The existing driveway and layback where to be retained
  - Any existing drainage infrastructure including pits, lintels, grates.
  - Particular attention must be paid to accurately recording any pre-developed *damaged* areas on the aforementioned infrastructure so that Council is fully informed when assessing damage to public infrastructure caused as a result of the development (which is not to be repaired by the Applicant as part of the development). The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated under the requirements of this condition prior to the commencement of any works.
86. A Compliance Certificate pursuant to Section 73 Sydney Water Act 1994, as evidence of compliance with the provisions of Division 9 of that Act, to be obtained from Sydney Water prior to the commencement of any work on the site.
87. A simple photographic record of the affected parts of the heritage item are to be submitted to Council prior to the commencement of work. Recording shall be undertaken in accordance with the *Guidelines for Photographic Recording of Heritage Sites, Building and Structures* prepared by the New South Wales Heritage Office.

Information shall be bound in an A4 report format. It shall include copies of black and white photographs, referenced to plans of the affected property. Two (2) copies (one (1) copy to include negatives of photographs) shall be submitted to Council's Department of Environmental and Regulatory Services, to be held in the Local Studies Collection of Ku-ring-gai Library.

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

88. The landscape works, shall be installed in accordance with the approved plan/s and/ or conditions of consent, be completed prior to release of Occupation Certificate and be maintained in a healthy and vigorous condition at all times.
89. The Principal Certifying Authority shall ensure that the landscape works, have been installed

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correctly, consistent the approved landscape plan(s), specification and the conditions of consent prior to release of the Occupation Certificate.

90. Prior to issue of an Occupation Certificate, the following works must be completed:

- a. Construction of the new driveway crossings and laybacks in accordance with the levels and specifications issued by Council,
- b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
- c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.

Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council. This shall be at no cost to Council.

91. Prior to issue of an Occupation Certificate, the approved road, footpath and/or drainage works must be completed in the road reserve, in accordance with the Council approved *Roads Act 1993* drawings, conditions and specifications. The works must be supervised by the applicant's designing engineer and the works shall be completed and approved in full to the satisfaction of Council's Engineers. The supervising consulting engineer is to provide certification upon completion that the works were constructed in accordance with the Council approved drawings. The works are also to be subject to inspection by Council at the hold points noted on the approved drawings. Any conditions attached to the approved drawings for these works must be met in full.

92. Prior to issue of an Occupation Certificate, the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).

93. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of works), the applicant shall submit to the Principal Certifying Authority (PCA) certification from a suitably qualified and experienced traffic/civil engineer, that:

- a. The dimensions of all as-constructed private car parking spaces meet the dimension requirements of the Seniors Living SEPP (as last amended), and
- b. The as-constructed car park complies with the approved Construction Certificate plans, and
- c. The vehicular headroom requirements of:  
the Seniors Living SEPP (as last amended) for accessible parking spaces, and  
Australian Standard 2890.1 - "Off-street car parking", are met.

94. Prior to issue of the Occupation Certificate a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater

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drainage and management system. The engineer is to provide written certification based on the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:

- Approved Construction Certificate drainage plans.
- That the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 respectively, have been achieved in full.
- That retained water is connected and available for uses including all toilet flushing, laundry and garden irrigation.
- That all grates potentially accessible by children are secured.
- That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
- All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.
- The following certification sheets must be accurately completed and attached to the certification:
  - Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
  - On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.

95. Prior to issue of the Occupation Certificate a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:

- a. As built (reduced) surface and invert levels for all drainage pits.
- b. Gradients of drainage lines, materials and dimensions.
- c. As built (reduced) level(s) at the approved point of discharge to the public drainage system.
- d. As built location and internal dimensions of all detention and retention structures on the property (in plan view) and horizontal distances to nearest adjacent boundaries and structures on site.
- e. The achieved storage volumes of the installed retention and detention storages and derivative calculations.
- f. As built locations of all access pits and grates in the detention and retention system(s), including dimensions.
- g. The size of the orifice or control fitted to any on-site detention system.
- h. Dimensions of the discharge control pit and access grates.
- i. The maximum depth of storage possible over the outlet control.
- j. Top water levels of storage areas and indicative RL's through the overland flow path in the event of blockage of the on-site detention system.

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

96. Prior to issue of an Occupation Certificate, the applicant is to create a Restriction-on-Use under the Conveyancing Act, restricting the occupation of the premises to:
- a. People aged 55 years or over, or people with a disability as defined by the provisions of the State Environmental Planning Policy for Seniors Living.
  - b. People who live with such people as defined in (a) above.
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
97. Prior to issue of an Occupation Certificate, the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater detention/retention and re-use facilities on the property. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (available from Council on request) and to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention/ retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

N Richter  
**Acting Team Leader**  
**Development Assessment**  
**- North**

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

M Miocic  
**Director**  
**Development and**  
**Regulation**

**Attachments:**      **Original report to Council dated 27 June 2006 - 645689**  
                             **Attachments to original report: Location sketch 629357**  
                             **Zoning extract - 629362**  
                             **Elevations - 629364**  
                             **Shadow diagrams - 629368**  
                             **Confidential attachments (floor, landscape and site plans)**

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## DEVELOPMENT APPLICATION

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### SUMMARY SHEET

<b>REPORT TITLE:</b>	1 KINTORE STREET, WAHROONGA - DEMOLITION AND CONSTRUCTION OF SENIORS LIVING DEVELOPMENT COMPRISING 4 DWELLINGS
<b>WARD:</b>	Wahroonga
<b>DEVELOPMENT APPLICATION N<sup>o</sup>:</b>	DA0470/05
<b>SUBJECT LAND:</b>	1 Kintore Street, Wahroonga
<b>APPLICANT:</b>	The Turnbull Group Pty Ltd
<b>OWNER:</b>	Robert Fechter
<b>DESIGNER:</b>	Hugh Slayter and Associates
<b>PRESENT USE:</b>	Residential
<b>ZONING:</b>	Residential 2(c)
<b>HERITAGE:</b>	Within UCA 28
<b>PERMISSIBLE UNDER:</b>	SEPP (Seniors Living) 2004
<b>COUNCIL'S POLICIES APPLICABLE:</b>	DCP 47 Water Management, DCP 43 Car Parking, DCP 31 Access, DCP 40 Waste Management and DCC 1/99 Housing for Older People and People with a Disability
<b>COMPLIANCE WITH CODES/POLICIES:</b>	Yes
<b>GOVERNMENT POLICIES APPLICABLE:</b>	SEPP (Seniors Living), SEPP 55, SREP 20
<b>COMPLIANCE WITH GOVERNMENT POLICIES:</b>	Yes
<b>DATE LODGED:</b>	17 May 2005
<b>PROPOSAL:</b>	Demolition and construction of seniors living development comprising 4 dwellings
<b>RECOMMENDATION:</b>	Approval

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

**DA0470/05  
1 KINTORE STREET, WAHROONGA  
DEMOLITION AND CONSTRUCTION OF  
SENIORS LIVING DEVELOPMENT  
COMPRISING 4 DWELLINGS  
THE TURNBULL GROUP PTY LTD  
ROBERT FECHTER  
HUGH SLAYTER AND ASSOCIATES**

**APPLICANT:  
OWNER:  
DESIGNER**

**PURPOSE FOR REPORT**

To determine Development Application No.470/05.

**EXECUTIVE SUMMARY**

The proposal involves the demolition of an existing single storey dwelling and the construction of a development comprising 2 x 2 attached 2 storey SEPP (Seniors Living) dwellings, landscaping and associated infrastructure works.

**HISTORY**

**Site history:**

The site has historically been developed and used for low density residential purposes. There is no recent development history of relevance to the proposal.

**Development application history:**

17 May 2005:	Application lodged.
30 May 2005:	Request for additional information (geotechnical report) sent to the applicant.
8 June 2005:	Public notification of application.
22 February 2005:	Council officers informed the applicant of concerns relating to traffic, tree removal and deep soil landscaping.
23 November 2005:	Amended plans/information lodged.
6 December 2005:	Public re-notification.
22 February 2006:	Further request for amendments (tree retention, deep soil zones).
16 March 2006:	Amended plans received.
30 March – 13 April 2006:	Public re-notification of amended plans.

**THE SITE AND SURROUNDING AREA**

Zoning:	Residential 2(c)
Visual Character Study Category:	1920-1945
Lot Number:	A
DP Number:	656258

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Area:	1655.8m <sup>2</sup>
Side of Street:	Southern side of Kintore and western side of Grosvenor
Cross Fall:	2m from south to north-west
Stormwater Drainage:	Street
Heritage Affected:	Yes, within UCA 28
Integrated Development:	No
Bush Fire Prone Land:	No
Endangered Species:	No
Urban Bushland:	No
Contaminated Land:	No

**The site**

The site is rectangular, with frontages of 21.07m to Kintore Street and 48.375m to Grosvenor Street. The site measures 1655.8m<sup>2</sup> and is generally level, with a cross fall of 2m from the southern boundary towards the north-western corner (Grosvenor and Kintore Streets).

The site contains a two storey dwelling house, with detached garage and carport. Vegetation exists around the periphery of the site and the built improvement is obscured by planting and a significant tree canopy. Numerous mature, native trees exist along the road reserve. These trees contribute to the landscaped and low density visual character of the neighbourhood.

**Surrounding development**

The site is located within a characteristically low density area. The local housing stock is mixed in style and scale and is generally recessive, behind dense landscaping. Existing development along Kintore and Grosvenor Streets comprises a mixture of one and two storey dwellings. Dwellings are predominantly set back between 15-17m along Kintore Street. Dense landscaping/hedging/understorey and tall canopy trees form the dominant visual feature of the streetscape. Fencing along Kintore Street is generally low in height. Higher, more solid, fences exist along Grosvenor Street.

No.'s 9, 73, 38-42 and 29B Kintore Street and No.'s 15, 31, 81, 93, 16, 18, 28, 32, 82 and 102 Grosvenor Street are listed as local heritage items under the Ku-ring-gai Planning Scheme Ordinance (KPSO). These items are located within proximity of the site. The heritage item located at 28 Grosvenor Street is directly opposite the proposed development.

The site is adjoined to the south and east by large 2 storey dwelling houses.

**THE PROPOSAL**

The proposal, as amended, involves the demolition of an existing dwelling and the construction of 4 dwellings under SEPP (Seniors Living), landscaping, fencing and engineering works.

The dwellings are to be constructed of rendered and painted face brick, with painted timber verandahs and fascias, cedar louvres, a concrete tile roof, colourbond steel guttering and powdercoated aluminium window and door frames. Applied finishes are generally beige, white and grey with a charcoal coloured roof.



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A new front fence is also proposed and will be a low 600mm sandstone structure to match the existing.

On 26 August 2005 Council officers advised the applicant of concerns in relation to unacceptable/unsafe driveway access, excessive scale, insufficient tree retention and insufficient setbacks and deep soil zones. Consequently, the proposal was amended on 16 November 2005. The amended plans reduced the density of the development to four dwellings in order to provide car access and parking at grade, to reduce scale and increase deep soil zones in accordance with Council's requirements.

On 22 February 2006 Council officers advised the applicant of concerns relating to the impacts of driveway location/excavation and on-site detention on trees and inadequate deep soil zones. Amended plans were received on 16 March 2006 relocating driveway areas clear of Trees 10 and 11, providing flexible driveways to protect Trees 1 and 17, increasing the building set back to Tree 24 and increasing deep soil zones. The amended plans also retained the existing shrubs along the Kintore Street frontage and additional planting was provided on the landscape plan to the satisfaction of Council's Landscape Officer.

## CONSULTATION - COMMUNITY

In accordance with Council's Notification DCP, owners of adjoining properties were given notice of the original application and subsequent amendments.

### Original Scheme

Thirty-three (33) objections received.

### Amended Plans (November 2005)

Thirty (30) objections.

Objections were received from the following in response to the first two (2) notifications:

*Robertson and Hindmarsh Pty Ltd on behalf of residents of 5, 6, 8, 11, 9, 10, 12, 14, 23, 29, 29A and 38 Kintore Street, 49 and 38 Lochville Street, 8, 29 and 45 Braeside Street, 7, 11, 17, 29, 31, 32 and 42 Grosvenor Street and 146 Eastern Road, Wahroonga*

*Ian and Susan Maxton - 32 Grosvenor Road, Wahroonga*

*Mike Healy - 26 Grosvenor Road, Wahroonga*

*Lillian Armitage - 36 Lochville Street, Wahroonga*

*Brian and Anne Bartlett - 48 Grosvenor Street, Wahroonga*

*N J and S E Nolan - 7 Grosvenor Street, Wahroonga*

*Paul M Cook - 97 Boundary Road, Wahroonga*

*L J and M J Perrett - 12 Braeside Street, Wahroonga*

*John and Sally Asnicar - 14 Kintore Street, Wahroonga*

*Roger and Judith Lipscomb - 17 Grosvenor Street, Wahroonga*

*Yvonne Bain - 8 Wahroonga Avenue, Wahroonga*

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*Daniel and Joumana Sukari – 3 Kintore Street, Wahroonga*  
*Peter Berkley – 12A Water Street, Wahroonga*  
*Andrew Hestelow – 41 Braeside Street, Wahroonga*  
*Graham and Marjorie Coulsen – 34 Kintore Street, Wahroonga*  
*Charles and Margaret Sharpe – 24 Water Street, Wahroonga*  
*B A and P M Pointon – 45 Braeside Street, Wahroonga*  
*Robert and Christine Bruce – 41 Kintore Street, Wahroonga*  
*Wu Family – 5 Kintore Street, Wahroonga*  
*Rowe and Rhonda Kelly – 1 Braeside Street, Wahroonga*  
*Megan Allsop – PO Box 219 Wahroonga*  
*Dr JVV and K A Read – 33 Kintore Street, Wahroonga*  
*Simon and Anne Olding – 16 Mona Street, Wahroonga*  
*Ingham Planning on behalf of 43 affected residents*  
*Perfect Outdoors on behalf of Moira Hill – 8 Kintore Street, Wahroonga*  
*L and A Kennedy – 53 Kintore Street, Wahroonga*  
*Brendon and Ginetta Shriffer – 7 Kintore Street, Wahroonga*  
*David and Diane Gold – 41a Kintore Street, Wahroonga*  
*Claudine Parr – 42 Water Street, Wahroonga*  
*Dr N P J and Mrs L A Stamford – 16 Bareena Avenue, Wahroonga*  
*Brian Wright – 9 Kintore Street, Wahroonga*  
*Brent Hudson – 50 Kintore Street, Wahroonga*  
*Mr W S Claros – 21 Braeside Street, Wahroonga*  
*Douglas and Jennifer Meares – 42 Grosvenor Street, Wahroonga*  
*L E Tutt – 29 Kintore Street, Wahroonga*  
*Lori and John Feely – 6 Kintore Street, Wahroonga*  
*G and R Ward – 46 Kintore Street, Wahroonga*  
*D C W and M Hill- 8 Kintore Street, Wahroonga*  
*David and Karen Peaston – 10 Kintore Street, Wahroonga*  
*A W and D J Hirst – 29 Grosvenor Street, Wahroonga*  
*J A Hungerford – 31 Grosvenor Street, Wahroonga*  
*Thomas Kennedy – 12 Kintore Street, Wahroonga*  
*B A and P M Pointon – 45 Braeside, Wahroonga*  
*Peta Edwards – 52 Kintore Street, Wahroonga*  
*J W and P Mitchell – 10 Braeside Street, Wahroonga*  
*E R and B C Kennedy – 65a Kintore Street, Wahroonga*

**Further Amended Plans (February 2006)**

Thirty two (32) objections were received:

*B A and P M Pointon - 45 Braeside Street, Wahroonga*  
*Peta Edwards – 52 Kintore Street, Wahroonga*  
*M W S Claros – 21 Braeside Street, Wahroonga*  
*Brent Hudson – 50 Kintore Street, Wahroonga*  
*K L Moore – 22 Kintore Street, Wahroonga*  
*Brian L Bolton – 4 Braeside Street, Wahroonga*  
*Christopher Capelle – 18 Kintore Street, Wahroonga*

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*Ruth Wetmore – 47 Kintore Street, Wahroonga*  
*Judith Anne Hungerford – 31 Grosvenor Street, Wahroonga*  
*N J and S E Nolan – 7 Grosvenor Street, Wahroonga*  
*Lori and John Feely – 6 Kintore Street, Wahroonga*  
*Dianne and Ian Grant – 15 Bareena Avenue, Wahroonga*  
*D C W and M Hill – 8 Kintore Street, Wahroonga*  
*M Donaldson – 8 Braeside Street, Wahroonga*  
*R E Kennedy, 12 Kintore Street, Wahroonga*  
*Scott J Barnett – 11 Kintore Street, Wahroonga*  
*Barry and Pamela Foster – 15 Kintore Street, Wahroonga*  
*Dr N P J and L A Stamford – 16 Bareena Avenue, Wahroonga*  
*Roger and Judith Lipscomb – 17 Grosvenor Street, Wahroonga*  
*R and J Lenehan – 28 Grosvenor Street, Wahroonga*  
*Douglas and Jennifer Meares – 42 Grosvenor Street, Wahroonga*  
*Janet and Owen Thomas – 40 Grosvenor Street, Wahroonga*  
*Ian and Susan Maxton -32 Grosvenor Road, Wahroonga*  
*Brian Wright – 9 Kintore Street, Wahroonga*  
*E R and B C Kennedy- 65A Kintore Street, Wahroonga*  
*John and Sally Asnicar – 14 Kintore Street, Wahroonga*  
*Marisa and David Johnston – 6 Grosvenor Street, Wahroonga*  
*Roberston and Hindmarsh – 26 Station Street, Naremburn on behalf of local residents*  
*Patrick and Margaret Sutcliff – PO Box 1096, Wahroonga*  
*Graham and Shirley Lightfoot – 6 Wahroonga Avenue, Wahroonga*  
*Dr R Lloyd Williams – 146 Eastern Road, Wahroonga*  
*David and Karen Peaston – 10 Kintore Street, Wahroonga*

The objections to the original scheme and subsequent amendments raised the following issues:

***Impact on heritage items***

Concern was raised over the impact of the development upon the heritage character of Wahroonga, Urban Conservation Area No. 28 and on heritage properties opposite the site at 28 and 32 Grosvenor Street.

Concern was raised over the impact of the development on the landscaped character of the locality. Concern related particularly to the impact of the development on the landscaped setting, visual impact/dominance of the proposed built form (4 houses in place of 1), impact on the public domain and impact on heritage items in the vicinity.

The site is located within Urban Conservation Area 28 and Nos. 28 and 32 Grosvenor Street, located opposite the site, are classified as a contributory heritage items.

The amended proposal will not have any direct impact on any adjoining or surrounding heritage items. The proposed yield has been reduced from 7 to 4 dwellings and the development form is now townhouses/villas rather than a residential flat building as originally proposed. The proposed setbacks and landscaping have been modified to retain maximum visually significant canopy trees and shrubs along the Kintore and Grosvenor street frontages, diminishing visual impact of built

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form within the streetscape. The existing low stone fence is proposed to be retained along the Kintore Street frontage and continued along the Grosvenor Street frontage.

Subject to conditions, the built form and landscaping proposed maintains the character of the area and preserves the integrity of the heritage items. Additional discussion is provided under *Heritage Advisor's* comments below.

***Removal of understorey planting and tall trees, effect on biodiversity, impact of excavation on trees and ecological impacts***

Objection was raised to the removal of trees and shrubs on the site necessitated by the development, particularly the number and types of trees proposed to be removed. Local residents considered that the development would diminish the 'heritage, treed streetscape' and impact on mature trees which provide habitat for local wildlife.

The proposed development will require removal of some significant trees. The proposed density and setbacks have been amended to retain maximum landscaping along the street frontages and side and rear boundaries and to accommodate replenishment planting to screen the development from the street.

The amended proposal involves the retention of 4 significant trees (Trees 1, 10, 11 and 17) as recommended by Council's Landscape Development Officer. The ratio of deep soil landscaping to built upon area has been amended to 30% of the site (refer to discussion of SEPP (Seniors Living)) which will provide opportunity tall tree planting and deep soil zones.

Subject to conditions, the proposal is consistent with the aims of SEPP Seniors Living in relation to maintaining the landscaped character of the area and the streetscape. The amended plans have been endorsed by Council's Landscape Development Officer.

***The development is inappropriate, out of context with scale and pattern of surrounding development and 'garden suburb' and will result in streetscape impacts***

Residents expressed a sense of pride and identity with the area renowned for its garden, architectural and heritage aesthetics. Objectors considered the proposed development to be incompatible with the surrounding pattern of low density family housing, in terms of its scale and density. Concern was expressed over the dominance of garaging and driveways within the streetscape and the removal of canopy trees.

The proposal originally involved the demolition of the dwelling and the construction of 7 dwellings with basement car parking. Although the proposal generally complied with the numerical development standards of SEPP (Seniors Living), Council officers considered the scheme to be unacceptable with respect to scale, density, tree removal, visual dominance and access. Consequently, the application has been amended by the applicant.

The second amendment reduced the number of dwellings from 7 to 4. The third/latest amendment changed the proposed driveway design/construction and building setbacks to allow the retention of

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4 mature trees along the Grosvenor and Kintore Street frontages, changes to the proposed landscaping/deep soil zone.

Although the proposed development is higher in density than surrounding developments, it is compliant with the standards of the SEPP (Seniors Living). The design has been amended to reflect the low density and landscaped character of the area in accordance with the objectives of the policy (refer to discussion of SEPP (Seniors Living)). Subject to conditions, the current proposal is considered acceptable in relation to providing a mix of housing whilst preserving the essential elements of the area's character.

***Non-compliance with SEPP (Seniors Living) with respect to setbacks, density, scale/massing, area character and tree retention***

The proposal complies with SEPP (Seniors Living) as is confirmed in the assessment of the development against statutory controls and the *Compliance Table* below.

***Increase in traffic volumes, increased parking and traffic congestion on local network and impact on pedestrian and vehicular safety, inadequate provision of on site parking for visitors***

Concern was raised by residents in relation to the impact of the increased dwelling density on local traffic volumes and in terms of pedestrian and vehicular hazards. It was considered that the proposed driveways are in unsafe locations and that insufficient on-site parking provision was made for visitors, placing additional pressure on street parking.

Council's Development Engineer has assessed the traffic impacts of the proposal and made the following comment:

***Traffic***

*The property shares a vehicular crossing with the neighbour at 3 Kintore Street. This is to be retained for the use of Unit 1 only, which is acceptable. Three other entry driveways are to be constructed along the Grosvenor Street frontage. Since the boundary is 48 metres long and Council requires a minimum frontage of 18 metres for two crossings, it is considered that three will be acceptable in this case. Each is for the use of one unit only.*

*Internal garbage collection is not required since the number of units no longer exceeds six.*

*A construction and traffic management plan will be required prior to commencement of works, as well as photographs of the road and Council infrastructure outside the site.'*

Part 2, Clause 20 of SEPP (Seniors Living) requires that the development is designed and restricted by title to elderly and disabled persons (**Condition No. 35**). Part 2 Clause 26 (site related requirements/proximity to public transport) anticipates low reliance on car transport and requires demonstrated availability of bus public transport services. Refer to the discussion of SEPP (Seniors Living) under statutory controls. The development complies with the SEPP in relation to car parking provision.

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The RTA Guidelines for Traffic Generating Developments stipulates that aged and disabled housing generates 1-2 daily vehicle trips per dwelling. Each proposed dwelling has a separate driveway and garaging/driveway hardstand. The additional vehicle movements are considered minimal and the proposed driveways are located in appropriate locations, distributing traffic evenly from the site to the local road network.

The proposed development is not considered to place unreasonable pressure on local traffic. Appropriate visitor parking may be accommodated on the individual driveway areas.

***Oversupply of SEPP 5/SEPP (Seniors Living) housing and planning precedent***

Objectors claim that recently constructed SEPP 5 and SEPP (Seniors Living) developments in Wahroonga have not been sold and that there is an oversupply. There is concern that the proposal establishes a precedent for similar types of densities/developments in characteristically low density areas within Ku-ring-gai and that the development involved a 'spot rezoning'.

The site is zoned Residential 2(c) and the proposal does not involve a spot rezoning. SEPP (Seniors Living) is a state planning instrument which applies to areas within New South Wales where land is 'zoned for urban purposes' on which dwelling houses, flat buildings, hospitals and special uses (churches education establishments, schools etc) are permissible.

The marketing and sale of the development is not a planning consideration under Section 79C of the Environmental Planning and Assessment Act, 1979. The SEPP allows the development of accessible housing where a site has appropriate access to services, transport and medical facilities. The development does not set a precedent for this type of development within Ku-ring-gai.

***Loss of privacy***

Concern was raised over loss of privacy for directly adjoining properties.

Under Clause 32 of SEPP (Seniors Living), development should consider the acoustic and visual privacy of surrounding properties through the appropriate location and design of buildings, windows, balconies and appropriate vegetation and screening devices.

This issue is detailed within the consideration of SEPP (Seniors Living) below.

Clause 38 stipulates a maximum building height and envelope to protect adjoining development. Clause 38(b) restricts a SEPP (Seniors Living) development to 8m or 2 storeys in height. Subclause (c) requires a building located in the rear 25% of the site to be no more than 1 storey.

The proposed dwellings do not exceed a height of 2 storeys. Proposed Unit 3, located to the rear, adjoining No. 19 Grosvenor Road is single storey in height for the rear 25% section of the site. The second storey of this dwelling is set back 13.5m from the rear boundary or 16m from the north-facing elevation of the rear adjoining dwelling. One small bedroom window is proposed at first floor level of Unit 3. Direct privacy impacts to the rear will not result given the location and size of this window and the existence of landscaping and fencing along the rear boundary.

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The development adjoins a recently constructed 2 storey residence to the east. The ground floor living area of proposed Unit 1 is located 4.5m the eastern side boundary. The family room doors for this dwelling open out to the south. Ground level privacy between dwellings will be protected by and 2.5m high fence and landscaping.

The first floor of proposed Unit 1 is stepped, set back between 4.5m and 7.5m from the eastern boundary. Two small bedroom windows are proposed along the eastern elevation and are located in the corners of Bedrooms 3 and 4, preventing direct sight lines across to the east. The first floor of Unit 3 is set back 11.9m, with one small bedroom window located at the corner of the northern and eastern elevations. It is considered that adequate separation is provided and privacy impacts will not result.

Kintore and Grosvenor Streets adjoin the site to the north and west and the development will not compromise visual or acoustic privacy to residential properties in these directions.

***Inadequate services, public transport and infrastructure to support the development***

Objectors claimed that the site is not within 400m of a reliable/frequent bus service and not within close walking distance of medical and retail facilities.

The site is within 400m of bus stops for the Shorelink 575 and 576 bus routes. Route 576 provides at least 1 service between 8am and 12pm per day and at least 1 service between 12pm and 6pm each day in accordance with Clause 25 of SEPP (Seniors Living). There are also weekend services along route 575.

**Condition Nos 14 and 85** will ensure the appropriate upgrading of utility services for the development. The SEPP requires the provision of a Section 73 certificate for the development, ensuring adequate provision of water services (refer discussion of Clause 27 SEPP (Seniors Living)). Sufficient infrastructure is available to service the development.

***The design and layout represents poor site planning and does not maximise energy efficiency, solar access and natural shading. Inadequate provision is made for garbage disposal and recycling***

Council's Development Engineer has assessed the proposal as being satisfactory with respect to garbage collection.

As detailed within this report, the development is complies with the design requirements of SEPP (Seniors Living) and the Development Control Code for Housing for Older People and People with a disability in relation to energy efficiency and solar performance. Further assessment is provided under of *SEPP (Seniors Living) and the Development Control Code for Housing for Older People and People with a Disability* below.

**CONSULTATION – WITHIN COUNCIL**

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**Engineering**

Council's Development Engineers, Team Leader, Kathy Hawken, has assessed the proposal and made the following comment:

***Traffic***

*The property shares a vehicular crossing with the neighbour at 3 Kintore Street. This is to be retained for the use of Unit 1 only, which is acceptable. Three other entry driveways are to be constructed along the Grosvenor Street frontage. Since the boundary is 48 metres long and Council requires a minimum frontage of 18 metres for two crossings, it is considered that three will be acceptable in this case. Each is for the use of one unit only.*

*Internal garbage collection is not required since the number of units no longer exceeds six.*

*A construction and traffic management plan will be required prior to commencement of works, as well as photographs of the road and Council infrastructure outside the site.*

***Stormwater drainage***

*The stormwater concept plans show retention and re-use of roof water as well as on site detention. This is satisfactory and in accordance with DCP 47.*

***Access***

*The access report confirms that the site is within 400 metres of a bus stop. Some kerb ramps may need to be upgraded. Details can be submitted prior to Construction Certificate issue.*

*The application is supported subject to conditions.*

The application is considered acceptable, subject to engineering conditions which are included in the recommendation.

**Landscape**

Council's Landscape Officer, Geoff Bird, has assessed the application and made the following comment:

*The proposed amendments are considered satisfactory in relation to landscape issues. The amendments are as follows;*

***Tree removal***

*No objection is raised to the removal of the following trees.*

***Tree No / Species / Health & Condition***

*Tree 2 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition*

*Tree 6 / Ulmus sp. (Elm) / 25 metres high in good condition*



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*Tree 7 / Ulmus sp. (Elm) / 12 metres high in good condition*  
*Tree 8 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition.*  
*Tree 9 / Lophostemon confertus (Brushbox) / 25 metres high in fair condition*  
*Tree 12 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition*  
*Tree 15 / Liquidambar styraciflua (Liquidambar) / 14 metres high in poor condition*  
*Tree 21 / Fraxinus sp / 18 metres high in fair condition*  
*Tree 22 / Eucalyptus racemosa (Large Scribbly Gum) / 20 metres high in fair condition*  
*Tree 23A & B / Syncarpia glomulifera (Turpentine) / 25 metres high in good condition*  
*Tree 27 / Syncarpia glomulifera (Turpentine) / 20 metres high in fair condition, smothered in ivy*  
*Tree 29 / Acer negundo (Box Elder) / 10 metres high in fair condition*  
*Tree 30 / Acer negundo (Box Elder) / 10 metres high in fair condition*  
*Tree 32 / Betula pendula (Silver Birch) / 7 metres high in fair condition*  
*Tree 33 / Brachychiton acerifolius (Flame Tree) / 10 metres high in poor condition*

***Recommended tree removal***

*The plans shall indicate the removal of Tree 28 – Eucalyptus racemosa (Large Scribbly Gum) as the main branch has failed and is considered unstable.*

***Tree replenishment***

*Ten (10) existing trees will be retained and will comply with Clause 5.3.6 of DCP38.*

***Stormwater proposal***

*The stormwater plan by Toby Fiander & Associates, Plan No. TFA2944/01 and dated 10/05/05 is considered satisfactory in relation to landscape issues.*

***Deep soil zone***

*The DSZ complies with Clause 81d of the Seniors Living Policy*

***Landscape proposal***

*The landscape plan by Landscape Architectural Services, Drawing No. LPDA 06-86/1 and dated November 2005 is not satisfactory and will require the following amendments.*

- *The 1200mm high picket fence shall be deleted.*
- *The existing healthy mature shrubs along the northern and western boundaries shall be individually noted on the plan to be retained and the replanting of additional species reduced or changed to suit.*
- *The plan shall indicate the removal of Tree 28.*
- *The plan shall note the use of medium to large pebbles as mulch along the eastern boundary as this area will be a stormwater flow path. No ground covers such as Myoporum or Trachelospermum shall be planted as they will interrupt the overland flow.*

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- *The proposed cultivar that will reach a minimum height of 3 to 4 metres of Syzygium paniculatum (Brush Cherry) shall be indicated.*

The above amendments are incorporated in **Conditions Nos 3-5, 64-69 and 77-82.**

## Heritage

Council's Heritage Advisor, Paul Dignam, has assessed the application and made the following comments:

*The application has been amended in the following ways:*

- *4 new dwellings rather than 7 dwellings as proposed in the earlier application;*
- *In form, the dwelling are "town houses" as opposed to "residential flat building" as proposed on the previous application;*
- *On grade car parking, not basement parking;*
- *Common open areas have been removed and each dwelling has its own courtyard area on the ground floor;*
- *Setbacks are improved;*
- *Lifts have been removed and all dwellings have a separate ground floor entrance with upper floor containing the additional bedroom accommodation with living areas on the ground floor;*
- *The upper floor is smaller;*
- *Facades propose similar materials and architectural elements;*
- *First floor balconies have been remove apart from the balcony to unit No. 1; and*
- *A number of trees will be retained around the perimeter of the site.*

*In my earlier memo, I made the following conclusion:*

*'I do not object to demolition of the subject building provided archival recording is undertaken as it is graded as contributory item in UCA 28.*

*In my opinion, the impacts on the nearby heritage items are minor and related to a minor loss of context and setting. There would be no substantial loss of heritage significance to No. 28 Grosvenor Street or 32 Grosvenor Street resulting from this development.*

*The proposed development would impact on the streetscape of Kintore Street, Grosvenor Street and UCA No. 28, primarily because it is not consistent with the existing setbacks, density gardens and landscapes and does not have a harmonious relationship with the low intensity of nearby development as it will read as an attached 'flat type' buildings.*

*In my opinion increase setbacks, unifying the facades to read as two separate distinct buildings rather than attached 'flat type' dwellings and less intensive development on*

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*the site would result in an acceptable impact on the streetscape of Kintore Street, Grosvenor Street and UCA 28.'*

***Impact on nearby heritage items***

*In my earlier memo, I did not consider that the impact on the nearby heritage items at No. 28 and No. 32 Grosvenor Street was sufficient to refuse the application. This revised application has not resulted in additional impacts and is considered satisfactory.*

***Impact on streetscape and UCA***

*The house is similar in scale to other houses in the area, is graded as contributory but is not considered remarkable. The contribution of the existing site to the UCA and streetscape is primarily the contribution of its dense vegetation which visually screens the house and its garden setting.*

*The revised application proposes a 'town house' type development rather than a 'flat type' development as proposed in the first scheme. Parking is on grade rather than basement parking and a separate entry is provided to each dwelling rather than common foyer areas and lifts which is typical of 'flat development'. Some of the tall gums around the perimeter of the site will be retained, which would assist the contribution of the site to the UCA and streetscape. The majority of first floor balconies have been deleted and setbacks are slightly more generous.*

*In my earlier comments, I suggested that increased setbacks, unifying the facades to read as two separate distinct buildings rather than attached 'flat type' dwellings, and less intensive development on the site would result in an acceptable impact on the streetscape of Kintore Street, Grosvenor Street and UCA 28. Some of the suggestions have been followed.*

*The development would read as two large separate buildings rather than 'flat type' accommodation. The setbacks are marginally improved, however, are still not consistent with the setbacks in the existing streetscape and UCA. A number of trees around the perimeter of the site are to be retained. In my opinion, given the standards for Seniors Living, the applicant has tried to develop a workable scheme. However, the fact remains that this type of development does not exist in the streetscape and UCA 28 and conflicts with it mainly due to the intensity of the building on the site, lack of garden setting, the setbacks and conflict with the predominant residential pattern which is single residential houses on medium to large lots with established gardens and generous front and side setbacks.*

***Conclusions and recommendation***

*Demolition of the existing house is acceptable provided archival recording is undertaken prior to demolition.*

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*Impacts on the nearby heritage items are related to loss of context and setting. In my opinion, the revised application would have minor and acceptable impacts on the significance of the nearby heritage items.*

*The revised scheme is an improvement over the first scheme, however, the setbacks and intensity on the site would still conflict with the existing streetscape and UCA. I note that retention of some of the perimeter trees would assist in providing a better relationship with the streetscape and UCA.'*

The proposal will not directly impact upon any heritage items. The proposal has been amended to increase setbacks and to retain additional trees and increase deep soil zones within the front setback. The amended scheme maintains the landscaped curtilage and is generally consistent with the existing neighbourhood character. The proposed development is not considered to unreasonably impact upon the heritage character of the area or the streetscape.

## **PROVISIONS OF RELEVANT LEGISLATION**

### **State Environmental Planning Policy (Seniors Living) 2004**

#### **Part 1 - General**

##### **Clause 2 (c) - Aims of policy:**

Housing is to be of good design. Built form should be designed to respond to the characteristics of the site and surrounding built form (Clause 2(2)).

As discussed within this report, the proposal is considered to be of good design and responds to the site and area characteristics.

#### **Part 2 – Key concepts**

The proposal is defined as 'self contained dwellings' under Clause 13, which means that a dwelling, whether attached or not, provides housing for seniors or people with a disability where private facilities for cooking, sleeping and washing are included in the building.

#### **Part 3 Development for seniors housing**

##### **Part 2- Site related requirements**

Pursuant to Clause 16, the proposal provides an opportunity for housing to be located and designed particularly suited to seniors who are independent and mobile or frailer and people with a disability (regardless of their age).

Under Clause 18, development consent is required from Ku-ring-gai Council for the carrying out of the proposed development.

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Clause 20 requires that Council, as the consent authority, to impose a condition limiting the development for the accommodation of seniors or people who have a disability, people who live within the same household with seniors or people who have a disability or staff employed to assist in the administration of and provision of services to housing provided under this policy.

**Condition No. 35** is recommended in this regard.

**Clause 25 - Location and access to facilities:**

The Policy requires access to facilities and services to be located at a distance of not more than 400m from the site of the proposed development with an overall average gradient of not more than 1:14.

An access report was provided by Accessibility Solutions, which details compliance of the development with the access requirements of SEPP (Seniors Living). Two Shorelink bus services (575 and 576) operate through the area with bus stops in each direction are located approximately 125m from the site. The 576 provides 16 services between 6.39am to 6.48pm Monday to Friday. The 575 service provides 17 services between 9.23am and 9.23pm Monday to Friday, 11 services between 8.23am and 6.23pm Saturdays and 6 services between 8.23am and 6.23pm on a Sunday.

These services connect the site with Wahroonga, North Wahroonga and Turramurra, including stations, shops and medical facilities at Wahroonga and Turramurra. In this regard, the proposal is consistent with the requirements of the SEPP.

SEPP (Seniors Living) stipulates that facilities, either local services or transport links to local services, be provided with an overall average gradient of no more than 1:14. The proposed footpaths in the area have a maximum gradient of 1:30 along Grosvenor Street and 1:40 along Kintore Street. This provides a continuous path of travel for all units and accessibility for people using wheelchairs in accordance with the requirements.

**Clause 27 – Water and sewer**

Clause 27(1) SEPP (Seniors Living) states that Council must not consent to a development application unless satisfied by written evidence that the housing will be connected to a reticulated water system with adequate facilities for the removal or disposal of sewerage.

Hydraulic information has been provided with the application, detailing that satisfactory provision is made for water and sewer. Furthermore, **Condition No. 14** is recommended, requiring the upgrading of water services in accordance with Sydney Water requirements.

**Part 3 – Design requirements**

**Clause 28 – Site analysis**

Clause 28 requires the submission of a site analysis plan accompanied by a written statement detailing the site, surrounding development and how the proposed design responds to the site analysis. Clause 28(3) and (4) sets out in detail the required details to be included in the site analysis documentation.

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A site analysis plan (Plan No. 49105.DA7) has been provided with the application and is consistent with the provisions of Clause 28.

**Clause 30 – Design of residential development**

SEPP (Seniors Living) requires that consent must not be granted unless Council is satisfied that adequate regard has been given to the following design principles (Division 2).

**Division 2 Design principles**

**Clause 31 Neighbourhood amenity and streetscape**

Pursuant to the SEPP, a development should recognise the desirable elements of the area character and

*‘retain, complement and sensitively harmonise with any heritage conservation areas in the vicinity and any relevant heritage items that are identified in a local environmental plan’.*

Development should maintain reasonable neighbourhood amenity and appropriate residential character by providing setbacks to reduce bulk and overshadowing, using building form and siting that relates to the topography of the site, reflecting building heights and street frontages compatible in scale with adjacent development. Planting must be sympathetic to the streetscape.

The proposal is a 1/2 storey townhouse development, surrounded by existing planting which is to be retained and supplementary landscaping. Whilst it is acknowledged that the proposal involves a denser dwelling yield than currently characteristic of the area, the proposal accords with the objectives of SEPP Seniors Living in relation to housing types and accessibility.

The proposed setbacks and landscaping have been modified to maximise the retention of existing trees and landscaped features. Each dwelling facade is uniquely articulated, with detailing which provides architectural relief and prevents monotony within the streetscape. The sandstone wall existing along Kintore Street is to be retained and continued along the Grosvenor Street frontage. This will contribute to the retention of the historical, garden streetscape elements of the area.

Subject to conditions, the architectural design and massing of development, landscaping and fencing references the dominant elements of the existing streetscape, consistent with Clause 31.

**Clause 32 Visual and acoustic privacy**

Clause 32 of SEPP (Senior Living) requires the development to consider the visual and acoustic privacy of neighbours and residents by appropriate site planning, location and design of windows and balconies, use of screening devices and landscaping and locating bedrooms away from driveways, parking area and paths.

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The issue of privacy has been discussed in detail under the *Submissions* section of the report. Sufficient building separation, fencing, landscaping and window placement is provided along the boundaries to prevent direct overlooking. Therefore, the proposal is consistent with Clause 32.

**Clause 33 Solar access and design for climate**

The design of development should provide adequate daylight to main living areas of surrounding neighbours and substantial areas of private open space. Site planning should ensure that dwelling design and landscaping reduces energy use and makes the best practicable use of natural ventilation, lighting by locating the windows of living areas in a northerly direction.

The proposed dwellings feature living/family areas with northern and eastern orientations, providing good sunlight access. Outdoor courtyard areas also face north and east so as to provide good residential amenity for occupants. Shadow diagrams were submitted with the application detailing that shadow cast by the development will not unduly impact upon the outdoor or indoor areas of adjoining properties and the development is acceptable in this regard.

**Clause 34 Stormwater**

Pursuant to SEPP (Seniors Living) development should control and minimise stormwater runoff and impacts. On-site detention should be provided.

Council's Development Engineer is satisfied that, subject to conditions, stormwater can be collected and drained via gravity. Refer *Development Engineer* comments above.

**Clause 35 Crime prevention**

Clause 32 of SEPP (Senior Living) requires the development to provide personal property security for residents and visitors and encourage crime prevention through site planning allowing views from inside each dwelling, general observation of the street, the site and the approaches to dwelling entries.

As noted previously, the proposal provides living areas which overlook approaches to the development. The front setbacks are open and well lit, preventing entrapment areas.

**Clause 36 Accessibility**

Clause 36 of SEPP (Senior Living) requires that attractive, safe, environments are provided for pedestrian and motorists with convenient access and parking for residents and visitors.

The proposed development provides separate pedestrian and vehicular access for each dwelling. Information has been provided by Project Planning and Associates detailing that the driver sight distance/visibility exceeds the minimum requirements specified in *AS 2890.1 (Parking Facilities)* and the *Austroads Guide to Traffic Engineering Projects*. Council's Development Engineer has assessed the accessibility aspects of the proposal and found it to be consistent with Clause 36.

**Clause 37 Waste management**

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The Statement of Environmental Effects states that a waste management facility has been provided at the entry of the development between the entry and exit driveways, details are provided on the site plan. Garbage bins will be stored behind the building line of each dwelling and will be collected via Kintore and Grosvenor Streets according to local services.

A Waste Management Plan has been provided detailing the disposal of demolition materials and is satisfactory.

#### Part 4 - Development standards to be complied with:

Clause 38(i) provides that a consent authority must not consent to a development application made pursuant to this chapter unless the proposed development complies with the standards specified in this clause.

Clause	Standard	Proposal	Compliance
38(2) - Site size	Min 1,000m <sup>2</sup>	1655.8m <sup>2</sup>	YES
38(3) - Site Frontage	Min 20m	43.375m (Grosvenor St) 21.97m (Kintore St)	YES YES
38(4) - Height	Max 8m	8m	YES
38(4)(b) - Height	Not more than 2 storeys in height adjacent to a boundary of the site.	2 storeys	YES
38(4)(c) - Height	A building in the rear 25% area of the site must not exceed 1 storey in height.	1 storey in height in the rear 25% of the site.	YES

The proposal complies with the 8m height limit. Unit 4, which is at the rear of the site complies with the one storey height limit (rear 25% of the site) as detailed above.

**Clauses 41-49** lists specific design/building specifications to ensure access and useability. Accessibility Solutions, access consultants have provided details addressing these aspects. The development will be required to comply by **Conditions Nos 16-18**.

#### Clause 52 – Siting standards

Clause 52 of SEPP states that if the whole of the site does not have a gradient of less than 1:10, 1:10 or 50%, whichever is the greater, dwellings must have wheelchair access by a continuous accessible path of travel.

The access report details that the maximum average gradients are 1:30 along Grosvenor Street and 1:40 along Kintore Street. Wheelchair access and a continuous path of travel is available for all proposed dwellings and the proposal complies with Clause 52.

#### Division 4 – Self contained dwellings



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The access assessment prepared by *Accessibility Solutions* demonstrates compliance with the accessibility requirements in Clauses 53-72.

**Part 7 – Development standards that cannot be used as grounds to refuse consent –**

Clause (a) – Building height	Height to be less than 8m	All dwellings less than 8m in height	<b>YES</b>
Clause (b) - Density & scale	0.5:1	0.49:1	<b>YES</b>
Clause (c) - Landscaped area	Minimum 30% of the site be landscaped (383m <sup>2</sup> )	50% landscaped 40% deep soil	<b>YES</b>
Clause (d) - Deep soil zones	15% site area with 2/3 being located at the rear with minimum dimension of 3m.	Rear: 2/3 min dimension 3m Total 917m <sup>2</sup> or 55%	<b>YES</b>
Clause (e) - Solar access	Min 70% of dwellings receive 3 hours direct sunlight between 9am-3pm in mid-winter.	All dwellings receive 3 hours direct sunlight	<b>YES</b>
Clause (f) - Private open space for in-fill housing	Single level or ground floor dwellings 15m <sup>2</sup> (incl. Area 3m x 3m accessible from living area)	All 2 storey dwellings with >15m <sup>2</sup> of private open space (courtyards)	<b>YES</b>
Clause (g) - Visitor parking	2 parking spaces required for developments comprising 7 or 8 dwellings (not on clearway).	Site not situated on a clearway. One (1) visitor space provide on site (driveway areas) per dwelling	<b>YES</b>
Clause (h) - parking	0.5 car spaces per bedroom (1.5-2 spaces required per proposed dwelling)	2 car parking spaces provided for each proposed dwelling	<b>YES</b>

**State Environmental Planning Policy No 55 - Remediation of Land**

Under Clause 7 of SEPP 55, a consent authority must not grant consent to any development on land unless it has considered whether the land is contaminated, and if contaminated, it is satisfied the land is suitable in its contaminated or remediate state for the purpose for which development is proposed.

There is no evidence to suggest any potential contamination of the site, given the subject site and adjoining properties have historically been used for residential purposes.

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

SREP 20 applies to land within the catchment of the Hawkesbury Nepean River. The general aim of the Plan is to ensure that development and future land uses within the catchment are considered

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in a regional context. The plan includes strategies for the assessment of development in relation to water quality and quantity, scenic quality, aquaculture, recreation and tourism.

The increased hard surfaces proposed will increase stormwater runoff and impact on water quality and volumes to the catchment.

However, Council's Development Engineer is satisfied that stormwater generated as a result of additional impermeable surfaces will be collected in pits, directed into one of 2 proposed on-site detention tanks and either dissipated on to the or directed gradually into Council's piped stormwater system. Subject to conditions, the proposed development is considered acceptable against the provisions of SREP 20.

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

The site is zoned Residential 2(c) under Part 3 of Ku-ring-gai Planning Scheme Ordinance. The erection of a residential flat building (as defined pursuant to the KPSO) is prohibited within the zone. However, the provisions of SEPP (Seniors Living) 2004 override the controls of the KPSO and the proposed SEPP (Seniors Living) 2004 development is permissible pursuant to that SEPP.

Clause 38B does not allow consent to be granted for development unless a water supply is provided to the development and a suitable drainage system can be provided for the development. Council's Development Engineer considers the proposal acceptable with respect to drainage, subject to **Conditions No.'s 14, 72-75, 92-93.**

Schedule 9 sets out the aims and objectives for residential zones:

1. *General aims*

- a. *"to maintain and, where appropriate, improve the existing amenity and environmental character of residential zones; and*
- b. *to permit new residential development only where it is compatible with the existing environmental character of the locality and has a sympathetic and harmonious relationship with adjoining development.*

Specific objectives contained within Schedule 9 that relate to this development must ensure that,

- (c) *any building or development work on a site shall maintain or encourage replacement of tree cover wherever possible to ensure the predominant landscape quality of the municipality is maintained and enhanced;*
- (d) *any building or development work on a site avoids total or near total site utilisation by maintaining a reasonable proportion of the site as a soft landscaping area;*
- (e) *...where larger buildings are proposed they are designed so as not to dominate and so far as possible to harmonise with neighbouring development;*

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(g) ...reasonable space on site for forward entrance and exit of vehicles.

The proposal is considered to accord with the general aims of the KPSO and maintains the existing streetscape and environmental (landscaped) character of the locality. The development will not unduly impact upon the residential amenities of adjoining properties. The layout of the development allows for the retention of significant trees and shrubs along the Grosvenor and Kintore street frontages. The proposal provides for 44% landscaping and an appropriate site density, avoiding overdevelopment of the site. The development provides for the safe movement and maneuvering of vehicles.

## POLICY PROVISIONS

### Seniors Living Policy – Urban Design Guidelines for infill development

DIPNR/Urban Design Advisory Service developed the Seniors Living Policy (urban design guidelines) to promote *'a balance between the need for greater housing choice and the need to safeguard the character of residential neighbourhoods'*. The proposal is assessed against the following guidelines:

- improving neighbourhood fit
- improving site planning and design
- reducing impact on streetscape
- reducing impacts on neighbouring properties

Key issues to consider include: location of living area and private open space in adjacent dwellings, overlooking and overshadowing, retaining neighbours outlook to existing mature planting and tree canopy, reducing apparent bulk and providing adequate building separation.

- Improving internal site amenity (including privacy, safety, security, useability and attractiveness of the living environment)

The proposal has been amended on two occasions in response to concerns from Council staff. The proposed development is considered to represent good site planning and design in that the development provides accessible housing, with good internal amenity, without unreasonably compromising the amenity of existing residents or the streetscape.

The proposal has been designed to reflect existing building forms and styles and to retain significant trees, planting and fencing within the streetscape.

Accordingly, the proposal is therefore consistent with the SEPP (Seniors Living) urban design guidelines.

### Development Control Code 1/99 Housing for Older People and People with a Disability

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Council's Code includes references to the statutory development standards of State Environmental Planning Policy (Seniors Living) in relation to height, density, landscaped area and parking. The Code also provides guidelines relating to development standards considered by Council to be more appropriate to the Ku-ring-gai area.

The Code includes strict locational criteria, particularly regarding shops and facilities. The subject site generally satisfies these requirements. It should be noted that, where requirements in the Code are inconsistent with standards in SEPP (Seniors Living), provisions of the SEPP apply, and local planning controls are set aside.

The following table presents an analysis of the development in respect of the provisions of Council's Development Code.

Provision	Proposed	Compliance
Zoning	Residential 2(C)	YES
500m to local shops	The proposed development is within 400m of a bus service to transport residents to the Wahroonga shopping centre 1.2 km away.	YES
250m to public transport	Bus stop located within 125m of the site.	YES
Site analysis required	Matter addressed under <i>SEPP (Seniors Living)</i> assessment	YES
SEPP (Seniors Living) development standards	Matter addressed in SEPP (Seniors Living)	YES
Sympathetic design	Matter addressed under <i>SEPP (Seniors Living)</i>	YES
Buildings to address street	The front entry, feature windows and roof treatment should be oriented towards the street.	YES
Minimise visual impact of driveway	The entry driveway proposed does have a visual impact.	NO
No bland building facades	The front building facade is well integrated and has variation in the setback.	YES
Emphasise entry	The entry to the building is considered to be satisfactory.	YES
Match setbacks	The proposal does not quite match adjoining setbacks. It is slightly forward of the line between the existing buildings	NO
Integrated garages	Garages are provided under the building.	YES
Level private open space	All units have level open space.	YES
1.8m courtyard fences	No internal fences are proposed.	NO
Living areas link to open space	All units have acceptable open space links.	YES
Landscaping to enhance and screen	Refer to comments by Council's Landscape Development Officer.	YES
Significant trees	Matter addressed above by Landscape Development Officer.	YES
Carparking to meet demand	Matter addressed under <i>SEPP (Seniors Living)</i> .	YES

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Provision	Proposed	Compliance
Energy efficiency	Solar access and cross ventilation is acceptable.	YES
Privacy	Matter addressed under <i>SEPP (Seniors Living)</i>	YES
Lighting	Matter addressed under <i>SEPP (Seniors Living)</i> .	YES
Waste collection	In accordance with Council's Waste Management Policy.	YES
Letterboxes, TV antenna, services, house numbers	Matter addressed in <i>SEPP (Seniors Living)</i> assessment, will comply at Construction Certificate stage.	YES
Covered entry porch	As above	YES
Internal space location, wall length, hobby space and eating areas	As above	YES
Bedroom design	As above	YES
Support services	Matter addressed under <i>SEPP (Seniors Living)</i>	YES

The proposal complies with the requirements of SEPP (Seniors Living) which prevails to the extent of any inconsistency with Councils Controls. Notwithstanding, the proposal is considered to acceptably conform to the above criteria.

### Development Control Plan 31 – Access

Access within the development has been considered in relation to clause 13A of SEPP 5 by the applicant's access consultant and is acceptable.

### Development Control Plan 40 – Waste Management

DCP 40 aims to decrease the impact of waste generated by development and to promote principles of ecologically sustainable development. Waste management facilities should be conveniently located to enable easy access for on-site movement and collection. Proximity to site occupants should be considered in terms of noise and odour control.

Part 2 of the DCP requires an applicant to submit a Construction and Demolition Waste Management DCP.

A Construction and Demolition Waste Management Plan has been submitted with the application, to the satisfaction of Council. Adequate space is provided in association with each proposed dwelling for the safe and tidy storage of garbage bins. The proposal is acceptable when assessed against DCP 40.

### Section 94 Plan

A section 94 contribution is required for the 3 additional dwellings proposed. A credit is given for the existing large dwelling on the site. **Condition No 76** requires payment of this fee with the application for a Construction Certificate.

## LIKELY IMPACTS

The amended proposal is unlikely to have any significant impact on the environment, landscape or scenic quality of the locality, threatened species, populations or ecological communities or their habitats or any other protected fauna or protected native plants.

## SUITABILITY OF THE SITE

The site is suitable for the development proposed.

## ANY SUBMISSIONS

Submissions received have been detailed and addressed above.

## PUBLIC INTEREST

Subject to conditions, the proposal is considered to be in the public interest.

## CONCLUSION

The proposal complies with the objectives and provisions of SEPP (Seniors Living) and associated Urban Design Guidelines, the Ku-ring-gai Planning Scheme Ordinance and Council's Development Control Plans and Codes. Subject to conditions, the proposal will not result in adverse amenity, streetscape or environmental impacts and is recommended for approval.

## RECOMMENDATION

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

THAT the Council, as the consent authority, grant development consent to DA 470/05 for demolition of an existing building and construction of a SEPP Seniors Living Development comprising 4 dwellings on land at 1 Kintore Street, Wahroonga, for a period of two (2) years from the date of the Notice of Determination, subject to the following conditions:

## GENERAL CONDITIONS

1. The development to be in accordance with Development Application No 470/05 and Development Application plans prepared by HSA Architects, reference number 49105.DA1, Issue C, 49105.DA2, Issue C, 49105.DA3, Issue C, 49105.DA4, Issue C, 49105.DA5, Issue C, dated 9 March 2006 and Landscape Plan prepared by Landscape Architectural Services, Drawing No.LPDA 06 – 86/1, dated November 2005 and endorsed with Council's approval stamp, except where amended by the following conditions:
2. The applicant shall ensure that at all times during the construction period no activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order.

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3. No tree roots of 50mm or greater in diameter located within the specified radius of the trunk/s of the following, tree/s shall be severed or injured in the process of any site works during the construction period.

Tree No /Species /Location	Radius From Trunk
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Western boundary	5 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Western boundary	5 metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Southern boundary	7 metres

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

Tree No /Species /Location	Radius From Trunk
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Western boundary	7 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Western boundary	7 metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Southern boundary	7 metres

5. To preserve the following tree, the driveway to Unit 1 shall be constructed of asphalted concrete.

Tree No /Species /Location
Tree 1 / <i>Angophora costata</i> (Sydney Red Gum) / North-eastern corner

6. Stormwater runoff from new hard surfaces generating runoff or landscaped areas that are not at natural ground level shall be piped to the street drainage system. New drainage line connections to the street system shall conform and comply with the requirements described in sections 5.3 and 5.4 of Councils Water Management Development Control Plan 47, available in hard copy at Council and on the Council website.
7. A mandatory rainwater re-use tank system, together with the additional on-site stormwater detention/retention requirements described in chapter 6 of Councils Water Management Development Control Plan 47 (DCP47), shall be provided for the development. DCP47 is available in hard copy at Council and on the Council website.

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8. A maintenance period of six (6) months applies to all work in the public road reserve carried out by the applicant - after the works have been completed to the satisfaction of Ku-ring-gai Council. In that maintenance period, the applicant shall be liable for any section of the completed public infrastructure work which fails to perform in the designed manner, or as would reasonably be expected under the operating conditions. The maintenance period shall commence once the Applicant receives a written indication from Council stating that the works involving public infrastructure have been completed satisfactorily.
9. Where required, the adjustment of any utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the Applicants responsibility to ascertain impacts of the proposal upon utility services and Council accepts no responsibility for any matter arising from its approval to this application involving an influence upon utility services provided by another authority.
10. All public footways and roadways fronting and adjacent to the site are to be maintained in a safe condition at all times during the course of the development works. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to the public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where circulation is diverted on to the roadway, clear directional signage and protective barricades must be installed in accordance with AS1742-3 1996 "*Traffic Control Devices for Work on Roads*". If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.
11. The provision of temporary sediment and erosion control facilities and measures are to be installed, prior to the commencement of any works on the site to eliminate unnecessary erosion and loss of sediment. These facilities must be maintained in working order during construction works and up to the completion of the maintenance period. All sediment traps must be cleared on a regular basis and after each major storm, and/or as directed by the Principal Certifying Authority and Council officers.
12. Driveways and access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standard 2890.1 – 2004 "Off-Street car parking".
13. For the purpose of any inspections by Council engineers, the corresponding fees set out in Councils adopted Schedule of Fees and Charges are payable to Council. A re-inspection fee per visit may be charged where work is unprepared at the requested time of inspection, or where remedial work is unsatisfactory and a further inspection is required. Engineering fees must be paid in full prior to any final consent from Council.
14. The Applicant must obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994*. An application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92. Following



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application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design.

15. Stormwater quality control measures as described in chapter 8 of Councils Water Management Development Control Plan 47 (DCP47), shall be provided for the development. DCP47 is available in hard copy at Council and on the Council website.
16. Your attention is directed to the operation of the Commonwealth Disability Discrimination Act 1992, which may impose greater obligations on providing access to disabled persons other than compliance with the Building Code of Australia. You are advised to seek advice from the Human Rights and Equal Opportunity Commission (phone (02) 9284 9600) in respect of your application.
17. The proposed development is to be compliant with both AS 1428 (Design for Access and Mobility) and AS 4299 (Adaptable Housing) and the design requirements of SEPP (Seniors Living).
18. The interior design of dwellings, ancillary facilities (eg letterboxes, lighting etc) and circulation space within the development shall comply with the standards contained in clause 13A of SEPP 5. A Compliance Certificate prepared by a suitably qualified and experienced person, certifying compliance with the provisions and standards contained in this clause, shall be submitted to the Principal Certifying Authority prior to occupation of the development.
19. The applicant's attention is directed to any obligations or responsibilities under the Dividing Fences Act in respect of adjoining property owner/s which may arise from this application and it is advised that enquiries in this regard may be made at the nearest Local Court.
20. No mobile outdoor surveillance systems shall be installed without prior approval of Council.
21. No advertising signs are to be erected without the prior consent of Council.
22. Master TV antennas are to be provided to avoid having individual antennas. The master antenna should be located at the rear of the site to reduce visibility from the street. Alternatively, location within the roof space should be considered.
23. Letter boxes must be provided in accordance with the requirements of Australia Post and be accessible to wheelchair users
24. On site power must be underground and satisfy the requirements of Energy Australia.
25. Unit/dwelling numbers must be clearly displayed and visible for emergency vehicles and visitors.
26. Each dwelling must have a child proof storage place for poisons or other dangerous substances.

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27. Main entry doors to each unit shall be provided with peep holes.
28. Walls and Fences within the development are to be in accord with Council's Development Control Code 1/99 or as otherwise directed or approved.
29. The development is to provide night lighting along all driveways and footpaths throughout the site such that the full length of travel paths are illuminated. Lighting is to be shielded so that neighbouring residences are not adversely affected.
30. Throughout the development it is necessary to utilise non-slip materials. Surfaces which will be slippery when wet are not permitted. Loose material such as gravel or sand should be avoided near footpaths.
31. Locate TV antenna outlets on interior walls (away from windows and potential glare problems) in positions that maximise, options for TV location in the living and sleeping areas.
32. Locate telephone sockets so that residents have a choice of places/rooms to put a telephone and its related furniture.
33. Courtyard fences between units shall be constructed of masonry to a height of 1.8 metres or as otherwise indicated.
34. The use of landscaping should not affect driver sight distance to see other vehicles/pedestrians etc. for vehicles entering /exiting the subject site. The use of low growing shrubs around driveways is recommended.
35. The creation of a Restriction as to use of land under Section 88E of the Conveyancing Act 1919, restricting the occupation of the premises to:
  - a. People 55 or over or people who have a disability;
  - b. People who live with people 55 or over or people who have a disability;
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
36. The development is to remain as Housing for Aged or Disabled Persons within the meaning of State Environmental Planning Policy (Seniors Living) at all times.
37. All advertising, signage, marketing or promotion of the sale of the dwellings in this development shall make clear reference to the fact that this is a SEPP (Seniors Living) development and that at least one occupier shall be aged 55 years or over or have a disability.
38. For the purpose of ensuring the compliance with the terms of the approval, an approved copy of the plan and this Consent and Construction Certificate shall be kept on site at all times.
39. For the purpose of safety and amenity of the area, no building materials, plant or the like are to be stored on the road or footpath without the written approval being obtained from the

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Council beforehand. The pathway shall be kept in a clean, tidy and safe condition during building operations. Council reserves the right, without notice, to rectify any such breach and to charge the cost against the applicant/owner/builder, as the case may be.

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

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

41. For the purpose of public safety, a sign shall be erected on the site prior to any work commencing which is clearly visible from a public place stating that unauthorised entry to the site is not permitted and showing the name of the builder or another person responsible for the site and a telephone number for contact outside working hours. The sign may only be removed on satisfactory completion of the works.
42. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
43. To maintain existing ground levels all excavated material shall be removed from the site.
44. For the purpose of maintaining visual amenity, no permanent electricity supply poles are to be erected forward of the building setback without the prior Consent of Council. It is the onus of the applicant to consult with the authorised statutory electricity provider prior to construction commencing to ensure that direct connection to the building is possible. Details of any proposed permanent pole must be submitted to and approved by Council prior to installation.
45. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
46. All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

47. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a. must preserve and protect the building from damage, and

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- b. if necessary, must underpin and support the building in an approved manner, and
- c. must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

- 48. Toilet facilities are to be provided, within the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- 49. All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and Public Holidays. Furthermore, the operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dbA above the background when measure at the nearest adjoining boundary.
- 50. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
- 51. Demolition work, including removal of material or debris from the site, on any building in a residential area shall only be carried out during the following hours: Mondays to Fridays inclusive: 7.00am to 5.30pm. Saturdays: 8.00am to 12.00 noon. Sundays and Public Holidays: Not Permitted.
- 52. A person taking down or demolishing or causing to be taken down or demolished any building or part thereof shall, upon identifying or suspecting that asbestos is present in the building, immediately notify the Workcover Authority. The Authority is the controlling body for the safe removal, handling and disposal of asbestos. The Authority supervises and monitors contractors engaged in asbestos removal.

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

- 53. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
- 54. Dust control measures shall be taken on all demolition sites so as to avoid a nuisance to adjoining properties and harm to the environment.

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- a. A person taking down or demolishing or causing to be taken down or demolished any building or portion of any building shall:
    - i. cause the windows or other openings in the external walls to be close boarded or otherwise covered;
    - ii. cause screens of canvas, hessian, boards, mats or other suitable material to be fitted in appropriate locations;
    - iii. cause areas, components and debris to be wetted down; in such a manner as to minimise, as far as practicable, the nuisance arising from the escape of dust during such taking down or demolition.
  - b. Such person shall not chute, throw or let fall or cause to chute, throw or let fall from the floor to floor or into any basement of such building any building materials or any other matter so as to cause dust to escape from the building or cause any such material to fall or cast upon a public way to the annoyance, inconvenience, or danger of persons using such public way.
55. Soil on vacant sites is to be stabilised as soon as possible to prevent erosion and the site shall be kept clear of excess vegetation.
56. Existing stormwater lines on the site are to be blocked and made inoperable after buildings are demolished so as to prevent the conveyance of silt or sediments into the gutter or street drainage system.
57. Materials salvaged from a demolition may be stored on site provided they are non combustible, neatly and safely stockpiled and not likely to become a harbourage for vermin.
58. Buildings built prior to the 1970's may contain lead based paint. Lead dust is a hazardous substance. You are advised to follow the attached WorkCover guidelines to prevent personal and environmental contamination.

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

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

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

60. It is a condition of consent that the applicant, builder or developer or person who does the work on this residential building project arrange the Builders Indemnity Insurance and submit the Certificate of Insurance in accordance with the requirements of Part 6 of the *Home Building Act 1989* to the Council or other Principal Certifying Authority for endorsement of the plans accompanying the Construction Certificate. It is the responsibility of the applicant, builder or developer to arrange the Builder's Indemnity Insurance for residential building work over the value of \$12,000 and to satisfy the Council or other Principal Certifying

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Authority by the presentation of the necessary Certificate of Insurance so as to comply with the applicable requirements of Part 6 of the *Home Building Act 1989*. The requirements for the Builder's Indemnity Insurance does not apply to commercial or industrial building work or for residential work less than \$12,000, nor to work undertaken by persons holding an Owner/Builder's Permit issued by the Department of Fair Trading (unless the owner/builder's property is sold within 7 years of the commencement of the work).

61. The Infrastructure Restorations Fee calculated in accordance with the Council's adopted schedule of Fees and Charges is to be paid to the Council prior to any earthworks or construction commencing. The applicant or builder/developer will be held responsible for and liable for the cost any damage caused to any Council property or for the removal of any waste bin, building materials, sediment, silt, or any other article as a consequence of doing or not doing anything to which this consent relates. "Council Property" includes footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, litter bins, trees, shrubs, lawns mounds, bushland, and similar structures or features on road reserves or any adjacent public place. Council will undertake minor restoration work as a consequence of the work at this site in consideration of the "Infrastructure Restorations Fee" lodged with the Council prior to the release of the Construction Certificate. This undertaking by the Council does not absolve the applicant or Builder/developer of responsibility for ensuring that work or activity at this site does not jeopardise the safety or public using adjacent public areas or of making good or maintaining "Council property" (as defined) during the course of this project.
62. Prior to commencing any construction or subdivision work, the following provisions of the Environmental Planning & Assessment Act, 1979 (the 'Act') are to be complied with:
  - a. A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
  - b. A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
  - c. Council is to be notified in writing, at least two (2) days prior to the intention of commencing buildings works, in accordance with Section 81A(2)(c) of the Act.
  - d. Should the development be certified by a Principal Certifying Authority other than Council, a fee for each Part 4A Certificate is to be paid to Council on lodgement of those Certificates with Council.
63. The applicant shall ensure that no underground services (ie water, sewerage, drainage and gas) shall be laid beneath the canopy of any tree protected under Council's Tree Preservation Order, located on the subject allotment and adjoining allotments.

A plan detailing the routes of these services shall be submitted to the Principal Certifying Authority for approval prior to the release of the Construction Certificate.
64. The submitted landscape plan by Landscape Architectural Services, Drawing No. LPDA 06-86/1 and dated November 2005 is not approved. An amended plan and specification of the proposed landscape works for the site shall be prepared in accordance with Council's Development Control Plan No 38, and conditions of consent by a Landscape Architect or qualified Landscape Designer to enhance the amenity of the built environment and protect the

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Ku-ring-gai landscape character. The plan must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The landscape works shall be carried out in accordance with the approved landscape plan.

The following amendments to the plan shall apply:

- The 1200mm high picket fence shall be deleted.
  - The existing healthy mature shrubs along the northern and western boundaries shall be individually noted on the plan to be retained and the replanting of additional species reduced or changed to suit.
  - The plan shall indicate the removal of Tree 28.
  - The plan shall note the use of medium to large pebbles as mulch along the eastern boundary as this area will be a stormwater flow path. No ground covers such as Myoporum or Trachelospermum shall be planted as they will interrupt the overland flow.
  - The proposed “cultivar” that will reach a minimum height of 3 to 4 metres of Syzygium paniculatum (Brush Cherry) shall be indicated.
65. The property shall support a minimum number of 10 canopy trees that will attain 13.0 metres in height on the site, to preserve the tree canopy of Ku-ring-gai, the existing tree/s, and additional tree/s to be planted, shall be shown on the Landscape Plan/Site Plan. The plan shall be prepared by a Landscape Architect or qualified Landscape Designer and be submitted to the Principal Certifying Authority for approval prior to release of Construction Certificate.
66. A cash bond/bank guarantee of \$8,000.00 shall be lodged with Council as a Landscape Establishment Bond prior to the release of the Construction Certificate to ensure that the landscape works are installed and maintained in accordance with the approved landscape plan or other landscape conditions.

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

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

67. A cash bond/bank guarantee of \$15,000.00 shall be lodged with Council prior to the release of the Construction Certificate to ensure that the following trees are maintained in the same condition as found prior to commencement site development work.

The bond will be returned following issue of the Occupation Certificate, provided the trees are undamaged.

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In the event that any specified trees are found damaged, dying or dead as a result of any negligence by the applicant or its agent, or as a result of the construction works at any time during the construction period, Council will have the option to demand the whole or part therefore of the bond.

Tree No /Species /Location /Bond

Tree 1 / *Angophora costata* (Sydney Red Gum)  
/ North-eastern corner  
/ \$4,000.00

Tree 5 / *Lophostemon confertus* (Brushbox)  
/ North-western corner  
/ \$3,000.00

Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ Middle of western boundary  
/ 2,000.00

Tree 11 / *Pinus patula* (Mexican Pine)  
/ Middle of western boundary  
/ \$2,000.00

Tree 24 / *Eucalyptus pilularis* (Blackbutt)  
/ Middle of southern boundary  
/ \$4,000.00

68. To preserve the following trees the proposed driveways to Units 2 & 3 shall be constructed at existing soil levels and suspended on isolated piers within the specified radius of the trunks. The piers shall be located such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

Tree No /Species /Location	Radius in metres
Tree 10 / <i>Eucalyptus racemosa</i> (Large Scribbly Gum) / Western boundary	7 metres
Tree 11 / <i>Pinus patula</i> (Mexican Pine) / Western boundary	7 metres

69. To preserve the following tree/s, footings of the proposed Unit 4 shall be isolated pier or pier and beam construction within the specified radius of the trunk/s. The piers shall be located



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such that no roots of a diameter greater than 50mm shall be severed or injured in the process of any site works during the construction period. The beam shall be located on or above existing soil levels.

The location and details of the footings shall be submitted to the Principal Certifying Authority for approval prior to release of the Construction Certificate.

Tree No /Species /Location	Radius in Metres
Tree 24 / <i>Eucalyptus pilularis</i> (Blackbutt) / Middle of southern boundary	7 metres

70. Prior to issue of the Construction Certificate, submission of details and certification by a qualified civil/traffic engineer, for approval by the Principal Certifying Authority (PCA), that the parking provisions comply with the following standards:

- The State Environmental Planning Policy for Seniors Living (particularly relating to height clearances and space dimensions) and
- Australian Standard 2890.1 – 2004 “Off-street car parking”.

71. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a Soil and Erosion Control Plan prepared in accordance with the Landcom document “Managing Urban Stormwater – Soils and Construction, Volume 1” (2004). A suitably qualified and experienced civil/environmental engineer or surveyor shall prepare this plan in accordance with the above guidelines and section 8.2.1 of Councils Water Management DCP 47 (avail able on the Council website).

72. The Applicant must carry out the following infrastructure works in the Public Road:

Construct kerb ramps to Council’s specification between the subject site and the nearest bus stop.

Development Consent under the EP&A Act does NOT give approval to these works on Council property. **THE APPLICANT MUST OBTAIN A SEPARATE APPROVAL UNDER SECTION 138 AND 139 OF THE ROADS ACT 1993** for the works in the Public Road, required by this condition. The Construction Certificate must not be issued, and these works must not proceed, until Council has issued a formal written consent under the *Roads Act 1993*.

To obtain consent under the *Roads Act 1993* for the infrastructure works on Council property, full engineering drawings (plans, sections and elevations) and specifications for the infrastructure works are to be prepared by a suitably qualified and experienced consulting civil engineer. These must be submitted and approved by Council prior to issue of the Construction Certificate. Construction of the works must proceed in accordance with any conditions attached to the Council *Roads Act 1993* approval.

All works are to be designed in accordance with Council’s “Specification for Road and Drainage Works”. In addition, the drawings must detail existing services and **trees affected**

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**by the works**, erosion control requirements and traffic management requirements during the course of works. Traffic management is to be certified on the drawings as being in accordance with the documents SAA HB81.1 – 1996 – Field Guide for Traffic Control at Works on Roads – Part 1 and RTA Traffic Control at Work Sites (1998).

NOTE 1: A minimum of three (3) weeks will be required for assessment of Roads Act submissions. Early submission is highly recommended to avoid delays in obtaining a Construction Certificate.

NOTE 2: An engineering assessment fee (set out in Council's adopted fees and charges) is payable and Council will withhold any consent and approved plans until full payment of the correct fees.

NOTE 3: Plans and specifications must be marked to the attention of Council's Development Engineers. In addition, a copy of this condition must be provided, together with a covering letter stating the full address of the property and the accompanying DA number.

73. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), full construction drawings for the proposed method of achieving Council storage volume requirements for an on-site stormwater detention/retention system. The design may be generally based on the concept plans TFA2944/01 Sheets 1 to 3 Issue A by Toby Fiander & Associates, advanced for construction purposes. The storage volumes and design shall comply with Councils Water Management DCP 47 (available on the Council website and at Council customer services), the manufacturers' specifications and the relevant plumbing codes. Rainwater tank(s) shall be designed to capture and retain runoff from a minimum 100m<sup>2</sup> roof area for each 5000 litres of storage. Overflow shall revert to the main drainage system. Water quality measures are to be included as required by DCP47. The design and construction plans, with all supporting documentation, are to be prepared by a qualified and experienced civil/hydraulic engineer and may be incorporated on the overall site drainage plan.
74. Prior to issue of the Construction Certificate the applicant shall submit, for approval by the Principal Certifying Authority (PCA), construction design drawings and calculations for the property drainage system components. The property drainage system (including but not limited to gutters, downpipes, pits, joints, flushing facilities and all ancillary plumbing) shall be designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence) and shall be compatible with the necessary retention and/or detention devices. Plans and calculations are to be prepared by a suitably qualified and experienced civil/hydraulic engineer in accordance with Councils Water Management Development Control Plan 47 available on the Council website and at Council, and AS 3500.2 - Plumbing and Drainage Code.
75. Prior to issue of the Construction Certificate footpath and driveway levels for the new vehicular crossings between the property boundary and road alignment must be obtained from Council. The footpath crossings are to be constructed according to Council's specifications "Construction of Gutter Crossings and Footpath Crossings". These are issued with alignment

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levels after completing the necessary application form at Customer Services and payment of the adopted fee.

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

NOTE 1: The construction of footpaths and driveways outside the property, in materials other than those approved by Council, is not permitted and Council may require immediate removal of unauthorised installations.

NOTE 2: When completing the request for driveway levels application from Council, the applicant must attach a copy of the relevant Development Application drawing which indicates the position and proposed level of the proposed driveway at the boundary alignment. Failure to submit this information may delay processing.

76. A contribution is to be paid for the provision, extension or augmentation of community facilities, recreation facilities, open space and administration that will, or are likely to be, required as a consequence of development in the area.

TOTAL CONTRIBUTION FOR THIS DEVELOPMENT OF 4 (FOUR) ADDITIONAL DWELLINGS IS CURRENTLY \$12,306.64 (including a credit for the existing dwelling on the site). The amount of the payment shall be in accordance with the Section 94 charges as at the date of payment. The charges may vary at the time of payment in accordance with Council's Section 94 Contributions Plan to reflect changes in land values, construction costs and the consumer price index.

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

1. Community Facilities (If Seniors Living \$412.07)	\$1,117.76
2. Park Acquisition and Embellishment Works - Wahroonga	\$6,574.28
3. Sportsgrounds Works	\$1,318.32
4. Aquatic / Leisure Centres	\$27.82
5. Traffic and Transport	\$150.28
6. Section 94 Plan Administration	\$100.04

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

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## OCCUPANCY RATES FOR DIFFERENT DWELLING SIZES

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

## CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

77. To preserve and enhance the natural environment, the downslope side of the proposed construction area of the site is to be enclosed with a suitable erosion control barrier (e.g. straw bales or geofabric fence) along contour before any other work on the site commences.

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

Tree No /Species /Location

Tree 1 / *Angophora costata* (Sydney Red Gum)  
/ North eastern corner

Tree 16 / *Eucalyptus racemosa* (Large Scribbly Gum)  
/ South western corner

Tree 36 / *Nyssa sylvatica* (Tupelo)  
/ Grosvenor Street nature strip

79. To preserve the following tree/s, no work shall commence until the area beneath the canopy of the following tree/s excluding that area of the proposed driveways is fenced off at the specified radius from the trunk/s to prevent any activities, storage or the disposal of materials within the fenced area. The fence/s shall be maintained intact until the completion of all demolition/building work on site.

Tree No /Species /Location

Radius in Metres

Tree 3 / *Acer palmatum* (Japanese Maple)  
/ Northern boundary

3 metres

Tree 5 / *Lophostemon confertus* (Brushbox)

3 metres

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/ North western corner

Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)

3 met res

/ Middle of western boundary

Tree 11 / *Pinus patula* (Mexican Pine)

3 metres

/ Middle of western boundary

Tree 24 / *Eucalyptus pilularis* (Blackbutt)

5 metres

/ Middle of southern boundary

Tree 34 / *Acer palmatum* (Japanese Maple)

3 metres

/ Front boundary

*Franklinia axillaris* (Gordonia)

3 metres

/ Western boundary near northern end

80. The tree protection fence shall be constructed of galvanised pipe at 2.4 metres spacings and connected by securely attached chain mesh fencing to a minimum height of 1.8 metres prior to work commencing.

81. To preserve the following tree, no work shall commence until temporary measures to avoid soil compaction (eg rumble boards) beneath the canopy of the following tree is installed over the proposed designated construction entrance/exit off Grosvenor Street.

Tree/Location

Tree 10 / *Eucalyptus racemosa* (Large Scribbly Gum)

/ Middle of western boundary

82. Upon completion of the installation of the required tree protection measures you are required to arrange for an inspection of the site by the Principal Certifying Authority to verify that tree protection measures comply with all relevant conditions. Following the carrying out of a satisfactory inspection and subject to the payment of all relevant monies and compliance with any other conditions of approval, work may commence.
83. Prior to the commencement of **any** works on site the applicant must submit, for review by Council Engineers, a *Construction and Traffic Management Plan*. The following matters must be specifically addressed in the Plan:

**A plan view of the entire site and frontage roadways indicating:**

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries

Item 4

- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.

**Traffic Control Plan(s) for the site**

- All traffic control devices installed in the road reserve must be in accordance with the RTA publication "Traffic Control Worksite Manual" and be designed by a licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
  - Approval is to be obtained from Ku-ring-gai Council for any temporary road closures or crane use from public property.
  - The construction management measures contained in the approved plan shall be implemented in accordance with the plan prior to the commencement of, and during, works on-site including excavation. As the plan has a direct impact on the local road network, the plan shall be submitted to and reviewed by Council, attention Development Engineer. A written acknowledgment from Council engineers shall be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to the commencement of any works on site. A fee is payable for the assessment of the plan by Ku-ring-gai Council.
84. Prior to the commencement of any works on site the applicant must submit to Ku-ring-gai Council and the Principal Certifying Authority a photographic record on the visible condition of the existing public infrastructure over the full site frontage (in colour - preferably saved to cd-rom in 'jpg' format). The photos must include detail of:
- The existing footpath
  - The existing kerb and gutter
  - The existing full road surface between the opposite kerb
  - The existing verge area
  - The existing driveway and layback where to be retained
  - Any existing drainage infrastructure including pits, lintels, grates.
  - Particular attention must be paid to accurately recording any pre-developed *damaged* areas on the aforementioned infrastructure so that Council is fully informed when assessing damage to public infrastructure caused as a result of the development (which is not to be repaired by the Applicant as part of the development). The developer may be held liable to all damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded and demonstrated under the requirements of this condition prior to the commencement of any works.
85. A Compliance Certificate pursuant to Section 73 Sydney Water Act 1994, as evidence of compliance with the provisions of Division 9 of that Act, to be obtained from Sydney Water prior to the commencement of any work on the site.
86. A simple photographic record of the affected parts of the heritage item are to be submitted to Council prior to the commencement of work. Recording shall be undertaken in accordance

Item 4

with the *Guidelines for Photographic Recording of Heritage Sites, Building and Structures* prepared by the New South Wales Heritage Office.

Information shall be bound in an A4 report format. It shall include copies of black and white photographs, referenced to plans of the affected property. Two (2) copies (one (1) copy to include negatives of photographs) shall be submitted to Council's Department of Environmental and Regulatory Services, to be held in the Local Studies Collection of Kuring-gai Library.

### CONDITIONS TO BE COMPLIED WITH PRIOR TO OCCUPATION

87. The landscape works, shall be installed in accordance with the approved plan/s and/ or conditions of consent, be completed prior to release of Occupation Certificate and be maintained in a healthy and vigorous condition at all times.
88. The Principal Certifying Authority shall ensure that the landscape works, have been installed correctly, consistent the approved landscape plan(s), specification and the conditions of consent prior to release of the Occupation Certificate.
89. Prior to issue of an Occupation Certificate, the following works must be completed:
  - a. Construction of the new driveway crossings and laybacks in accordance with the levels and specifications issued by Council,
  - b. Removal of all redundant driveway crossings, pipe crossing and/or kerb laybacks. Full reinstatement of these areas to footway, and/or turfed verge and/or kerb and gutter to the satisfaction of Council. Reinstatement works shall match surrounding adjacent infrastructure with respect to integration of levels and materials.
  - c. Any sections of damaged grass verge are to be fully replaced with a non-friable turf of native variety to match existing.

Any damaged public infrastructure caused as a result of construction works on the subject site (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) must be fully repaired to the satisfaction of Council. This shall be at no cost to Council.

90. Prior to issue of an Occupation Certificate, the approved road, footpath and/or drainage works must be completed in the road reserve, in accordance with the Council approved *Roads Act 1993* drawings, conditions and specifications. The works must be supervised by the applicant's designing engineer and the works shall be completed and approved in full to the satisfaction of Council's Engineers. The supervising consulting engineer is to provide certification upon completion that the works were constructed in accordance with the Council approved drawings. The works are also to be subject to inspection by Council at the hold points noted on the approved drawings. Any conditions attached to the approved drawings for these works must be met in full.
91. Prior to issue of an Occupation Certificate, the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority (PCA).

Item 4

92. Prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate (and at the completion of works), the applicant shall submit to the Principal Certifying Authority (PCA) certification from a suitably qualified and experienced traffic/civil engineer, that:
- The dimensions of all as-constructed private carparking spaces meet the dimension requirements of the Seniors Living SEPP (as last amended), and
  - The as-constructed carpark complies with the approved Construction Certificate plans, and
  - The vehicular headroom requirements of:  
the Seniors Living SEPP (as last amended) for accessible parking spaces, and  
Australian Standard 2890.1 - "Off-street car parking", are met.
93. Prior to issue of the Occupation Certificate a qualified and experienced consulting civil/hydraulic engineer must undertake a site inspection of the completed stormwater drainage and management system. The engineer is to provide written certification based on the site inspection to the Principal Certifying Authority, prior to issue of the Occupation Certificate, which makes specific reference to all of the following:
- Approved Construction Certificate drainage plans.
  - That the minimum retention and on-site detention storage volume requirements of BASIX and Ku-ring-gai Council Water Management DCP 47 respectively, have been achieved in full.
  - That retained water is connected and available for uses including all toilet flushing, laundry and garden irrigation.
  - That all grates potentially accessible by children are secured.
  - That components of the new drainage system have been installed by a licensed plumbing contractor in accordance with the Plumbing and Drainage code AS3500.3 2003 and the BCA, and
  - All enclosed floor areas, including habitable and garage floor levels, are safeguarded from outside stormwater runoff ingress by suitable differences in finished levels, gradings and provision of stormwater collection devices.
  - The following certification sheets must be accurately completed and attached to the certification:
    - Rainwater retention certification sheet contained at appendix 13 of Water Management DCP 47
    - On-site detention certification sheet contained at appendix 4 of Water Management DCP 47.
94. Prior to issue of the Occupation Certificate a registered surveyor must provide a Works-as-Executed (WAE) survey of the completed stormwater drainage and management systems. The WAE plan(s) must be submitted to the Principal Certifying Authority for approval prior to issue of the Occupation Certificate. The WAE survey must indicate:
- As built (reduced) surface and invert levels for all drainage pits.
  - Gradients of drainage lines, materials and dimensions.



Item 4

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

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

95. Prior to issue of an Occupation Certificate, the applicant is to create a Restriction-on-Use under the Conveyancing Act, restricting the occupation of the premises to:
- a. People aged 55 years or over, or people with a disability as defined by the provisions of the State Environmental Planning Policy for Seniors Living.
  - b. People who live with such people as defined in (a) above.
  - c. Staff employed to assist in the administration of and provision of services to housing provided in this development.
96. Prior to issue of an Occupation Certificate, the applicant shall create a Positive Covenant and Restriction on the Use of Land under Section 88B of the Conveyancing Act 1919, burdening the property with the requirement to maintain the on-site stormwater detention/retention and re-use facilities on the property. The terms of the instruments are to be generally in accordance with the Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" (available from Council on request) and to the satisfaction of Council. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority (PCA) prior to occupation, issue of an Occupation Certificate or issue of the Final Compliance Certificate.

For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention/ retention facility, in relation to the building footprint, must be shown on a scale sketch, attached as an annexure to the request forms.

Item 4

N Richter  
**Acting Team Leader**  
**Development Assessment -**  
**North**

R Kinninmont  
**Acting Manager**  
**Development Assessment**  
**Services**

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

**Attachments:**      **Location Sketch - 629357**  
                             **Zoning extract - 629362**  
                             **Elevations - 629364**  
                             **Shadow diagrams - 629368**  
                             **Confidential attachments (Floor, landscape and site plans)**

**1 Kintore Street, WAHROONGA NSW**



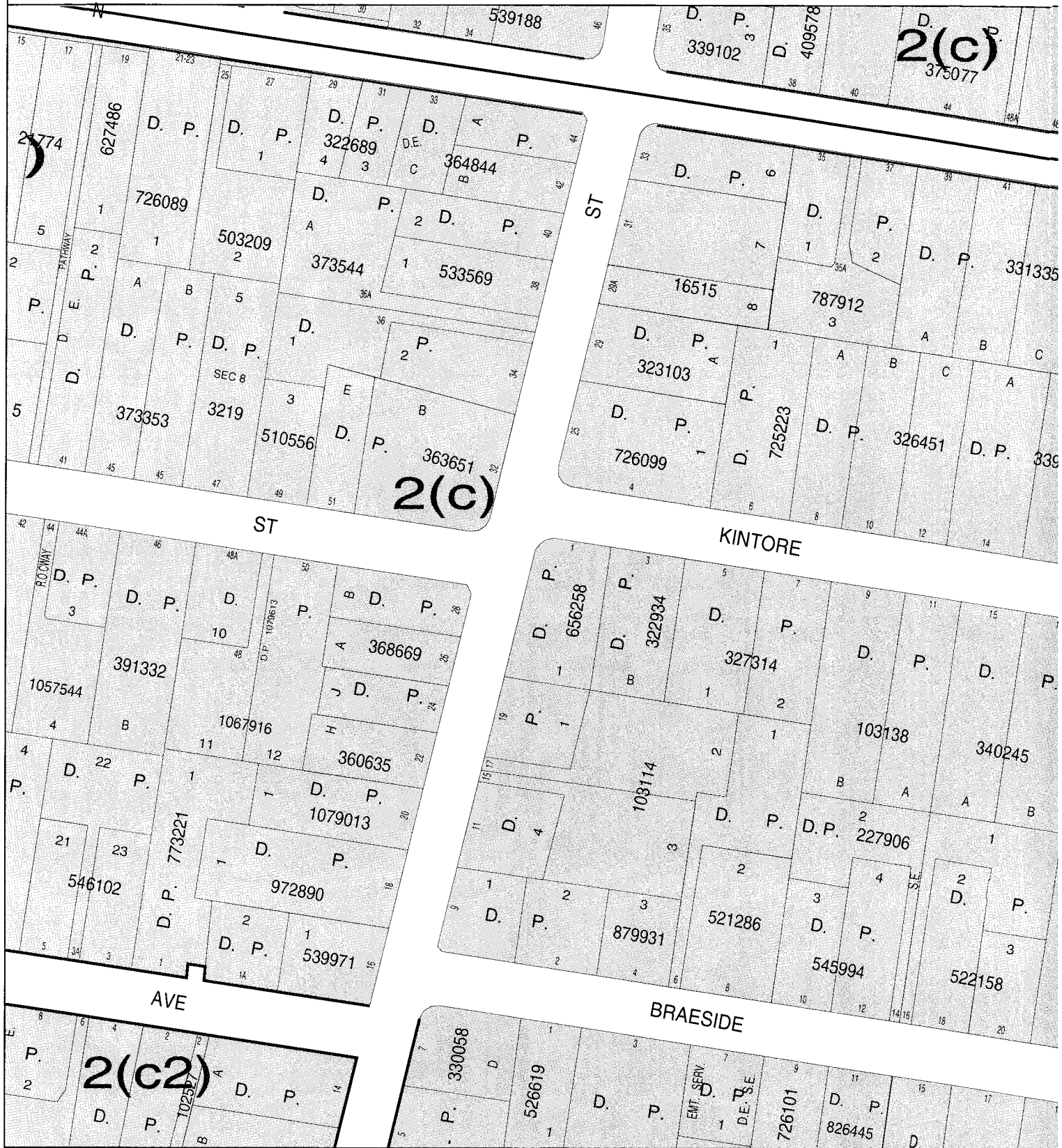
Page 1



**DATE: 31-05-2005**

# Zoning Extract

## 1 KINTORE STREET WAHROONGA



### ZONES

#### 2. RESIDENTIAL

- (a) RESIDENTIAL A
- (b) RESIDENTIAL B
- (c) RESIDENTIAL C
- (c1) RESIDENTIAL C1
- (c2) RESIDENTIAL C2
- (d) RESIDENTIAL D
- (d3) RESIDENTIAL D3
- (e) RESIDENTIAL E
- (f) RESIDENTIAL F
- (g) RESIDENTIAL G

#### 3. BUSINESS

- (a) RETAIL SERVICES
- FLOOR SPACE RATIOS
- A1 2.0:1
- A2 1.0:1
- A3 0.75:1
- (b) COMMERCIAL SERVICES
- FLOOR SPACE RATIOS
- B1 1.0:1
- B2 1.0:1

#### 5. SPECIAL USES

- (a) SPECIAL USES A (Schools etc)
- (a1) SPECIAL USES A1
- (b) SPECIAL USES (Railway)

#### 6. OPEN SPACE

- (a) RECREATION EXISTING
- (b) RECREATION PRIVATE
- (c) RECREATION PROPOSED

### RESERVATIONS

#### OPEN SPACE

- (a) OPEN SPACE (Public Parks & Recreation)
- (b) COUNTY OPEN SPACE
- SPECIAL USES
- SPECIAL USES (Parking etc)

#### ROADS

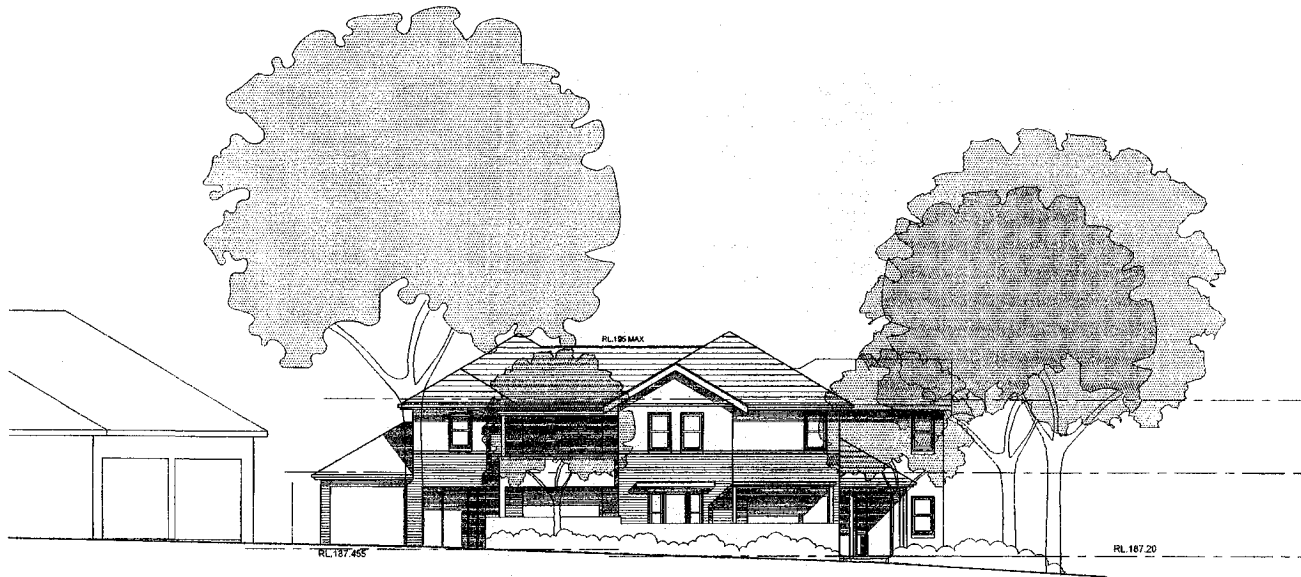
- (a) COUNTY ROAD PROPOSED
- (b) COUNTY ROAD WIDENING
- (c) LOCAL ROAD PROPOSED

### GENERAL

- EXISTING COUNTY ROAD
- OTHER PLANNING INSTRUMENTS



Scale: 1:2000  
Date: 07-06-2006



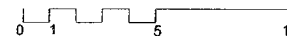
NORTH ELEVATION  
(KINTORE ROAD)

EXTERNAL FINISHES		
WALLS	FACE BRICK RENDERED & PAINTED Balcony Elements Walls above Face Brick	Boral "Herford Bronze"  Dulux "Regency White"
VERANDAH POSTS AND BEAMS	PAINTED TIMBER	Dulux "Egyptian Red"
LOUVRE PANELS	CEDAR	Natural-stain finish
ROOF	CONCRETE ROOF TILES	Boral StyleLinea Colour "Charcoal"
EAVES GUTTERS	COLORBOND STEEL	"Slate Grey"
FASCIAS	PAINTED TIMBER	Dulux "Beige"
WINDOWS	POWDER COATED ALUM.	"Off White"



WEST ELEVATION  
(GROSVENOR STREET)

ISSUE	DATE	REVISION / AMENDMENT
A	6.5.05	DEVELOPMENT APPLICATION
B	31.10.05	Amended elevations, drawing No. amended
C	9.3.06	Increased distance between road 2 and 3 garages Unit 4 rooftop amended: Windows to be 4 screens



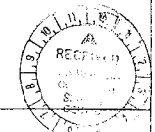
Hugh Statyer & Associates  
Architects Pty Ltd trading as Hugh Statyer & Associates  
ABN 75 001 873 689

Suite 1, 11 West St. North Sydney 2060  
Phone: (02) 9925 0104  
Fax: (02) 9957 1832  
email: info@hstatyer.com.au

HSA  
Architects

PROJECT  
1 KINTORE STREET, WAHROONGA

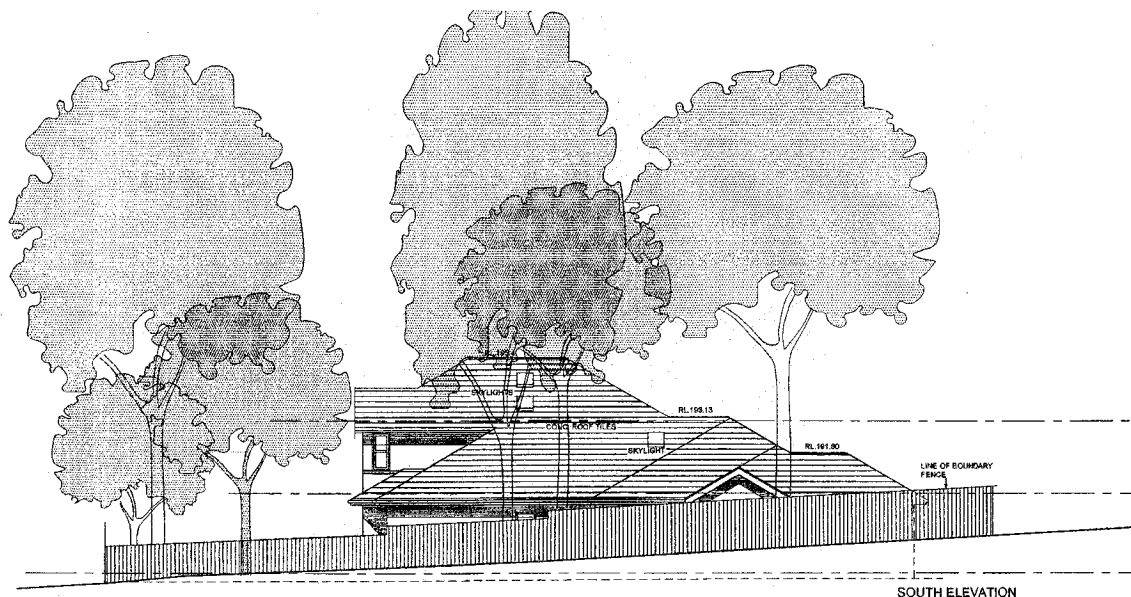
DRAWING  
ELEVATIONS



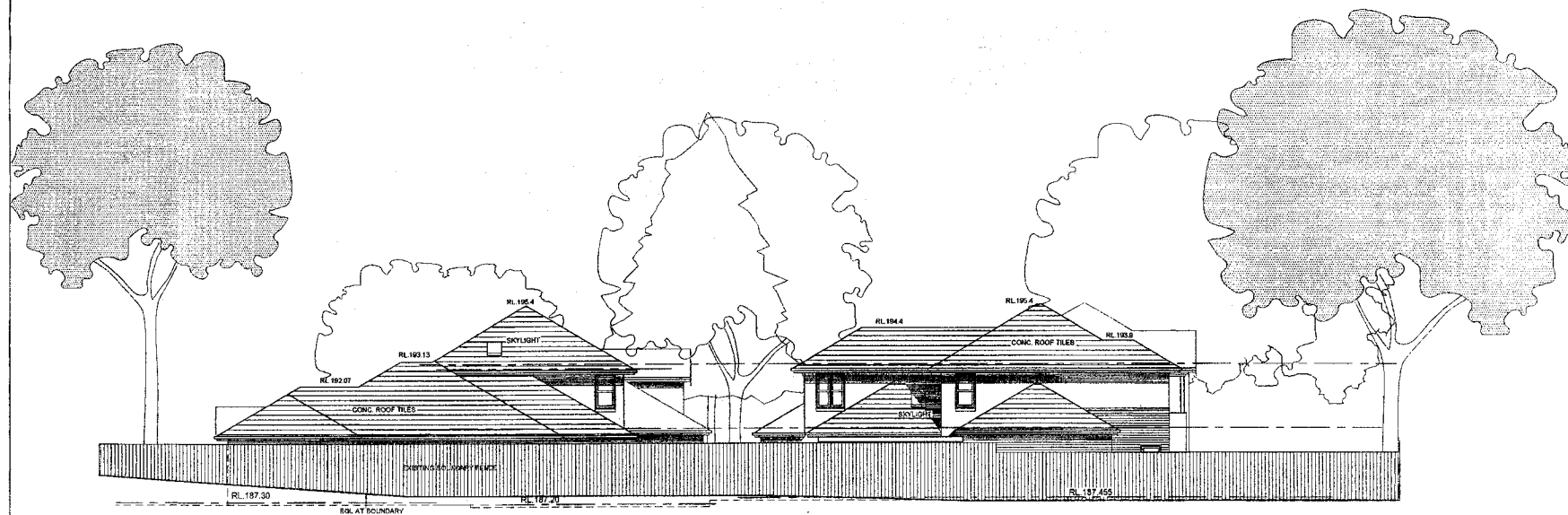
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ISSUE  
c

SCALE DATE APPR/ART

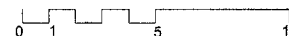


SOUTH ELEVATION



EAST ELEVATION

ISSUE	DATE	ISSUE / AMENDMENT
A	05.05	DEVELOPMENT APPLICATION
B	31.10.05	Amended elevations, Activity No. amended
C	03.08	Uppt 4 outline amended



Hugh Slatyer & Associates  
Architects

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email: hsa@ozemail.com.au

**HSA**  
Architects

PROJECT  
1 KINTORE STREET, WAHROONGA

DRAWING  
ELEVATIONS

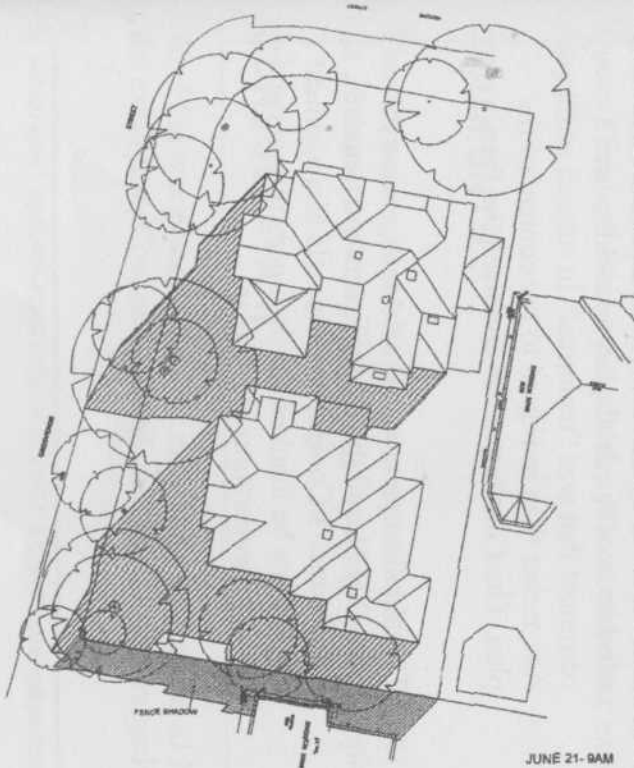


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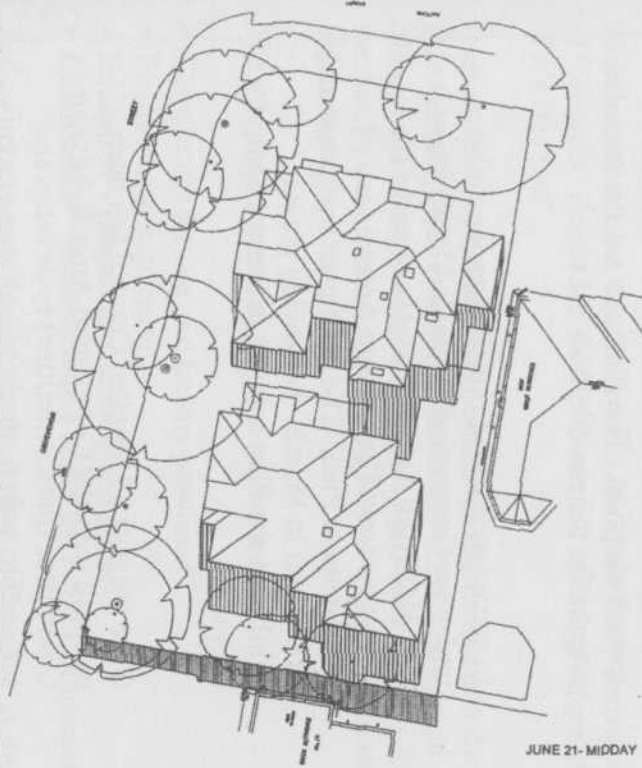
SHEET  
C

SCALE: 1:100 DATE: MAY 05 APPROVED: HS

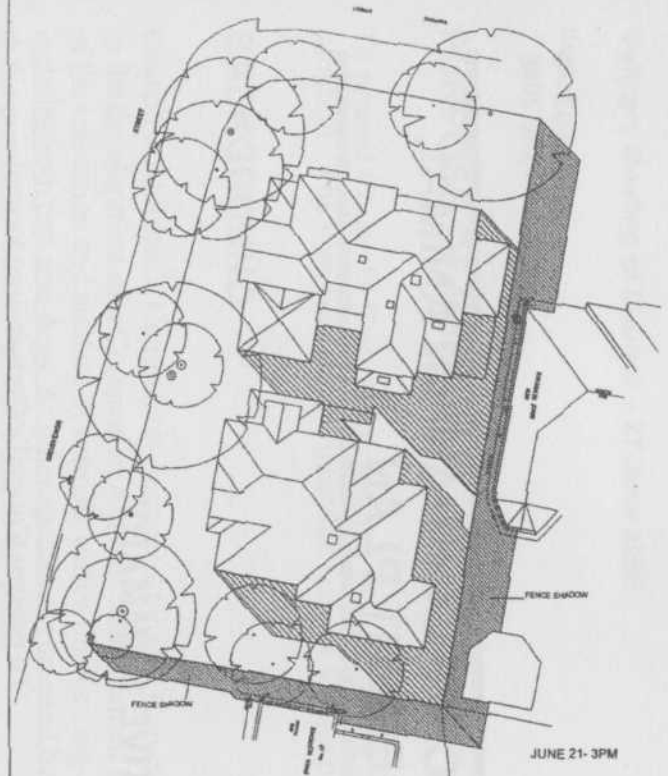




JUNE 21- 9AM



JUNE 21- MIDDAY



JUNE 21- 3PM



273



SHADOW DIAGRAMS

49105 DA6

NOTES DATE APPROVED

NOTE: EXISTING RETAINED TREES INDICATED REFER TO LANDSCAPE PLAN FOR NEW TREE PLANTING

**HSA Architects**  
Hugh Slayter & Associates  
11 VIVID ST, NORTH SYDNEY  
NSW 1585  
Phone: (02) 9557 1532  
Fax: (02) 9557 1532  
email: hsa@hsaarchitects.com.au

PROJECT  
1 KINTORE STREET, WAHROONGA

REV DATE REVISION  
A 21.05.06 DEVELOPMENT APPLICATION  
B 21.05.06 APPROVED PLAN, SUPPLYING FOR APPROVAL  
C 21.05.06 SHADOWS PROVIDED FOR APPROVAL

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## DELEGATION OF AUTHORITY - MAYOR & DEPUTY MAYOR

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	For Council to give consideration to granting Delegations of Authority to Mayor and Deputy Mayor.
<b>BACKGROUND:</b>	It has been Council's practice to delegate some additional functions to the Mayor and Deputy Mayor.
<b>COMMENTS:</b>	These functions are practical delegations which assist the smooth functioning of the Mayoral office.
<b>RECOMMENDATION:</b>	That the Delegations of Authority as set out in Attachment 'A' be granted to the Mayor, Councillor N Ebbeck and to the Deputy Mayor, Councillor A Andrew as set out in Attachment 'B'.



## PURPOSE OF REPORT

For Council to give consideration to granting Delegations of Authority to Mayor and Deputy Mayor.

## BACKGROUND

The Mayor's role is set out in Section 226 of the Act, which states:

*To exercise, in case of necessity, the policy-making functions of the governing body of the Council between meetings of the Council;*

*To exercise such other functions of the Council as the Council determines;*

*To preside at meetings of the Council;*

*To carry out the civic and ceremonial functions of the Mayoral office.*

It has been Council's practice to delegate some additional functions to the Mayor and Deputy Mayor.

## COMMENTS

These functions are practical delegations which assist the smooth functioning of the Mayoral office.

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

Not applicable.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

## SUMMARY

Not applicable.

## RECOMMENDATION

That the Delegations of Authority as set out in Attachment 'A' be granted to the Mayor, Councillor N Ebbeck and to the Deputy Mayor, Councillor A Andrew as set out in Attachment 'B'.

John McKee  
**General Manager**

**Attachments:**      **Attachment 'A' - Delegation of Authority - Mayor - 671328**  
                         **Attachment 'B' - Delegation of Authority - Deputy Mayor - 671329**

## **DELEGATION OF AUTHORITY – MAYOR**

That, in addition of the role referred to in Section 226 of the Local Government Act 1993 and by authority of Section 377 of the Local Government Act 1993 and subject to compliance with any other requirements of the Local Government Act or Regulations and expressed Policy of the Council or regulations of any public authority concerned other than the Council, the Mayor, Councillor Nick Ebbeck be and is hereby authorised to exercise or perform on behalf of the Council, the following powers, authorities, duties and functions, and that such delegations shall remain in force unless otherwise revoked or amended in whole or in part, as Council may from time to time determine:

### **1. Donations**

To approve donations up to the sum of \$250 subject to Council being informed of any such decision, provided that funds are available within the sum voted by Council for donations in the adopted Management Plan.

### **2. Mayoral Reception**

To authorise expenditure for minor civic receptions for visitors up to a maximum of \$500 for any one reception provided that funds are available within the sum voted by Council in the adopted Management Plan.

### **3. Temporary General Manager during General Manager's Leave**

In accordance with Section 351(1)(a) of the Local Government Act, the Mayor be given the authority to appoint, after consultation with the General Manager, a temporary General Manager, during the absence of the General Manager on leave.

### **4. General Manager – Leave**

Authority to approve applications for holidays and leave of absence to the General Manager.

## **DELEGATION OF AUTHORITY – DEPUTY MAYOR**

The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of Mayor.

That the Deputy Mayor shall exercise the Delegation of Authority of the Mayor in those cases where the General Manager certifies that the matter is of such an urgent nature that it will not wait until the return of the Mayor.

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## NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2006

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

For Council to determine its elected delegates to the 2006 National General Assembly of Local Government - "Pushing the Agenda".

**BACKGROUND:**

The annual National General Assembly of Local Government will be held in Canberra from Monday, 27 to Thursday, 30 November 2006.

**COMMENTS:**

Each Council must determine their voting delegate for the debating sessions.

**RECOMMENDATION:**

That Council determines if it wishes to send delegates to the 2006 National General Assembly of Local Government.

## **PURPOSE OF REPORT**

For Council to determine its elected delegates to the 2006 National General Assembly of Local Government - "Pushing the Agenda".

## **BACKGROUND**

The annual National General Assembly of Local Government, including the Regional Co-operation and Development Forum, will be held in Canberra from Monday, 27 to Thursday, 30 November 2006.

## **COMMENTS**

Council is entitled to one voting delegate in the debating session.

## **CONSULTATION**

Not applicable.

## **FINANCIAL CONSIDERATIONS**

### **Costs:**

Registration: \$760.00 (early bird – payment received by 6 October 2006)  
\$860.00 (standard – payment received by 10 November 2006).  
Accommodation and sundries will be extra.

There is sufficient allocation in the budget to meet the costs of attendance at this Conference.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Not applicable.

## **SUMMARY**

Not applicable

## RECOMMENDATION

- A. That Council determines if it wishes to send delegates to the 2006 National General Assembly of Local Government.
- B. That Council determine one voting delegate should Council decide to send delegates to the Assembly.
- C. That the General Manager or his delegate be permitted to attend the Assembly.

Geoff O'Rourke  
Senior Governance Officer

John McKee  
General Manager

**Attachments:      Registration Details & Program - 672098**

NATIONAL GENERAL  
ASSEMBLY OF LOCAL  
GOVERNMENT

NGA06



PUSHING  
THE  
AGENDA



27-30 NOVEMBER 2006



CHILD  
AND  
AGED  
CARE

CONSTITUTION  
FEDERATION  
PROTECTION

INFRASTRUCTURE

FAIR  
SHARE OF  
TAXATION



## PRESIDENT'S MESSAGE



**Cr Paul Bell AM**  
ALGA PRESIDENT

There have been three significant national milestones for local government throughout the year, all of which will be the subject of this year's National General Assembly as together, we push the agenda forward.

First, we have secured an intergovernmental agreement—or IGA—on cost shifting. This important document was signed by ALGA, state and federal ministers in April this year.

The value of the IGA will lie in how future arrangements are handled in bilateral agreements between state associations and state governments. The fact that we were able to gain the support of all governments—state and federal—is a milestone in its own right.

There is a spirit of cooperation in evidence between the three spheres of government that augurs well for the future.

Our second milestone came with the Federal Budget in May. The \$300 million boost to the Roads to Recovery program is both much-needed and much-welcomed. And we need to remember that this comes on top of an additional \$100 million for the AusLink strategic regional program announced by the Australian Government at the National General Assembly in November 2005.

The injection of funds is more than just money—it is a very visible demonstration of the Australian Government's faith in these programs. More importantly—it is a very visible demonstration of the Australian Government's faith in local government itself.

The third milestone also concerns our future. ALGA—with the support of the state associations—has commissioned a major study of local government financing to be undertaken by PricewaterhouseCoopers. Most importantly, the study will review and—without doubt—strengthen our case for fair federal funding for local government.

The results of the study will form the basis of comprehensive submissions to the major parties later this year, well in advance of the 2007 federal election.

In addition, work has progressed on the development of a motion to recognise local government, expected to be presented to both houses of Commonwealth Parliament in the August sitting.

These are all important developments that advance our campaign for fair federal funding, fair treatment and formal recognition, launched at last year's National General Assembly.

So make a difference and join us at this year's Assembly. We will be calling on your help to push our agenda.

→ Our communities deserve nothing less.

- 2 Presidents Message
- 3 Sponsors
- 4 Pushing the Agenda
- 5 Key Dates
- 6 Councils on Show!  
Awards  
Motions for Debate  
Voting Procedures
- 7 Australia Council for the Arts  
Breakfasts  
Regional Co-operation and  
Development Forum 2006
- 8 Program
- 9 Speaker Profiles
- 10 Concurrent Symposia
- 11 Open House
- 12 Registration Details  
Privacy Disclosure
- 13 Social Functions  
Accompanying Partners Program  
Canberra Weather  
Venue and Dress Code
- 14 Accommodation  
Airline Travel  
Coach Transfers  
Car Parking
- 15 Registration Form



# NGA06

## PUSHING THE AGENDA

At last year's National General Assembly, ALGA successfully launched the Triple F campaign—Fair federal funding, Fair treatment, Formal recognition—with rousing support of the delegates. This year, we will be *Pushing the Agenda*, as we prepare for the next federal election in 2007.



### FAIR FEDERAL FUNDING

ALGA—with the support of the state associations—has commissioned a major study of local government financing to be undertaken by PricewaterhouseCoopers. This work will provide a sound rationale and model for appropriate and targeted support to local government for consideration by other spheres of government.

The study will review and—without doubt—strengthen our case for fair federal funding for local government. The study will—among other things—assess the current and long-term financial sustainability of the local government sector.

It will identify any trends or differences between groups of councils based on size, density of settlement and rate of growth or decline. It will also develop recommendations for improved financial sustainability including potential sources of additional revenue.

Most importantly, it will investigate the appropriateness of reform to current intergovernmental financial transfers with a view to developing a new model for federal and local government financial relations.

We are particularly pleased that the project will benefit from PricewaterhouseCoopers highly respected financial work and from the insight of Grahame Morris, the head of the PricewaterhouseCoopers' Office of Federal Government Services. Grahame Morris joins us as this year's keynote speaker. He will set the scene for this year's National General Assembly of *Pushing the Agenda*.

His theme will be supported by Mayor Barry Easter, Ms Robyn Moore and Mr Ian Kiernan AO, who will also offer ways for local government to *Push the Agenda*. Each of our speakers will describe how to be successful in achieving the goals and outcomes of our Triple F Campaign—in terms of how local government presents to the public and to other spheres of government; and in terms of how councils should work together to secure the results sought.



## FAIR TREATMENT

In April this year we secured an intergovernmental agreement—or IGA—on cost shifting. The IGA is designed to improve the way the three spheres of government work together and provides a set of principles to guide the way in which functions and services are negotiated and transferred to local government. Importantly, it establishes a framework for future bilateral or trilateral agreements to be reached for the transfer of specific services or functions.

The signing of the IGA can now open a new chapter in intergovernmental relations that will bring lasting benefits to our communities.

ALGA is already working with the federal government in areas such as emergency management and ageing and—of course—a great deal of good will towards local government has been developed as a result of the Roads to Recovery program. These three issues will be the subject of three of our concurrent symposia at this year's event.

## FORMAL RECOGNITION

Work has progressed on the development of a motion to recognise local government, expected to be presented to both houses of the Commonwealth Parliament in the August sitting.

This is an important stepping stone towards our longer-term goal of full constitutional recognition.

The Triple F campaign is the foundation of our future. We will put the strongest possible case to the major parties for fair federal funding, fair treatment and formal recognition.

Finally, the ALGA Board has instigated a review of the National General Assembly and innovations at this Assembly include the re-introduction of plenary debate. The General Assembly Review Committee has spent considerable time this year improving the Motions for Debate in response to delegate feedback in 2005 and looks forward to presenting a revamped and revitalised debating schedule.

This is certainly a National General Assembly not to be missed!

## KEY DATES

SUBMISSION FOR MOTIONS FOR DEBATE → FRIDAY 8 SEPTEMBER 2006



EARLY BIRD REGISTRATION

→ ON OR BEFORE FRIDAY 6 OCTOBER 2006

STANDARD REGISTRATION

→ ON OR BEFORE FRIDAY 10 NOVEMBER 2006

LATE REGISTRATION

→ ON OR AFTER SATURDAY 11 NOVEMBER 2006



## COUNCILS ON SHOW!

As a brand new initiative to highlight the great innovation in local government all over Australia, the ALGA Board invites councils to submit multi-media presentations which showcase innovative solutions to the challenges faced by all councils.

- We know councils across Australia constantly utilise skills and ingenuity to solve vital issues. Now via the National General Assembly, we want you to tell the rest of local government about your problem and your unique solution. A council may have installed a desalination plant to combat the drought, or be introducing new forms of housing to cope with population change. Alternatively, a simple solution to an occupational safety issue could be highlighted. We want to facilitate the opportunity for all councils to learn from each other.

We want entries from all councils, large and small, rural and urban. Successful entries will be shown throughout the National General Assembly. To ensure the maximum number of councils have the opportunity to showcase—presentations must be of no more than 15 minutes duration and they must stand alone both in audio and visuals. Please note: this is not an opportunity for individuals to give a presentation.

**Please post your presentations on CD or DVD** together with council contact details to Katie Whitehead, Director National Events and International Liaison, 8 Geils Court, Deakin, ACT, 2600.

**To be eligible for consideration and inclusion in this year's National General Assembly, we must receive your multi-media submission by no later than 15 October 2006.** For more information, please contact Katie Whitehead, Director National Events and International Liaison, [katie.whitehead@alga.asn.au](mailto:katie.whitehead@alga.asn.au) or telephone: (02) 6122 9436.

## AWARDS



This year marks the 20th anniversary of the inception of the National Awards for Local Government. Since 1986 the Australian Government has been recognising, celebrating and promoting innovation, excellence and leading practice in local government. The national winners of the 2006 Awards will be announced at an invitation only dinner on Monday 27 November.

The Awards will also be the focus of a concurrent symposium on Wednesday 29 November at 11:00 am. Don't miss out on this opportunity to listen to the inspirational stories of two recent national winners in these prestigious, long-standing awards—proudly administered by the Department of Transport and Regional Services. For more information, please refer to page 10 in this brochure.

## MOTIONS FOR DEBATE → NOW OPEN

In order to address the delegate feedback regarding consistently poor motions and debate at previous National General Assemblies, for the 2006 Assembly, motions submitted for debate will need to be related to issues of national significance, and, to issues that fit within the jurisdiction of local government across Australia. Where an issue is not part of the jurisdiction of local government in all states and territories, or not of national significance, that is, where the issue relates to a region or a state alone, it must be debated at the relevant state or territory association conference.

The General Assembly Review Committee, set up by the ALGA Board to address your strong concerns regarding motions and debate, will assess all motions presented under the criteria above. Issues not included for debate in the Business Papers are welcomed in *Open House*—a networking space specifically designed for delegates to discuss issues not on the main agenda. Please refer to page 11 in this Program and Registration Brochure to make a booking in *Open House*—this is your opportunity to discuss what's happening on your home patch.

**Notices of Motion are now invited and should be received by ALGA no later than Friday 8 September 2006.**

→ [www.nga.alga.asn.au/event/2006/noticeOfMotions](http://www.nga.alga.asn.au/event/2006/noticeOfMotions)

## VOTING PROCEDURES

Each council is entitled to one voting delegate in the debating session. Councils will need to determine who their voting delegate will be. Voting cards will be distributed at the National Convention Centre beginning 8:30 am Monday 27 November 2006 and throughout registration.

**Councils do not need to advise ALGA of the name of the voting delegate.**



# THE AUSTRALIA COUNCIL FOR THE ARTS



**Plenary address: Wednesday,  
29 November, 10:00–10:30 am**

The Australia Council for the Arts will facilitate a discussion on the important role of the arts in community building and how it can be a powerful catalyst for change and social harmony.

Leading community arts practitioners working in partnership with local government, and supported by the Australia Council, will present highlights of their arts-led community projects.

The session will explore how these projects have been successful in delivering positive outcomes in communities facing a range of social challenges.

## BREAKFASTS

→ BY PRE-ARRANGEMENT ONLY

### LEADING EDGE ACTION ON CLIMATE CHANGE

**ICLEI—Local Governments for Sustainability—  
Australia/New Zealand (ICLEI-A/NZ)**



**Recognition and Briefing Breakfast  
Tuesday 28 November, 7:15–8:30 am**

**Cost: ICLEI Members (\$25 inc. GST)  
non-ICLEI Members (\$30 inc. GST)**

Next year marks the 10th year of the Cities for Climate Protection program and local greenhouse action across Australia. ICLEI members and participants have strengthened their efforts to deliver sustainable outcomes for their communities. ICLEI's premier recognition event at the National General Assembly of Local Government will celebrate their achievements in the Cities for Climate Protection and Water Campaign programs.

Councils will be recognised for their completion of campaign milestones and advanced actions to deliver innovative local greenhouse reductions, water conservation and quality improvements, and triple bottom line approaches.

For further information, or to register for this event, contact: Events Team, ICLEI-A/NZ (03) 9639 8688.

### AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION INC

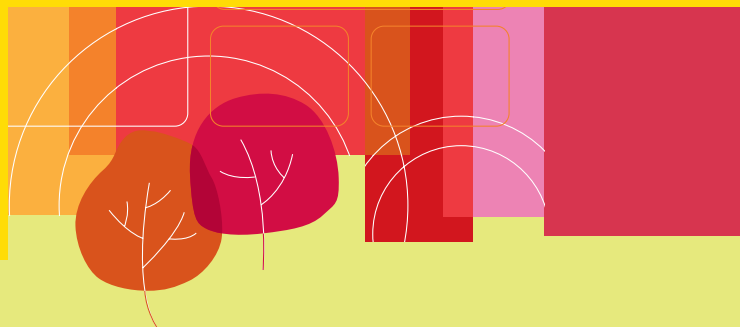


**Wednesday 29 November,  
7:15–8:30 am**

The ALGWA President invites you to breakfast. Come along and discover what ALGWA is doing in your state.

ALGWA members and non-members are most welcome to attend. There will be a breakfast fee and as seats are limited, early bookings are highly desirable to ensure your seat.

Booking forms available on the ALGWA website:  
[www.algwa.net.au/events](http://www.algwa.net.au/events) or phone Kaele Way 0412 177 793



## Regional Co-operation and Development Forum

20  
05

FORUM  
10

**MONDAY 27 NOVEMBER 2006**

This year's Regional Co-operation and Development Forum will focus on regional innovations designed to assist in addressing the immense fiscal pressures facing Australia's 700 Councils. It will include the launch of the *State of the Regions Report 2006–07*, the final in a three-part series on Infrastructure that will focus on the drivers of local government revenues and expenditures and will look at the current and future issues for local government financing.

## PROGRAM

### Regional Co-operation and Development Forum Monday 27 November 2006

8:30 am	<b>Registration</b>
9:00 am–5:00 pm	Regional Co-operation and Development Forum
5:30–7:00 pm	Welcoming Reception and Local Government Expo Opening, Exhibition Hall, National Convention Centre, Canberra
7:30 pm	National Awards for Local Government (by invitation only)

#### DAY 1

### General Assembly Tuesday 28 November 2006

7:15–8:30 am	ICLEI Breakfast (by pre-arrangement only, refer page 7)
8:00 am	<b>Registration</b>
9:00 am	Opening Session <ul style="list-style-type: none"> <li>• Anthem</li> <li>• Indigenous Welcome</li> <li>• Introduction of the ALGA Board</li> <li>• Address by Cr Paul Bell AM, ALGA President</li> </ul>
9:45 am	Keynote Address: Mr Grahame Morris, PricewaterhouseCoopers
10:30 am	<b>Morning Tea</b>
11:00 am	Debate on motions
12:30 pm	<b>Lunch</b>
1:30 pm	Debate on motions
3:00 pm	<b>Afternoon Tea</b>
3:30 pm	Debate on motions
5:00 pm	<b>Close</b>
7:00 pm	Dinner & dance: The Australian Institute of Sport Proudly sponsored by POSTbillpay

### OPEN HOUSE 28–30 November 2006

TUESDAY	10:30 am–5:00 pm
WEDNESDAY	9:00 am–5:00 pm
THURSDAY	9:00 am–12:00 noon

#### DAY 2

### General Assembly Wednesday 29 November 2006

7:15–8:30 am	ALGWA Breakfast (by pre-arrangement only, refer page 7)
8:00 am	<b>Registration</b>
9:00 am	Plenary address: Mayor Barry Easter, West Tamar Council
9:30 am	Debate on motions
10:00 am	Australia Council for the Arts (refer page 7)
10:30 am	<b>Morning Tea</b>
11:00 am	Concurrent symposia: <ul style="list-style-type: none"> <li>• <b>OPTION A</b> National Awards for local government</li> <li>• <b>OPTION B</b> Age friendly built environments</li> <li>• <b>OPTION C</b> What's next for radiation safety?</li> </ul>
12:30 pm	<b>Lunch</b>
1:30 pm	Concurrent symposia: <ul style="list-style-type: none"> <li>• <b>OPTION A</b> National strategy for roads and transport</li> <li>• <b>OPTION B</b> National perspective on local government emergency management</li> <li>• <b>OPTION C</b> Women's participation in local government</li> </ul>
3:00 pm	<b>Afternoon tea</b>
3:30 pm	Debate on motions
4:00 pm	Plenary address: Robyn Moore, The Power of the Word
4:45 pm	<b>Close</b>
Evening	General Assembly Dinner, Great Hall Parliament House

#### DAY 3

### General Assembly Thursday 30 November 2006

8:00 am	<b>Registration</b>
9:00 am	Launch of National Local Roads and Transport Strategy, Cr Paul Bell AM, ALGA President
9:15 am	Emeritus Mayor Peter Woods OAM, Secretary General, United Cities and Local Governments (Asia Pacific)
9:30 am	Plenary address: Senator Kim Carr, Shadow Minister for Housing, Urban Development, Local Government and Territories
10:00 am	Debate on motions
10:30 am	<b>Morning Tea</b>
11:00 am	Debate on motions
11:30 am	Plenary Address: Ian Kiernan, AO, Chair, Clean Up Australia
12:00 noon	<b>Closing Ceremony</b> Address by the Hon Kim Beazley, MP, Leader of the Opposition
12:30 pm	<b>Lunch</b>
1:30 pm	Annual General Meeting
2:30 pm	<b>Close</b>

## SPEAKER PROFILES



### MR GRAHAME MORRIS

Grahame Morris is the chairman of Federal Government Services for PricewaterhouseCoopers.

He is a former Chief of Staff to Prime Minister John Howard and former adviser to many other political leaders.

Grahame held key positions in federal and state politics for two decades and has been involved in many of the public policy issues of the last 30 years.

He has become one of the leading links for industries, corporations, interest groups and the community wishing to present their case to government and vice versa. He has also devised and executed many election campaigns, communications programs and policy platforms.

Grahame is a former Strategic Policy Director for News Ltd, a former CEO of the leading public relations firm, Jackson Wells Morris, a trained journalist and has lectured in political communications as a Meyer Fellow at Pennsylvania State University.

He is a regular media commentator on issues relating to government and community attitudes.

### MAYOR BARRY EASTHER

Barry has been a councillor with the West Tamar Council since March 1983. At the time he was elected, he was in full-time employment with Forest Resources, a company involved in the Tasmanian forest industry.

Commencing employment in 1973 on the accounting side of the business, Barry was responsible for the company's industrial and public relations when he retired from full-time employment in 1993.

Married with four adult children and five grandchildren living in the West Tamar community, Barry has consistently been involved in the community.

Barry served four years as mayor, 1990–1994, and since the introduction of popular election for mayor in 2000, has been successful in retaining that position at each subsequent election. His current term expires in October 2007.

A member of the General Management Committee, Local Government Association of Tasmania, for the last two years and recently elected for a further term, he is now vice-president of the association and is looking forward to making a contribution at the national level.

The rock fall at the Beaconsfield gold mine on Anzac Day this year brought the mayor of the West Tamar into the spotlight of the world's media.

With no serious media training, Barry's prudent handling of the media has been widely regarded and in his presentation, he will cover aspects of the leadership that is expected of local government and how communities look to local government to work together to achieve results.

### MS ROBYN MOORE

Robyn Moore is a multi-skilled communicator who has been in the business of creating and changing peoples' perception through *'the power of the word'* for almost 30 years. She's Australia's most versatile and effective female Voice-Over Artist, Presenter and Speaker.

Her voice is known in most homes in Australia from commercials, syndicated comedy and animation series seen in 70 countries, however few people will know her name. She creates all female voices on Australia's longest running radio comedy series *'How Green Was My Cactus'* and her voice on radio and TV commercials has sold millions of dollars worth of products for thousands of Australian companies. She is also well known as the voice of Blinky Bill—*'Extraordinary'*!

Her unique understanding of *'the power of the word'* allows her to profoundly affect her audiences. When she speaks ... people listen ... and take the action necessary to create the outcomes they want in their lives!

### MR IAN KIERNAN AO

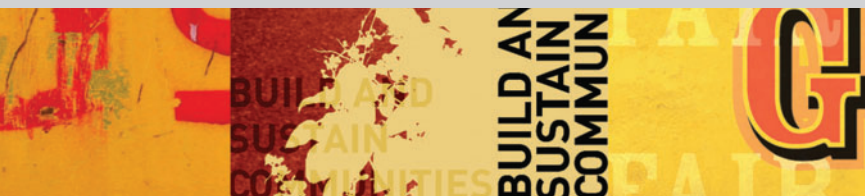
Ian Kiernan is the Founder and Chairman of Clean Up Australia and Clean Up the World—a community based organisation which aims to inspire and work with Australians to clean up, fix up and conserve our environment.

Clean Up Australia voices community concerns on the state of the environment and actively promotes environmental repair. This includes advocating practical community based solutions on issues such as extended producer responsibility, container deposit systems, resource re-use, electronics recycling and the initiation of environmentally friendly practices into the Australian psyche.

In recognition of his leadership in the environment and the community both in Australia and internationally, in March 2006 Ian was awarded a Doctor of Science Honoris Causa by the University of New South Wales and a Lifetime Achievement Award from the National Trust of Australia (NSW). The children of Poland, in 2005, made Ian a Companion of the Order of the Smile. The Centenary Medal was awarded to Ian in 2003 and on Australia Day 1995 he was made an Officer of the Order of Australia (AO). Ian was named the Australian of the Year in 1994 and also holds the Order of Australia Medal (OAM).

As an avid sailor and Ambassador for the Great Barrier Reef Ian maintains his love for the sea as Patron of a number of sailing groups including ASPECT Sailors with Disabilities, SCEGGS Redlands and Scots College Youth Sailing Programs. Ian is also President of the Australian Association of Greater Public Schools, and a member of Maritime Australia.





## CONCURRENT SYMPOSIA

### National Awards for local government

The National Awards for Local Government, celebrating its 20th anniversary in 2006, is an important vehicle for encouraging councils throughout Australia to share their knowledge and experiences and celebrate the outstanding achievements of local government. The 20th anniversary of the Awards is also an exciting opportunity for local government to publicly reflect on its success and celebrate the contribution it makes to our nation.

In this session, two recent national winners in the Awards will share their inspirational ideas, challenging experiences and outstanding projects.

### Age friendly built environments—opportunities for local government

As Australia's population ages, regional populations will also age, some more than others. This demographic trend will lead to new opportunities and new challenges for councils and communities. By considering this issue now, councils can minimise the negative impacts of population ageing on local communities and maximise the opportunities it presents.

This session will highlight two recent initiatives in this area:

#### National Speakers Series

The Australian Government's National Speakers Series Building the Future—A Community for all Ages, is a forward thinking initiative aimed at stimulating debate about our living environment, to encourage those involved in planning, designing and building our communities to prepare for the changes that an ageing population will bring.

The series, conducted during 2005 and 2006, saw seminars and workshops held in every capital city—including one session at last year's National General Assembly—successfully sparking a dialogue among professional groups and governments involved in the planning, design and building of Australia's built environment. The collected wisdom and recommendations from the National Speakers Series will be discussed during this session.

#### Local Government Ageing Toolbox: A guide to action

Has your council started to plan for an ageing community?

The Australian Local Government Association (ALGA) has developed the Local Government Ageing Toolbox: A guide to action. The toolbox will provide councils with information, tools and resources to develop an ageing strategy. The toolbox is a practical aid for those interested in developing a strategy in response to population ageing. The toolbox will not answer all the questions you may have about developing an ageing strategy, but it tries to suggest ways to address some of the most important questions as well as indicating where further information is available.

The symposium will provide an overview of the Local Government Ageing Toolbox: A guide to action, including a collection of case studies which showcase the strategic efforts of individual councils in responding to population ageing. The workshop will also allow participants to raise issues of importance to their local communities in the context of a growing older population.

### What's next in radiation safety?

Events over the past year have illustrated the need for radiation safety compliance, with work bans being imposed across Victoria as a result of worker dissatisfaction with safety procedures at one Victorian university. The Site Management Alliance continues to provide the only independent solution for radiation safety, and this year their speakers will show just what councils must do to meet their obligations and obtain appropriate protection against liability—illustrated as always by some of our favourite safety 'horror stories' for the year.

Delegates will be taken step-by-step through the Site Management Alliance system, including a demonstration of our system and free radiocommunications engineering tools. Our speakers will explain the entire process, showing how the Site Management Alliance not only relieves councils of almost all the administrative burden of compliance, but also shifts the cost of compliance to those responsible for the compliance problem in the first place. A question and answer session will allow delegates to learn how the Site Management Alliance system simplifies what would otherwise be an administrative nightmare, and delivers affordable compliance to both councils and the operators of radiocommunications equipment on council property. Last year participants at our seminar identified clearly with the fact that local government has a compliance problem and recognised that radiation safety needs a solution. This year we get down to the nitty gritty—especially important as the states are commencing legislative action to enforce compliance.

### National strategy for roads and transport

At the Seventh National Local Roads and Transport Congress held in Alice Springs in July this year, the delegates considered and endorsed a draft national roads and transport strategy to guide local government's policy development and lobbying work over the coming decade. It will also assist ALGA to lobby major parties on road funding and transport issues in advance of the 2007 federal election.

The strategy will be incorporated as a key element of ALGA's Triple F campaign for fair federal funding, fair treatment and formal recognition of local government and will be formally launched at this year's National General Assembly on Thursday 30 November.

Delegates in this symposium will learn about the strategy's five point plan, namely:

- Local road funding and management
- Urban transport solutions
- Mobility for regional Australians
- Freight management
- Long term financial sustainability for local government

## National perspective on local government emergency management

Support for local government emergency management and disaster mitigation has been provided through the Natural Disaster Mitigation Program, the Bushfire Mitigation Program and the Natural Disaster Relief Arrangements. These programs and the Australian Government's Working Together to Manage Emergencies Grant Schemes are either under review or nearing completion. This symposium will look at the future of these programs and the needs of local government if they are to continue to meet the expected roles in mitigation, preparedness and recovery of natural disasters.

In 2006, ALGA has taken a national perspective to define the roles of local government in emergency management, including conducting a landmark National Emergency Management Survey. ALGA will report on this work and the key areas in which the capabilities of local government in emergency management and mitigation may be assisted or developed nationally. You will be invited to discuss the key challenges for your local council given its unique role in the community.

## Women's participation in local government

At the 2001 National General Assembly of Local Government the National Framework for Women in Local Government report was launched.

The Framework was developed following a national consultation, in recognition that more needs to be done to increase women's participation in local government decision-making.

The issues raised and the strategies to address them formed the National Framework.

Progress has been made since the release of this National Framework in 2001 and it is acknowledged that some states and individual councils are implementing specific plans to improve the position.

ALGWA is conducting a review of the National Framework for Women in Local Government and in this symposium an overview of the project will be given and delegates invited to discuss key issues and concerns in relation to the participation of women in local government.

ALGWA is keen to facilitate the research and national debate on the future participation of women in local government and delegates attending this symposium will have an excellent opportunity to join in open discussion on the status of women's participation in local government in 2006 and share ideas on the way forward.

The workshop forms part of the ten month consultation being coordinated by ALGWA with the support of funding from the Commonwealth Government's Women's Leadership Development Grants.

The ALGWA project is designed to ensure that progress in the support and assistance provided to women through councils and state associations is recognised and shared.

Input from the symposium will inform ALGWA's research and build on forums and workshops being held in all states and the northern territory.



## OPEN HOUSE → in Local Government Expo

- Do you have a local issue that you want to discuss with your fellow local government colleagues?
- Have you got a great local solution or innovation that you wish to share with others?
- Do you find it hard to connect with colleagues from like-councils when networking at the social functions?

Since its popular and successful introduction in 2003, *Open House* provides delegates with a networking opportunity where you get to choose what's on the agenda! *Open House* is an informal program running concurrently with the National General Assembly that provides a structured networking opportunity to discuss topics not on the main agenda.

Delegates will have the opportunity to post issues for discussion via the National General Assembly website [www.nga.alga.asn.au](http://www.nga.alga.asn.au) from now through to the start of the event, or at *Open House* throughout the Assembly. There will be a series of *House Rules* and a relaxed environment to discuss issues without requiring resolutions, as no formal National General Assembly outcomes will result from *Open House*.

This is YOUR opportunity to discuss what's happening on your home patch and seek from, or provide advice and assistance to, your fellow local government colleagues regarding your local issues.

## WHERE IS OPEN HOUSE?

*Open House* is located in the Local Government Expo.

## OPEN HOUSE TIMES

Tuesday 28 November	10:30 am–5:00 pm
Wednesday 29 November	9:00 am–5:00 pm
Thursday 30 November	9:00 am–12:00 pm

# REGISTRATION DETAILS

## NATIONAL GENERAL ASSEMBLY

**EARLY BIRD** **\$760.00**  
Payment received by Friday 6 October 2006

**STANDARD** **\$860.00**  
Payment received on or before  
Friday 10 November 2006

**LATE** **\$960.00**  
Payment received on or after  
Saturday 11 November 2006

### General Assembly Registration Includes

- Attendance at all General Assembly sessions
- Morning tea, lunch and afternoon tea as per the General Assembly program
- One ticket to the Welcome Drinks, Monday
- General Assembly satchel and materials
- Complimentary copy of the *State of the Regions Report 2006–07*

### Day Registration Fees

<b>TUESDAY 28 NOVEMBER 2006</b>	<b>\$410.00</b>
<b>WEDNESDAY 29 NOVEMBER 2006</b>	<b>\$410.00</b>
<b>THURSDAY 30 NOVEMBER 2006</b>	<b>\$260.00</b>

### Day Registration Includes

- Attendance at all General Assembly sessions on the day of registration
- Morning tea, lunch and afternoon tea as per the General Assembly program on that day
- General Assembly satchel and materials

## ACCOMPANYING PARTNERS PROGRAM

### Accompanying Partners Registration Fees

**ACCOMPANYING PARTNERS  
REGISTRATION FEE** **\$240.00**

### Accompanying Partners Registration Includes

- One ticket to the Welcome Reception, Monday
- National Zoo and Aquarium and Botanic Gardens day tour Tuesday
- Historic Bungendore and a taste of Canberra District Wines day tour Wednesday
- Lunch with General Assembly Delegates on Thursday 30 November

## REGIONAL CO-OPERATION AND DEVELOPMENT FORUM

**GENERAL ASSEMBLY DELEGATES  
REGISTRATION FEES** **\$150.00**

**FORUM ONLY REGISTRATION FEES** **\$300.00**

**NOTE:** Attendance at the Forum on Monday requires a separate registration. Attendance is NOT included in registration to the General Assembly; however, those attending the General Assembly do receive a discount. Refer to page 7 for information on the Forum.

### Forum Registration Includes

- Attendance at all sessions on Monday 27 November
- Morning tea, lunch and afternoon tea as per the Forum program
- General Assembly satchel and materials

## PAYMENT PROCEDURES

### Payment can be made by:

- Credit card: Bankcard, MasterCard, Visa and American Express
- Cheque: made payable to ALGA
- Electronic Funds Transfer: BANK: Commonwealth  
BRANCH: Curtin BSB NO: 062905 ACCOUNT NO: 10097760

**NOTE:** If paying via EFT you must quote your transaction reference number on the registration form.

### Completed registration forms should be returned to:

Conference Co-ordinators Pty Ltd  
PO Box 139, CALWELL ACT 2905  
Facsimile (02) 6292 9002 Phone (02) 6292 9000  
Email conference@confco.com.au

## CANCELLATION POLICY

All alterations or cancellations to your registration must be made in writing and will be acknowledged by post, facsimile or email. Notification should be sent to:

Conference Co-ordinators Pty Ltd  
PO Box 139, CALWELL ACT 2905  
Facsimile (02) 6292 9002  
Email conference@confco.com.au

An administration charge of \$88.00 will be made to any participant cancelling before Wednesday 1 November 2006. Cancellations received on or after Wednesday 1 November 2006 will be required to pay full registration fees. However, if you are unable to attend, substitutes are welcome at no additional cost.

By submitting your registration you agree to the terms of the cancellation policy.

## PRIVACY DISCLOSURE

ALGA collects your personal contact information in its role as a peak body for local government. ALGA may disclose your personal contact information to the sponsors of the event for the purposes of commercial business opportunities. If you consent to ALGA using and disclosing your personal contact information in this way, please tick the appropriate box on the registration form.

**Importantly, your name may also be included in the General Assembly List of Participants. You must tick the appropriate box on the registration form if you wish your name to appear in this list.**



## SOCIAL FUNCTIONS

### WELCOME RECEPTION AND EXHIBITION OPENING

Monday 27 November 2006  
National Convention Centre  
6:00–7:30 pm

\$33.00 per person for day delegates and guests  
No charge for full registered delegates  
No charge for registered accompanying partners  
Dress code: smart casual



### DANCING WITH THE SPORTING STARS AT THE AUSTRALIAN INSTITUTE OF SPORT

Tuesday 28 November 2006  
7:00–11:00 pm

\$75.00 per person  
Join POSTbillpay for a buffet dinner and dancing at Australia's premier sports training centre. You'll meet some of our country's up-coming young sports stars and test your own sporting prowess.  
Dress code: Smart casual sports shoes recommended  
Coaches will depart all Assembly hotels at approximately 6:30 pm with return shuttles commencing from 10:15 pm.

### GENERAL ASSEMBLY DINNER

Wednesday 29 November 2006  
Great Hall, Parliament House  
7:00–11:00 pm

\$120 per person  
Dress code: lounge suit/collar and tie for men and cocktail style for women  
Tickets to the prestigious General Assembly Dinner at Parliament House are always highly sought after. Due to the size of the Great Hall places are limited and therefore booking early is highly recommended to ensure your place.  
Coaches will depart all Assembly hotels at approximately 6:45 pm with return shuttles commencing from 10:30 pm.  
**NOTE:** Bookings are accepted in order of receipt.

## ACCOMPANYING PARTNERS PROGRAM

### NATIONAL ZOO AND AQUARIUM AND BOTANIC GARDENS

Tuesday 28 November 2006

Departing from the foyer of the Crowne Plaza Hotel at 10:30 am you'll visit the National Zoo and Aquarium and discover the workings of one of Australia's leading breeders of endangered species. The Zoo has one of Australia's progressive breeding programs and the spacious enclosures and variety of animals make it one of Canberra's key attractions. We will then take some time for a relaxing lunch before visiting the National Botanic Gardens.

### HISTORIC BUNGENDORE AND THE CANBERRA WINE DISTRICT

Wednesday 29 November 2006

Departing from the Foyer of the Crowne Plaza Hotel at 9:45 am we will visit the quaint country village of Bungendore where you'll spend the morning strolling round the village and visiting the award winning Bungendore Woodworks Gallery.  
You'll then head to one of the local wineries for a tasting of some Canberra District wines before journeying to Lambert Wines for a superb lunch—and some more wine tasting if you choose. After a fabulous lunch with great views over Wamboin Valley we will return to the Crowne Plaza by approximately 3:00 pm.

## CANBERRA WEATHER

The weather in November is mild and generally sunny during the day—an average of around 24°C—with the evenings cooling down to an average low of 9°C.

[www.nga.alga.asn.au](http://www.nga.alga.asn.au) has the weather report, updated daily.



## VENUE AND DRESS CODE

The National General Assembly will be held at the National Convention Centre, Constitution Avenue, Canberra. All plenary sessions will be held in the Royal Theatre. The Local Government Expo will be in Exhibition Hall.  
**Dress code to the event is business attire.**





## ACCOMMODATION

To book your accommodation at the rates listed below complete the appropriate section of the registration form. Bookings are subject to availability and should be made prior to Monday 23 October 2006.

All cancellations or amendments must be made in writing to Conference Co-ordinators and will be acknowledged by facsimile.

→ Please note your credit card details are required to guarantee your room. Neither Conference Co-ordinators nor the hotel will make any charges against your credit card unless you fail to give seven days notice in writing of your cancellation. Full payment of your account will be required at the time of your departure.

### CROWNE PLAZA CANBERRA

1 Binara Street, Canberra

The Crowne Plaza is conveniently located within 100 meters of the Convention Centre and only a short walk from Canberra's CBD and main shopping area. Each room contains individual air-conditioning controls, mini bar, full length mirrors, bathrobes and a work desk. The trendy bar Binara 1 is also located within the hotel.

**Single/Twin/Double \$200.00 per night**

### HYATT HOTEL CANBERRA

Commonwealth Avenue, Canberra

Hyatt Hotel is a five-star hotel that has won multiple awards as the best superior accommodation in Canberra. It is located within the Parliamentary Triangle but has the feel of a country estate. Each classically designed room boasts luxurious marble bathrooms with a spacious bath and shower.

**Single/Twin/Double \$270.00 per night**

### MEDINA EXECUTIVE JAMES COURT APARTMENTS

Located within the heart of the city, James Court Apartments are the ideal option if you require more space than a standard hotel room. The apartments are fully serviced just like hotel rooms with a gym, sauna and heated swimming pool are all on-site.

**1 Bedroom apartment \$139.00 per night**

**2 Bedroom apartment \$180.00 per night**

### WALDORF APARTMENTS

2 Akuna Street, Canberra

The Waldorf offers a 4 star fully serviced apartment accommodation only 5 minutes walk from the National Convention Centre. Each room type contains microwaves, baths, air-conditioning, complimentary cable TV, direct dial phones and air-conditioning. The one and two bedroom apartments also have the benefit of a separate lounge area.

**Studio \$166.00 per night**

**1 bedroom apartment \$197.00 per night**

**2 bedroom apartment \$260.00 per night**



### PACIFIC INTERNATIONAL APARTMENTS

2 Marcus Clarke Street, Canberra

Pacific International offers open-plan fully serviced apartments on the shores of Lake Burley Griffin. The apartments are within walking distance from the National Convention Centre and Canberra's CBD. Three bedroom apartments are also available, please contact Conference Co-ordinators for details.

**2 Bedroom apartment \$155.00 per night**

### NOVOTEL

65 Northbourne Avenue, Canberra

Located on Canberra's main thoroughfare, the Novotel is a 10-15 minute walk from the National Convention Centre, Canberra's retail district, and West Row café precinct. Each room has individually controlled air-conditioning, mini bar, in-room safes and hairdryers.

**Single/twin/double \$170.00 per night**

### RYDGES LAKESIDE CANBERRA

London Circuit, Canberra

Rydges Lakeside located only a 10-15 minute walk from the National Convention Centre offers spectacular views from all rooms of either the city or Lake Burley Griffin and surrounding mountains. The hotel offers complimentary underground parking to all guests.

**Single/twin/double \$165.00 per night**

### SAVILLE PARK SUITES

84 Northbourne Avenue, Canberra

Saville offers you the choice of either a hotel style room or 1 bedroom apartment. Both room types contain a mini bar, tea and coffee making facilities with twin or king size beds. Guests also have access to the hotel's indoor pool, sauna, spa and gymnasium.

**Hotel room \$163.00 per night**

**One bedroom suite \$194.00 per night**

### OLIMS CANBERRA HOTEL

Corner of Limestone and Ainslie Avenues

Olims Canberra Hotel offers guests ample parking areas, 24 hour reception, room and laundry services. A central courtyard with fountain, lawns and landscaped gardens is a feature of the heritage hotel.

**Single/twin/double \$98.00 per night**

## AIRLINE TRAVEL

Due to airline changes we are no longer able to arrange discounted airfares. You are best to contact your travel agent, the airline directly, or book on the internet.

### Qantas

Telephone: 13 13 13

[www.qantas.com.au](http://www.qantas.com.au)

### Virgin Blue Airlines

Telephone: 13 67 89

[www.virginblue.com.au](http://www.virginblue.com.au)

### Rex Regional Express Airlines

Telephone: 13 17 13

[www.regionalexpress.com.au](http://www.regionalexpress.com.au)

### JetStar Airways

Telephone: 13 15 38

[www.jetstar.com.au](http://www.jetstar.com.au)

## COACH TRANSFERS

### On Arrival: Monday 27 November 2006

Coach transfers will be provided between the Airport Terminal and General Assembly Hotels (those listed in this brochure) on Monday 27 November between 7:30 am and 10:00 pm. Coaches will depart from the long term car park and leave approximately every half hour.

### Welcome Reception and Exhibition Opening: Monday 27 November 2006

Coaches will collect delegates from all General Assembly hotels (except Crowne Plaza Canberra) at approximately 5:00 pm. The return coaches will depart at 7:30 pm.

### National Awards for Local Government: Monday 27 November 2006

A shuttle service will be provided for delegates attending the National Awards for Local Government dinner. Buses will depart from the National Convention Centre and all General Assembly hotels. (For the information of invited guests only.)

### Daily Shuttles to and from the National Convention Centre

A shuttle service between all General Assembly hotels (except Crowne Plaza Canberra) and the National Convention Centre will operate between 8:00 am and 8:45 am. Return shuttles will depart the National Convention Centre at 5:30 pm on Tuesday and 5:15 pm on Wednesday.

### Dancing with the Sporting Stars at the Australian Institute of Sport: Tuesday 28 November

Coaches will collect delegates from all General Assembly hotels (INCLUDING Crowne Plaza Canberra) at approximately 6:45 pm. A return shuttle service will commence at 10:15 pm.

### General Assembly Dinner, Parliament House: Wednesday 29 November

Coaches will collect delegates from all General Assembly hotels (INCLUDING Crowne Plaza Canberra) at approximately 6:45 pm. A return shuttle service will operate between 10:30 pm and 11:45 pm.

## CAR PARKING

Parking for delegates is available underneath the National Convention Centre for a cost of approximately \$8.00 per day. Alternatively, voucher public parking is available across the road at a cost of approximately \$7.00 per day. The voucher machines are coin operated.

# REGISTRATION FORM

## 2006 NATIONAL GENERAL ASSEMBLY OF AUSTRALIAN LOCAL GOVERNMENT

NATIONAL CONVENTION CENTRE, 27-30 NOVEMBER 2006  
AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ABN 31 008 613 876

For more than one delegate please photocopy  
Register online at [www.nga.alga.asn.au](http://www.nga.alga.asn.au)  
or download PDF, or return this form to:  
Conference Co-ordinators  
PO Box 139 CALWELL ACT 2905  
Phone (02) 6292 9000 Fax (02) 6292 9002  
Email [conference@confco.com.au](mailto:conference@confco.com.au)  
By submitting your registration you agree to the  
terms and conditions of the cancellation policy

### PERSONAL DETAILS

TITLE <small>(Cr/Ald/Mayor/Other)</small>	NAME	SURNAME
POSITION		
COUNCIL/ORGANISATION		
ADDRESS		
SUBURB	STATE	POSTCODE
PHONE	MOBILE	FAX
EMAIL	NAME FOR BADGE	
HOW DID YOU FIND OUT ABOUT THE GENERAL ASSEMBLY? <input type="checkbox"/> ALGA <input type="checkbox"/> STATE/TERRITORY ASSOCIATION <input type="checkbox"/> COUNCIL <input type="checkbox"/> OTHER: <small>(Please Specify)</small>		
PRIVACY DISCLOSURE	<input type="checkbox"/> I DO consent to my name appearing in the 2006 General Assembly List of Participants booklet (name, organisation & state only disclosed) as outlined in the privacy disclosure on page 12. <input type="checkbox"/> I DO consent to ALGA disclosing my personal contact information as outlined in the privacy disclosure on page 12.	

### REGISTRATION FEES

#### GENERAL ASSEMBLY REGISTRATION FEES

PLEASE NOTE *registration does NOT include attendance at the Regional Co-operation and Development Forum*

EARLY BIRD	Registration Fees (payment received on or before 6 October 2006)	\$760.00	<input type="checkbox"/>	
STANDARD	Registration Fees (payment received on or before 10 November 2006)	\$860.00	<input type="checkbox"/>	
LATE	Registration Fees (payment received on or after 11 November 2006)	\$960.00	<input type="checkbox"/>	
DAY	Registration Fees	Tuesday 28 November \$410.00 <input type="checkbox"/>	Wednesday 29 November \$410.00 <input type="checkbox"/>	Thursday 30 November \$260.00 <input type="checkbox"/>

#### MORNING SYMPOSIA *Please nominate which session you would be interested in attending*

- ☐ Option A: National awards for local government ☐ Option C: What's next in radiation safety?  
☐ Option B: Age friendly built environments—opportunities for local government

#### AFTERNOON SYMPOSIA *Please nominate which session you would be interested in attending*

- ☐ Option A: National strategy for roads and transport ☐ Option C: Women's participation in local government  
☐ Option B: National perspective on local government emergency management

#### REGIONAL CO-OPERATION AND DEVELOPMENT FORUM REGISTRATION FEES

REGIONAL DEVELOPMENT FORUM ONLY	Registration Fee	\$300.00	<input type="checkbox"/>
GENERAL ASSEMBLY DELEGATE	Registration Fee	\$150.00	<input type="checkbox"/>
STATE OF THE REGIONS REPORT 2006-07	(Special Regional Forum only Delegates Rate)	\$88.00	<input type="checkbox"/>

PLEASE NOTE *Full General Assembly registration fee includes complimentary copy of the State of the Regions Report 2006-07*

#### ACCOMPANYING PARTNERS REGISTRATION FEES

REGISTERED ACCOMPANYING PARTNER'S name for lapel badge: \_\_\_\_\_ \$240.00 ☐

### SOCIAL FUNCTIONS INCLUDED IN FEES

*One ticket to each of the following functions is included in the full General Assembly registration and/or accompanying partners registration fee. Please confirm if you will be attending by placing a tick in the appropriate boxes. To purchase additional tickets to any of the following functions please indicate the number required and complete the total amount payable.*

#### REGISTERED DELEGATES AND PARTNERS

##### WELCOME RECEPTION AND EXHIBITION OPENING (Monday 27 November 2006)

I/we will attend: Delegate ☐ Partner ☐ Number of additional tickets  @ \$33.00 each Total \$

#### REGISTERED PARTNERS

##### NATIONAL ZOO & AQUARIUM AND BOTANIC GARDENS (Tuesday 28 November 2006)

I will attend: Partner ☐ Number of additional tickets  @ \$100.00 each Total \$

##### HISTORIC BUNGENDORE AND THE CANBERRA WINE DISTRICT (Wednesday 29 November 2006)

I will attend: Partner ☐ Number of additional tickets  @ \$140.00 each Total \$

### OPTIONAL SOCIAL FUNCTIONS

Tickets to these functions are **not included** in the General Assembly registration fee or accompanying partners registration fee. To purchase tickets to any of the following functions please indicate the number required and the total amount payable.

**DANCING WITH THE SPORTING STARS AT THE AUSTRALIAN INSTITUTE OF SPORT** (Tuesday 28 November 2006)

Number of tickets  @ \$75.00 each

Total \$

**GENERAL ASSEMBLY DINNER, GREAT HALL, PARLIAMENT HOUSE** (Wednesday 29 November 2006) **\*\*NUMBERS STRICTLY LIMITED\*\***

Number of tickets  @ \$120.00 each

Total \$

### SPECIAL REQUIREMENTS

(E.G. DIETARY)


### REGISTRATION AND SOCIAL FUNCTION PAYMENT DETAILS

☐ Enclosed is my cheque made payable to ALGA Conference Account

☐ I'm faxing my requirements, payment follows by mail

☐ I have transacted an Electronic Funds Transfer to the 'ALGA Conference Account'. Transaction reference number \_\_\_\_\_

ALGA Account: **Bank:** Commonwealth **Branch:** Curtin **BSB No:** 062905 **Account No:** 10097760

 **NOTE This is an account specifically for conference payments only**

☐ Please charge my credit card ☐ Bankcard ☐ Mastercard ☐ Visa ☐ Amex

CREDIT CARD NUMBER

GRAND TOTAL \$

CARD HOLDER'S NAME

SIGNATURE

EXPIRY DATE

/

IS THIS A CORPORATE CARD? YES ☐

NO ☐

### ACCOMMODATION DETAILS

PLEASE indicate your preference from 1 to 5

CROWNE PLAZA CANBERRA \$200 ☐ SINGLE ☐ TWIN ☐ DOUBLE

HYATT HOTEL CANBERRA \$270 ☐ SINGLE ☐ TWIN ☐ DOUBLE

#### MEDINA EXECUTIVE JAMES COURT APARTMENTS

1 B/ROOM APT \$139 ☐ SINGLE ☐ TWIN ☐ DOUBLE

2 B/ROOM APT \$180 ☐ SINGLE ☐ TWIN ☐ DOUBLE

#### WALDORF APARTMENTS

STUDIO ROOM \$166 ☐ SINGLE ☐ TWIN ☐ DOUBLE

1 B/ROOM APT \$197 ☐ SINGLE ☐ TWIN ☐ DOUBLE

2 B/ROOM APT \$260 ☐ NUMBER SHARING \_\_\_\_\_

#### PACIFIC INTERNATIONAL APARTMENTS

2 B/ROOM APT \$155 ☐ NUMBER SHARING \_\_\_\_\_

NOVOTEL \$170 ☐ SINGLE ☐ TWIN ☐ DOUBLE

RYDGES LAKESIDE CANBERRA \$165 ☐ SINGLE ☐ TWIN ☐ DOUBLE

#### SAVILLE PARK SUITES

HOTEL ROOM \$163 ☐ SINGLE ☐ TWIN ☐ DOUBLE

1 B/ROOM SUITE \$194 ☐ SINGLE ☐ TWIN ☐ DOUBLE

OLIMS CANBERRA HOTEL \$98 ☐ SINGLE ☐ TWIN ☐ DOUBLE

### ACCOMMODATION GUARANTEE

PLEASE NOTE your credit card details are required to guarantee your room is held until your noted arrival time. Neither Conference Co-ordinators nor the hotel will make any charges against your credit card unless you fail to give a minimum of seven (7) days notice in writing of your cancellation. All cancellations will be acknowledged in writing by Conference Co-ordinators. Full payment of your account will be required at the time of your departure. **The rates quoted are per room per night.**

DATE OF ARRIVAL

DATE OF DEPARTURE

SHARING WITH

ESTIMATED TIME OF ARRIVAL

☐ I understand my credit card details are given as a guarantee of my arrival and to ensure my room will be held until my nominated arrival time. No charge for accommodation will be made against this card unless I fail to give a minimum of seven (7) days notice of cancellation in writing to Conference Co-ordinators.

☐ Please use the credit card details provided above to guarantee my accommodation booking.

☐ Bankcard ☐ Mastercard ☐ Visa ☐ Amex

CREDIT CARD NUMBER

CARD HOLDER'S NAME

SIGNATURE

EXPIRY DATE

/

IS THIS A CORPORATE CARD? YES ☐

NO ☐

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## 2006 FINANCIAL ASSISTANCE GRANTS TO COMMUNITY GROUPS

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To advise Council of applications received from community groups for financial assistance in 2006, and to recommend to Council subsequent funding allocations.

**BACKGROUND:**

Each year, Council calls for applications for financial assistance from both community and cultural groups that are either based in Ku-ring-gai, or associated with people in the Ku-ring-gai area. Applications totalling \$159,213 have been received from 73 community and cultural groups.

**COMMENTS:**

Council has allocated \$111,300 for the Financial Assistance Grants Program to Community Cultural Groups in the 2006/07 budget.

**RECOMMENDATION:**

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



## PURPOSE OF REPORT

To advise Council of applications received from community groups for financial assistance in 2006, and to recommend to Council subsequent funding allocations.

## BACKGROUND

Each year, Council calls for applications for financial assistance from both community and cultural groups either based in Ku-ring-gai, or whose work benefits the identified needs of people within the Ku-ring-gai area. Applications totalling \$159,213 have been received from 73 community and cultural groups.

Council has allocated \$111,300 in its 2006/07 budget for the Financial Assistance Grants Program, an increase of \$25,000 from the previous year. This amount consists of \$105,367 for community groups, \$3,226 for the rates and garbage rebate for the Eryldene property and \$2,707 as a contribution to the printing costs for the journal of the Ku-ring-gai Historical Society (OMC 19 February 2003).

## COMMENTS

Relevant Community Services staff have evaluated all applications (**Attachment 2**) for financial assistance according to the criteria outlined in the Financial Assistance to Community Groups Policy (**Attachment 3**). An overview of each application received has also been prepared to assist in the assessment process (**Attachment 1**). After careful consideration by relevant Council officers, a total of \$105,036 is recommended to be allocated to community and cultural groups.

All groups receiving funding this year are required to provide Council with details on grant expenditure by May of the current financial year. In addition to this requirement, some organisations have had specific conditions placed on the recommendation of a grant.

It is regretted that not all the organisations that have applied will be recommended for financial assistance, and in some cases the full amount requested cannot be granted.

To ensure that Council funds a range of groups and services, all applications were categorised in six (6) areas. These areas are:

1. Aged Services
2. Arts/Cultural
3. Children's Services
4. Disability Services
5. Support Services
6. Youth & Leisure Services

## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

The amount of \$111,300 was allocated in the 2006/2007 budget. This amount includes \$3,226 for Eryldene and \$2,707 for the printing costs for the journal of the Ku-ring-gai Historical Society.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Where appropriate, advice was sought from relevant Council departments and those comments have been referred to in the individual assessments.

## SUMMARY

Not applicable.

## RECOMMENDATION

- A. That the community and cultural groups as listed receive financial assistance from Council in 2006.

<b>Community and Cultural Groups</b>	<b>Amount Recommended \$</b>
18th Australian Infantry Battalion (Ku-ring-gai Regiment)	250
1st Cromehurst Scout Group	1,000
1st Lindfield Scout Group	1,000
Albert Drive Community Fire Unit	306
Australian Breastfeeding Association (ABA) — Turramurra Group	1,740
Babybumps Support Group (previously POSIE)	2,000
Boonah Creative Arts Centre, Centacare	1,870
Community Fire Unit No. 33	1,952
Community Friendship Group 'Cooinda'	1,000
Computer Pals for Seniors (Ku-ring-gai) Inc	438
Constant Companion Service	1,635
Cromehurst Special School P & C Vacation Activity Centre	2,500
Dial-A-Mum Inc	500
East Lindfield Community Pre-school	991
Easy Care Gardening Inc	1,830
English at Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)	2,090
Hornsby District TPI Social & Welfare Club	300
Hornsby Ku-ring-gai & Hills Multiple Births Association	1,140
Hornsby Ku-ring-gai Association, Action for Mental Health Inc	1,000
Hornsby Ku-ring-gai Domestic Violence Network	3,000
Hornsby/Ku-ring-gai Police & Community Youth Club	1,000

## Item 9

S03000  
11 September 2006

<b>Community and Cultural Groups</b>	<b>Amount Recommended \$</b>
House with No Steps	1,000
Killara High School (Duke of Edinburgh Award Scheme)	1,000
Killara Scout Group	1,000
KU Killara Park Pre school	600
KU Saddington Street Pre School	1,460
KU St Ives Barra Brui Pre-School	1,500
KU Wahroonga Pre-School	1,250
Ku-ring-gai Art Society Inc	1,000
Ku-ring-gai Bush Fire Brigade	2,500
Ku-ring-gai Combined Churches - Ignite the Flame Festival	2,000
Ku-ring-gai Combined Churches Carols in the Park	9,500
Ku-ring-gal Family Support Service	1,000
Ku-ring-gal Historical Society Inc	1,098
Ku-ring-gai Little Athletics Inc	1,050
Ku-ring-gai Male Choir Inc	1,300
Ku-ring-gai Neighbourhood Centre Inc	2,200
Ku-ring-gai Philharmonic Orchestra	7,500
Ku-ring-gai Youth Development Service (KYDS)	5,000
Lady Game Community Kindergarten	820
Lifestart Cooperative (Early Intervention Services - School Aged)	1,000
Lindfield Montessori Preschool	1,692
Lindfield V.I.P. Support Group (Visually Impaired)	600
Marian Street Theatre for Young People (MSTYP)	900
Mercy Community Care	3,000
Migrant Network Services (Northern Sydney) Ltd	1,000
Montessori Excelsior School	945
North Turramurra Church of Christ Youth Group	300
Northside Church	1,000
Northside Opera Study Group Inc.	1,779
Parkinson's NSW Inc - Homsby Ku-ring-gai Support Group	1,000
Probus Club of Warrawee (Inc)	350
Pymble Turramurra Kindergarten	431
Rainbow Club Australia Inc/The Lindfield Rainbow Club	387
Recreation Rendezvous Inc	1,500
Roseville P & C Kids Care Association	2,000
Roseville Scout Group	1,000
Ryde Argyle Performing Arts Inc. (RAPA)	2,000
Serenity NSW Inc	1,000
SHHH Australia Inc	900
South Turramurra Community Fire Unit MHP-39	988
St Ives Occasional Care Inc	2,040
St Ives Pre-school Kindergarten	940

Item 9

S03000  
11 September 2006

<b>Community and Cultural Groups</b>	<b>Amount Recommended</b>
	<b>\$</b>
Studio Artes Northside Inc.	1,300
Technical Aid to the Disabled (TAD) NSW	1,220
The Local Handcraft Association (LHA)	720
University of the Third Age (U3A) - Upper North Region	1,300
Vision Australia, (formerly Royal Blind Society)	1,230
Warrawee Public School P&C Association	1,500
Winchester & Lyle Avenues CFU	694
<b>TOTAL</b>	<b>105,036</b>

- B. That all groups receiving a grant, advise Council by 31 May 2007 how the grant was spent.
- C. That those groups recommended for financial assistance from Council receive the cheques personally from the Mayor at a future Council meeting.

Danny Houseas  
Acting Director Community Services

**Attachments:**

- 1. Summary of Funding Applications and Recommendations - 672017**
- 2. Application Assessments 2006 - 672017**
- 3. Objectives and Guidelines - 671809**

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

AGED SERVICES	Amount Requested \$	Amount Recommended \$	Purpose
Community Friendship Group "Cooinda"	1,000	1,000	Contribution towards monthly activities.
Computer Pals for Seniors (Ku-ring-gai) Inc	438	438	Equipment for ASDL Broadband internet access .
Constant Companion Service	1,635	1,635	Contribution towards the cost of providing the monitoring service to 3 Ku-ring-gai residents who are financially disadvantaged.
Easy Care Gardening Inc	1,830	1,830	Protective shirts and hats and a hedge trimmer.
Mercy Community Care	3,000	3,000	Production of a promotional DVD for the telephone Link Service.
Northside Church	1,000	1,000	Contribution towards transporting frail elderly people to the Community Lunch.
Probus Club of Warrawee (Inc)	350	350	To fund a promotional campaign to assist 16 Probus Clubs in the area to recruit new members.
University of the Third Age (U3A) – Upper North Region	1,300	1,300	Contribution towards the purchase of a data projector.
<b>Totals</b>	<b>\$10,553</b>	<b>\$10,553</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

ARTS & CULTURAL SERVICES	Amount Requested \$	Amount Recommended \$	Purpose
Ku-ring-gai Combined Churches - Ignite the Flame Festival	2,000	2,000	Hire of stage and sound system
Ku-ring-gai Art Society Inc	2,000	1,000	Purchase of the Silver Jubilee Cup and contribution towards mounting the exhibition.
Ku-ring-gai Combined Churches Carols in the Park	12,000	9,500	PA System, stage lighting and park hire fee
Ku-ring-gai Historical Society Inc	1,447	1,098	Purchase of oral history recording equipment & PA equipment for tours
Ku-ring-gai Male Choir Inc	3,000	1,300	Purchase of electronic keyboard and contribution towards a CD and historical booklet.
Ku-ring-gai Philharmonic Orchestra	10,630	7,500	A contribution towards Concerto Competition, Education & professional development project, transport for seniors and audio visual presentations.
Marian Street Theatre for Young People (MSTYP)	900	900	Digital Video Camera (includes case, strap and tapes)
Northside Opera Study Group Inc.	1,779	1,779	Purchase of a notebook computer.
Ryde Argyle Performing Arts Inc. (RAPA)	8,000	2,000	A contribution towards the development of the project "Ku-ring-gai Stories"
The Local Handcraft Association (LHA)	1,200	720	To assist in the printing of advertising leaflets
Wahroonga District Music Club	537	0	
<b>Totals</b>	<b>\$43,493</b>	<b>\$27,797</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

CHILDREN'S SERVICES	Amount Requested \$	Amount Recommended \$	Purpose
Australian Breastfeeding Association (ABA) – Turramurra Group	2,790	1,740	To purchase an electric breast pump.
East Lindfield Community Pre-school	991	991	To purchase 2 perspex (see-through), double sided painting easels and 1 special needs literacy software program.
Hornsby Ku-ring-gai & Hills Multiple Births Association	1,140	1,140	Newsletter publication and crisis meal service.
KU Killara Park Pre school	600	600	To purchase children's books for lending library.
KU Saddington Street Pre School	1,460	1,460	To purchase metal climbing frames, safety trampoline, safety crash mats, puzzles, music keyboard.
KU St Ives Barra Brui Pre-School	1,500	1,500	To develop an Aboriginal Artwork Project.
KU Wahroonga Pre-School	1,250	1,250	4 trestles, 2 easels.
Lady Game Community Kindergarten	820	820	To purchase Aboriginal resources including bowls, digging sticks and music sticks and a Giant World Map Carpet.
Lindfield Montessori Preschool	1,692	1,692	To purchase outdoor play resources, parenting books and contribution towards other books.
Montessori Excelsior School	945	945	To purchase bouncing board, plastic boats, geometric volume set, hoops, soccer ball, small foam balls, plastic bats, rope climber, zig zag tunnel, boat sandpit, cones.
Pymble Turramurra Kindergarten	431	431	To purchase 2 Classic Metal Carts.
Roseville P & C Kids Care Association	5,000	2,000	A contribution towards photocopier purchase.
St Ives Occasional Care Inc	3,000	2,040	A contribution towards a computer, single unit fax/printer/scanner.
St Ives Pre-school Kindergarten	940	940	To purchase Aboriginal life, regions of the world, diverse families and caring for myself puzzle sets, wooden people set, multicultural block play people and differing abilities block play people.
Warrawee Public School P&C Association	5,000	1,500	Contribution to purchase equipment and outdoor furniture.
<b>Totals</b>	<b>\$27,559</b>	<b>\$19,049</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

<b>DISABILITY SERVICES</b>	<b>Amount Requested \$</b>	<b>Amount Recommended \$</b>	<b>Purpose</b>
Boonah Creative Arts Centre, Centacare	1,870	1,870	To purchase framing for 15 art works for public exhibition.
Cromehurst Special School P & C Vacation Activity Centre	3,200	2,500	To assist with transport and venue hire for January vacation activity program.
Hornsby District TPI Social & Welfare Club	1,000	300	A contribution towards Christmas function for members of the TPI Social and Welfare Club.
Hornsby Ku-ring-gai Association, Action for Mental Health Inc	1,500	1,000	Contribution towards recovery education sessions
House with No Steps	1,000	1,000	Contribution towards the increase in transport cost for the "Live It Up Program".
Lifestart Cooperative (Early Intervention Services - School Aged)	1,500	1,000	Contribution towards education kits and resources for Disability Services Library
Parkinson's NSW Inc - Hornsby Ku-ring-gai Support Group	1,500	1,000	Contribution towards production and distribution of monthly Newsletter
Rainbow Club Australia Inc/The Lindfield Rainbow Club	387	387	To purchase equipment used in swimming classes.
Recreation Rendezvous Inc.	2,000	1,500	Contribution towards the Drama Skills and Play Development Project
Serenity NSW Inc	1,000	1,000	Contribution towards the distribution of video tapes and other resource material on anxiety disorders to counsellors in Ku-ring-gai
SHHH Australia Inc	900	900	Contribution towards the production and distribution of their bi-monthly newsletter
Studio Artes Northside Inc.	1,830	1,300	Contribution towards camera equipment and accessories
Technical Aid to the Disabled (TAD) NSW	1,830	1,220	Contribution towards the provision of 2 reconditioned pentium 4 computers to people with a disability living in Ku-ring-gai.
Lindfield V.I.P. Support Group (Visually Impaired)	600	600	Contribution towards the cost of two excursions.
VISION AUSTRALIA, (formerly Royal Blind Society)	1,740	1,230	A contribution towards program and travel costs to assist 2 residents living in Ku-ring-gai.
<b>Totals</b>	<b>\$21,857</b>	<b>\$16,807</b>	



## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

<b>SUPPORT SERVICES</b>	<b>Amount Requested \$</b>	<b>Amount Recommended \$</b>	<b>Purpose</b>
18th Australian Infantry Battalion (Ku-ring-gai Regiment)	250	250	Visitation and Church Commemoration Program
Albert Drive Community Fire Unit	306	306	To purchase 2 x TX610 radio kits
Australian Volunteer Coast Guard Association Ku-ring-gai Flotilla	1,100	NIL	N/A
Babybumps Support Group (previously POSIE)	4,000	2,000	A contribution towards supported playgroup and advocacy and information support services.
Community Fire Unit No. 33	1,952	1,952	To purchase uniforms and communication equipment
DES Action Australia - NSW	500	NIL	N/A
Dial-A-Mum Inc	2,500	500	To assist in the operation of a telephone support and referral service through assistance with communication costs.
English At Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)	2,090	2,090	To purchase educational resources and equipment
Hornsby Ku-ring-gai Domestic Violence Network	5,000	3,000	A contribution towards a 16 day educational campaign to reduce violence against women.
Ku-ring-gai Bush Fire Brigade	2,500	2,500	To prepare a book documenting the history of the Ku-ring-gai Bushfire Brigade
Ku-ring-gai Family Support Service	1,000	1,000	To purchase family support resources
Ku-ring-gai Neighbourhood Centre Inc	2,200	2,200	To purchase computer equipment, resources and transport groups to Council and community facilities.
South Turrumurra Community Fire Unit MHP-39	988	988	To purchase emergency transceiver kit (2 x TK3207)
Winchester & Lyle Avenues CFU	694	694	To purchase fire fighting equipment
<b>Totals</b>	<b>\$25,080</b>	<b>\$17,480</b>	

## SUMMARY OF FUNDING APPLICATIONS AND RECOMMENDATIONS

YOUTH SERVICES	Amount Requested \$	Amount Recommended \$	Purpose
1st Cromehurst Scout Group	2,000	1,000	To assist in the costs involved in sending 2 young people from Ku-ring-gai to the Scout Jamboree in Victoria
1st Lindfield Scout Group	1,238	1,000	Contribution towards 1 x leaders hiking tent, 2 x abseiling ropes and 3 x heavy duty camping coolers
Hornsby/Ku-ring-gai Police & Community Youth Club	4,575	1,000	1 x television set, 1 x Xbox 360 console, 1 x additional controller, 9 x games
Killara High School (Duke of Edinburgh Award Scheme)	1,228	1,000	Contribution towards 1 x lightweight rain jacket, 1 x ultralite sleeping bag and liner, 1 x headlamp
Killara Scout Group	1,500	1,000	To purchase 1 x patrol tent with fly
Ku-ring-gai Little Athletics Inc	1,050	1,050	Purchase of trolleys for transporting sporting equipment
Ku-ring-gai Youth Development Service (KYDS)	7,000	5,000	Contribution towards development and implementation of anger management and adult support programs
Migrant Network Services (Northern Sydney) Ltd	6,980	1,000	A contribution towards the translation costs of the Recently Arrived Youth Information Booklet
North Turramurra Church of Christ Youth Group	300	300	Advertising and program costs - \$300
Roseville Scout Group	4,800	1,000	Contribution towards purchase of a dining tent and tables
<b>Totals</b>	<b>\$30,671</b>	<b>\$13,350</b>	

**COMMUNITY SERVICES  
FINANCIAL ASSISTANCE PROGRAM  
APPLICATION ASSESSMENTS 2006**

Attachment 2

**CATEGORY: AGED SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought \$</b>	<b>Amount Recommended \$</b>
Community Friendship Group "Cooinda"	1,000	1,000
Computer Pals for Seniors (Kuring-gai) Inc	438	438
Constant Companion Service	1,635	1,635
Easy Care Gardening Inc	1,830	1,830
Mercy Community Care	3,000	3,000
Northside Church	1,000	1,000
Probus Club of Warrawee (Inc)	350	350
University of the Third Age (U3A) - Upper North Region	1,300	1,300
<b>Totals</b>	<b>\$10,553</b>	<b>\$10,553</b>

## AGED SERVICES

<b>ORGANISATION:</b>	<b>Community Friendship Group "Cooinda"</b> The Friendship Group is a ministry of Turramurra Church of Christ. The group provides opportunities for frail aged and people with a disability to meet, socially and share their experiences
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	Monthly luncheons for frail aged, providing relevant programmes.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$ 500</b> <b>2001 - \$ 750</b> <b>2002 - \$1000</b> <b>2003 - \$1000</b> <b>2004 - \$1000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Community Friendship group meets monthly for a program of activities which includes morning tea followed by varied recreational, educational, social activities and then lunch. The group is open to everyone whether in care or still living in their own home. The group is meeting identified community needs by providing social activity to older people who have the potential of being isolated in their homes. "Cooinda" utilises the services of Hornsby/Ku-ring-gai Community Transport to pick up people from their homes. Apart from funds provided by Council the group is reliant on donations and practical assistance from volunteers and contributions by participants. The leaders of the Group are very supportive of Council's Seniors Week activities and actively participate on the organising committee.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards monthly activities.

## AGED SERVICES

<b>ORGANISATION:</b>	<b>Computer Pals for Seniors (Ku-ring-gai) Inc</b> Computer Pals is a not-for-profit organisation. Volunteer tutors teach seniors computers skills on an individual and group basis.
<b>AMOUNT REQUESTED:</b>	\$438
<b>PURPOSE:</b>	Connecting ADSL Broadband to Tutoring Room and into East Lindfield Hall for demonstration of internet and email functions to seniors.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$2,000</b> <b>2002 - \$1,000</b> <b>2004 - \$2,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	
<b>COMMENTS:</b>	Computer Pals Ku-ring-gai is seeking funding to connect their computer to broadband to enable them to teach senior citizens how to use email and the internet. The upgraded connection will enable a speedy transfer of information to and from the internet. Computer Pals provides one-on-one tutoring to about 20 individuals. Classes are held throughout the week and at a time convenient to the tutor and student. Approximately 40 people attend the monthly meetings in the hall. The number of older people who contact Council requesting basic computer course information is increasing. This indicates a need for organisations like Computer Pals to teach basic computer skills including emailing and internet access. The organisation is completely voluntary and they try to keep the cost to members as low as possible.
<b>AMOUNT RECOMMENDED:</b>	\$438
<b>SPECIFIC PURPOSE:</b>	Equipment for ASDL Broadband internet access .

## AGED SERVICES

**ORGANISATION:****Constant Companion Service**

Constant Companion is a community based organisation providing a subsidised 24 hour, 7 days a week personal alarm system to enable aged or disabled people living at home to call for assistance. The aim is to assist people to remain in their own homes and provide peace of mind for family and carers.

**AMOUNT REQUESTED:**

\$1,635

**PURPOSE:**

To provide a Constant Companion 24 hour home emergency monitoring service to 3 financially disadvantaged residents of Ku-ring-gai.

**PREVIOUS COUNCIL GRANTS?**

**1999 - \$1,190**  
**2002 - \$1,585**  
**2003 - \$1,727**  
**2004 - \$1,524.60**  
**2005 - \$1,689**  
**2006 - \$1,524**

**PREVIOUS CONDITIONS MET?****COMMENTS:**

As a Home and Community Care (HACC) funded service Constant Companion aims to provide services to frail elderly, people with a disability and their carers to enable people to remain in their own home. The emergency home monitoring systems will provide the security of knowing that help is available at a press of a button if people fall over or become ill. This subsidy will pay the up-front cost of \$545 to supply and install emergency monitoring equipment in the homes of three residents of Ku-ring-gai who have been assessed as being financially disadvantaged. The client's contribution will be \$200 per year for the ongoing monitoring fee. This project meets a identified need of providing safety and security for people to remain in their own home.

**AMOUNT RECOMMENDED:**

\$1,635

**SPECIFIC PURPOSE:**

Contribution towards the cost of providing the monitoring service to 3 Ku-ring-gai residents who are financially disadvantaged.

## AGED SERVICES

<b>ORGANISATION:</b>	<b>Easy Care Gardening Inc</b> The Service assists aged pensioners and people with a disability and their carers to stay in their homes by providing a gardening and lawn mowing service.
<b>AMOUNT REQUESTED:</b>	\$1,830
<b>PURPOSE:</b>	Purchase of safety equipment for volunteers and a hedge trimmer.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$1,650</b> <b>2003 - \$2,505</b> <b>2004 - \$1,830</b> <b>2005 - \$973</b> <b>2006 - \$1,100</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Easy Care Gardening Service utilises volunteers to “make over” gardens of frail elderly people residence and design them so they are easy to look after. The organisation also provides a lawn mowing service. The service is supported by 270 volunteers who provide over 15,300 hours of service annually. Services are primarily provided to residents who receive a Centrelink payment and are financially disadvantaged. The funds will be used to purchases safety equipment including vests and hats. The OH&S requirements for volunteers are similar to those in the paid workforce. The hedge trimmer will be used to maintain gardens of clients.
<b>AMOUNT RECOMMENDED:</b>	\$1,830
<b>SPECIFIC PURPOSE:</b>	Protective shirts and hats and a hedge trimmer

## AGED SERVICES

<b>ORGANISATION:</b>	<b>Mercy Community Care</b> A division of Catholic Healthcare Inc, the organisation provides a wide range of community services including HACC funded and aged care packages.
<b>AMOUNT REQUESTED:</b>	\$3,000
<b>PURPOSE:</b>	To produce a promotional DVD for the new Telephone Link services.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$500</b> <b>2001 - \$750</b> <b>2002 - \$1000</b> <b>2003 - \$1000</b> <b>2004 - \$1000</b> <b>2005 - \$1000</b>
<b>PREVIOUS CONDITIONS MET?</b>	
<b>COMMENTS:</b>	Social isolation and loneliness of older people has been identified as a critical issue in the Ku-ring-gai area. This project is also trying to connect older people into community activities. The new services being trialled by Mercy Community Care will go some way to addressing this issue. Telephone Link will have volunteers contact persons who have been identified as isolated. They will make a daily phone call to check up on them and have a chat. If, over a period of time, the person being monitored required additional services the volunteer will advise Mercy Community Care who will be able to provide a significant range of home support services. The funds sought will be used to produce a DVD to promote the service to potential volunteers and clients. Mercy Community Care is not receiving any government funding for this new service.
<b>AMOUNT RECOMMENDED:</b>	\$3,000
<b>SPECIFIC PURPOSE:</b>	Production of a promotional DVD for the telephone Link Service.



## AGED SERVICES

<b>ORGANISATION:</b>	<b>Northside Church</b> Northside Community Lunch is a volunteer-based outreach of the Northside Church to provide people who need it, friendship and to give them a sense of their value to the community.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	To provide a social and recreational outing including lunch, entertainment and transport.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$1,000</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Northside Community Lunch is meeting an identified community need by providing social activities to older people who are socially isolated. The social activities are free and held on a monthly basis and guests are sourced from Meals-on-Wheels. The donation will go towards the cost of transporting participants to and from the lunch. The provision of transport to and from social activities has been identified as a main issue for older people and people with a disability in the Ku-ring-gai Community Plan 2005-2009. Without the bus, the group has no other means of transporting the members to the activities. Many of the people who attend the luncheons are frail elderly and require the use of wheelchair accessible buses. The volunteers are making a contribution by providing the lunch and entertainment. Throughout the year over 55 different people attend the Lunch.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards transporting frail elderly people to the Community Lunch.

## AGED SERVICES

<b>ORGANISATION:</b>	<b>Probus Club of Warrawee (Inc)</b> Probus a world wide movement aiming to provide fellowship, education and social activity to active retired people.
<b>AMOUNT REQUESTED:</b>	\$350
<b>PURPOSE:</b>	Hire of display stall at the Wahroonga Community Fair on Sunday 3 December 2006 to promote Probus activities and seek membership.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$320</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Probus is an association that expands the interests and enjoyment and fellowship of new friends. There are currently 16 clubs operating in the Ku-ring-gai area. These clubs are working together and embarking on a recruitment campaign to increase the membership in each club to about 100 people and to decrease the median age of its membership. Probus is meeting an identified community need by providing social and recreational activities to older people including monthly guest speakers and information on support services.
<b>AMOUNT RECOMMENDED:</b>	\$350
<b>SPECIFIC PURPOSE:</b>	To fund a promotional campaign to assist 16 Probus Clubs in the area to recruit new members

## AGED SERVICES

<b>ORGANISATION:</b>	<b>University of the Third Age (U3A) - Upper North Region</b> U3A is an international movement based on the principle that learning is lifelong. They provide education, leisure and learning programmes to mature age people.
<b>AMOUNT REQUESTED:</b>	\$1,300
<b>PURPOSE:</b>	Purchase of a data projector to be used in their courses.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	U3A have been very active in Ku-ring-gai with increasing membership. They provide low cost education and leisure programs to older people in the community by organising volunteer tutors to present courses on a wide variety of subjects. The organisation currently have 12,120 members throughout Sydney. They run courses in a number of locations in Ku-ring-gai including the Seniors Resource Centre in Lindfield, Lifeline Centre in Gordon and St Ives Uniting Church. The organisation is wanting to purchase a data projector which will be used conduct their classes to a professional standard that is now expected across educational organisations in this technological age. U3A is meeting an identified community need from the Ku-ring-gai Community Plan 2005-2009 by providing leisure and education activities to older people.
<b>AMOUNT RECOMMENDED:</b>	\$1,300
<b>SPECIFIC PURPOSE:</b>	Contribution to the purchase of a data projector

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Combined Churches - Ignite the Flame Festival</b> The festival is affiliated with Fusion Australia which is a National Youth and Community Organisation which emerged as a creative response to socially at risk young people in the Northern Sydney region since 1960. Today it is a national work with around 180 staff and thousands of volunteers in 25 centres across the country.
<b>AMOUNT REQUESTED:</b>	\$2,000
<b>PURPOSE:</b>	Hiring of a stage and sound system for the entertainment for the festival.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$1,100</b> <b>2006 - \$1,200</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Ignite the Flame is a community event organised by the Ku-ring-gai Combined Churches. This event is held annually at St Ives Village Green and aims to bring together the local community through celebration. It adds to the traditional character of Ku-ring-gai and provides a number of free activities and entertainment for families. A small organising committee made up of representatives from churches in Ku-ring-gai coordinate the festival with the assistance of 200 volunteers. The main source of income for this event is derived from church donations and food stall sales. In previous years this event has been attended by approximately 3,000 people. Staging and sound are a costly yet vital component for any entertainment program particularly at a festival of this size.
<b>AMOUNT RECOMMENDED:</b>	\$2,000
<b>SPECIFIC PURPOSE:</b>	Hire of stage and sound system

## ARTS & CULTURAL SERVICES

**ORGANISATION:**

**Ku-ring-gai Art Society Inc**

The Ku-ring-gai Art Society Inc. has been established for 41 years and includes volunteers that are practicing artists or persons interested in the arts. The Society aims to foster and contribute towards the visual arts in the Ku-ring-gai community and to work for the recognition of the importance of art in education, community life, commerce and industry and the appreciation of art by the general public.

**AMOUNT REQUESTED:**

\$2,000

**PURPOSE:**

Contributing to the cost of mounting the annual awards exhibition and the purchase of the silver jubilee trophy.

**PREVIOUS COUNCIL GRANTS? 2005 - \$1,000**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The Ku-ring-gai Art Society (the only Art Society in Ku-ring-gai) has been providing an arts related network service for the past 41 years. It organises 3 public art exhibitions per year for its 300 members, the majority of whom reside in Ku-ring-gai. The Annual Awards Exhibition is the largest of its kind in the LGA attracting media and resident attention, and is held over 6 days in June at the St Ives Shopping Village. It gives its members the opportunity to exhibit and receive acknowledgement for their work by the general community as well as be judged by well known Sydney artists.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

Purchase of the Silver Jubilee Cup and contribution towards mounting the exhibition.

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Combined Churches Carols in the Park</b> The Ku-ring-gai Combined Churches are the organising committee which has worked in the past in association with Ku-ring-gai Council in the planning of Carols in the Park. This event has been held over the past 18 years, and is now coordinated by the Christian Churches with limited Council involvement.
<b>AMOUNT REQUESTED:</b>	\$12,000
<b>PURPOSE:</b>	Contributing to the cost of staging the event - PA System, stage lighting and remainder of the discounted park hire fee.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$16,000</b> <b>2003 - \$10,000</b> <b>2004 - \$10,000</b> <b>2005 - \$9,500</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Carols in the Park is a major community cultural event attracting approximately 5,000 people (mainly families with children). The open air concert is held annually at Bicentennial Park and provides for an evening of community singing, live music and theatrical performances. The event is free of charge and encourages the participation of a wide cross section of the community. It is a collaborative event involving local combined churches, community organisations and local schools. Last year's event raised over \$3,000 to support the activities of Lifeline. The event is coordinated by 12 volunteers that take on various roles to make this event happen. The park hire fee will once again be discounted by 50%.
<b>AMOUNT RECOMMENDED:</b>	\$9,500
<b>SPECIFIC PURPOSE:</b>	PA System, stage lighting and park hire fee

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Historical Society Inc</b> Promotion of local and family history of Ku-ring-gai and its residents. Collection of relevant historical material and the development of reference sources to aid the above.
<b>AMOUNT REQUESTED:</b>	\$1,447
<b>PURPOSE:</b>	Purchase of oral history recording equipment, PA equipment for tours, copying Council rate valuations and an external hard drive.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$1,965</b> <b>2005 - \$1,159</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The Society aims to research and record the local history of Ku-ring-gai. It provides valuable promotion of local and family history of Ku-ring-gai and its residents. It has contributed significantly to Council's Centenary celebrations by coordinating the Social History Tent (live recordings of oral history by Ku-ring-gai residents). Additional funding is sought for the purpose of further adding to it's Social History activities and the purchase of equipment to record oral histories and conduct historical tours throughout Ku-ring-gai.
<b>AMOUNT RECOMMENDED:</b>	\$1,098
<b>SPECIFIC PURPOSE:</b>	Purchase of oral history recording equipment & PA equipment for tours

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Male Choir Inc</b> A community male choir with members mainly drawn from the Hornsby and Ku-ring-gai LGA's. Its objectives are to establish and maintain a community of men with a love of singing, to provide entertainment to older people in the community and to raise funds for selected charities.
<b>AMOUNT REQUESTED:</b>	\$3,000
<b>PURPOSE:</b>	Purchase an electronic keyboard, produce a CD and publish a booklet to mark the 60th Anniversary.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$450</b> <b>2003 - \$350</b> <b>2004 - \$300</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Ku-ring-gai Male Choir concert program has been in operation since 1946. Funds are sought to purchase an electronic keyboard, produce a CD and publish a booklet to mark the 60th anniversary. The choir provides opportunities for men to perform to an audience such as hospitals and retirement villages for the elderly people in our community. Funding for the purchase of the keyboard is recommended as this will enhance the Choir's performance and lead to greater audience enjoyment. A contribution towards the production of a CD and 60th anniversary booklet is also recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,300
<b>SPECIFIC PURPOSE:</b>	Purchase of electronic keyboard and contribution towards a CD and historical booklet.



## ARTS & CULTURAL SERVICES

**ORGANISATION:****Ku-ring-gai Philharmonic Orchestra**

The Ku-ring-gai Philharmonic Orchestra is the only community orchestra in Ku-ring-gai. It aims to provide orchestral music to all sectors of the community; cultural enrichment, training opportunities for young artists and composers and music appreciation for live performance and active music making.

**AMOUNT REQUESTED:**

\$1,0630

**PURPOSE:**

Secondary Schools Concerto competition, Education and professional development program, transport for seniors and audio-visual presentation at Kids Proms concert.

**PREVIOUS COUNCIL GRANTS?**

**2000 - \$8,800**

**2001 - \$7,500**

**2002 - \$7,000**

**2003 - \$5,000**

**2004 - \$4,000**

**2005 - \$5,300**

**PREVIOUS CONDITIONS MET?**

**Yes**

**COMMENTS:**

The KPO has been in existence for 34 years and aims to provide training opportunities for young artist, composers, and live performances. The 140 odd members and players of the Orchestra are volunteers. The proposed education and professional development program is supporting the artistic development of members of the KPO and involves a lecture program presented by the Chair of Musicology at the Sydney Conservatorium. The program is also available to high school students and community members associated with the KPO. Professional tutors will also be engaged from the Sydney Symphony to work with players in preparation of major performances. Funding is also sought for the Secondary Schools Concerto competition, a prestigious annual event, recognised nationally as a key stepping stone for young musicians aspiring to become international soloists. The service that the KPO has been providing in the LGA has been constant and promotes Ku-ring-gai as a creative centre for the performing arts.

**AMOUNT RECOMMENDED:**

**\$7,500**

**SPECIFIC PURPOSE:**

A contribution towards Concerto Competition, Education & professional development project, transport for seniors and audio visual presentations.

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Marian Street Theatre for Young People (MSTYP)</b> Marian Street Theatre for Young People (MSTYP) has been in operation for over 35 years and provides drama classes and theatre training in all aspects of production to young people and children. It also produces 3-4 children's plays per year and 102 youth productions.
<b>AMOUNT REQUESTED:</b>	\$900
<b>PURPOSE:</b>	Purchase a digital video camera.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$2,000</b> <b>2003 - \$1,080</b> <b>2005 - \$1,098</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The MSTYP adds to the local cultural enrichment by developing theatrical skills, fostering personal development and providing opportunities for young people and children to develop their own artistic skills. This theatre is unique as it focuses primarily on young people and provides them with a range of artistic opportunities in the local area. The acquisition of a digital video camera will greatly benefit the Theatre by the recording, replaying and archiving of performance pieces. It will also be used to review works and further develop the quality of shows as well as assist individuals to further train and improve their craft.
<b>AMOUNT RECOMMENDED:</b>	\$900
<b>SPECIFIC PURPOSE:</b>	Digital Video Camera (includes case, strap and tapes)

## ARTS & CULTURAL SERVICES

**ORGANISATION:****Northside Opera Study Group Inc.**

The study group has been in operation in Ku-ring-gai for 31 years and aims to encourage a greater understanding and appreciation of opera and music. It provides an opportunity for people to share their interest in these art forms, to socialise with like-minded people and to form new friendships.

**AMOUNT REQUESTED:**

\$1,779

**PURPOSE:**

Purchase of a notebook computer.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

Northside Opera Study Group meets at St David's Uniting Church Lindfield once a week. The study group addresses the developmental, leisure and social needs of older members of the Ku-ring-gai community by providing an avenue and opportunity for approximately 95 group members (aged 60+) to increase their understanding of opera, discuss topics of interest and form new friendships with like minded people. The study programs are wide and varied and there are lectures by distinguished artists, musicians, critics and academics as well as some performances by opera students. The purchase of a notebook is of significant benefit to the ongoing success of this study group and it's members as the computer will enable opera libretti to be downloaded and projected onto a large screen for group study purposes. Currently the group is paying to have libretti printed, but this is extremely costly and not sustainable.

**AMOUNT RECOMMENDED:**

\$1,779

**SPECIFIC PURPOSE:**

Purchase of a notebook computer.

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ryde Argyle Performing Arts Inc. (RAPA)</b> RAPA is a community theatre group based in Ku-ring-gai and remains one of only two or three theatre companies statewide that offers the opportunity to stage new, unpublished works. It's aim is to develop, train and promote emerging local talent in all areas of theatre and to provide a quality theatre experience for local theatre goers.
<b>AMOUNT REQUESTED:</b>	\$8,000
<b>PURPOSE:</b>	To develop "Ku-ring-gai Stories" theatre project and purchase of web placement equipment.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$2,870</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	RAPA is a non-profit community theatre company aimed at developing young people in theatre and performing arts and supporting the creative talents in areas of writing, performance, drama and dance. The activities of RAPA are supported by up to 200 volunteers. Funding is being sought for the "Ku-ring-gai Stories" project. This initiative is a play to be based on stories gleaned from people from various cultural and linguistic backgrounds in Ku-ring-gai and has the potential to involve a broad spectrum of the community. RAPA's productions are currently being held at the Marian Street Theatre. RAPA has also participated in Council's Australia Day Celebrations through a lantern puppet production involving local vacation activity centre children.
<b>AMOUNT RECOMMENDED:</b>	\$2,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the development of the project - "Ku-ring-gai Stories"

## ARTS & CULTURAL SERVICES

**ORGANISATION:****The Local Handcraft Association (LHA)**

The LHA is a non-profit handcraft co-op that showcases and fosters interest in handmade arts and crafts in the LGA. They provide an alternative handcrafted choice to the local community and help prevent crafts from dying out, as well as offering an alternative to mass produced products to the local community.

**AMOUNT REQUESTED:**

\$1,200

**PURPOSE:**

Printing and delivery of leaflets and purchase of newspaper advert and a portable banner.

**PREVIOUS COUNCIL GRANTS? 2005 - \$810****PREVIOUS CONDITIONS MET? Yes****COMMENTS:**

The LHA has been in operation in Ku-ring-gai for over 30 years and provides a focal point for local crafts workers. The Association's retail outlet is located in Gordon and is staffed by members on a voluntary roster basis. In addition to providing a retail/economic opportunity for local crafts workers, the 'shop' visits retirement villages on a regular basis to provide a shopping opportunity for those with limited mobility and to carry out demonstrations. It is important for this group to increase its profile in the community as craft of this nature represents different skill sets that are quickly diminishing in our community. The funds sought will assist with advertising and promotion of the handcraft co-op and their activities.

**AMOUNT RECOMMENDED:**

\$720

**SPECIFIC PURPOSE:**

To assist in the printing of advertising leaflets

## ARTS & CULTURAL SERVICES

**ORGANISATION:** **Wahroonga District Music Club**  
Member of the Federated Music Club and the aim is to present live performances of good music for it's members and their friends and to foster the development of talented young Australian musicians. Membership is open to all interested persons.

**AMOUNT REQUESTED:** \$537

**PURPOSE:** Re-upholster and re-spray concert piano stool.

**PREVIOUS COUNCIL GRANTS?** 2002 - \$1,430

**PREVIOUS CONDITIONS MET?**

**COMMENTS:** Funds are sought to re-spray and re-cover a piano stool. This item is not considered critical to the success of the group or of great benefit to their audience.

**AMOUNT RECOMMENDED:** 0

**SPECIFIC PURPOSE:**

**COMMUNITY SERVICES  
FINANCIAL ASSISTANCE PROGRAM  
APPLICATION ASSESSMENTS 2006**

**CATEGORY: ARTS & CULTURAL SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought \$</b>	<b>Amount Recommended \$</b>
Ku-ring-gai Combined Churches - Ignite the Flame Festival	2,000	2,000
Ku-ring-gai Art Society Inc	2,000	1,000
Ku-ring-gai Combined Churches Carols in the Park	12,000	9,500
Ku-ring-gai Historical Society Inc	1,447	1,098
Ku-ring-gai Male Choir Inc	3,000	1,300
Ku-ring-gai Philharmonic Orchestra	10,630	7,500
Marian Street Theatre for Young People (MSTYP)	900	900
Northside Opera Study Group Inc.	1,779	1,779
Ryde Argyle Performing Arts Inc. (RAPA)	8,000	2,000
The Local Handcraft Association (LHA)	1,200	720
Wahroonga District Music Club	537	0
<b>Totals</b>	<b>\$43,493</b>	<b>\$27,797</b>

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Combined Churches - Ignite the Flame Festival</b> The festival is affiliated with Fusion Australia which is a National Youth and Community Organisation which emerged as a creative response to socially at risk young people in the Northern Sydney region since 1960. Today it is a national work with around 180 staff and thousands of volunteers in 25 centres across the country.
<b>AMOUNT REQUESTED:</b>	\$2,000
<b>PURPOSE:</b>	Hiring of a stage and sound system for the entertainment for the festival.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$1,100</b> <b>2006 - \$1,200</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Ignite the Flame is a community event organised by the Ku-ring-gai Combined Churches. This event is held annually at St Ives Village Green and aims to bring together the local community through celebration. It adds to the traditional character of Ku-ring-gai and provides a number of free activities and entertainment for families. A small organising committee made up of representatives from churches in Ku-ring-gai coordinate the festival with the assistance of 200 volunteers. The main source of income for this event is derived from church donations and food stall sales. In previous years this event has been attended by approximately 3,000 people. Staging and sound are a costly yet vital component for any entertainment program particularly at a festival of this size.
<b>AMOUNT RECOMMENDED:</b>	\$2,000
<b>SPECIFIC PURPOSE:</b>	Hire of stage and sound system



## ARTS & CULTURAL SERVICES

**ORGANISATION:**

**Ku-ring-gai Art Society Inc**

The Ku-ring-gai Art Society Inc. has been established for 41 years and includes volunteers that are practicing artists or persons interested in the arts. The Society aims to foster and contribute towards the visual arts in the Ku-ring-gai community and to work for the recognition of the importance of art in education, community life, commerce and industry and the appreciation of art by the general public.

**AMOUNT REQUESTED:**

\$2,000

**PURPOSE:**

Contributing to the cost of mounting the annual awards exhibition and the purchase of the silver jubilee trophy.

**PREVIOUS COUNCIL GRANTS? 2005 - \$1,000**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The Ku-ring-gai Art Society (the only Art Society in Ku-ring-gai) has been providing an arts related network service for the past 41 years. It organises 3 public art exhibitions per year for its 300 members, the majority of whom reside in Ku-ring-gai. The Annual Awards Exhibition is the largest of its kind in the LGA attracting media and resident attention, and is held over 6 days in June at the St Ives Shopping Village. It gives its members the opportunity to exhibit and receive acknowledgement for their work by the general community as well as be judged by well known Sydney artists.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

Purchase of the Silver Jubilee Cup and contribution towards mounting the exhibition.

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Combined Churches Carols in the Park</b> The Ku-ring-gai Combined Churches are the organising committee which has worked in the past in association with Ku-ring-gai Council in the planning of Carols in the Park. This event has been held over the past 18 years, and is now coordinated by the Christian Churches with limited Council involvement.
<b>AMOUNT REQUESTED:</b>	\$12,000
<b>PURPOSE:</b>	Contributing to the cost of staging the event - PA System, stage lighting and remainder of the discounted park hire fee.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$16,000</b> <b>2003 - \$10,000</b> <b>2004 - \$10,000</b> <b>2005 - \$9,500</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Carols in the Park is a major community cultural event attracting approximately 5,000 people (mainly families with children). The open air concert is held annually at Bicentennial Park and provides for an evening of community singing, live music and theatrical performances. The event is free of charge and encourages the participation of a wide cross section of the community. It is a collaborative event involving local combined churches, community organisations and local schools. Last year's event raised over \$3,000 to support the activities of Lifeline. The event is coordinated by 12 volunteers that take on various roles to make this event happen. The park hire fee will once again be discounted by 50%.
<b>AMOUNT RECOMMENDED:</b>	\$9,500
<b>SPECIFIC PURPOSE:</b>	PA System, stage lighting and park hire fee

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Historical Society Inc</b> Promotion of local and family history of Ku-ring-gai and its residents. Collection of relevant historical material and the development of reference sources to aid the above.
<b>AMOUNT REQUESTED:</b>	\$1,447
<b>PURPOSE:</b>	Purchase of oral history recording equipment, PA equipment for tours, copying Council rate valuations and an external hard drive.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$1,965</b> <b>2005 - \$1,159</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The Society aims to research and record the local history of Ku-ring-gai. It provides valuable promotion of local and family history of Ku-ring-gai and its residents. It has contributed significantly to Council's Centenary celebrations by coordinating the Social History Tent (live recordings of oral history by Ku-ring-gai residents). Additional funding is sought for the purpose of further adding to it's Social History activities and the purchase of equipment to record oral histories and conduct historical tours throughout Ku-ring-gai.
<b>AMOUNT RECOMMENDED:</b>	\$1,098
<b>SPECIFIC PURPOSE:</b>	Purchase of oral history recording equipment & PA equipment for tours

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Male Choir Inc</b> A community male choir with members mainly drawn from the Hornsby and Ku-ring-gai LGA's. Its objectives are to establish and maintain a community of men with a love of singing, to provide entertainment to older people in the community and to raise funds for selected charities.
<b>AMOUNT REQUESTED:</b>	\$3,000
<b>PURPOSE:</b>	Purchase an electronic keyboard, produce a CD and publish a booklet to mark the 60th Anniversary.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$450</b> <b>2003 - \$350</b> <b>2004 - \$300</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Ku-ring-gai Male Choir concert program has been in operation since 1946. Funds are sought to purchase an electronic keyboard, produce a CD and publish a booklet to mark the 60th anniversary. The choir provides opportunities for men to perform to an audience such as hospitals and retirement villages for the elderly people in our community. Funding for the purchase of the keyboard is recommended as this will enhance the Choir's performance and lead to greater audience enjoyment. A contribution towards the production of a CD and 60th anniversary booklet is also recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,300
<b>SPECIFIC PURPOSE:</b>	Purchase of electronic keyboard and contribution towards a CD and historical booklet.

## ARTS & CULTURAL SERVICES

**ORGANISATION:****Ku-ring-gai Philharmonic Orchestra**

The Ku-ring-gai Philharmonic Orchestra is the only community orchestra in Ku-ring-gai. It aims to provide orchestral music to all sectors of the community; cultural enrichment, training opportunities for young artists and composers and music appreciation for live performance and active music making.

**AMOUNT REQUESTED:**

\$1,0630

**PURPOSE:**

Secondary Schools Concerto competition, Education and professional development program, transport for seniors and audio-visual presentation at Kids Proms concert.

**PREVIOUS COUNCIL GRANTS?**

**2000 - \$8,800**

**2001 - \$7,500**

**2002 - \$7,000**

**2003 - \$5,000**

**2004 - \$4,000**

**2005 - \$5,300**

**PREVIOUS CONDITIONS MET? Yes****COMMENTS:**

The KPO has been in existence for 34 years and aims to provide training opportunities for young artist, composers, and live performances. The 140 odd members and players of the Orchestra are volunteers. The proposed education and professional development program is supporting the artistic development of members of the KPO and involves a lecture program presented by the Chair of Musicology at the Sydney Conservatorium. The program is also available to high school students and community members associated with the KPO. Professional tutors will also be engaged from the Sydney Symphony to work with players in preparation of major performances. Funding is also sought for the Secondary Schools Concerto competition, a prestigious annual event, recognised nationally as a key stepping stone for young musicians aspiring to become international soloists. The service that the KPO has been providing in the LGA has been constant and promotes Ku-ring-gai as a creative centre for the performing arts.

**AMOUNT RECOMMENDED:**

\$7,500

**SPECIFIC PURPOSE:**

A contribution towards Concerto Competition, Education & professional development project, transport for seniors and audio visual presentations.

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Marian Street Theatre for Young People (MSTYP)</b> Marian Street Theatre for Young People (MSTYP) has been in operation for over 35 years and provides drama classes and theatre training in all aspects of production to young people and children. It also produces 3-4 children's plays per year and 102 youth productions.
<b>AMOUNT REQUESTED:</b>	\$900
<b>PURPOSE:</b>	Purchase a digital video camera.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$2,000</b> <b>2003 - \$1,080</b> <b>2005 - \$1,098</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The MSTYP adds to the local cultural enrichment by developing theatrical skills, fostering personal development and providing opportunities for young people and children to develop their own artistic skills. This theatre is unique as it focuses primarily on young people and provides them with a range of artistic opportunities in the local area. The acquisition of a digital video camera will greatly benefit the Theatre by the recording, replaying and archiving of performance pieces. It will also be used to review works and further develop the quality of shows as well as assist individuals to further train and improve their craft.
<b>AMOUNT RECOMMENDED:</b>	\$900
<b>SPECIFIC PURPOSE:</b>	Digital Video Camera (includes case, strap and tapes)

## ARTS & CULTURAL SERVICES

**ORGANISATION:**

**Northside Opera Study Group Inc.**

The study group has been in operation in Ku-ring-gai for 31 years and aims to encourage a greater understanding and appreciation of opera and music. It provides an opportunity for people to share their interest in these art forms, to socialise with like-minded people and to form new friendships.

**AMOUNT REQUESTED:**

\$1,779

**PURPOSE:**

Purchase of a notebook computer.

**PREVIOUS COUNCIL GRANTS? No**

**PREVIOUS CONDITIONS MET? N/A**

**COMMENTS:**

Northside Opera Study Group meets at St David's Uniting Church Lindfield once a week. The study group addresses the developmental, leisure and social needs of older members of the Ku-ring-gai community by providing an avenue and opportunity for approximately 95 group members (aged 60+) to increase their understanding of opera, discuss topics of interest and form new friendships with like minded people. The study programs are wide and varied and there are lectures by distinguished artists, musicians, critics and academics as well as some performances by opera students. The purchase of a notebook is of significant benefit to the ongoing success of this study group and it's members as the computer will enable opera libretti to be downloaded and projected onto a large screen for group study purposes. Currently the group is paying to have libretti printed, but this is extremely costly and not sustainable.

**AMOUNT RECOMMENDED:**

\$1,779

**SPECIFIC PURPOSE:**

Purchase of a notebook computer.

## ARTS & CULTURAL SERVICES

<b>ORGANISATION:</b>	<b>Ryde Argyle Performing Arts Inc. (RAPA)</b> RAPA is a community theatre group based in Ku-ring-gai and remains one of only two or three theatre companies statewide that offers the opportunity to stage new, unpublished works. It's aim is to develop, train and promote emerging local talent in all areas of theatre and to provide a quality theatre experience for local theatre goers.
<b>AMOUNT REQUESTED:</b>	\$8,000
<b>PURPOSE:</b>	To develop "Ku-ring-gai Stories" theatre project and purchase of web placement equipment.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$2,870</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	RAPA is a non-profit community theatre company aimed at developing young people in theatre and performing arts and supporting the creative talents in areas of writing, performance, drama and dance. The activities of RAPA are supported by up to 200 volunteers. Funding is being sought for the "Ku-ring-gai Stories" project. This initiative is a play to be based on stories gleaned from people from various cultural and linguistic backgrounds in Ku-ring-gai and has the potential to involve a broad spectrum of the community. RAPA's productions are currently being held at the Marian Street Theatre. RAPA has also participated in Council's Australia Day Celebrations through a lantern puppet production involving local vacation activity centre children.
<b>AMOUNT RECOMMENDED:</b>	\$2,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the development of the project - "Ku-ring-gai Stories"



## ARTS & CULTURAL SERVICES

**ORGANISATION:**

**The Local Handcraft Association (LHA)**

The LHA is a non-profit handcraft co-op that showcases and fosters interest in handmade arts and crafts in the LGA. They provide an alternative handcrafted choice to the local community and help prevent crafts from dying out, as well as offering an alternative to mass produced products to the local community.

**AMOUNT REQUESTED:**

\$1,200

**PURPOSE:**

Printing and delivery of leaflets and purchase of newspaper advert and a portable banner.

**PREVIOUS COUNCIL GRANTS? 2005 - \$810**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The LHA has been in operation in Ku-ring-gai for over 30 years and provides a focal point for local crafts workers. The Association's retail outlet is located in Gordon and is staffed by members on a voluntary roster basis. In addition to providing a retail/economic opportunity for local crafts workers, the 'shop' visits retirement villages on a regular basis to provide a shopping opportunity for those with limited mobility and to carry out demonstrations. It is important for this group to increase its profile in the community as craft of this nature represents different skill sets that are quickly diminishing in our community. The funds sought will assist with advertising and promotion of the handcraft co-op and their activities.

**AMOUNT RECOMMENDED:**

\$720

**SPECIFIC PURPOSE:**

To assist in the printing of advertising leaflets

## ARTS & CULTURAL SERVICES

**ORGANISATION:**

**Wahroonga District Music Club**

Member of the Federated Music Club and the aim is to present live performances of good music for it's members and their friends and to foster the development of talented young Australian musicians. Membership is open to all interested persons.

**AMOUNT REQUESTED:**

\$537

**PURPOSE:**

Re-upholster and re-spray concert piano stool.

**PREVIOUS COUNCIL GRANTS? 2002 - \$1,430**

**PREVIOUS CONDITIONS MET?**

**COMMENTS:**

Funds are sought to re-spray and re-cover a piano stool. This item is not considered critical to the success of the group or of great benefit to their audience.

**AMOUNT RECOMMENDED:**

0

**SPECIFIC PURPOSE:**

**COMMUNITY SERVICES  
FINANCIAL ASSISTANCE PROGRAM  
APPLICATION ASSESSMENTS 2006**

**CATEGORY: CHILDREN'S SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought \$</b>	<b>Amount Recommended \$</b>
Australian Breastfeeding Association (ABA) – Turramurra Group	2,790	1,740
East Lindfield Community Pre-school	991	991
Hornsby Ku-ring-gai & Hills Multiple Births Association	1,140	1,140
KU Killara Park Pre school	600	600
KU Saddington Street Pre School	1,460	1,460
KU St Ives Barra Brui Pre-School	1,500	1,500
KU Wahroonga Pre-School	1,250	1,250
Lady Game Community Kindergarten	820	820
Lindfield Montessori Preschool	1,692	1,692
Montessori Excelsior School	945	945
Pymble Turramurra Kindergarten	431	431
Roseville P & C Kids Care Association	5,000	2,000
St Ives Occasional Care Inc	3,000	2,040
St Ives Pre-school Kindergarten	940	940
Warrawee Public School P&C Association	5,000	1,500
<b>Totals</b>	<b>\$27,559</b>	<b>\$19,049</b>

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>Australian Breastfeeding Association (ABA) – Turramurra Group</b> The Australian Breastfeeding Association (ABA) is a voluntary organisation established in 1964 to encourage and support mothers who wish to breastfeed their babies and to promote skilled and caring mothering whilst creating in the community awareness of the importance of human milk.
<b>AMOUNT REQUESTED:</b>	\$2,790
<b>PURPOSE:</b>	To purchase an electric breast pump to be available for community hire, send a worker to a breastfeeding conference and printing and postage of the newsletter.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$1,200</b> <b>2003 - \$465</b> <b>2001 - \$1,331</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The organisation supports local mothers referred by hospitals and early childhood health centres. Their services include support, information and networking to local mothers, 24 hour helpline, face-to-face counselling and newsletter provision. The ABA hire out breast pumps to assist mothers having difficulty breastfeeding and have 2 electronic breast pumps that are constantly hired out to mothers for a fee between nil and \$15 per week. There is a need for additional electric breast pumps in the Ku-ring-gai local area.
<b>AMOUNT RECOMMENDED:</b>	\$1,740
<b>SPECIFIC PURPOSE:</b>	To purchase an electric breast pump

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>East Lindfield Community Pre-school</b> The East Lindfield Community Pre-school has been in operation for 53 years and opens during school terms, Mondays to Fridays, from 9.00am-3.00pm. Children aged 3-5 years use the pre-school and families are usually from East Lindfield, Lindfield, Roseville, Killara and East Killara.
<b>AMOUNT REQUESTED:</b>	\$991
<b>PURPOSE:</b>	To purchase painting easels, smock stands and educational software designed specifically for children with special needs.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The pre-school has requested painting equipment and educational software to assist children with disabilities' literacy skills. The painting equipment will also be utilised by the Sunday School children that also have use of the pre-school's premises. The equipment purchased will assist children's fine motor skills, creative tasks and children's language development. The 86 pre-school children who attend the centre annually will benefit from the requested equipment.
<b>AMOUNT RECOMMENDED:</b>	\$991
<b>SPECIFIC PURPOSE:</b>	To purchase 2 perspex (see-through), double sided painting easels and 1 special needs literacy software program.

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>Hornsby Ku-ring-gai &amp; Hills Multiple Births Association</b> The organisation aims to provide services and support to multiple birth families. Established in 1980, it provides services to families in Ku-ring-gai and other areas. Members of this organisation include parents and guardians of multiple birth children and expectant parents of multiple birth children.
<b>AMOUNT REQUESTED:</b>	\$1,140
<b>PURPOSE:</b>	To print and distribute monthly newsletter and crisis meal provision.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$1,800</b> <b>2001 - \$1,200</b> <b>2002 - \$1,100</b> <b>2003 - \$1,375</b> <b>2004 - \$1,175</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The service is unique as there are no other local service providing support to multiple birth families. Events run by the service includes information evenings, telephone support, hospital visits, playgroups, newsletter provision, equipment loan and the distribution of emergency meals. Approximately 50% of their member families reside in the Ku-ring-gai area. The newsletter provision is a valuable communication tool for the 650 members of the organisation especially for parents who are unable to attend meetings or events. The newsletters enhance parent awareness of children and parenting issues and may aid to ease parent isolation. The crisis meal service also assists families who require additional support and are experiencing significant stress in their lives.
<b>AMOUNT RECOMMENDED:</b>	\$1,140
<b>SPECIFIC PURPOSE:</b>	Newsletter publication and crisis meal service.

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>KU Killara Park Pre school</b> The pre-school currently provides a service to 80 children per year. The pre-school has been operating for 62 years and are open during school terms, Mondays to Fridays, from 8.30am - 3.30pm. The families attending the pre-school are mainly from the suburbs surrounding Killara. Children aged 3-5 years of age attend the pre-school.
<b>AMOUNT REQUESTED:</b>	\$600
<b>PURPOSE:</b>	To purchase children's books for their lending library.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$500</b> <b>2001 - \$500</b> <b>2002 - \$500</b> <b>2003 - \$500</b> <b>2004 - \$500</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The requested children's lending library books aim to improve children's literacy levels and develop a link between the home and pre-school environment. The children's lending library books aim to assist and encourage children to read aloud and enhance home literacy activities. The books will be utilised by the 80 existing families and future families attending the centre.
<b>AMOUNT RECOMMENDED:</b>	\$600
<b>SPECIFIC PURPOSE:</b>	To purchase children's books for lending library.

## CHILDREN'S SERVICES

**ORGANISATION:**

**KU Saddington Street Pre School**

KU Saddington St Community Pre-school provides services for 40 families per week and has been established for 13 years. The services operates during school terms, Mondays to Wednesdays, from 9.00am - 3.00pm. The majority of the families using the service are from South Turramurra, Wahroonga, Warrawee and West Pymble.

**AMOUNT REQUESTED:**

\$1,460

**PURPOSE:**

To purchase more challenging children's resources to accommodate older children.

**PREVIOUS COUNCIL GRANTS?**

**2002 - \$1,155**

**2003 - \$1,100**

**2004 - \$715**

**2005 - \$564**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The KU pre-school previously catered for 3-year-olds only, however the service has recently expanded their age group to 3-5 year old children. Due to the change, more challenging children's equipment for the older children is required. KU Saddington Street Pre-school has requested a variety of children's resources to develop children's gross motor, creative and cognitive skills. The requested resources include metal climbing frames, safety trampoline, safety crash mats, puzzles and a music keyboard. The pre-school has limited state government funding and has limited fundraising opportunities.

**AMOUNT RECOMMENDED:**

\$1,460

**SPECIFIC PURPOSE:**

To purchase metal climbing frames, safety trampoline, safety crash mats, puzzles, music keyboard.



## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>KU St Ives Barra Brui Pre-School</b> St Ives Pre-school provides a service for 80 children and their families. The service aims to provide a high quality education program for children 3-5 years of age. The organisation operates during school terms, Monday to Friday from 8.00am to 4.00pm.
<b>AMOUNT REQUESTED:</b>	\$1,500
<b>PURPOSE:</b>	To gain funding to engage an Aboriginal artist to work with children on an artwork project.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$1,520</b> <b>2002 - \$550</b> <b>2003 - \$1,000</b> <b>2004 - \$770</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Aboriginal Artwork Project aims to paint artwork onto existing fixtures at the pre-school, with children creating and delivering the artwork in conjunction with an indigenous artist engaged for the project. The art work will comprise of local totems and proposes to educate children and their families about the school's traditional sense of place. The project is seen as beneficial as it aims to increase the awareness of the indigenous culture to children and families in a creative, interactive project.
<b>AMOUNT RECOMMENDED:</b>	\$1,500
<b>SPECIFIC PURPOSE:</b>	To develop an Aboriginal Artwork Project.

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>KU Wahroonga Pre-School</b> KU Wahroonga Pre-School provides a service for 80 families with children aged 3-5 years of age. It has provided a pre-school service for 50 years and the majority of its families live in the Wahroonga and Turrumurra within the Ku-ring-gai LGA. The pre-school operates Monday to Fridays during school terms from 8.30am - 3.30pm.
<b>AMOUNT REQUESTED:</b>	\$1,250
<b>PURPOSE:</b>	To purchase outdoor trestles and easels for the outdoor area.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$650</b> <b>2006 - \$100</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The trestles requested aim to enhance children's gross motor skills with the provision of outdoor play equipment. The painting easels requested will aid children's fine motor, creative and social development through the use of painting equipment. The equipment requested will have benefit for the 80 children currently using the pre-school and its future enrolment population.
<b>AMOUNT RECOMMENDED:</b>	\$1,250
<b>SPECIFIC PURPOSE:</b>	To purchase 4 trestles and 2 easels

## CHILDREN'S SERVICES

**ORGANISATION:**

**Lady Game Community Kindergarten**

Lady Game Community Kindergarten is a pre-school for 3-5 year old children and operates during school terms, Monday to Friday, 9.00am - 3.00pm. It has been in operation for approximately 40 years. The pre-school objectives aim to provide a safe and nurturing environment for children from all cultures and ethnic backgrounds with an educational experience that is fun and growth enhancing.

**AMOUNT REQUESTED:**

\$820

**PURPOSE:**

To purchase Aboriginal and multicultural children's resources.

**PREVIOUS COUNCIL GRANTS?**

**2000 - \$1,300**

**2001 - \$710**

**2002 - \$500**

**2003 - \$800**

**2004 - \$1,100**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The resources requested aim to promote and encourage children's awareness and respect for Aboriginal culture and art. The multicultural resource, a world map carpet also intends to enhance children's awareness of cultural and linguistic diversity through fun and creative activities. Both resources are beneficial in respecting the diversity at the pre-school and wider community and promote access and equity principles.

**AMOUNT RECOMMENDED:**

\$820

**SPECIFIC PURPOSE:**

To purchase Aboriginal resources including bowls, digging sticks and music sticks and a Giant World Map Carpet.

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>Lindfield Montessori Preschool</b> The Lindfield Montessori Preschool provides a pre-school service for up to 30 children. It has been in operation for 31 years and opens during school terms, Monday to Fridays 8.30am - 2.30pm. The 3-5-year-old children who use the service predominantly are from Killara, Lindfield, Gordon and Roseville within the Kuring-gai LGA.
<b>AMOUNT REQUESTED:</b>	\$1,692
<b>PURPOSE:</b>	To purchase outdoor play equipment and children, staff and parent books.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$500</b> <b>2002 - \$700</b> <b>2003 - \$500</b> <b>2004 - \$650</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The resources requested will benefit the children by enhancing their outdoor play experiences. The books requested have the opportunity to broaden staff and parent awareness on a variety of children's issues and the children's books aim to increase literacy experiences. The resources will benefit current and future families using the pre-school. A contribution towards funding the resources is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$1,692
<b>SPECIFIC PURPOSE:</b>	To purchase outdoor play resources, parenting books and contribution towards other books.

## CHILDREN'S SERVICES

**ORGANISATION:****Montessori Excelsior School**

The Montessa Excelsior School run a Montessori pre-school for children aged 3-6 years of age. The pre-school has been operating for 21 years and run during school terms, Monday to Fridays from 8.30am - 2.30pm. Families using the service are primarily from Pymble, St Ives, Turramurra and the surrounding suburbs. 20 children are currently enrolled at the pre-school.

**AMOUNT REQUESTED:**

\$945

**PURPOSE:**

To purchase additional outdoor play equipment for children.

**PREVIOUS COUNCIL GRANTS?**

**2002**  
**2003**  
**2004**

**PREVIOUS CONDITIONS MET?**

**Yes**

**COMMENTS:**

The pre-school requires additional outdoor play equipment to benefit children at the centre. Outdoor play equipment including a bouncing board, rope climber, plastic hoops and other outside resources will enhance children's play experience by developing a variety of gross and fine motors skills. The requested outdoor children's resources will benefit current and future children attending the pre-school. The quality of the outdoor play experiences will improve with the additional equipment requested.

**AMOUNT RECOMMENDED:**

\$945

**SPECIFIC PURPOSE:**

To purchase bouncing board, plastic boats, geometric volume set, hoops, soccer ball, small foam balls, plastic bats, rope climber, zig zag tunnel, boat sandpit, cones.

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>Pymble Turramurra Kindergarten</b> Pymble Turramurra Kindergarten operates during school terms, Monday to Fridays from 9.00am - 3.00pm and has been providing a service to 3-5 -year-old children for 44 years. The majority of the families using the service are from Turramurra and the surrounding suburbs. 88 children and their families currently are enrolled at the pre-school.
<b>AMOUNT REQUESTED:</b>	\$431
<b>PURPOSE:</b>	To purchase 2 metal carts for children's play.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$1,000</b> <b>2002 - \$550</b> <b>2003 - \$800</b> <b>2004 - \$650</b> <b>2005 - \$1,600</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The metal carts can be used by children to enhance outdoor play. The carts may be used by children in social and dramatic play as well as during construction play activities.
<b>AMOUNT RECOMMENDED:</b>	\$431
<b>SPECIFIC PURPOSE:</b>	To purchase 2 Classic Metal Carts

## CHILDREN'S SERVICES

**ORGANISATION:****Roseville P & C Kids Care Association**

Roseville Kids Care provides before school care (BSC), after school care (ASC) and vacation care (VC) services to children attending primary school aged 5-12 years. The centre has been in operation for 17 years and opening hours are 7.15am - 9.30am for BSC, 2.30pm - 6.00pm for ASC and 7.15am - 6.00pm for VC. The centre has approximately 100 local families with 150 children enrolled.

**AMOUNT REQUESTED:**

\$5,000

**PURPOSE:**

To purchase a photocopier for the centre.

**PREVIOUS COUNCIL GRANTS?**

**2001 - \$1,500**

**2002 - \$1,500**

**PREVIOUS CONDITIONS MET? Yes****COMMENTS:**

A photocopier is an essential piece of equipment that is required for parent information, enrolment packages/forms, tax, funding and other administrations tasks as well as an essential tool to produce resources for children's programs including craft projects. The services current photocopier is broken and irreparable, so a new photocopier is sought. The purchase of a new photocopier will benefit the children, parents and staff of the centre and is crucial to administrative and communication tasks. A contribution of \$2000 is recommended.

**AMOUNT RECOMMENDED:**

\$2,000

**SPECIFIC PURPOSE:**

A contribution towards photocopier purchase.

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>St Ives Occasional Care Inc</b> St Ives Occasional Care has been in operation since 1977 and provides occasional care for children from birth to five years of age. The centre operates during school terms, Monday to Fridays, 9.00am - 3.00pm. The majority of the families using the centre reside in St Ives, Turrumurra, Pymble, Gordon and Wahroonga.
<b>AMOUNT REQUESTED:</b>	\$3,000
<b>PURPOSE:</b>	To purchase a computer system and fax to improve communications to parents, services and the wider community.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	The centre will benefit from the requested equipment on a number of levels. Rather than reliance on telephone messages, other means of communications namely faxes and emails will be able to relay messages to and from the centre. Enhanced and increased contact to outside information and services can be accessed via the internet. General administration tasks are expected to be improved considerably with the requested equipment. Parents will have an increased number of options to contact the centre. Due to the communications gains for the centre and parents, the requested funding is recommended.
<b>AMOUNT RECOMMENDED:</b>	\$2,040
<b>SPECIFIC PURPOSE:</b>	A contribution towards a computer, single unit fax/printer/scanner.



## CHILDREN'S SERVICES

**ORGANISATION:**

**St Ives Pre-school Kindergarten**

St Ives Preschool Kindergarten provides a pre-school service for 80 children and their families. It has been in operation for 46 years and most of the families attending the service are from St Ives and the surrounding suburbs. The service is open during school terms, Monday to Friday, 9.00am - 3.00pm to all children aged 3-5 years of age.

**AMOUNT REQUESTED:**

\$940

**PURPOSE:**

To purchase Aboriginal and multicultural children's resources.

**PREVIOUS COUNCIL GRANTS?** 2002 - \$743.60  
2004 - \$650  
2005 - \$1,100

**PREVIOUS CONDITIONS MET?** Yes

**COMMENTS:**

The preschool currently has families enrolled from Iran, Cameroon, Indonesia, Philippines, India, China, Belgium and Germany. The Aboriginal and multicultural resources requested by the pre-school will enhance children's awareness of the cultural diversity of their local community through play situations. All children will benefit from the use of diverse play resources.

**AMOUNT RECOMMENDED:**

\$940

**SPECIFIC PURPOSE:**

To purchase Aboriginal life, regions of the world, diverse families and caring for myself puzzle sets, wooden people set, multicultural block play people and differing abilities block play people.

## CHILDREN'S SERVICES

<b>ORGANISATION:</b>	<b>Warrawee Public School P&amp;C Association</b> The Warrawee Public School P&C Association provides financial assistance to the school to assist in sports programmes, drama teaching, additional books and also support community representation in the school's endeavours. The organisation is a volunteer organisation and member families are mainly from Warrawee, Turramurra and Wahroonga.
<b>AMOUNT REQUESTED:</b>	\$5,000
<b>PURPOSE:</b>	To contribute to the funding of the Centenary Event showcasing the school's history and achievements.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The requested equipment of marquees and outdoor furniture is beneficial for the Centenary Event and can also be used for future P&C events including sporting carnivals and school band events. The event is a unique opportunity to raise awareness of the school's history and achievements as well as being a recreational occasion to enhance community building of the school and local community. The P&C is involved in a number of fundraising events including BBQs and cake sales, working bees on school grounds, community liaison and arranging community events. It should be noted that in June 2006 Warrawee Public School and Warrawee Public School P & C Association received \$1,500 in total from Council's Centenary of Local Government Community Groups Grants 2006 project. The funding provided was to assist with the Centenary Celebration Day and construction of a memorial wall and restoration of an historic well.
<b>AMOUNT RECOMMENDED:</b>	\$1,500
<b>SPECIFIC PURPOSE:</b>	Contribution to purchase equipment and outdoor furniture.

**COMMUNITY SERVICES  
FINANCIAL ASSISTANCE PROGRAM  
APPLICATION ASSESSMENTS 2006**

**CATEGORY: DISABILITY SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought \$</b>	<b>Amount Recommended \$</b>
Boonah Creative Arts Centre, Centacare	1,870	1,870
Cromehurst Special School P & C Vacation Activity Centre	3,200	2,500
Hornsby District TPI Social & Welfare Club	1,000	300
Hornsby Ku-ring-gai Association, Action for Mental Health Inc	1,500	1,000
House with No Steps	1,000	1,000
Lifestart Cooperative (Early Intervention Services - School Aged)	1,500	1,000
Parkinson's NSW Inc - Hornsby Ku-ring-gai Support Group	1,500	1,000
Rainbow Club Australia Inc/The Lindfield Rainbow Club	387	387
Recreation Rendezvous Inc.	2,000	1,500
Serenity NSW Inc	1,000	1,000
SHHH Australia Inc	900	900
Studio Artes Northside Inc.	1,830	1,300
Technical Aid to the Disabled (TAD) NSW	1,830	1,220
Lindfield V.I.P. Support Group (Visually Impaired)	600	600
VISION AUSTRALIA, (formerly Royal Blind Society)	1,740	1,230
<b>Totals</b>	<b>\$21,857</b>	<b>\$16,807</b>

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Boonah Creative Arts Centre, Centacare</b> The Organisation provides fine art tuition as a way of providing a means of self expression and leisure to people with a disability.
<b>AMOUNT REQUESTED:</b>	\$1,870
<b>PURPOSE:</b>	Funds will go towards framing costs of 15 larger frames for the Boonah annual art exhibition to be held at Boonah in September and October 2006.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2002 - \$900</b> <b>2003 - \$990</b> <b>2005 - \$1,100</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Boonah is located in the Ku-ring-gai LGA and provides leisure activities including art tuition to local residents with disabilities. People also come for around Sydney to participate in the art tuition. The project is meeting identified community needs by providing leisure/recreational opportunities and support services for people with disabilities. The donation will go towards the framing of the students' art work for an art exhibition to be held at the end of the year. Art works displayed in the exhibition are by Boonah students and celebrate the Ku-ring-gai community in which they have created their art works. The frames will add value to the works which will be sold and the proceeds will go back into the program as tuition fees.
<b>AMOUNT RECOMMENDED:</b>	\$1,870
<b>SPECIFIC PURPOSE:</b>	To purchase framing for 15 art works for public exhibition.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Cromehurst Special School P &amp; C Vacation Activity Centre</b> The P&C Assoc at Cromehurst aim to bring parents, students and staff together to promote the interests of the school. Cromehurst is a special schools in Ku-ring-gai that draw students from a very wide catchment.
<b>AMOUNT REQUESTED:</b>	\$3,200
<b>PURPOSE:</b>	The donation will support a two week activity program during January 2007 school holidays for children with mild to moderately severe intellectual/learning disabilities and their siblings.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$1,000</b> <b>2002 - \$1,500</b> <b>2003 - \$1,500</b> <b>2004 - \$3,000</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Cromehurst P&C Association provides a valuable holiday activity program for 40 to 55 children with intellectual disabilities and their siblings. The program is also respite for families. Door to door transportation is part of the program. Children who participate in this program have high support needs and are not able to participate fully in a mainstream school holiday centres. The program meets an identified need by providing support services for residents who have a family member with an intellectual disability. The Centre operates on a break even budget funded by fees paid by parents and donations. The program is unique as it offers integrated care for children with disabilities and their siblings.
<b>AMOUNT RECOMMENDED:</b>	\$2,500
<b>SPECIFIC PURPOSE:</b>	To assist with transport and venue hire for January vacation activity program.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Hornsby District TPI Social &amp; Welfare Club</b> The organisation caters for the needs of incapacitated ex servicemen and widows of ex servicemen.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	The Club's annual Christmas luncheon/BBQ at Bobbin Head.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$500</b> <b>2001 - \$500</b> <b>2002 - \$500</b> <b>2003 - \$500</b> <b>2004 - \$400</b> <b>2005 - \$300</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Social Welfare Club provide a service to Ku-ring-gai and Hornsby residents who are ex service personnel that are totally and permanently incapacitated (TPI), their wives and/or war widows. There is no paid staff in this organisation and their work is supported by volunteers. Financially the organisation has reserves and operates on a small budget. The major sources of revenue for the Club are proceeds from functions and donations. The organisation is in a position to be able to obtain some financial support through RSL clubs, Community Development Services Expenditure and CDSE grant program. The funds are sought to assist with the costs of organising the Club's annual Christmas function.
<b>AMOUNT RECOMMENDED:</b>	\$300
<b>SPECIFIC PURPOSE:</b>	A contribution towards Christmas function for members of the TPI Social and Welfare Club.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Hornsby Ku-ring-gai Association, Action for Mental Health Inc</b> A voluntary organisation working to support and provide information to people with mental illness and their families in the Hornsby & Ku-ring-gai LGAs.
<b>AMOUNT REQUESTED:</b>	\$1,500
<b>PURPOSE:</b>	Production and distribution of bi-monthly newsletter, equipment and hire for the activities and establishment of consumer-run recovery education sessions.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$1,000</b> <b>2001 - \$1,000</b> <b>2002 - \$1,200</b> <b>2003 - \$1,200</b> <b>2004 - \$1,200</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Hornsby Ku-ring-gai Association (HKA) is a volunteer based organisation that was formed to assist individuals with a psychiatric disability to realise their life goals. Monthly functions provide an opportunity for participants to increase their lifestyle skills and participate in social activities. The client education program aims to fund a guest speaker to present information about mental illness, medications and steps to recovery. Group education and peer support is an important part of the recovery process. HKA currently assist 250 people with a major mental illness each year. The funds will be used to meet identified community need by providing support service and recreation and leisure opportunities for people with a mental illness. The organisation aims to raise community awareness about issues impacting on people with a major mental illness through their newsletter. HKA is the only community group providing direct support for people with a mental illness in the Ku-ring gai area. Looking at the balance sheet, at the end of June 2005, the Organisation have accumulated surplus funds in trust. The interest from this trust assists in the provision of services. The income and expenditure statement shows a small surplus which can be used for the following financial year.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards recovery education sessions

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Lifestart Cooperative (Early Intervention Services - School Aged)</b> An early intervention service supporting families of children with special needs in the 0-5 year old age group.
<b>AMOUNT REQUESTED:</b>	\$1,500
<b>PURPOSE:</b>	Funds are sort to purchase training kits to be used in their courses and a resource disability services library.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$750</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	Lifestart provide early intervention programs and run courses for families who have young children with a disability. Their aim is to increase the quality of life for children with disabilities and their families. The organisation provides an intervention service to families through partnerships with families, intervention staff and the community. Currently, they are running courses aimed at empowering parents in their challenging role as carers of a child with special needs. 60 local families each year benefit from the service. Although the early intervention program receive government funding no funding is provided for the training courses and resource library. This project is meeting an identified objective in the Ku-ring-gai Community Plan 2005-2009 of providing support and information to children and parents who need extra support.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards education kits and resources for Disability Services Library



## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Parkinson's NSW Inc - Hornsby Ku-ring-gai Support Group</b> To provide physical, moral and emotional support to people suffering from Parkinson's Disease, their families and carers.
<b>AMOUNT REQUESTED:</b>	\$1,500
<b>PURPOSE:</b>	Funding to assist with production and distribution of monthly newsletter.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$700</b> <b>2001 - \$700</b> <b>2002 \$1,470</b> <b>2003 - \$1,370</b> <b>2004 - \$1,507</b> <b>2005 - \$1,320</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Parkinson's Association Hornsby/Ku-ring-gai Support Group is addressing an identified community need by providing leisure, recreation and social opportunities for people with disabilities and older people. They also organise guest speakers, distribute information and provide support to families, partners and carers through their monthly meetings held at Turramurra. The newsletters provide information to members on a range of matters including activities, events, support programs, new research treatments etc. Current membership is approximately 220. This group is totally reliant on volunteers, families, and the support of the community to gain financial assistance.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards production and distribution of monthly Newsletter

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Rainbow Club Australia Inc/The Lindfield Rainbow Club</b> Lindfield Rainbow Club provide swimming programs for children with disabilities living in the Ku-ring-gai area.
<b>AMOUNT REQUESTED:</b>	\$387
<b>PURPOSE:</b>	To purchase swimming aides to assist the staff in maintaining the children's attention during classes.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$500</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Lindfield branch of The Rainbow Club has been meeting at Cromehurst Special School for the past 10 years. The group provide swimming classes to approximately 60 families who have children with any type of a disability. Interesting swimming toys are used to enhance the program and provide a fun environment for the children to learn and develop their skills. Most of the children learn "visually" and the requested swimming equipment provides a great resource for the lessons. The Club is meeting objectives of the Ku-ring-gai Community Plan 2005-2009 by providing social/recreation activities to children with disabilities and support families who require additions assistance. Although parents pay for tuition the amount collected amounts to about 1/3 of the cost of employing the teachers for the intensive program. The majority of the income is derived from donations raised through the central office.
<b>AMOUNT RECOMMENDED:</b>	\$387
<b>SPECIFIC PURPOSE:</b>	To purchase equipment used in swimming classes.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Recreation Rendezvous Inc.</b> Recreation Rendezvous assists people with disabilities who have medium to high support needs by providing one on one support to adults with disabilities, while endeavouring to include them in leisure activities of their choice in a mainstream community setting.
<b>AMOUNT REQUESTED:</b>	\$2,000
<b>PURPOSE:</b>	Contribution towards a seven month Drama Skills & Play Development Project for People with Disabilities.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Recreation Rendezvous is planing a Drama Skills and Play Workshop for people with a disability. The course will enable participants to increase their self-belief, self confidence and develop communication skills. At the end of the program there will be a public performance. Currently, there is no other programs anywhere in Northern Sydney teaching drama skills to people with a disability. Recreation Rendezvous ran a similar project in 2003 and 2005 and found that 40 per cent of the participants lived in the Ku-ring-gai LGA. In the past some participants have gone on to participate in mainstream productions. The need to increase leisure opportunities was identified as a priority in the Ku-ring-gai Community Plan 2005-2009. This project promotes social inclusion and opportunities to increase social and community interactions for people with disabilities.
<b>AMOUNT RECOMMENDED:</b>	<b>\$1,500</b>
<b>SPECIFIC PURPOSE:</b>	Contribution towards the Drama Skills and Play Development Project

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Serenity NSW Inc</b> Serenity NSW Inc is a totally voluntary organisation helping people suffering from the anxiety disorders and/or early depression by distributing resource material to school and community counsellors.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	To distribute 40 copies of a videotape to school counsellors as well as disseminate other information about the anxiety disorders and depression to schools, libraries, community centres in the Hornsby/Ku-ring-gai area.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2003 - \$600</b> <b>2004 - \$300</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Serenity NSW Inc is in its 19th year of distributing resources to public, private and rehab schools throughout NSW and community counselling services. The resources are distributed to clients who are experiencing anxiety and/or early stages of depression. Community awareness of mental health and wellbeing issues have been identified as a significant community issue and raised in a number of local forums. As a completely volunteer organisation, Serenity is reliant on community support and donations to be able to continue their work. The Serenity focus for this year is to send counsellors a video tape produced by Serenity. The tape features several appearances by members of Serenity on National Television Shows including Today on Nine, Morning Shift and SBS Insiders Program. The organisation is wanting the funds to cover the cost of copying and distributing 40 videotapes and other material about anxiety disorders and to school counsellors in Ku-ring-gai.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards the distribution of video tapes and other resource material on anxiety disorders to counsellors in Ku-ring-gai

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>SHHH Australia Inc</b> A voluntary, not-for-profit organisation dedicated to helping Australians with hearing loss.
<b>AMOUNT REQUESTED:</b>	\$900
<b>PURPOSE:</b>	Contribution towards production, printing and distribution of the quarterly magazine "Hearing Matters"
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$ 500</b> <b>2002 - \$500</b> <b>2003 - \$500</b> <b>2004 - \$500</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	SHHH office is located at Hillview in Turrumurra and provides services to local residents as well as people further a field. The provision of information in alternate formats is an identified need in the Ku-ring-gai Community Plan 2005-2009 and Disability Discrimination Action Plan. The production and distribution of their bi-monthly newsletter will increase accessibility to services and support for people who are hearing impaired. It will also enhance the existing forms of communication and increase awareness of SHHH's advocacy and support. The news letter is distributed to its 600 members as well as hospital and community organisations.
<b>AMOUNT RECOMMENDED:</b>	\$900
<b>SPECIFIC PURPOSE:</b>	Contribution towards the production and distribution of their bi-monthly newsletter

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Studio Artes Northside Inc.</b> Studio Arts is a not-for-profit organisation providing arts and pre-vocational training for adults with a disability
<b>AMOUNT REQUESTED:</b>	\$1,830
<b>PURPOSE:</b>	To purchase camera equipment accessories and software for quality images project "The Textures of Ku-ring-gai".
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$1,500</b> <b>2002 - \$1,000</b> <b>2003 - \$1,000</b> <b>2004 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The organisation has a membership of 85 people with a disability who live primarily in the Ku-ring-gai and Hornsby Local Government Areas. Studio Artes are wanting digital photographic equipment which will be used to develop cards, calendars and post cards with photos from the Ku-ring-gai area. Two groups within Studio Artes - photography and the Businessmen's Club have combined to produce quality images of "The Textures of Ku-ring-gai" for production of cards, calendars and post cards. The activity will train members, who have a disability, in photography and business skills. The project is transferring new skills to members and raises community awareness by demonstrating the various abilities of people with a disability.
<b>AMOUNT RECOMMENDED:</b>	\$1,300
<b>SPECIFIC PURPOSE:</b>	Contribution towards camera equipment and accessories

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Technical Aid to the Disabled (TAD) NSW</b> Established in 1973 by retired engineers who made and modify equipment to assist people with a disability.
<b>AMOUNT REQUESTED:</b>	\$1,830
<b>PURPOSE:</b>	To provide 3 re-conditioned Pentium 4 computers and tuition to people with a disability to provide an opportunity to re-enter the workforce.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$1,000</b> <b>2004 - \$1,000</b> <b>2003 - \$1,100</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	TAD is seeking funds to be able to provide Ku-ring-gai residents with a disability with a reconditioned pentium computer to assist them to re-enter the workforce. By people having a computer at home and receiving tuition, they will be able to develop their computer skills and confidence to enable them to re-enter the workforce. This project meets an identified need in the Ku-ring-gai Community Plan 2005-2009 by assisting disadvantaged people access information in alternate formats and providing access the internet. Although TAD is a state wide organisation they can demonstrate that they provide services to Ku-ring-gai residents.
<b>AMOUNT RECOMMENDED:</b>	\$1,220
<b>SPECIFIC PURPOSE:</b>	Contribution towards the provision of 2 reconditioned pentium 4 computers to people with a disability living in Ku-ring-gai.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>House with No Steps</b> Established in 1962 to provide quality support services for people with disabilities. The Organisation provides a range of employment, accommodation, training and recreation support programs to more than 1,500 people with a physical and/or intellectual disability.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	Contribution towards transport for the "Live It Up" recreation support program
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	The House With No Steps provide a range of support services to people with physical and intellectual disability in the Northern Region. Their Live It Up Program provides opportunity for people with a disability to participate in over 100 social and recreation activities each year in the community. The activities are open to anyone with a disability whether they live in supported care accommodation or at home. The program is meeting an identified need in the Ku-ring-gai Community Plan 2005-2009 by providing a structured recreation program for adults 18 to 65. This project will do this by providing community support and raising the awareness of the abilities of people with disability through community participation and by providing transport to enable people with a disability to participate in recreational activities. The members have input into the year's program and choose which activities they will attend. The activities include nights, weekend and holidays. The Council's contribution will go towards meeting the increase cost of providing transport for the activities.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards the increase in transport cost for the "Live It Up Program".



## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>VISION AUSTRALIA, (formerly Royal Blind Society)</b> Service to provide a wider range of free services to people who are blind or have a significant sight impairment.
<b>AMOUNT REQUESTED:</b>	\$1,740
<b>PURPOSE:</b>	Cost of providing a Independent Living Services to assist 2 Ku-ring-gai residents who are totally blind or significantly vision impaired.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2003 - \$1,770</b> <b>2004 - \$1,000</b> <b>2005 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Formed in 2004 following the merging of the Royal Blind Society of NSW, the Royal Victorian Institute for the Blind, Vision Australia Foundation and the National Information and Library Vision Australia' Independent to provide a range of services to people who are blind or have significant visual impairments. Living Program assist people who are blind, or have a significant vision impairment to access the community and to live independently. The program teaches people to use their other sensors to perform everyday activity for example, how to cook using touch and smell. In the past year the organisation assisted 80 Ku-ring-gai residents through the program. The program meets a number of objectives in the Ku-ring-gai Community Plan 2005-2009 including community participation and engagement, transport, access to the built environment and in-home support.
<b>AMOUNT RECOMMENDED:</b>	\$1,230
<b>SPECIFIC PURPOSE:</b>	A contribution towards program and travel costs to assist 2 residents living in Ku-ring-gai.

## DISABILITY SERVICES

<b>ORGANISATION:</b>	<b>Lindfield V.I.P. Support Group (Visually Impaired)</b> The group provides an opportunity for visually impaired people to support each other, share experiences and give encouragement.
<b>AMOUNT REQUESTED:</b>	\$600
<b>PURPOSE:</b>	Funding is requested to cover transport costs for 2 excursions to be organised by members
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2003 - \$600</b> <b>2005 - \$600</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The Lindfield Visual Impairment Group has been meeting once a month since 2002 at the Lindfield Senior Centre. As the members have visual impairments or are blind, they are reliant on volunteers to undertake tasks such as transport, minute taking, reading and making morning tea. The program for the monthly meeting includes a guest speaker and morning tea. VIP has about 15 members. The group also organises bus trips to take members to interesting places as many of them are no longer able to travel independently. Requested funds will be used to address identified community needs by enabling the group to hire a bus to access leisure/recreation, social activities and access to support services.
<b>AMOUNT RECOMMENDED:</b>	\$600
<b>SPECIFIC PURPOSE:</b>	Contribution towards the cost of two excursions.

**COMMUNITY SERVICES  
FINANCIAL ASSISTANCE PROGRAM  
APPLICATION ASSESSMENTS 2006**

**CATEGORY: SUPPORT SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought \$</b>	<b>Amount Recommended \$</b>
18th Australian Infantry Battalion (Ku-ring-gai Regiment)	250	250
Albert Drive Community Fire Unit	306	306
Australian Volunteer Coast Guard Association Ku-ring-gai Flotilla	1,100	NIL
Babybumps Support Group (previously POSIE)	4,000	2,000
Community Fire Unit No. 33	1,952	1,952
DES Action Australia - NSW	500	NIL
Dial-A-Mum Inc	2,500	500
English At Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)	2,090	2,090
Hornsby Ku-ring-gai Domestic Violence Network	5,000	3,000
Ku-ring-gai Bush Fire Brigade	2,500	2,500
Ku-ring-gai Family Support Service	1,000	1,000
Ku-ring-gai Neighbourhood Centre Inc	2,200	2,200
South Turrumurra Community Fire Unit MHP-39	988	988
Winchester & Lyle Avenues CFU	694	694
<b>Totals</b>	<b>\$25,080</b>	<b>\$17,480</b>

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>18th Australian Infantry Battalion (Ku-ring-gai Regiment)</b> Formed before WWI and provides a service to ex members of Battalion (60 members), approximately 30 of whom are infirm residing in nursing homes/home care.
<b>AMOUNT REQUESTED:</b>	\$250
<b>PURPOSE:</b>	To cover costs for visitation program, clerical services and Church Commemoration program.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$200</b>
<b>PREVIOUS CONDITIONS MET?</b>	
<b>COMMENTS:</b>	The 18 Australian Infantry Battalion Association (Ku-ring-gai Regiment) have been previously supported through donations from the Mayor of Ku-ring-gai budget allocation. In 2006 they were advised to apply through Council's Financial Assistance Program to Community Groups with a view to equitable resourcing of all community organisations seeking financial assistance. This group is a totally voluntary organisation seeking to assist members of the Australian Infantry Battalion (Ku-ring-gai Regiment). The funds are sought to assist with visiting members in hospital or at home, production of a newsletter, church commemoration and sending cards of encouragement. Members of the Regiment are all elderly and in many cases infirm or in hospital. This is an important function that provides social support and contact for elderly war veterans.
<b>AMOUNT RECOMMENDED:</b>	\$250
<b>SPECIFIC PURPOSE:</b>	Visitation and Church Commemoration Program

## SUPPORT SERVICES

**ORGANISATION:**

**Albert Drive Community Fire Unit**

The Community Fire Unit is a community based volunteer organisation under the auspices of the NSW Fire Brigade. The range of services provided by the Unit include fire fighting, education and advice on bushfire prevention and safety, training and community awareness programs. The Community Fire Unit is a community based volunteer team of local residents trained to safeguard their homes during bush fires until fire brigade can arrive.

**AMOUNT REQUESTED:**

\$306

**PURPOSE:**

To facilitate emergency communications of multiple community fire units and New South Wales Fire Brigades using transceivers

**PREVIOUS COUNCIL GRANTS? No**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The Unit is comprised of local residents whose aim is to protect life and property from effects of bushfires in Albert Drive Killara designated fire prone area. Each fire unit is designated to respond to bushfire emergencies in specific locations. The volunteers participate in training with Fire Brigades each month and individual training sessions throughout the year. The items requested will facilitate emergency communication between multiple Community Fire Units and the NSW Fire Brigades using transceivers. Approximately 65 local residents provide assistance to the Fire Unit and participate in fire education and prevention activities.

**AMOUNT RECOMMENDED:**

\$306

**SPECIFIC PURPOSE:**

To purchase 2 x TX610 radio kits

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>Australian Volunteer Coast Guard Association Ku-ring-gai Flotilla</b> The Australian Volunteer Coast Guard Association aims to promote safe boating through education, example, examination and as a last resort by Search and Rescue.
<b>AMOUNT REQUESTED:</b>	\$1,100
<b>PURPOSE:</b>	Purchase of a spine board, head immobiliser and cervical collar.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	The Australian Volunteer Coast Guard (Ku-ring-gai Flotilla) provides rescue assistance to the boating community in the Bobbin Head, Cowan Creek, Smiths Creek, Coal and Candle Creek, Broken Bay, Terrigal to Long Reef. Assistance is available to anyone on weekends and public holidays who requests it, if they are in difficulty in the various waterways or offshore. there are no paid staff employed by Ku-ring-gai Flotilla and their activities are supported by 45 volunteers. Funds are sought to purchase a spine board, straps, head immobiliser and cervical collar. The board will be kept on the rescue vessel for use when called to medical emergencies. However, the direct relevance and benefit to the Ku-ring-gai area and residents is unclear as they service a broad geographical area. Not identified as a priority area in Council's Community Plan 2005-2009.
<b>AMOUNT RECOMMENDED:</b>	NIL
<b>SPECIFIC PURPOSE:</b>	N/A

## SUPPORT SERVICES

**ORGANISATION:**

**Babybumps Support Group (previously POSIE)**

Babybumps purpose is to provide a service for the families and women residing in the Hornsby & Ku-ring-gai areas that are experiencing difficulties associated with Perinatal Mood Disorders (Post Natal Depression, anxiety, ante-natal depression). They also assist parents who require some assistance and support to better meet the emotional, physical and social demands that parenting babies and small children places upon them.

**AMOUNT REQUESTED:**

\$4,000

**PURPOSE:**

Monies are requested for venue costs, securing appropriately trained instructors and providing training for Babybumps volunteers.

**PREVIOUS COUNCIL GRANTS? 2005 - \$1,200**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The Baby Bumps Support Group has been established in the past 12 months and is supported by 18 volunteers. The volunteers are women who have experienced antenatal and postnatal depression or anxiety themselves or through a family member or friend. Baby Bumps target women and families residing in the Hornsby and Ku-ring-gai Council areas. Approximately 35% of people who access the services live in Ku-ring-gai. The type of services provided include support groups 3 times per month, evening support or timeout for parents monthly, outreach social worker service and online and telephone contact. The service does not employ any staff and operates on a tight financial budget. Funds are sought to establish a supported playgroup to address issues of isolation and depression, develop information packages on perinatal broad disorders and to take on an advocacy role through presentations at relevant forums. The Baby Bumps Support Group addresses a number of specific community needs identified in Council's Community Plan 2005-2009 targeting groups including Children and Families, People with Disabilities and Women. They have also applied for funding from Hornsby Council's Donation Program, Hornsby Community Development and Support Scheme and in the process of applying for funding through other government agencies.

**AMOUNT RECOMMENDED:**

\$2,000

**SPECIFIC PURPOSE:**

A contribution towards supported playgroup and advocacy and information support services.

## SUPPORT SERVICES

**ORGANISATION:**

**Community Fire Unit No. 33**

The Community Fire Unit is a community based volunteer organisation under the auspices of the NSW Fire Brigade. The range of services provided by the Unit include fire fighting, education and advice on bushfire prevention and safety, training and community awareness programs.

**AMOUNT REQUESTED:**

\$1,952

**PURPOSE:**

To provide additional resources, uniforms and communication equipment for an existing Community Fire Unit.

**PREVIOUS COUNCIL GRANTS? No**

**PREVIOUS CONDITIONS MET? N/A**

**COMMENTS:**

The Unit is comprised of local residents whose aim it is to protect life and property from effects of bushfires in the Fox Valley neighbourhood designated fire prone area. Each fire unit is designated to respond to bushfire emergencies in specific locations. The volunteers participate in training with Fire Brigades each month and individual training throughout the year. The items requested will assist the fire fighting and communication capacity of the unit. The additional uniforms and equipment will enable all members of the fire unit to participate in fire fighting activities. Approximately 27 local residents provide assistance to the fire unit and participate in fire education and prevention activities.

**AMOUNT RECOMMENDED:**

\$1,952

**SPECIFIC PURPOSE:**

To purchase uniforms and communication equipment



## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>DES Action Australia - NSW</b> To raise public awareness and DES (Diethylstilboestrol) and assist those with known or suspected DES exposure.
<b>AMOUNT REQUESTED:</b>	\$500
<b>PURPOSE:</b>	The reprint and distribution of DES website reminder cards to women's health clinics across Australia, prioritising the Ku-ring-gai area, North and North West Sydney.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	DES (diethylstilboestrol) is a synthetic estrogen that was given to millions of pregnant women primarily from 1938-1971. Use of DES during pregnancy was thought to prevent miscarriage and ensure a healthy pregnancy. Women who took DES and the children they carried are at risk for certain health problems and may need special care. The DES Action Australia are seeking funds to print and distribute DES website reminder cards to health clinics across Australia. DES Action hopes to raise public awareness of this drug and assist those with known or suspected exposure. Information on DES can also be found on the NSW Department of Health website. It is not clear from the information supplied or website how many people have been impacted by this drug in Australia or Ku-ring-gai. Distribution of information to women's health clinic throughout Australia is the responsibility of State and Commonwealth government departments. Fund for this project should be sought from the NSW Department of Health including distribution of information.
<b>AMOUNT RECOMMENDED:</b>	NIL
<b>SPECIFIC PURPOSE:</b>	N/A

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>Dial-A-Mum Inc</b> Dial-A-Mum is a volunteer operated telephone community support and referral service. The service is open 7 days a week from 8am to 12 midnight . It has been operating from this area for the past 27 years.
<b>AMOUNT REQUESTED:</b>	\$2,500
<b>PURPOSE:</b>	To assist in the operation of a telephone support service through assistance with communication costs.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000- \$2,200</b> <b>2001- \$1,925</b> <b>2002 - \$1,650</b> <b>2003 - \$1,375</b> <b>2004 - \$1,100</b> <b>2005 - \$1,200</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	Dial-a-Mum provides trained maternal support to callers requiring anonymous personal guidance in times of crisis or distress. Approximately 5,000 calls are received annually covering issues related to spouse/partner conflict, family conflict, isolation and personal health. Approximately 80% of the callers were female with a large number living alone or from single parent families. There are no paid staff working for the organisation and all calls are answered by approximately 60 volunteers. There are 17 active Dial-a-Mum volunteers who live in the Ku-ring-gai area. The callers came primarily from Northern and Western Sydney. There are no statistics available regarding the number of Ku-ring-gai residents who utilise the service. Dial-a-Mum operate on a tight financial budget with a heavy reliance on donations and support of volunteers.
<b>AMOUNT RECOMMENDED:</b>	\$500
<b>SPECIFIC PURPOSE:</b>	To assist in the operation of a telephone support and referral service through assistance with communication costs.

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>English At Gordon (Gordon Baptist Church Cross Cultural Friendship Centre)</b> English at Gordon is a cross cultural friendship centre operating under the auspices of Gordon Baptist Church. It provides practical friendship and assistance with English language, cultural and living skills.
<b>AMOUNT REQUESTED:</b>	\$2,090
<b>PURPOSE:</b>	To purchase a range of educational resources, equipment and teaching material.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$750</b> <b>2002 - \$880</b> <b>2003 - \$990</b> <b>2004 - \$870</b> <b>2005 - \$1200</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	There are approximately 100 students utilising English language conversation, cultural and living skills classes on a regular basis. Demand for such classes has continued to grow during the past 9 years. The need for such classes was initially identified in Council's Social Plan 2000-2004 and enthusiastically taken up by the Baptist Church. The English at Gordon classes also assist new residents to become familiar with the roles, responsibilities and services provided by Council in this area. Visits are organised and relevant information is disseminated to students regarding the unique characteristics of Ku-ring-gai and aspects of the area that are highly valued by residents. There are approximately eleven small classes operating each Monday with the support of 21 dedicated volunteers, teachers and helpers. The volunteers assist with language tutoring, cultural queries, filling in forms, JP services, school and medical appointments. Funds are sought to purchase educational books, resources and equipment.
<b>AMOUNT RECOMMENDED:</b>	\$2,090
<b>SPECIFIC PURPOSE:</b>	To purchase educational resources and equipment

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>Hornsby Ku-ring-gai Domestic Violence Network</b> An interagency of Government and non-Government services working together to reduce violence against women by improving services as well as providing greater education to our community.
<b>AMOUNT REQUESTED:</b>	\$5,000
<b>PURPOSE:</b>	To assist with a community education campaign to eliminate violence against women.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$1,110</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Increasingly women who are affected by domestic violence tend to suffer from adverse health effects such as stress, anxiety, depression, phobias and other medical symptoms. Domestic violence is a common problem for women and their families and it is difficult to educate all sectors of the community about domestic violence. This is a 16 day project aimed to bring greater awareness and education to the issue of domestic violence in our community and highlight what services are available to women and their families. This campaign to stop violence against women will commence on 25 November 2006 and end with a film festival at Roseville Cinema on 10 December 2006. The film festival will contain empowerment messages while providing an educational environment that encourages broad community participation in the campaign to stop violence against women. This project will involve a number of services in the Hornsby Ku-ring-gai area and other parts of Northern Sydney and work cooperatively with the NSW Strategy to Reduce Violence Against Women. The funds sought will be used for venue hire, films, publicity, promotional material and catering.
<b>AMOUNT RECOMMENDED:</b>	\$3,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards a 16 day educational campaign to reduce violence against women.

## SUPPORT SERVICES

**ORGANISATION:****Ku-ring-gai Bush Fire Brigade**

The Community Fire Unit is a community based volunteer organisation under the auspices of the NSW Fire Brigade. The range of services provided by the Unit include fire fighting, education and advice on bushfire prevention and safety, training and community awareness programs.

**AMOUNT REQUESTED:**

\$2,500

**PURPOSE:**

To prepare a book documenting the history of the Ku-ring-gai Bushfire Brigade over the past 50 years.

**PREVIOUS COUNCIL GRANTS? No****PREVIOUS CONDITIONS MET? N/A****COMMENTS:**

The Ku-ring-gai Bushfire Brigade celebrates its 50th anniversary in 2007 and wish to create a permanent record of their service to the community. In particular they are seeking for future generations to have an understanding of a significant volunteer community achievement. The book writing process will involve recording of interviews with members past and present documenting key developments of the Ku-ring-gai Bushfire Brigade. The activities of the Brigade are supported by 40 volunteers and engage in activities such as fire fighting, community education, equipment maintenance, training and participation in community events. The amount of funding sought is particularly small for a printed publication and will involve significant contributions from volunteers. Full funding for this project is recommended to maintain the quality of the output and value to the public.

**AMOUNT RECOMMENDED:**

\$2,500

**SPECIFIC PURPOSE:**

To prepare a book documenting the history of the Ku-ring-gai Bushfire Brigade

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Family Support Service</b> Family Support provides practical and emotional support to families in crisis or experiencing stress. This is done either at the centre or home visits. These families come from Australian and culturally and linguistically diverse backgrounds.
<b>AMOUNT REQUESTED:</b>	\$1,000
<b>PURPOSE:</b>	To purchase family support resources including books, DVD's and videos.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2003 - \$1,700</b> <b>2004 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The service is based at the Ku-ring-gai Neighbourhood centre and operates 3 days per week. The work of the service aims to enhance families capacity to support the growth and development of all family members - adults, young people and children. Family Support provides practical and emotional support to families in crisis or experiencing stress. This is done at the centre or home visits. Currently the service is receiving 8 to 12 referrals per month and supporting approximately 100 families annually. There are a number of issues that families seek assistance with including parenting, postnatal depression, relationship counselling, life skills, domestic violence, grief and loss, isolation, unemployment and legal matters. Funds are sought to purchase extra resources that would assist families using the service including parenting groups. The resources will be made available for use during group and to borrow for use at home.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	To purchase family support resources

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Neighbourhood Centre Inc</b> Provide information services to all residents and support services to the elderly and frail, culturally and linguistically disadvantaged, new residents and through close cooperation with family.
<b>AMOUNT REQUESTED:</b>	\$2,200
<b>PURPOSE:</b>	To purchase computer based teaching aids, resources and transport groups to Council and community facilities.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2000 - \$2,800</b> <b>2001 - \$1,000</b> <b>2002 - \$1,000</b> <b>2003 - \$1,100</b> <b>2004 - \$1,650</b> <b>2005 - \$1,200</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	The Ku-ring-gai Neighbourhood Centre (KNC) is requesting funds to purchase computer equipment and to introduce new residents to Council and community facilities. Currently the KNC runs English language classes and a coffee and conversation morning for new residents to this area. The computer equipment will be used as teaching aids during classes and for presentations to the coffee and conversation group. In cooperation with Council the Ku-ring-gai Neighbourhood Centre has piloted a project where students of the English language classes visit Council chambers and community facilities. The aim of this project is to assist new arrivals to the area about the role and responsibilities of Council and the unique characteristics of Ku-ring-gai that are highly valued by residents. Visits to Council's Art Centre and Wildflower Garden have proved to be very popular among participants. KNC wish to expand this pilot project on to a more regular basis. The English language classes and coffee and conversation group are run with the support of volunteers.
<b>AMOUNT RECOMMENDED:</b>	\$2,200
<b>SPECIFIC PURPOSE:</b>	To purchase computer equipment, resources and transport groups to Council and community facilities.

## SUPPORT SERVICES

<b>ORGANISATION:</b>	<b>South Turrumurra Community Fire Unit MHP-39</b> The Community Fire Unit is a community based volunteer organisation under the auspices of the NSW Fire Brigade. The range of services provided by the Unit include fire fighting, education and advice on bushfire prevention and safety, training and community awareness programs.
<b>AMOUNT REQUESTED:</b>	\$988
<b>PURPOSE:</b>	To purchase a Safety Communications equipment kit to be used in Bushfire emergencies and training sessions, consisting of 2pc Kenwood TK3207 transceivers with batteries, speaker/mic and battery charger.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$2,920</b> <b>2002 - \$881</b> <b>2003 - \$1,124</b> <b>2004 - \$999</b> <b>2005 - \$1,232</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The Unit is comprised of local residents whose aim it is to protect life and property from effects of bushfires in South Turrumurra and surrounding designated fire prone areas. Each fire unit is designated to respond to bushfire emergencies in specific locations. The volunteers participate in training with Fire Brigades each month and individual sessions throughout the year. The items requested will facilitate emergency communication during bushfire emergencies and training sessions. Specifically it will be used to communicate information between standpipes, notification of evacuations and development of new fire fronts. Approximately 39 local residents provide assistance to the Fire Unit and participate in fire education and prevention activities.
<b>AMOUNT RECOMMENDED:</b>	\$988
<b>SPECIFIC PURPOSE:</b>	To purchase emergency transceiver kit (2 x TK3207)



## SUPPORT SERVICES

**ORGANISATION:**

**Winchester & Lyle Avenues CFU**

The Community Fire Unit is a community based volunteer organisation under the auspices of the NSW Fire Brigade. The range of services provided by the Unit include fire fighting, education and advice on bushfire prevention and safety, training and community awareness programs.

**AMOUNT REQUESTED:**

\$694

**PURPOSE:**

To purchase fire fighting equipment i.e., stand pipes and branches.

**PREVIOUS COUNCIL GRANTS? 2004 - \$2,175**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

The Unit is comprised of local residents whose aim it is to protect life and property from effects of bushfires in Winchester and Lyle Avenues Lindfield and surrounding fire prone designated areas. Each fire unit is designated to respond to bushfire emergencies in specific locations. The volunteers participate in training with Fire Brigades each month and individual sessions throughout the year. The items (standpipes and branches) requested will increase the units fire fighting capacity and complete the inventory for their fire equipment trailer. Approximately 17 local residents provide assistance to the Fire Unit and participate in fire education and prevention activities.

**AMOUNT RECOMMENDED:**

\$694

**SPECIFIC PURPOSE:**

To purchase fire fighting equipment

**COMMUNITY SERVICES  
FINANCIAL ASSISTANCE PROGRAM  
APPLICATION ASSESSMENTS 2006**

**CATEGORY: YOUTH SERVICES**

<b>Name of Organisation</b>	<b>Amount Sought \$</b>	<b>Amount Recommended \$</b>
1st Cromehurst Scout Group	2,000	1,000
1st Lindfield Scout Group	1,238	1,000
Hornsby/Ku-ring-gai Police & Community Youth Club	4,575	1,000
Killara High School (Duke of Edinburgh Award Scheme)	1,228	1,000
Killara Scout Group	1,500	1,000
Ku-ring-gai Little Athletics Inc	1,050	1,050
Ku-ring-gai Youth Development Service (KYDS)	7,000	5,000
Migrant Network Services (Northern Sydney) Ltd	6,980	1,000
North Turrumurra Church of Christ Youth Group	300	300
Roseville Scout Group	4,800	1,000
<b>Totals</b>	<b>\$30,671</b>	<b>\$13,350</b>

## YOUTH SERVICES

**ORGANISATION:****1st Cromehurst Scout Group**

1st Cromehurst Scout Unit provides the scouting experience to disabled young people in the northern metropolitan area of Sydney. The aim is to give special needs young people, as far as possible, the same opportunities, challenges, activities and fun as scouting can provide for young people generally.

**AMOUNT REQUESTED:**

\$2,000

**PURPOSE:**

Funding is being sought to assist 1st Cromehurst Scouts to send four intellectually disabled members of its troop (plus a leader) to the 21st Australian Scout Jamboree.

**PREVIOUS COUNCIL GRANTS? 2003 - \$2,000****PREVIOUS CONDITIONS MET? Yes****COMMENTS:**

1st Cromehurst Scout Unit offers a full range of activities to young people with disabilities in Sydney's Northern suburbs. Based in Lindfield for over 30 years, it is the only scouting group provided for the intellectually disabled in the area. Through this Unit, they are able to participate in activities that are otherwise not readily available to them - excursions, camping, sporting activities, craft etc. Where possible, the activities are integrated with mainstream scouting. This funding will directly benefit the four members attending the Scout Jamboree in Victoria. By attending this event they will have the opportunity to integrate into activities over a 12 day period, exposing them to new experiences and as a result, develop physical, social and interaction skills and increase self esteem. The Jamboree is an international event with over 10,000 participants. Two of the scouts reside in Ku-ring-gai.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

To assist in the costs involved in sending 2 young people from Ku-ring-gai to the Scout Jamboree in Victoria

## YOUTH SERVICES

**ORGANISATION:** **1st Lindfield Scout Group**  
Scouting in accordance with the vision of Lord Baden Powell. 1st Lindfield has active cub, scout, venturer and rover packs.

**AMOUNT REQUESTED:** \$1,238

**PURPOSE:** Purchase solo hiking tent for leaders, abseiling ropes x 2, large camping coolers (heavy duty 96ltr x 3)

**PREVIOUS COUNCIL GRANTS?** **2002 - \$1,200**  
**2003 - \$895**  
**2004 - \$1,100**

**PREVIOUS CONDITIONS MET?** **Yes**

**COMMENTS:** 1st Lindfield Scouts provides camping and outdoor activities for over 40 young people in the Ku-ring-gai area. These camping activities are designed to assist with the ongoing development of young people through leadership and life skills. Lindfield Scouts are requesting funds to purchase equipment for outdoor events such as camping and leadership training. This will assist in the provision of activities, training and outdoor campcraft for its Scouts, Venturers, Rovers and their leaders.

**AMOUNT RECOMMENDED:** \$1,000

**SPECIFIC PURPOSE:** Contribution towards 1 x leaders hiking tent, 2 x abseiling ropes and 3 x heavy duty camping coolers

## YOUTH SERVICES

<b>ORGANISATION:</b>	<b>Hornsby/Ku-ring-gai Police &amp; Community Youth Club</b> The PCYC is a non government charity working in partnership with NSW Police to achieve a reduction in juvenile crime and anti social behaviour. Their mission is to give young people every chance in life and to have PCYC NSW respected and recognized as a leading youth service organisation that is dedicated to excellence in youth leadership and youth crime prevention as well as promoting active and responsible young lives.
<b>AMOUNT REQUESTED:</b>	\$4,575
<b>PURPOSE:</b>	To purchase 3 television receivers and 3 x Xbox 360 video game consoles, controllers and 9 x video games for Drop-In activities.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	The Hornsby Ku-ring-gai PCYC works in partnership with NSW Police to assist in providing programs to develop youth leadership skills and to reduce juvenile crime and anti social behaviour. Their primary responsibility is liaising with Crime Management Units at Local Area Commands to identify young offenders and working closely with these young people in an attempt to change their criminal offending behaviour. The drop-in service is based in Hornsby but its programs are open to Ku-ring-gai residents. They also provide a mobile outreach program which services the Ku-ring-gai area, specifically at youth events such as band nights and skate competitions. This funding will contribute towards updating games systems in the mobile unit. The PCYC has applied to Hornsby Council for the same amount of money to fund 3 sets of televisions and video game systems and games.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	1 x television set, 1 x Xbox 360 console, 1 x additional controller, 9 x games

## YOUTH SERVICES

<b>ORGANISATION:</b>	<b>Killara High School (Duke of Edinburgh Award Scheme)</b> Killara High School is the state's leading comprehensive government high school for girls and boys.
<b>AMOUNT REQUESTED:</b>	\$1228
<b>PURPOSE:</b>	To purchase equipment for adults accompanying students on expedition for the Duke of Edinburgh Award Scheme
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$962</b> <b>2005 - 1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	Yes
<b>COMMENTS:</b>	Killara High supports students undertaking these kinds of activities, and encourages participation in extra curricular activities. Killara High School commenced a program of school organised expeditions as part of its curriculum enrichment program. The program is based entirely on the voluntary services of staff and parents outside school hours and is self funding. This funding will provide equipment for adult volunteers accompanying students, but will ultimately benefit over 140 students who participate in this program. The type of activities undertaken by the Scheme are expeditions and bushwalks aimed at developing environmental awareness, living skills, personal responsibility and community service among young people.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards 1 x lightweight rain jacket, 1 x ultralite sleeping bag and liner, 1 x headlamp

## YOUTH SERVICES

<b>ORGANISATION:</b>	<b>Killara Scout Group</b> Killar Scouts is part of the world wide scouting movement and has been in operation since 1930. the group offers activities to cubs, scouts and venturers during the week with some weekend activities.
<b>AMOUNT REQUESTED:</b>	\$1,500
<b>PURPOSE:</b>	A contribution towards purchase of one patrol tent with fly
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2005 - \$800</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	Killara Scout Group provides young people 8-18 with opportunities to appreciate the environment through recreational activities and physical development. Killara Scout Group is part of the worldwide scouting movement and services the North Shores, predominantly in Lindfield and Killara. Scouts are very effective in building confidence and personal strengths in young people as they grow up and engage in the community in a personal and professional manner. Killara Scout group is requesting funding for one of two tents that they require for their ongoing program. Most of their equipment has recently been destroyed by fire.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	To purchase 1 x patrol tent with fly

## YOUTH SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Little Athletics Inc</b> KLAC was established in 1977 with the philosophy of promoting family, fun and fitness in a positive and healthy environment. Their mission is to develop children of all abilities by promoting positive attitudes and a healthy lifestyle through family and community involvement in athletic activities.
<b>AMOUNT REQUESTED:</b>	\$1,050
<b>PURPOSE:</b>	Purchase of discus and shot put trolleys to assist in transport of athletic equipment.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2004 - \$1,000</b> <b>2005 - \$750</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	KLAC provide extensive, accessible sporting opportunities to young people. These opportunities are low cost and highly profiled in the school and sporting community of the area. KLAC has identified how its objectives and activities answer to the Community Plan objectives such as providing affordable recreational and leisure activities considering child safety issues, increasing the range of leisure and recreational activities for young people and promoting women's involvement in sport. It is clear there are fundamental positive benefits associated with being involved in its programs. KLAC require funding to assist in the transportation of shotputs and discus equipment. This would provide a safer environment for volunteers and children in the process of setting up and packing up equipment.
<b>AMOUNT RECOMMENDED:</b>	\$1,050
<b>SPECIFIC PURPOSE:</b>	Purchase of trolleys for transporting sporting equipment



## YOUTH SERVICES

<b>ORGANISATION:</b>	<b>Ku-ring-gai Youth Development Service (KYDS)</b> KYDS is an initiative of Rotary and is a registered charity, it provides counselling on a group and individual basis to young people and their families in Ku-ring-gai. There is no direct fee for service and KYDS does not restrict service provision. On numerous occasions, specific interventions have been tailored to suit individual needs.
<b>AMOUNT REQUESTED:</b>	\$7,000
<b>PURPOSE:</b>	To fund a number of programs for adolescents and their parents surrounding anger management issues
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	KYDS provides the valuable service of counselling on a group and individual basis to young people and their families in Ku-ring-gai. There is no direct fee for services provided and the organisation, which is the only one of its kind in the LGA, relies heavily on the support of volunteers. KYDS requires funding for the provision of anger management programs and adult support services that have been identified as a community need through various consultations, plans and surveys. The programs would benefit young people directly through group based training that teaches effective strategies for dealing with anger management. Families would also benefit from the adult support program that focuses on conflict resolution and communication skill development. KYDS have made numerous attempts to receive funding from other bodies without success.
<b>AMOUNT RECOMMENDED:</b>	\$5,000
<b>SPECIFIC PURPOSE:</b>	Contribution towards development and implementation of anger management and adult support programs

## YOUTH SERVICES

<b>ORGANISATION:</b>	<b>North Turramurra Church of Christ Youth Group</b> The 'Zone' Youth Group attracts 40 young people weekly. It's aim is to provide moral and ethical guidance in a framework of fun and games. There is a parent group that meets Tuesday morning and Sunday afternoon that is a support and encouragement group.
<b>AMOUNT REQUESTED:</b>	\$300
<b>PURPOSE:</b>	Funding to assist in the implementation of two seminars for parents on child discipline.
<b>PREVIOUS COUNCIL GRANTS?</b>	<b>2001 - \$1,000</b>
<b>PREVIOUS CONDITIONS MET?</b>	<b>Yes</b>
<b>COMMENTS:</b>	The North Turramurra Church of Christ provides a youth group that meet on Friday evenings and a parent support group that meets on a Tuesdays and Sundays. They require funding to assist in the production of programs and the advertising of two free seminars on child discipline and child protection, that will benefit over 40 parents and children. These seminars are open to all members of the community and will cover topics such as child protection laws, teaching children to recognise dangers and different discipline techniques.
<b>AMOUNT RECOMMENDED:</b>	\$300
<b>SPECIFIC PURPOSE:</b>	Advertising and program costs

## YOUTH SERVICES

**ORGANISATION:**

**Roseville Scout Group**

The Roseville Scout Group has recently been formed from the amalgamation of the 1st and 2nd Roseville Groups. It offers organised adventurous training, physical skills development and social activities for boys and girls as character-building exercise under competent adult supervision.

**AMOUNT REQUESTED:**

\$4,800

**PURPOSE:**

Funds are being sought to assist in the purchase of communal dining facilities that include dining tent and food preparation tables.

**PREVIOUS COUNCIL GRANTS? No**

**PREVIOUS CONDITIONS MET? Yes**

**COMMENTS:**

Roseville Scouts presently has over 40 members in their cub and scout program for young people aged 7-15. They provide social activities, physical skills development and adventure training to promote leadership skills among young people. Camping out is a key element of Scout training and not only provides weekend activity for young people but also a communal experience involving mutual reliance and personal responsibility. Roseville Scouts require funding to support their ability to provide effective camping experiences for Scouts and their families. This equipment will also be used in the near future when Roseville will send a large group of Scouts to a national Jamboree to be held in January 2007.

**AMOUNT RECOMMENDED:**

\$1,000

**SPECIFIC PURPOSE:**

Contribution towards purchase of a dining tent and tables

## YOUTH SERVICES

<b>ORGANISATION:</b>	<b>Migrant Network Services (Northern Sydney) Ltd</b> Migrant Network Services aims to provide settlement assistance to migrants and refugees settling in the Northern Sydney Region and to support the effective participation of people from non-English speaking backgrounds in different aspects of life of the community - business, cultural, educational, etc.
<b>AMOUNT REQUESTED:</b>	\$6,980
<b>PURPOSE:</b>	To translate a Recently Arrived Youth Information Booklet (RAY Info Booklet) designed to aid young migrants and refugees between the ages of 12 and 20 years of age to settle in their new country and local community into major community languages.
<b>PREVIOUS COUNCIL GRANTS?</b>	No
<b>PREVIOUS CONDITIONS MET?</b>	N/A
<b>COMMENTS:</b>	Migrant Network Services cover 11 LGAs which make up the Northern Sydney Region including Ku-ring-gai. Their primary settlement services target group is new and recent arrivals. Between 1 July 2000 and 30 June 2005, 3,561 settled in the Ku-ring-gai LGA. Migrant Network Services (North Sydney) are seeking to translate a Recently Arrived Youth Information Booklet in a number of languages including Chinese, Japanese, Korean, Farsi and Dari. The booklet contains useful links and contacts, and is designed to aid young migrants and refugees between the ages of 12 and 20 years of age. The booklets focuses on services in the Northern Sydney region including Ku-ring-gai. The booklet will be available electronically and in hard copy form and will be promoted to members of multicultural and interagency networks, community based organisations and service providers. Submissions for funding will also be made to other local government authorities in the region as time permits. As this is a regional resource it is proposed that only part funding be made available to this project and that funds also be sourced from other Northern Sydney Councils.
<b>AMOUNT RECOMMENDED:</b>	\$1,000
<b>SPECIFIC PURPOSE:</b>	A contribution towards the translation costs of the Recently Arrived Youth Information Booklet

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## **OBJECTIVES AND GUIDELINES FOR KU-RING-GAI COUNCIL'S FINANCIAL ASSISTANCE TO COMMUNITY GROUPS PROGRAM 2006**

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### **INTRODUCTION**

The Financial Assistance to Community Groups Program is designed to ensure that financial allocations to community groups reflect Council's commitment to improving and encouraging the provision of community based services which support and enhance the lives of residents of Ku-ring-gai.

### **OBJECTIVES**

Projects funded by Council through the Financial Assistance to Community Groups Program should encourage:-

- a) An increased range and improved quality of community services in the Ku-ring-gai area.
- b) A supportive approach to innovative programs that address identified community needs.
- c) A fair and equitable approach to the funding of community organisations/groups in the Ku-ring-gai area.

### **GUIDELINES**

- a) The community organisation, or its branch, must be based within the Ku-ring-gai area or if not locally based, the program requesting financial assistance must be shown to be addressing identified priority needs of people within the Ku-ring-gai area.
- b) The organisation requesting financial assistance should be properly constituted eg. be registered with the Department of Fair Trading and have a constitution, and encourage participation from all members of the community.
- c) The organisation requesting financial assistance should not be a political party as defined herein and should not be affiliated or associated either directly or indirectly with any political party whether registered or not.

- d) Council encourages organisations to adhere to the principles of access and equity in the way that funded services and activities are administered. This means that organisations take steps to ensure that their services/programs are available to all members of the community including people with disabilities and people from culturally and linguistically diverse communities.
- e) The organisation is community based and has a reasonable level of volunteer involvement.
- f) Organisations acting for private gain will not receive any benefits under this Policy until at least 28 days public notice of Council's proposal to pass the necessary resolution has been given.
- g) Priority is given to organisations addressing identified community needs and making effective use of available resources, and to organisations which are not receiving substantial State or Federal Grants.
- h) The organisation demonstrates that they have actively sought funds from other sources (*ie fundraising, government grants*) and/or the ability of the organisation to contribute towards costs.
- i) An organisation with substantial financial reserves, which are not allocated for specific purposes essential to the organisation, is not eligible.
- j) The grant is a contribution towards a clearly identifiable purpose or project. Financial assistance will be used only for purposes as detailed in the original application.
- k) If organisations are applying for financial assistance for equipment estimated prices of items of equipment should be included in the application, with a quote attached where possible.
- l) Requests for capital assistance or maintenance of buildings will **not** be considered. This includes items considered to be permanently affixed to the building structure or grounds.
- m) Any financial assistance that is provided by Council will not result in the proposed activity becoming totally dependent on Council for future funds. Therefore Council will **not fund recurrent/ongoing expenses** eg. salaries, insurance, rent etc
- n) The proposed activity should not be duplicating another existing service.
- o) An evaluation of the funded purpose is required, including a breakdown of how the grant was spent including receipts where possible, at the completion of the twelve (12) month period.
- p) The organisation receiving financial assistance will publicly acknowledge Council's contribution on their promotional material where appropriate.

**DEFINITION:**

“Political party’ means a body or organisation, whether or not incorporated, having as one of its objects or activities the promotion of the election to Parliament or to a council of a candidate or candidates endorsed by it or by a body or organisation of which it forms part.”

Local Government Act 1993

**APPLICATIONS MUST INCLUDE:-**

1. A completed application form, ensuring that all details have been provided.
2. The organisation's latest audited financial statement, or where an organisation is not subject to audit requirements, a statement of income and expenditure over the past twelve (12) months must be provided.
4. A copy of the organisation's most recent Annual Report.
5. A copy of the organisation's constitution or Statement of Aims and Objectives if a new applicant, or where these details have changed since a previous application.
6. All other relevant information has been attached e.g. quotes.
7. Completed 2005 Financial Assistance Acquittal Form (only applies to organisations that received funding through the Donations Program in 2005). Due 31 May 2006.

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## NORTHERN SYDNEY ABORIGINAL SOCIAL PLAN 2006 TO 2010

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council the draft Northern Sydney Aboriginal Social Plan 2006-2010 and seek Council's approval to place the Plan on public exhibition.

**BACKGROUND:**

The Local Government (General) Regulation 1999 requires all Councils in NSW to develop a Social/Community Plan and report on identified access and equity activities in their annual reports. Ku-ring-gai Council has participated in a regional initiative involving 11 Northern Sydney councils, government departments and agencies to develop the Northern Sydney Aboriginal Social Plan 2006-2010.

**COMMENTS:**

The draft Northern Sydney Aboriginal Social Plan 2006-2010 reflects the priorities, needs and issues which were raised during consultations held with the Northern Sydney Aboriginal community, community groups and government agencies.

**RECOMMENDATION:**

That the draft Northern Sydney Aboriginal Social Plan 2006-2010 be placed on public exhibition for a period of 28 days. That Council receive a further report on the Northern Sydney Aboriginal Social Plan 2006-2010 after the Northern Sydney councils have completed their comment and community input period.



## PURPOSE OF REPORT

To present to Council the draft Northern Sydney Aboriginal Social Plan 2006-2010 and seek Council's approval to place the Plan on public exhibition.

## BACKGROUND

In 1998 a partnership was formed between eleven local government authorities in the Northern Sydney Region as well as a range of Commonwealth and State government departments to develop an Aboriginal Social Plan for Northern Sydney. The members of the funding group all contributed financially to develop and implement the Aboriginal Social Plan. This partnership developed the first Aboriginal Social Plan, which was endorsed by Ku-ring-gai Council in November 2000. In October 2005 a new process commenced to review and update the Northern Sydney Aboriginal Social Plan.

In addressing the social needs of Aboriginal people living in Ku-ring-gai, Council has participated in the Northern Sydney Aboriginal Social Plan 2006-2010 (**Attachment 1**). The Plan represents human services planning on a regional basis involving Local, State and Commonwealth government departments, agencies and community groups.

The Plan has been developed to meet the requirements of the Local Government (General Amendment Community and Social Plans) Regulation 1998 (revised in 2002). The Regulation requires all councils to develop a social plan to ensure that government services are more responsive to community needs and diversity. One of the mandatory groups included under the Regulation are, Aboriginal and Torres Strait Islander people.

The Northern Sydney Aboriginal Social Plan 2006-2010 covers the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah and Willoughby. In relation to traditional Aboriginal nation or language group boundaries, the region is primarily the homeland of the Guringai people with some local government areas crossing over into Darug people's homeland.

The aims of the Social Plan are to:

- Improve outcomes for the Aboriginal community living in Northern Sydney
- Improve coordination and relationships with government on Aboriginal issues, and
- Increase sharing and cooperation between individuals, groups, and agencies across Northern Sydney.

The Plan is currently being exhibited by Northern Sydney councils with the view of incorporating community feedback, once this process has been completed.

## COMMENTS

The Northern Sydney Aboriginal Social Plan 2006-2010 was developed in consultation with the Aboriginal community in Northern Sydney. It provided a significant opportunity to foster collaboration and cooperation between Aboriginal communities, various levels of government and non government providers. It also provided opportunities for the Aboriginal community in this region to have a voice and raise issues in a non-threatening and culturally sensitive environment. The employment of an Aboriginal Project Officer to develop the Plan was also instrumental in developing trust and building strong relationships with the Aboriginal community of Northern Sydney.

The key themes arising from the Plan are listed below.

- Collaboration and Cooperation
- Health and Wellbeing
- Education and Training
- Housing
- Employment
- Culture and Heritage

Within each of those themes a number of recommendations have been developed to address issues as identified during the consultation process. The majority of the recommendations relate to the responsibilities of a variety of government and non government agencies and present opportunities for working collaboratively across the region. It is anticipated that by late 2006 an operational plan will have been developed to coordinate the implementation of the Plan. It is at the discretion of individual councils to decide how they will use the Plan to fulfil the requirements of the Local Government (General) Amendment/Community and Social Plans) Regulation 1988. The Plan has been endorsed by the Northern Sydney Aboriginal Advisory Group which had input into the development of the Plan.

## CONSULTATION

The Northern Sydney Aboriginal Social Plan 2006-2010 was prepared in consultation with Aboriginal residents of Northern Sydney and stakeholders in the region. Two successful community gatherings were held in Dee Why and Lane Cove. A stakeholder Forum was also organised in North Sydney bringing together various government and non-government representatives from across the region. Additional information about community issues was also gathered by the project officer at Aboriginal community meetings, interagencies and face to face contact with members of the Aboriginal community.

As part of the Plan development process, a Northern Sydney Aboriginal Advisory Group was established to provide guidance and direction to the project. The Advisory Group comprise of representatives from various government departments, Aboriginal peak organisations, community groups and Aboriginal elders. This group was responsible for reviewing the various drafts, providing relevant feedback and endorsing the draft Plan.

Item 10

S02581  
15 September 2006

The Northern Sydney Aboriginal Social Plan will be placed on exhibition by Northern Sydney councils seeking community feedback. The feedback from across the region will then be analysed and incorporated into the Plan, as appropriate.

## **FINANCIAL CONSIDERATIONS**

The financial implications of this Plan at this stage only apply to placing this document on public exhibition. The cost of placing the Plan on public exhibition will be funded from the existing Community Services budget. Any cost implications arising from the Northern Sydney Aboriginal Social Plan 2006-2010 not covered by existing budgets will be reported to Council for consideration through Council's Management Planning process.

Within the Community Services budget there is a \$5,000 allocation to assist with the implementation of the Northern Sydney Aboriginal Social Plan 2006-2010.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

The Northern Sydney Aboriginal Social Plan 2006-2010 has been tabled and discussed at Council's Community Development Committee.

## **SUMMARY**

The Northern Sydney Aboriginal Social Plan 2006-2010 outlines a regional approach in Northern Sydney for different levels of government departments and agencies to address social needs for Aboriginal people living in the area. The initiatives of the Plan have increased awareness of issues facing Aboriginal communities in the region and provided an effective channel for communication between the local Aboriginal people and local councils and government agencies.

## **RECOMMENDATION**

- A. That the draft Northern Sydney Aboriginal Social Plan 2006-2010 be placed on public exhibition for a period of 28 days and then reported back to Council.
- B. That Council receive a further report on the Northern Sydney Aboriginal Social Plan 2006-2010 after the Northern Sydney councils have completed their comment and community input period.

Danny Houseas  
Acting Director Community Services

**Attachments: Draft Northern Sydney Aboriginal Social Plan 2006-2010 - 672006**

Final Draft: May 2006: SMC



## Northern Sydney Aboriginal Social Plan

**2006 - 2010**

# Acknowledgements

The development of this Plan has been made possible through the involvement of many people and organisations.

The spirit that lies within the words on these pages would not have been possible without the generosity of time and willingness to speak up and speak out from Aboriginal people, families and communities who reside in the Northern Sydney region. I am grateful for their trust in sharing personal encounters with me, which gives this new social plan depth and integrity.

To the Northern Sydney Aboriginal Advisory Group, thank you for your guidance and direction:

- Mr Tom Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission
- Mr Leon Donovan, Manager, Indigenous Coordination Centre
- Mr Steve Merritt, Department of Aboriginal Affairs
- Mr Larry Trudgett, Community Project Officer, Dept. Community Services
- Mr Herb Smith, Community Facilitator, Aboriginal Child Youth Family Strategy
- Ms LaVerne Belleair, Manager, Northern Sydney Central Coast Area Health
- Mr Jeff Nelson, Manager, Aboriginal Policy Unit, Dept Ageing, Disability and Home Care
- Ms Lana Shaw, Attorney Generals Office
- Ms Mary Senj, Aboriginal Education Officer, Catholic Schools Office
- Ms Sharon Holmes, Aboriginal Consultant, Dept. Education and Training
- Mr Ray McMinn, Aboriginal Community Liaison Officer, Dept Education and Training
- Mr Rob Cohen, Aboriginal Development Manager, Northern Sydney Institute of TAFE
- Ms Lara Ruttley, House Parent, Biala Aboriginal Hostel
- Ms Robynne Quiggin, Solicitor
- Ms Lois Birk, Guringai Local Aboriginal Education Consultative Group
- Mr Rick Shapter, Aboriginal Heritage Officer, Manly Council
- Mr David Watts, Aboriginal Heritage Manager, Northern Sydney
- Mr Rob Welsh, Chairperson, Metropolitan Local Aboriginal Lands Council
- Ms Nancy Wood, Senior Community Member, Northern Beaches

- Mr George Watts, Senior Community Member, Northern Beaches
- Ms Edna Watson, Darug Elder
- Mr Chris Tobin, Darug Community Representative.

The Northern Sydney Aboriginal Social Planning Funding Group for their consistent support:

- Department of Community Services
- Local Government of the Northern Sydney Area: Hornsby; Hunters Hill; Ku-ring-gai; Lane Cove; Manly; Mosman; North Sydney; Pittwater; Ryde; Warringah Council; and Willoughby.

The Northern Sydney Aboriginal Social Planning Working Group including representatives from Reconciliation groups around Northern Sydney.

Ms Jacqueline Smith, Manager, Manly Community Centre (MCC) for her day to day encouragement and ability to keep me going and the MCC Executive.

**Principal author of this document:**

Susan Moylan-Coombs - Aboriginal Project Officer, Northern Sydney Aboriginal Social Plan (2003 - 2006)

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© Patrick Lock

**The Guringai Fish Design**



The word Guringai means plenty of fish which was a symbolic meaning for plenty of people speaking the same tongue.  
Kevin Duncan, Central Coast Aboriginal Sites Officer

# **The Fish Story**

As told to me by my South Coast Elders

A long, long time ago, long before humans became people as we know them today, the real old wise ones ruled this land.

In the dark times of the human world things got tough and food was hard to come by.

An old man went down by the sea to think of ways that he could help his people through these hard times. It was then that he heard splashing in the water. When he looked up he saw a Dolphin man who called out to him. "Old man you look sad, what troubles you?"

The old man replied, "Times are hard and my people need food."

The Dolphin man said "Old man I can help you, but first you must understand and agree to something and only then will I help".

The old man said "Yes, my people need food or we will die."

The dolphin man said "Old man go up to the top of the hill, look out to sea and when you see me jumping up in play, then send your people out to fish..... BUT, YOU MUST ONLY TAKE WHAT YOU NEED, that way there will be plenty for all. If you take more, I will not be able to help you again."

The old man went up to the top of the hill and waited for the Dolphin man to jump up out of the water and when he did, the people fished and were careful only to take what they needed. That night back at their camp there was plenty of tucker and all were happy.

The old man stayed by the water's edge and when he saw the Dolphin man swimming into shore, he went down to meet him. He walked out waist deep and put his arms into the water for the Dolphin man to swim into. The Dolphin man looked up at him and said "Old man your people did what they were told and for that there will be plenty of fish for them, now and forever."

The moral of this story is.....take what you need not what you greed.

© Patrick Lock  
Former Sydney Region Chairperson  
Aboriginal and Torres Strait Islander Commission (ATSIC)  
Advocate for the Aboriginal community in the Northern Sydney region.

# Acronyms

ABS	Australian Bureau of Statistics
ACYFS	Aboriginal Child, Youth and Family Strategy
AECG	Aboriginal Education Consultative Group
AHO	Aboriginal Housing Office
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
ATSIC	Aboriginal and Torres Strait Islander Commission
CDSE	Community Development Support Expenditure
DAA	Department of Aboriginal Affairs
DADHC	Department of Ageing, Disability and Home Care
DET	Department of Education and Training
DIMIA	Department of Immigration, Multicultural and Indigenous Affairs
DoCS	Department of Community Services
FACS	Family and Community Services
HREOC	Human Rights and Equal Opportunity Commission
IBA	Indigenous Business Assistance
ICAS	Indigenous Capital Assistance Scheme
ICC	Indigenous Coordination Centres
ILC	Indigenous Land Corporation
LGA	Local Government Areas
MCATSIA	Ministerial Council on Aboriginal and Torres Strait Islander Affairs
MCC	Manly Community Centre
NATSIEP	National Aboriginal and Torres Strait Islander Education Policy
NGO	Non Government Organisation
NSAHS	Northern Sydney Area Health Service
NSCCAHS	Northern Sydney Central Coast Area Health Service
NSROC	Northern Sydney Region of Councils
NSW	New South Wales
NSWLALC	New South Wales Local Aboriginal Lands Council
OIPC	Office of Indigenous Policy Coordination
ORAC	Office of the Registrar of Aboriginal Corporations
TAFE	Technical and Further Education
TSIAB	Torres Strait Islander Advisory Board
UNESCO	United Nations Educational, Scientific and Cultural Organisation



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# Foreword

It gives me great pleasure to present the Northern Sydney Aboriginal Social Plan.

Hello, my name is Tom Calma and I am the Aboriginal and Torres Strait Islander Social Justice Commissioner.

My mob come from the top-end of the Northern Territory – my father is Iwaidja, which is on Coburg Peninsula, and my mother is Kungarakana and that's just a little southwest of Darwin.

I have been involved with Indigenous affairs at local, community, state, national and international levels and have worked in the public sector for over 30 years.

Part of my role as the Aboriginal & Torres Strait Islander Social Justice Commissioner is to advocate for the recognition of the rights of Indigenous Australians and to promote understanding and respect of these rights among the broader Australian community and inform Indigenous people of their rights. I see this Northern Sydney Aboriginal Social Plan as a way of achieving these goals as well.

The Northern Sydney region, which is covered by 11 Local Government Areas, is the traditional homelands of the Guringai, and in parts, the Darug peoples. Awareness and understanding of the Aboriginal communities who today reside in the region is evolving and it is apparent that strategic planning for social services is a priority. For meaningful outcomes to occur for Indigenous people, active and meaningful participation is required in every step of any process to ensure decisions and solutions are understood and owned by the community.

In the Social Justice Report 2005 I identified four elements to ensuring effective participation for Indigenous communities:

- Indigenous representation at all levels of decision making
- Processes for government engagement with Indigenous peoples
- Mechanisms for ensuring accountability and transparency
- Indigenous participation through agreement making and planning processes.

I commend the 11 Local Government Areas and the Department of Community Services involved in producing the Social Plan, for clearly demonstrating their willingness to listen, learn and engage with Indigenous peoples in the Area to ensure that the outcomes have some chance of success.

On behalf of the Aboriginal Advisory Committee I extend our appreciation for the continuing cooperation, commitment and willingness to work toward reconciliation and social justice for the Aboriginal people, families and communities of the Northern Sydney region. I look forward to seeing how the Plan will positively influence planning processes and increased outcomes for people of the 11 LGAs in particular the Aboriginal and Torres Strait Islander community of the Northern Sydney region.

Finally my thanks to all who have participated and given generously of their time to engage in the consultations that are so important to informing the ongoing process, that is, the Northern Sydney Aboriginal Social Plan.

Tom Calma  
Aboriginal and Torres Strait Islander Social Justice Commissioner.  
Human Rights and Equal Opportunity Commission

## Executive Summary

This is the second *Northern Sydney Aboriginal Social Plan*. It outlines a regional approach in Northern Sydney for local, State and Australian government agencies to address social needs for Aboriginal and Torres Strait Islander peoples living in the area in the period from 2006 to 2010.

It has been developed to meet the requirements of the Local Government (General) Amendment (Community and Social Plans) Regulation 1998 (revised in 2002) which requires all local councils to develop a social plan to ensure that government services are more responsive to community need and diversity. One of the mandatory target groups included under the Regulation are Aboriginal and Torres Strait Islander people.

Given the relatively small Indigenous population, the plan covers the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah and Willoughby. In relation to traditional Aboriginal nation or language group boundaries the region is primarily the homelands of the Guringai people with some local government areas crossing over into the Darug people's homelands.

### Overview of the Northern Sydney Indigenous Population

A detailed demographic profile about the Northern Sydney Indigenous Population is included at **Appendix A**. In summary, from an analysis of Australian Bureau of Statistics (ABS) 2001 Census of Population and Housing data by the Public Practice (2005) we know that:

- The Northern Sydney region had a population of 1,763 Indigenous people in 2001. 1,551 were Aboriginal and 156 were Torres Strait Islanders; 56 identified as both.
- There were 727 households that included Indigenous people. The average household size was 2.8 people (6% larger than non-Indigenous - 2.6 people).
- Indigenous people have shorter average life spans. Out of every 100 Indigenous people, there would be only 2 men and 2 women aged 65+ (6 men and 8 women among 100 non-Indigenous people).
- An indicator of overcrowding in housing is the proportion of dwellings where more than one bedroom has two or more people. On this measure, 57 Indigenous households in Northern Sydney were crowded; 8% of households (5% for non-Indigenous households).
- Roughly 1% of Indigenous households lived in caravans, cabins or houseboats and 1.5% lived outdoors or in improvised housing.

The proportion living in these places was 17 times that of non-Indigenous households (0.1%).

- 62% of Indigenous children (3 - 4 years) attended pre-school (smaller than non-Indigenous children - 71%).
- Among those aged 15 - 19 Indigenous teenagers, 72% were attending some form of education (83% for non-Indigenous).
- 45% of Indigenous people had completed Year 12 (65% non-Indigenous).
- 83% of Indigenous people had completed Year 10 or higher (91% non-Indigenous).
- 166 Indigenous people were receiving tertiary education, equal to 70% of 18 - 24 years (much lower than for non-Indigenous people at 93%).
- The average income of Indigenous people aged 15+ was \$543 a week (25% lower than the overall average \$723 a week).
- The average income of Indigenous families was \$1,399 a week (10% or \$161 lower than the overall family average).
- The main industry where the Indigenous people worked was retail trade, which employed 116 or 13% of Indigenous workers.
- Most commonly, Indigenous workers worked as service workers, of whom there were 164 (18% of the Indigenous workforce).
- The occupation with the fewest Indigenous people, relative to its size, was professionals. About 29% of non-Indigenous workers were professionals but just 18% of Indigenous workers were.

## **Consultation**

The *Northern Sydney Aboriginal Social Plan 2006 - 2010* was prepared in consultation with Aboriginal residents of Northern Sydney and stakeholders in the region. This was done through two Community Consultation days, a Stakeholders Forum and information gathered by the project officer and by Aboriginal community members attending Manly Community Centre, committee meetings and events. This informed the themes and recommendations made in the plan for Aboriginal people living in Northern Sydney.

## Structure of the Plan

The *Northern Sydney Aboriginal Social Plan* is structured in four parts. It includes:

1. Introductory information to provide the context and history of the planning process
2. An assessment of outcomes achieved through the previous plan
3. Background information, objectives and recommendations in relation to each of six key themes that were identified in consultation with Aboriginal residents and other stakeholders
4. Appendices including a demographic profile of the Northern Sydney region's Indigenous communities and current policies and programs of the NSW and Australian Governments

## Themes and Recommendations

The main themes and recommendations for action contained in the *Northern Sydney Aboriginal Social Plan 2006-2010* are set out below:

### 1. Collaboration and Cooperation

- 1.1 The Northern Sydney Aboriginal Social Plan Funding Group conduct a review of the current structure and management model of the Northern Sydney Aboriginal Social Plan Project. Options to be considered in the review include:
  - Streamlining of management structure
  - Funding options for the full-time employment of the Northern Sydney Aboriginal Project Officer
  - The appropriate resources required to carry out the role, and
  - The feasibility of establishing a Northern Sydney Aboriginal Resource Agency.
- 1.2 All councils within the Northern Sydney region that have not already done so establish local consultative and advisory mechanisms such as Council Aboriginal Advisory Groups with local residence and confer with the Local Aboriginal Land Council on relevant issues.
- 1.3 Local councils in the Northern Sydney region develop practical protocols to outline ways of working and maintaining working relations with local Aboriginal people, and communicating and collaborating with them appropriately.
- 1.4 Local councils in the Northern Sydney region promote access and equity in service provision for Aboriginal families and communities by:
  - maintaining the Northern Sydney Aboriginal Services Directory in a variety of accessible formats to ensure that the Aboriginal community is informed about Indigenous services in the region

- facilitating forums across the region to inform Aboriginal communities about local services
  - developing a culturally appropriate information kit for Aboriginal communities in Northern Sydney to provide information about mainstream government and non-government services to the community
  - advocating for an increased number of Aboriginal workers in the Northern Sydney region
  - developing a website for the *Northern Sydney Aboriginal Social Plan* as an additional means of providing information and communication with Northern Sydney Aboriginal communities, and
  - encouraging government agencies to deliver outreach programs for Aboriginal communities in Northern Sydney.
- 1.5** A Directory of Aboriginal Community Representatives and areas of expertise is developed for use by all levels of government and the wider community.

## **2. Health and Wellbeing**

- 2.1** Northern Sydney councils lobby Northern Sydney Central Coast Area Health Service and other relevant agencies for increased provision of accessible and culturally responsive primary health services and specialist services (eg. mental health) for Aboriginal people in Northern Sydney.
- 2.2** The Northern Sydney Aboriginal Social Plan Project works with the Northern Sydney Central Coast Area Health Service to enhance the provision of information in a variety of formats to Aboriginal people about regional health services.
- 2.3** Northern Sydney councils approach the Northern Sydney Central Coast Area Health Service to:
- To make public the outcomes report of the assessment of the health needs and issues affecting Aboriginal people in the Northern Sydney region
  - collect and publish data regarding the health status of the Aboriginal people in Northern Sydney, and
  - integrate current NSW government Aboriginal Health policies and program in local planning.
- 2.4** Northern Sydney councils urge the relevant government agencies to provide counselling services for Aboriginal people affected by the Stolen Generations and wider community issues.

- 2.5** That the Northern Sydney Aboriginal Social Plan Project explores and identifies suitable programs to reach and bring people together affected by the Stolen Generations experience i.e. “buddy system”.

### **3. Education and Training**

- 3.1** Northern Sydney councils actively lobby the Department of Education and Training to address issues related to accessing educational services, the effectiveness of current Aboriginal educational programs, and lower outcomes in numeracy, literacy and science for Aboriginal children.
- 3.2** The Northern Sydney Aboriginal Social Plan Project work with the Department of Education and Training, TAFE NSW and Universities to raise awareness among the Aboriginal community of educational opportunities for Aboriginal people of all ages.
- 3.3** The Northern Sydney Aboriginal Social Plan Project work with the Department of Education at the regional level to better integrate the local Aboriginal culture and heritage in existing Aboriginal studies curriculum. This work should be conducted in conjunction with local Aboriginal workers and residents and through the local Aboriginal Education Consultative Group.
- 3.4** The Northern Sydney Aboriginal Social Plan Project work in cooperation with the Department of Education and Training to develop a register of Aboriginal community people as potential guest speakers and specialty teachers i.e. art workshops, bush walking, dance, story telling etc.
- 3.5** The Northern Sydney Aboriginal Social Plan Project work with the Department of Education and Training to increase the involvement of Aboriginal people in the design and development of Aboriginal educational programs and general education programs targeting both Aboriginal and non-Aboriginal students.
- 3.6** Northern Sydney Aboriginal Social Plan Project and Northern Sydney councils support reconciliation groups in the region through access to meeting spaces, resources, information and participation in joint projects.
- 3.7** Northern Sydney councils promote Aboriginal culture and history by incorporating Aboriginal themes in events and council run programs for children, young people and seniors.
- 3.8** Northern Sydney councils utilise their library services and Tourist Information Centres and work with local Historical Societies and other relevant organisations to promote the Aboriginal history of their local area.

## **4. Housing**

- 4.1** Northern Sydney councils work with the Centre for Affordable Housing (NSW Department of Housing) to address the issue of declining housing affordability in the Northern Sydney region.
- 4.2** The Northern Sydney Regional Organisation of councils and the Shore Regional Organisation of councils take joint action in promoting the critical need for affordable housing in the region.
- 4.3** The Northern Sydney Aboriginal Social Plan Project, in collaboration with relevant housing agencies, conducts further consultation with Aboriginal residents about their housing requirements with a view to developing culturally appropriate models for affordable housing tailored to local needs.
- 4.4** The Aboriginal Project Officer researches existing funding opportunities and resources for the provision of affordable housing in the region and innovative models of delivery such as housing trusts and cooperatives.
- 4.5** The Aboriginal Project Officer seeks information from the state government and relevant housing agencies about housing provision and tenancy services for Aboriginal people in the Northern Sydney region.
- 4.6** The Aboriginal Project Officer acts as a point of contact for state government and other relevant housing agencies to provide advice about the housing needs of Aboriginal people in the Northern Sydney region, and the cultural appropriateness of services.
- 4.7** The Northern Sydney Aboriginal Social Plan Project work with relevant housing agencies to establish housing tenant support groups or similar.

## **5. Employment**

- 5.1** The Northern Sydney Aboriginal Social Plan Project work with the Aboriginal and Torres Strait Islander Employment Network to develop an employment strategy for the region.
- 5.2** Northern Sydney councils adopt a proactive approach to employing local Indigenous people in administrative, management and other positions and enhancing the skills and work experience opportunities of existing Aboriginal staff.
- 5.3** Northern Sydney councils advocate for employment of Aboriginal workers in appropriate positions in NSW Government agencies and for those positions to be adequately supported.



- 5.4** Northern Sydney councils advocate that service delivery to Aboriginal families and communities would be better supported by the separation of the Central Coast from the Northern Sydney region as an administrative and service region.
- 5.5** The Northern Sydney Aboriginal Social Plan Project work with the Northern Beaches Business Enterprise Centre and other relevant agencies to provide information about support and mentoring available to Aboriginal people wishing to set up a small business.
- 5.6** Northern Sydney councils sponsor an Indigenous Employment Expo within the region to showcase employment opportunities within all levels of government, the private and non-government sectors, both within and outside of the region.

## **6. Culture and Heritage**

- 6.1** Northern Sydney councils continue to allocate resources to promote and participate in the Guringai Festival.
- 6.2** In partnership with local Aboriginal residents facilitate community events and gatherings to promote cultural heritage and identity within contemporary society.
- 6.3** Northern Sydney councils work with relevant agencies and Aboriginal organisations to ensure best practice in providing protection, care and effective management of Aboriginal sites and objects.
- 6.4** Northern Sydney councils seek to comply with all laws protecting Aboriginal sites and objects, especially in relation to development.
- 6.5** Northern Sydney councils promote the value of Aboriginal cultural heritage to all community members and prioritise protection, care and ongoing maintenance as a measure of value to the whole community.
- 6.6** Northern Sydney councils include Aboriginal Cultural Heritage in their cultural planning processes.

## Introduction

According to the 2001 ABS Census, Aboriginal and Torres Strait Islander people represented 0.2% of the population of the Northern Sydney region and numbered 1,763 people. The number of people willing to identify themselves as Aboriginal and Torres Strait Islanders has remained fairly constant since 1996. Local sources suggest that there are members of the Indigenous population who choose not to identify for a variety of reasons. As a result, actual numbers of Indigenous residents are likely to be significantly higher than indicated in the 2001 Census.

Throughout this Social Plan, the term Aboriginal within this document refers to all Indigenous Australians including Torres Strait Islander peoples unless stated in full.

The Northern Sydney region has an extensive and valuable Aboriginal history and culture. Warringah, Hornsby, Ryde and Pittwater council areas have the largest number of Indigenous residents. The remaining local government areas have relatively small numbers. Although the population is small, Aboriginal people have strong feelings of connection spiritually, culturally and socially to the area. The majority of the Indigenous population currently living in the Northern Sydney region come from Aboriginal countries or language groups outside the original Guringai and Darug homelands. Nonetheless, some Aboriginal families have lived in the region for many decades and have a real sense of caring for country and belonging to country.

The small scale of Aboriginal communities in the Northern Sydney region presents particular challenges, including the tendency to be invisible to all levels of government. While inroads have been made to deliver more coordinated services at the grassroots level, more work is needed. It is acknowledged that the first *Northern Sydney Aboriginal Social Plan 2000-2004* was a starting point and there is a need for ongoing consultation with Aboriginal communities in the region to improve their access and equity to local services.

In 2004, it was agreed to continue a successful partnership between the eleven local government areas of Northern Sydney and the Department of Community Services to address social needs for Aboriginal people living in the area. This *Northern Sydney Aboriginal Social Plan 2006-2010* is an outcome of that partnership and builds on the foundations of the previous plan.

The original aims of the social plan are still relevant today. These are to:

- improve outcomes for the Aboriginal community living in Northern Sydney
- improve coordination and relationships with government on Aboriginal issues, and

- increase sharing and co-operation between individuals, groups, and agencies across Northern Sydney.

## Principles

The initiatives of the *Northern Sydney Aboriginal Social Plan* have increased awareness of issues facing Aboriginal communities in the region and provided an effective channel for communication between the local Aboriginal people and local councils and government agencies. Importantly, the plan empowers Aboriginal people to express their concerns and hopes as Aboriginal people living in this region, in Guringai and Darug country.

Broad access, equity and social justice principles underpin the strategies contained in this document. Specific principles governing the plan are:

- a knowledge that this plan will not be effective without Aboriginal people's acceptance, involvement and support
- acknowledgement of the true history of this region and its implications for the present
- a commitment to building closer communication links between the agencies and the Aboriginal community of this region
- recognition that Aboriginal rights and issues are of concern not only to the Aboriginal population but to the wider community
- the observation of appropriate protocols in regard to consulting and working with Aboriginal people
- a recognition that a strong regional partnership on this issue between other levels of government, local councils, community groups and residents is the best way to achieve improved outcomes for Aboriginal people
- a commitment to support the Reconciliation process in achieving social justice for Aboriginal people.

## Geographic Area

The geographical area covered by this plan is defined by the following local government areas: Hunters Hill, Hornsby, Ku-ring-gai, Lane Cove, Manly, Mosman, North Sydney, Pittwater, Ryde, Warringah and Willoughby.

These areas are the traditional homelands of two Aboriginal language groups, the Guringai and the Darug. The maps below show their location in relation to the 11 local government areas.



## Local Government Areas within the Northern Sydney Region



## History of the Plan

The development of a Northern Sydney Aboriginal Social Plan was an initiative of the Northern Sydney Planning Coordination Forum. The decision to prepare a plan initially was taken in response to the introduction of the Local Government (General) Amendment (Community and Social Plans) Regulation 1998 which required all local councils to develop a social plan to ensure that government services are more responsive to community need and diversity. A number of mandatory target groups were identified, including Aboriginal people.

Difficulties foreseen in developing the plan included the small population which was widely dispersed and to some degree unidentified; the scarcity of local Aboriginal service agencies; and the fact that the Northern Sydney councils' previous communication with the Aboriginal people had largely been through peak Aboriginal bodies such as Metropolitan Local Aboriginal Land Councils rather than at grass roots level. Given these issues, a working group was formed in September 1998 to discuss the possibility of developing a regional plan. This group included a number of government agencies that were committed to meeting the needs of Aboriginal people in Northern Sydney.

Members of the working party agreed that the development of a credible Aboriginal Social Plan depended on effective leadership of the process by an Indigenous person. As a result of this decision, funding for the position of Aboriginal Project Officer was provided by the NSW Department of Community Services, NSW Ageing and Disability Department, the Northern Sydney Region of Councils (NSROC) comprising Hornsby, Hunters Hill, Kuring-gai, Lane Cove, North Sydney, Ryde and Willoughby councils, and Manly, Pittwater and Warringah councils. Mosman Council joined the project as a financial contributor at a later stage.

The Plan was published in September 2000 and endorsed by the Local Metropolitan Aboriginal Land Council, with particular encouragement being provided by its Chairperson at the time, Ms Jenny Munro.

Responsibility for writing and co-ordinating the implementation of the first Northern Sydney Aboriginal Social Plan 2000 was carried out by the Aboriginal Project Officer and Social Planners employed by Northern Sydney councils. The role of Project Officer has been held by Caroline Pattison (1998+) and Phyllis Orcher (2001+). From 2003, Susan Moylan-Coombs was employed to continue coordination and implementation of the first plan. An outcomes report was published in May 2004. Writing of the current *Northern Sydney Aboriginal Social Plan 2006-2010* commenced shortly after. Ms Moylan-Coombs left the position early 2006.

## **Themes from the *Aboriginal Social Plan 2000-2004***

### **Recommendations of the Previous Plan**

The key themes of the previous *Northern Sydney Aboriginal Social Plan 2000-2004* were:

- Profile of Services and Networks
- Stolen Generations
- Accommodation
- Heritage and Culture
- Education
- Health
- Co-ordinating a response to Aboriginal community issues in Northern Sydney.

### **Has Anything Changed as a Result of the Previous Plan?**

Reflecting on the previous *Northern Sydney Aboriginal Social Plan* it is possible to identify areas of significant improvement. Some of this has come about directly through the Plan's implementation. In other cases the Plan was a catalyst for or contributor to the efforts of others. The organisations developing the Plan recognised from its early stages that it could not single-handedly address Aboriginal issues in the region: rather it was intended to 'point the way forward' by:

- initiating new projects
- supporting the contributions being made by other individuals and organisations involved in developing and implementing their own Aboriginal programs in the region.

Bearing this in mind, with the support of councils, government and non-government agencies the following outcomes have been achieved:

#### **Profile of Services and Networks**

- Funding was made available by the Department of Community Services for the compilation of a Directory of Aboriginal Services in the Northern Sydney Region. The Directory was produced by Hornsby Council with assistance from the University of Western Sydney Summer Research Program and has been made available in both electronic and hard copy.
- Cultural awareness programs have been provided for staff of Northern Sydney Area Health, Department of Education and local reconciliation groups and non-government agencies.

### **Stolen Generations**

- Aboriginal people in Northern Sydney have been guided to access the Link Up organization's services for assistance in tracing their family history and country.

### **Heritage & Culture**

- The Guringai Festival was established in 2001 as a celebration of Aboriginal culture and heritage across Northern Sydney. The festival aims to raise awareness and support of the unique needs of Aboriginal people living in Northern Sydney.
- Councils are committed to ongoing identification and protection of Aboriginal heritage sites.
- "Acknowledgement of Country" is a formal protocol at council meetings and official functions throughout the Northern Sydney Region.
- The Aboriginal and Torres Strait Islander flag is flown across the Northern Sydney region.
- Councils are committed to Reconciliation processes. For example, Lane Cove Council coordinated the management of the Woodford Bay Reconciliation Memorial Ceremony in Cameraygal Country during 2004. Warringah Council is working with the Metropolitan Local Aboriginal Land Council to develop Guringai Homelands signs. The signs will provide an acknowledgement of the traditional owners of the area and its Aboriginal history.
- Aboriginal art is recognised as an important contributor to the Northern Sydney region's culture and heritage, and Aboriginal art and sculptures have been commissioned for exhibition in public spaces.
- Collections on topics related to Aboriginal studies and Reconciliation have been established in council libraries.

### **Education**

- Issues raised in the *NSW Aboriginal Education Review* are being examined locally.
- The support needs of students at Biala Hostel are being addressed.
- Aboriginal perspectives and activities have been incorporated in children's and youth services.

### **Health**

- The Aboriginal Project Officer provided input into the Area Health Service *Health Needs Analysis Report* which produced a profile of Aboriginal health needs for people of Northern Sydney.



## **Coordinating a Response to Aboriginal Community Issues in Northern Sydney**

- Increased funding was provided for the Project Officer by councils, Department of Community Services (DoCS) and the Community Development Support Expenditure (CDSE) grants program.
- The *Northern Sydney Aboriginal Social Plan* has been recognised as a resource and conduit between community and non-government organisations, governments and the local Aboriginal community.
- A strong network of Aboriginal Workers in the Northern Sydney region has been established.
- Lane Cove, Warringah and Willoughby councils have reached an Agreement of Cooperation with Metropolitan Local Aboriginal Land Council which establishes formal communication consultation and negotiation. Mosman Council is liaising with MLALC for adoption of Principles of Cooperation.

## What Remains to be Done?

While some areas show improvements, a number of recommendations from the *Northern Sydney Aboriginal Social Plan 2000-2004* remain largely unfulfilled. Their future implementation relies heavily on other agencies. Outstanding issues include:

- Ensuring provision of affordable housing options in the Northern Sydney region for Aboriginal people
- Provision of counselling support for Aboriginal people affected by the Stolen Generations and other mental health issues
- Development of a high level of service coordination to address the issues of the Northern Sydney Aboriginal community
- The adequate resourcing of the Aboriginal Project Officer position. Due to the size of the region, the role of coordination and implementation has been extremely demanding for an individual, part-time worker.

## Methodology for Updating the Northern Sydney Aboriginal Social Plan

An Aboriginal Project Officer position was established to develop and implement the *Northern Sydney Aboriginal Social Plan 2000-2004* and evaluate its effectiveness. Prior to its development the Project Officer led a consultation process with Aboriginal residents and other stakeholders in the region to gather information to assist in the plan's development and to increase the communities' engagement in its implementation.

As far as possible, consultations were linked to existing community events. The following consultations, reports and research have been used to identify Aboriginal issues in the Northern Sydney region:

### Community Consultation Days

Two successful community gatherings were held at Dee Why and Lane Cove. Full details of consultation outcomes are included at **Appendix B**.

#### **Stony Range, Dee Why, Warringah Local Government Area December 12, 2004**

The first consultation was held at Stony Range, Dee Why, within Warringah LGA in co-operation with Mosman, Manly & Pittwater councils. This event was incorporated into the Guringai Local Aboriginal Education Consultative Group's (AECG) annual Education Awards Day. Information was gathered through a simple questionnaire for which participants provided yes/no responses to a series of questions posed.

Participants were also given the opportunity to provide feedback about other issues that were not included in the questionnaire. A large cross section of the community turned out on the day for the awards ceremony, acknowledging the educational and sporting achievements of Aboriginal children with a BBQ lunch, craft activities, bushwalking and story telling for children.



*Guringai LAECG Education Awards Ceremony*



### **Lane Cove National Park, Ryde Local Government Area May 7, 2005**

An official consultation was held at the Lane Cove National Park as there was no existing gathering to link with. The consultation day was jointly hosted by North Sydney, Lane Cove, Willoughby, Ku-ring-gai, Hunters Hill, Ryde and Hornsby Councils. The same informal questionnaire was used to gather information from the Aboriginal community who live on the western side of the region. Numbers were lower than expected due to inclement weather. It was also acknowledged that there are fewer service networks through which to make contact with families and community on this side of the region.

### **Stakeholder Forum**

Within Northern Sydney, various government and non-government organisations contribute to social planning for the local Aboriginal community. These organisations were brought together to provide input to the new plan at a Stakeholder Forum hosted by North Sydney Council on April 19, 2005. The outcomes of the Forum helped inform the recommendations included in the new Northern Sydney Aboriginal Social Plan.

Issues raised at the Forum included: the identification of service gaps; better coordination of services; Aboriginal culture, protocols and cross-cultural awareness and training; reducing social isolation amongst Aboriginal residents.

Some key issues to be addressed in the Northern Sydney Aboriginal Social Plan included:

- the need for formalised and coordinated service delivery to the Aboriginal community in Northern Sydney
- the impact of the amalgamation of the Northern Sydney and Central Coast Area Health Services on the delivery of Aboriginal health services
- lack of information and data on the health needs of Aboriginal people living in the Northern Sydney region
- the need for additional Aboriginal health workers with specialist skills in community health, mental health and alcohol and other drugs
- urgent need for a range of counselling services
- inadequate housing choices for Aboriginal people and lack of availability of public housing through Aboriginal Housing Ltd
- the need to build public awareness about Aboriginal culture and the presence of local Aboriginal groups
- providing opportunities for the community to come together
- improving local Aboriginal employment outcomes.



## Informal Consultation

Anecdotal information about community issues was also gathered during face to face service provision carried out by the Aboriginal Project Officer at the Manly Community Centre (MCC). The MCC is a place where people feel comfortable dropping in as it has had a good relationship with the local community for decades.

When Aboriginal people were asked,  
*“In an ideal world, how do you see your life as an Aboriginal person living in Northern Sydney. What is it that you want?”*

Some of the voices of the community responded.....



## Other Research

Additional background information was incorporated through a review of current Australian, State and Local Government policy documents and publications relevant to Aboriginal people. The bulk of this material was generic in nature rather than specific to the Northern Sydney region.

## Background to the Community

Northern Sydney's Aboriginal communities are not only disadvantaged by the seemingly small numbers, but also by misleading perceptions about contemporary circumstances. Quiggin (2005) uncovered a number of misconceptions about Aboriginal residents of Northern Sydney during consultations undertaken for Ryde City Council's *Indigenous Needs Study* in 2005. Some of the assumptions the consultations revealed, and a response to them, are outlined below:

### **1. No Aboriginal people live on Sydney's north side**

One factor which may contribute to this commonly held belief is under-reporting of the numbers of Aboriginal residents. Respondents commented that Census data generally under-represents the numbers of Aboriginal residents. They said that it would be more accurate to double the figures gathered in each Census. Respondents explained that Aboriginal people have a number of reasons for providing information which results in under-representation in Census data. For instance, Aboriginal people may be mistrustful, based on past experiences with government record keeping procedures, of the ways the Census data might be used and avoid identifying as an Aboriginal person in the Census.

For similar reasons, Aboriginal Census participants may under-represent the numbers of people present in a dwelling on Census night.

Census data is only one form of statistical information. Service providers also provide important demographic information on their users. However, not all agencies in Northern Sydney provide culturally responsive services for Aboriginal clients, and most do not collect statistical information on Aboriginality or Torres Strait Islander descent of their clients. This may result in more under-reporting of the numbers and needs of Aboriginal clients using mainstream services. One respondent noted:

*"If you don't have a service for Aboriginal people, or if no one is collecting the statistics on the numbers of Aboriginal people using the mainstream service, how does anyone know how many Aboriginal people there are." (City of Ryde, 2005)*

### **2. All Aboriginal people on Sydney's north side are financially well-off**

Respondents to the consultation reported that the assumption that Aboriginal residents of Northern Sydney are all wealthy is inaccurate. In fact, Aboriginal people living in the northern parts of Sydney cross a number of socio-economic groups. Many are unemployed and living on pensions in public housing. Many are struggling to make ends meet with wages in private housing.



### ***3. No one on the north side has a strong Aboriginal cultural identity***

Respondents to the consultation stated that there is a commonly held belief that Aboriginal residents of Northern Sydney do not care about their identity, or no longer have a cultural identity. This is not so. Many Aboriginal people in Northern Sydney feel very strongly about their Aboriginal identity, seek more frequent opportunities for expressing the importance of Aboriginal and Torres Strait Islander cultures and seek wider recognition of the importance of Aboriginal Australian culture and identity.

### ***4. There are no traditional owners on Sydney's north side***

The traditional owners of the land encompassed by the 11 Local Government Areas are the Guringai and Darug people.

The Metropolitan Local Aboriginal Land Council has an important role as custodian of the land within its boundaries. The Metropolitan Local Land Council is a representative body which is established under the *Land Rights Act* and aims to protect the interest and further the aspirations of its members.

### ***5. It's too difficult to work out whom to ask to conduct a welcome to country or other ceremony***

Many organisations in Northern Sydney regularly include the participation of Aboriginal people as an important part of public functions and events. The NSW Premiers Department notes the importance of Aboriginal participation in public events and provides a useful protocol guide to engagement with Aboriginal people for participation in these occasions. This engagement is most effective when based on discussions with local Aboriginal residents and Aboriginal organisations, which can lead to the development of protocols for local government.



## Relationship to other Policies and Agencies

The development of the *Northern Sydney Aboriginal Social Plan 2006-2010* provides an important link between the Aboriginal community and local, state and Australian government policies and practices. Partnerships between Aboriginal people and organisations have become an accepted part of government policy and the preferred way to do business with Aboriginal people. Such partnerships acknowledge that the involvement of Aboriginal people in determining the nature, pace and objectives of change is needed if the changes are to be effective and sustainable.

Aboriginal people in the Northern Sydney region are affected by a complex array of policies and programs that are designed to increase autonomy, bring about greater social and economic equality and to produce better outcomes in specific program areas such as health, education or child welfare. In addition, there are a number of Aboriginal organisations working to produce better outcomes for the Aboriginal community. This complexity is difficult to understand and navigate and can result in Aboriginal people missing out on opportunities and on services that they need. Clearly there is a role for greater coordination and communication to ensure that policies and programs are as cohesive as possible and best meet the needs of Aboriginal families and communities in the region.

### Australian Government Initiatives

A significant recent initiative has been the establishment by the Steering Committee for the Review of Commonwealth Service Provision (2005) of a national framework for monitoring and reporting on Aboriginal priority outcomes. Key elements of this framework titled “Overcoming Indigenous Disadvantage Report 2005” include:

- priority outcomes, which provide the vision ‘for how life should be’ for Aboriginal people
- headline indicators to provide ‘an overview of the state of Aboriginal disadvantage’
- seven strategic areas for action that have been chosen ‘for their potential to have a significant and lasting impact in reducing Aboriginal disadvantage’. While having a longer-term focus this set of indicators also ‘serve as intermediate measures of progress’
- strategic change indicators have been developed for ‘their potential to be affected by government policies and programs’, but they ‘are linked to actual outcomes for Aboriginal people, not the operations of specific policy programs’.

The priority outcomes are set out in the diagram below. These priorities are regarded as being integrally related rather than stand alone concerns.



The Australian Government is also working to integrate its services to Aboriginal people. Indigenous Coordination Centres (ICCs) now operate as whole of government centres, housing staff from various departments, delivering services to Aboriginal people. The role of ICCs is to coordinate the delivery of Indigenous-specific and mainstream programs at the regional level and to negotiate agreements with local communities based on the principles of partnership and shared responsibility. Details of a broad range of Australian Government agencies and programs for Aboriginal people are provided at **Appendix C**.

## State Government Initiatives

Within New South Wales, a policy framework has been established for coordinating whole of government action across the key national strategic change areas. *“Two Ways Together”: The Aboriginal Affairs Plan 2003-2012*, is the NSW Government’s 10 year plan to improve outcomes for Aboriginal people and communities.

At the state level, the policies and practices of State government agencies such as the departments of Community Services; Ageing, Disability and Home Care; Health; Housing; Education and Training and Attorney General’s significantly influence service provision in the Northern Sydney region.

Detailed descriptions of NSW government policies and services are provided at **Appendix D**. The section below provides information about key NSW Government agencies that have been particularly active with Aboriginal people in the Northern Sydney region.

### The Department of Community Services (DoCS)

At a central level, the *Aboriginal Policy Directions* (Department of Community Services, 1999) set a vision for DoCS in respect of improving their services to Aboriginal families and communities and for the development of strong

partnerships between Aboriginal communities and DoCS. An Aboriginal Advisory Committee was established in 2003 which meets quarterly to inform departmental programs and planning.

The Northern Sydney region is serviced by an Aboriginal Community Project Officer, based on the Central Coast.

The *Aboriginal Child, Youth and Family Strategy (ACYFS)* is an initiative of the New South Wales Government (auspiced by DoCS) to support Aboriginal parents, families and communities who are raising children under 18 years of age. This strategy sits within the *Families First* and *Better Futures* policy frameworks, while recognising the need to establish partnerships with Aboriginal communities to address a broad range of issues that impact on people's lives.

Specific objectives of the ACYFS are:

- Healthy children and young people
- Children are well prepared for school
- Children and young people are safe in their home and community
- Older children who are literate and numerate
- Well educated young people
- Good parenting skills and ability
- Families have a high sense of well being and function well.

An ACYFS Northern Sydney Region Executive has been established and a strategic plan for 2004-2006 developed to guide its implementation. The ACYFS aims to develop more responsive and integrated service network to better support families and communities in bringing up healthy babies, children and young people. Two consultation days were held across the region and the Northern Sydney Aboriginal Social Plan Project Officer played a key role in the facilitation on both days.

As a result, there are considerable synergies between the *Northern Sydney Aboriginal Social Plan* and the ACYFS. Issues identified from Northern Sydney ACYFS consultations included:

- Isolation and building connections between families
- Maintaining culture and heritage
- Identity and general community awareness
- Stolen Generations
- Supporting young people at Biala Accommodation Hostel
- Service and support.

Planning priorities for the ACYFS include:

- Reducing isolation and building connections between families
- Raising Aboriginal cultural awareness in mainstream services
- Agency capacity building through the creation of a specialist Aboriginal agency in the Northern Sydney region.

In early 2005 a Community Facilitator was employed to implement the strategy. The ACYFS Northern Sydney Executive currently meets monthly.

## **NSW Health**

Northern Sydney Area Health (NSAH) has recently merged with Central Coast Area Health (CCH) to form Northern Sydney Central Coast Area Health Service (NSCCAHS). In 2003 NSAH produced the *Northern Sydney Aboriginal Health Needs Analysis* (internal document) and the *Drug and Alcohol Needs Analysis* reports. Since the amalgamation of the two Area Health regions there has been no Aboriginal Advisory Committee for this department within the Northern Sydney region. The strengthening of partnerships and communication between the NSCCAHS and Northern Sydney Aboriginal communities is an issue that needs to be addressed under the current *Northern Sydney Aboriginal Social Plan*.

## **Department of Education and Training (DET)**

The NSW Department of Education and Training has a strong commitment to addressing educational disadvantage faced by many Aboriginal students.

### **Role of the Aboriginal Education and Training Directorate**

- Provide a strategic framework for the development of state-wide policies for Aboriginal education and training.
- Provide leadership, advocacy and advise in relation to education and training for Aboriginal students and communities.
- Development of curriculum and resources to improve educational outcomes.
- Administer and monitor Australian Government funding for Aboriginal education.
- Promote services and programs for Aboriginal education within NSW.
- Broaden the awareness of TAFE products and services for Aboriginal people through appropriate promotional activities.
- To support the professional development of Aboriginal education workers and targeted DET staff.

At a general level, a *Review of Aboriginal Education* was undertaken in 2004 (NSW Aboriginal Education Consultative Group Incorporated and NSW Department of Education and Training, 2004). Despite the many education initiatives implemented by the Australian and NSW Governments over the past 20 years, Aboriginal students continue to be the most educationally disadvantaged students in Australia. The final report was released in August 2005.

The NSW Department of Education and Training is a lead agency involved in the development of the new Aboriginal Affairs Plan for New South Wales, *Two Ways Together*. The new Aboriginal affairs plan will guide the way in which the NSW Government does business with Aboriginal people over the next 10 years.

The Northern Sydney Institute of TAFE supports the diverse needs of Aboriginal communities through the Gamarada Aboriginal Education and Training Unit. The unit provides services to enhance opportunities for Aboriginal people to access the Northern Sydney Institute of TAFE and to assist all Aboriginal students achieve their goals through course information, tutorial support, pathways to higher education, referral to other services including Abstudy and general student support.

DET's Northern Sydney Aboriginal Education Network brings together a number of stakeholders to improve outcomes for Aboriginal students in the region, a direct result of one of the recommendations of the review.

## **Indigenous Initiatives**

The NSW *Aboriginal Land Rights Act 1983* is an important piece of legislation for Aboriginal people. It is primarily focused on compensating the Indigenous community of NSW through land rights, in order to create self-sufficiency.

The centrepiece of the Government's legislation is a three tiered system of elected Aboriginal Land Councils:

- The first tier consists of a network of Local Aboriginal Land Councils (LALC), established as legal entities under the Act. LALC's roles include the acquisition of land, hold title to and manage land, run enterprises and upgrade housing.
- The second tier comprises at least six Regional Aboriginal Land Councils (RALC). RALC's primary role is to provide financial and other assistance to LALCs in relation to their roles.
- The New South Wales Aboriginal Land Council (NSWALC) the third tier and is responsible for allocating funds to other Land Councils for land acquisition and administrative costs.

The Northern Sydney region is covered by Metropolitan Local Aboriginal Land Council (MLALC). The MLALC's boundary covers a total of 25 Local Government Areas in coastal and inner western Sydney. Its membership base represents approximately 7.5% of total Indigenous population of 6,698 within the Metropolitan Local Aboriginal Land Council boundary. Membership numbers of residents of the Northern Sydney region is currently unknown.

The MLALC is engaged in a range of activities within the region. These include:

- providing financial support for education, sporting, arts, and cultural gatherings (such as funerals)
- protecting, restoring and educating MLALC members and the wider community about Aboriginal sites and culture
- claiming of appropriate lands that fall under the *Aboriginal Land Rights Act 1983*
- leasing and development of non-cultural lands for the gaining of revenues for operation of the land council
- purchasing of housing for the membership base's housing program.

## Themes and Recommendations

While the previous Aboriginal Social Plan achieved improvements in access and equity and much has been done to acknowledge Aboriginal culture and heritage, Aboriginal people still remain one of the most disadvantaged groups in the Northern Sydney region.

It is recognised that the diversity and difference in languages and cultures of Aboriginal and Torres Strait Islander people living in the region and the impacts of European settlement has resulted in clear social and economic disadvantage.

Aboriginal Australians are affected by many of the same issues as mainstream society. However, Aboriginal families and communities in the Northern Sydney region experience these issues, and others, in the unique context of Indigenous culture and history. Consultations indicated that Aboriginal people believe that it is important to their sense of wellbeing to:

- feel good about being Aboriginal and express their culture and heritage in a meaningful way
- practise their culture within a contemporary setting.

Consultations also revealed that Aboriginal residents are disadvantaged by:

- a lack of connectedness between the Aboriginal and non-Aboriginal communities and, in some cases, a sense of isolation from Aboriginal communities
- lack of co-ordination and continuity of the delivery of government services into the community
- lack of knowledge about the service system that reduces their access to the services they need
- a lack of trust of all levels of government.

The *Northern Sydney Aboriginal Social Plan* is a significant opportunity to foster collaboration and cooperation between Aboriginal communities, all levels of government and non-government service providers. Our aims are to develop:

- a shared vision for improvements in program and service delivery for Aboriginal families and communities and clear pathways for achieving them
- sustainable community-based partnerships that genuinely engage and involve Aboriginal communities and their leaders
- innovative community engagement methods and resources.

To achieve these aims and to address issues of social justice for Aboriginal communities in the Northern Sydney region, a number of themes were developed for consideration in the plan. These are:

- Collaboration and Cooperation
- Health and Wellbeing
- Education and Training
- Housing
- Employment

## 1. Collaboration and Cooperation

### **The Role of the Aboriginal Project Officer**

A key to maintaining a long-term commitment to the Aboriginal families and communities in the Northern Sydney region has been the appointment of an Aboriginal Project Officer. An important role of the Aboriginal Project Officer is to coordinate the implementation of the *Northern Sydney Aboriginal Social Plan* in partnership with local stakeholders. The Aboriginal Project Officer also is required to develop and maintain mechanisms to ensure the effective consultation and participation of the Northern Sydney Aboriginal community in the project.

However, there is a high level of demand placed on the position and consideration must now be given to changing the role from part-time to full-time. There should also be a review and restructure of the project management model and the officer's workplan to ensure that they are realistic and achievable.

Given its strong focus on devising and implementing a plan in cooperation with the Aboriginal community and government, the role of the Project Officer is intended to focus on community development. However as the Project Officer has to date been based within a centre that provides direct services, the position is exposed to a great deal of 'front-line' need on the part of Aboriginal community members. Whilst this has been of benefit in terms of:

- helping Aboriginal people to feel comfortable about visiting the centre and seeking support as needed
- ensuring the Project Officer has remained in touch with the 'real world' challenges confronting local Aboriginal people

in practice the part-time worker has been faced with the impossible task of having to both respond to some compelling human needs on the one hand, and undertake a planning and development project on the other.

The need to delineate between these roles is essential. The experience since the project's inception in 1998 has highlighted the need for two distinct, and equally important, Aboriginal service roles that require funding and support. The issue of the housing of the two positions is also critical. There is a persuasive case for maintaining a front-line service role for the Aboriginal community at the Manly Community Centre (where the Aboriginal Project Officer position is based) and there is also a case for basing the community development position elsewhere.

The need to lay the foundations for a more coordinated response to Aboriginal community needs has been identified. The establishment of a Northern



Sydney Aboriginal Resource Agency has been recommended in the *Northern Sydney Aboriginal Child, Youth Family Strategy*. While the establishment of such an agency is generally accepted as the best means of improving services and coordination, it requires a significantly higher level of financial investment by all levels of government than is currently available.

Regardless of the model used to implement the *Northern Sydney Aboriginal Social Plan*, the most critical success factor is the degree to which the participating councils commit to following through its recommendations. Essentially this requires the regionally developed *Northern Sydney Aboriginal Social Plan* to be linked to councils' management plans in the same way that locally developed social plans for other mandatory target groups are. In doing so councils will gradually increase resources allocated to Aboriginal issues and build internal capacity to work effectively with local Aboriginal communities.

## **Reconciliation and Indigenous Protocols**

Since 1997, the NSW Local Government and Shires Association (LGSA) has acknowledged the key role played by local government in progressing the reconciliation process to improve community relationships between Aboriginal people and the wider community. It has provided guidelines for councils to help convert reconciliation aspirations into actions for the betterment of Aboriginal people in local communities.

The steps suggested by the LGSA to ensure that Aboriginal people are receiving adequate service provision and actively participating in their communities include:

- the establishment of Aboriginal Consultative Committees to advise councils on Aboriginal matters from a local grass roots residents' perspective. These committees should have a majority of Aboriginal members
- participation of councillors & council staff in Aboriginal Cross Cultural Awareness Training
- targeted information strategies to assist the Aboriginal community to become better informed about services of local government
- the sharing of cultures in an inclusive society
- monitoring and reviewing current policies and programs relating to Aboriginal issues.

Within the Northern Sydney region the reconciliation process has evolved locally largely through symbolic gestures such as flying of the Aboriginal flag and 'Acknowledgments of Country'. These activities have tended to be implemented by councils in partnership with non-Aboriginal local reconciliation groups.

The degree to which councils within the region are proactive in implementing the 'five steps' and developing positive relations with the local Aboriginal community varies. Lane Cove Council recently received a NSW Annual Aboriginal Local Government Merit Award from the NSW Local Government Aboriginal Network recognising its Reconciliation processes and in particular its collaboration with the Metropolitan Local Aboriginal Land Council to establish the Woodford Bay Reconciliation Memorial to the Cameraygul People. Manly Council also is regarded as a leader in managing relations with the local Aboriginal community and has an extensive history of working effectively with Aboriginal residents.

Consultations suggest that Aboriginal community groups such as the Guringai Local Aboriginal Education Consultative Groups, Elders groups and women's groups are concerned that their work is not widely known or recognised. The common misperception that no Aboriginal people live in Northern Sydney has led to other Aboriginal organisations from outside the area speaking on behalf of local Aboriginal communities.

In particular there is a need to recognise the work of two very distinct Aboriginal communities in Hornsby and the Northern Beaches for their work in promoting Aboriginal culture and heritage to the wider community. It is important for Northern Sydney councils and other local organisations to work with these communities to establish protocols for acknowledging, communicating and collaborating with Aboriginal people who live in the 11 LGAs.

The *Aboriginal Land Rights Act 1983* states that Indigenous dealings that occur within a local government area should be referred to the respective Local Aboriginal Land Council. The extent to which this has occurred within the Northern Sydney region is variable. Principles of Cooperation have been developed between the Metropolitan Local Aboriginal Land Council (MLALC) and a number of councils in the region including: Lane Cove, North Sydney, Willoughby and Warringah. MLALC is currently negotiating with Hornsby and Mosman councils to develop Principles of Cooperation.

## **Information and Communication**

Lack of knowledge amongst Aboriginal families and individuals about available services and how to access them has been identified as a critical issue for Aboriginal communities in Northern Sydney.

Local service providers report little contact with Aboriginal residents and communication between mainstream services and Aboriginal specialist services is said to be poor to non-existent. Furthermore, many Aboriginal residents are isolated from each other and are often unaware that there is an Aboriginal community and support network for them to tap into.

Aboriginal people, like other culturally and linguistically diverse residents, can find services alienating and culturally inappropriate. It is therefore important to provide services, and knowledge of services, in a way that is easily accessed by local Aboriginal residents. The commitment and dissemination of

information of more culturally responsive services for Aboriginal people may take some time, so a commitment and patience in the process of change needs to be exercised.

It is widely recognised that the use of computers and the internet is a major source of finding information in a computer technological age. A key factor is lower average internet use by Aboriginal households. ABS Census data indicates that in 2001, only 46% of Aboriginal people used the internet compared with 56% of others. Internet use at home (a good indicator of access to information) was lower than for non-Aboriginal people (33% of Aboriginal people compared to 44% of non-Aboriginal).

One of the roles of the Aboriginal Project Officer has been to support the development of Aboriginal community networks in the Northern Sydney region. Fundamental to this role is fostering a sense of community and empowering Aboriginal people living in the region to have a voice and benefit from opportunities available to all residents.

### **Key Objectives:**

In relation to Collaboration and Cooperation with Aboriginal communities our objectives are to:

- effectively support the position of the Northern Sydney Aboriginal Project Officer
- coordinate the implementation of the *Northern Sydney Aboriginal Social Plan* recommendations
- increase collaboration between government agencies in the region to improve service provision to Aboriginal communities
- improve communication with and information to the Aboriginal community about services in the Northern Sydney region
- increase feelings of connectedness of local Aboriginal residents with Aboriginal communities in the region
- increase local or regional consultative mechanisms, such as Aboriginal Consultative Committees, to ensure Aboriginal voices are heard in the development of service planning and delivery
- further the Reconciliation process and relations with the Metropolitan Local Aboriginal Land Council.

### **Recommendations:**

It is recommended that:

- 1.1** The *Northern Sydney Aboriginal Social Plan* Funding Group conduct a review of the current structure and management model of the *Northern Sydney Aboriginal Social Plan* Project. Options to be considered in the review include:
  - Streamlining of management structure

- Funding options for the full-time employment of the Northern Sydney Aboriginal Project Officer
  - The appropriate resources required to carry out the role
  - The feasibility of establishing a Northern Sydney Aboriginal Resource Agency.
- 1.2** All councils within the Northern Sydney region that have not already done so establish local consultative and advisory mechanisms such as Council Aboriginal Advisory Groups with local residence and confer with the Local Aboriginal Land Council on relevant issues.
- 1.3** Local councils in the Northern Sydney region provide assistance to develop practical protocols to outline ways of working and maintaining working relations with local Aboriginal people, and communicating and collaborating with them appropriately.
- 1.4** Local councils in the Northern Sydney region promote more culturally responsive services to Aboriginal families and communities by:
- maintaining the Northern Sydney Aboriginal Services Directory in a variety of accessible formats to ensure that the Aboriginal community is informed about Aboriginal services in the region
  - facilitating forums across the region to inform Aboriginal communities about local services
  - developing a culturally appropriate information kit for Aboriginal communities in Northern Sydney to provide information about mainstream government and non-government services to the community
  - advocating for an increased number of Aboriginal workers in the Northern Sydney region
  - developing a website for the *Northern Sydney Aboriginal Social Plan* as an additional means of providing information and communication with Northern Sydney Aboriginal communities
  - encouraging government agencies to deliver outreach programs for Aboriginal communities in Northern Sydney.
- 1.5** A Directory of Aboriginal Community Representatives and areas of expertise is developed for use by all levels of government and the wider community.

## 2. Health and Wellbeing

Physical and mental health issues were identified as critically important by the Aboriginal community members present during the consultation at Lane Cove (Consultation Outcomes, 2005) and at consultations conducted by the City of Ryde (2004) for its *Aboriginal Needs Study*.

In considering and addressing Aboriginal health issues in Northern Sydney it is important to understand the cultural dimensions of Aboriginal wellbeing and the integral connections between Aboriginal health, spirituality and connection to land and country. For this reason, the *Northern Sydney Aboriginal Social Plan* adopts the World Health Organisation's holistic definition of health as:

*'A state of complete physical, mental and social well-being and not merely the absence of disease or infirmity'.*

Although brief, this definition demonstrates a holistic understanding of an individual's health based on the presence of both a healthy mind and body. A relationship exists between positive social networks and interactions and overall mental wellbeing. This relationship plays an important contributory role to general health as well:

*"Many quality of life concepts, such as spirituality, social cohesion, a sense of community and sacred places, are central to the health and social well-being of communities and people". (Rattle and Kwiatkowski, 2003, p98)*

Recognition of spirituality in relation to health and wellbeing is very important to Aboriginal people. The complex interweaving of mental, spiritual and physical health is of particular relevance and resonance to Aboriginal people in Northern Sydney. These two broad areas of health will provide the basis of aims and objectives in this plan.

### Physical Health

Aboriginal people suffer from markedly higher rates of potentially preventable chronic health conditions than the rest of the population. For example they have the highest rates of diabetes and kidney disease in Australia and the life expectancy of Aboriginal people is estimated to be around 17 years lower than that for the total Australian population (Steering Committee for the Review of Commonwealth Service Provision, 2005).

Living with these conditions requires access to both preventative health and health treatment services. The consultations for the *Northern Sydney Aboriginal Social Plan* revealed that improving access to health services is a priority in the region.

At present, specialist Aboriginal services are provided through the Northern Sydney and Central Coast Area Health Service Aboriginal Unit based at the Royal North Shore Hospital. The unit is staffed by two workers, a manager

who is responsible for Northern Sydney and the Central Coast, and a hospital liaison officer.

The Aboriginal Unit covers a wide geographic area and a broad cross-section of health-related issues. The main role of the workers is to refer Aboriginal clients to appropriate services including family support services, mental health services, drug and alcohol services, and post-natal care professionals. Raising awareness among mainstream health providers of the specific needs of Aboriginal clients and the importance of referring Aboriginal clients to Aboriginal support services is a key aim.

There is sometimes a misconception that Aboriginal people that are in need of health services are only those in remote areas (National Aboriginal Community Controlled Health Organisation, 1999, p2). Aboriginal people in Northern Sydney have traditionally faced significant gaps in health services which specific government departments and services are now starting to address. For example, The Northern Sydney Area Health Needs Analysis (2001) focuses on the health needs of Aboriginal people and the ways to deal with these needs.

The importance of encouraging Aboriginal people to use NSW Health facilities at an earlier stage of their health problem is also noted. There has been little promotion of mainstream health services to the Aboriginal community and there is no local Aboriginal Medical Service within the Northern Sydney region. Consultations indicated that local people sometimes travel out of the area to attend an Aboriginal Medical Service and have a low level of awareness of culturally responsive mainstream services in the region.

## **Mental Health**

Mental health is a major issue within the Northern Sydney region. An area of urgent need identified in social planning consultations is the need for an Aboriginal clinician specialising in mental illness and drug and alcohol issues for clients of the Aboriginal Health Unit. This specialist would require access to hospitals and effective clinical support (City of Ryde, 2004).

For Aboriginal people mental health problems are likely to be compounded by the impact of historical policies of removing children from their families, and stresses arising from social disadvantage, poor social connections and alienation from mainstream society. Aboriginal people also reported feelings of isolation after moving from country areas to the city and the Northern Sydney region. Many Aboriginal people faced with these problems use alcohol, tobacco and other substances as a means of coping with the additional stress.

The previous *Aboriginal Social Plan 2000-2004* highlighted the significant and deeply felt impacts of the Policy of Removing Children today known as the Stolen Generation. There have been generations of trauma for Aboriginal families affected, who as a result have lost their languages, cultures, their rights to land and their identities (Australian Human Rights and Equal Opportunity Commission, 2005).

One recommendation from the previous plan requiring further action is to address the need for a counseling service for Aboriginal people of the Stolen Generations. There is a need to gather research data in the Northern Sydney region to ascertain the extent of mental health concerns and issues experienced by Aboriginal peoples. In particular, the mental health and wellbeing issues experienced by members of the Stolen Generations need to be investigated in order to generate appropriate solutions in line with community needs (Northern Sydney Social Plan, 2000).

A partnership between local governments, health and related service providers and local Aboriginal communities is the approach most likely to improve health outcomes for Aboriginal families and communities in Northern Sydney. Outreach workers are required to coordinate the provision of mainstream services such as mental health and drug and alcohol services. In addition to traditional therapeutic solutions, the Aboriginal community must be given the opportunity to work with health professionals to develop Aboriginal-specific strategies such as healing circles, story telling and therapy using Aboriginal art forms.

Increased opportunities for Aboriginal families and communities to gather and build social cohesion also will contribute positively to wellbeing by reducing isolation.

## **Key Objectives:**

In regard to Aboriginal health and wellbeing, our objectives are to:

- increase understanding of the cultural dimensions of Aboriginal wellbeing and the integral connections between Aboriginal health, spirituality and connection to land and country
- empower Aboriginal people of the Northern Sydney region to seek culturally responsive services to assist in managing their physical and mental health and wellbeing
- increase knowledge and understanding of health services, programs in the region and eligibility criteria
- increase in culturally appropriate and responsive services in areas of priority identified by Aboriginal communities
- update data on current health issues for Aboriginal people in the region
- improve social cohesion for Aboriginal people, families and community across the region.

## **Recommendations:**

It is recommended that:

- 2.1** Northern Sydney councils lobby Northern Sydney Central Coast Area Health Service and other relevant agencies for increased provision of

accessible and culturally responsive primary health services and specialist services (eg. mental health) for Aboriginal people in Northern Sydney.

- 2.2** The Northern Sydney Aboriginal Social Plan Project works with the Northern Sydney Central Coast Area Health Service to enhance the provision of information in a variety of formats to Aboriginal people about regional health services.
- 2.3** Northern Sydney councils approach the Northern Sydney Central Coast Area Health Service to:
  - make public the outcomes report of the assessment of the health needs and issues affecting Aboriginal people in the Northern Sydney region
  - collect and publish data regarding the health status of the Aboriginal people in Northern Sydney
  - NSW Government Aboriginal Health policies and program in local planning.
- 2.4** Northern Sydney councils urge the relevant government agencies to provide counselling services for Aboriginal people affected by the Stolen Generations and wider community issues.
- 2.5** That the Northern Sydney Aboriginal Social Plan Project explores and identifies suitable programs to reach and bring people together affected by the removal of children policy/Stolen Generations experience i.e. “buddy system”.



### 3. Education and Training

The level of educational attainment is a critical indicator of personal wellbeing and lays the foundations for future social outcomes. Most Aboriginal people recognise the importance of a western education to enhance the possibility of obtaining meaningful employment. Effective education can also assist in reducing problems such as unemployment, poor health and crime. However, western education should not replace, or be to the detriment of, one's cultural knowledge and practice, sense of identity and self esteem. Providing the options to find the balance of traditional cultural knowledge and western education is paramount to the future success of Aboriginal people's lives, particularly children and young people, in Northern Sydney.

The NSW Department of Education and Training (DET), in conjunction with the NSW Aboriginal Consultative Committee, has recently undertaken a comprehensive review of Aboriginal education (NSW Aboriginal Consultative Committee, 2004). The review was conducted in response to continuing gaps in literacy and numeracy outcomes for Aboriginal students relative to their non-Aboriginal peers. The terms of reference included current approaches in the delivery of Aboriginal education, strategies for improving learning outcomes and an investigation of the extent to which the principles set out in the Aboriginal Education Policy (mandatory since 1987) are implemented.

A key outcome of the Aboriginal Education Review is the commitment by DET to targets developed under the *Two Ways Together* process that aim to equalise the educational outcomes for Aboriginal students with those of non-Aboriginal students within ten years.

Within the Northern Sydney region, two local Aboriginal Educational Consultative Groups (AECG) provide advice from the perspective of the Aboriginal community on a broad range of education and training issues. These groups are the Guringai Local Aboriginal Educational Consultative Group and the Ryde/Hornsby Aboriginal Educational Consultative Group.

#### Early Years

The importance of Aboriginal children's early life experiences and educational experiences on their future development, including their ability to attend and engage in educational programs throughout their life, was identified by all stakeholders throughout the Aboriginal Education Review.

The NSW Government has developed an integrated framework of programs and initiatives to improve the health and wellbeing of children and young people and their families and communities including *Families First, Better Futures* and the *Aboriginal Child, Youth and Family Strategy*, which in its first year is focusing on developing partnerships between government agencies and Aboriginal people.

The *Aboriginal Child, Youth and Family Strategy* (ACYFS) is currently being implemented within the Northern Sydney region. There are strong links between the aims for education in this Social Plan and the ACYFS which has

broad aims or Fields of Activities to achieve a range of health, well-being and safety objectives for young people. Objectives specifically in relation to education are:

- Children are well prepared for school
- Older children are literate and numerate
- Well educated young people

(Aboriginal Child Youth and Family Strategy, 2004, p4)

Strategies outlined in the ACYFS planning framework aim to keep children and young people at school and to increase their level of educational attainment, by improving literacy, and identifying and supporting key transition points.



*ACYFS Family Fun Day, Manly Dam, Warringah LGA*

## **School Education**

Within the Northern Sydney region, demographic data suggests that Aboriginal children are not participating in pre-school, primary and high school education at the same rates as non-Aboriginal students. These differences are a matter of concern.

	<b>Aboriginal</b>	<b>Non-Aboriginal</b>
<b>Preschoolers (3-4yrs)</b>	62%	71%
<b>Primary (5-11yrs)</b>	89%	96%
<b>High (12 – 17yrs)</b>	90%	94%

However DET is committed to developing practices whereby this information is collected. Within the Northern Sydney region, Aboriginal students account for:

- 2 percent of short suspensions
- 3 percent of long suspensions
- 0 expulsions
- 7.1 percent of absenteeism.

A leading issue for Aboriginal students and their families in Northern Sydney is the impact of a DET restructure and subsequent introduction of a new region of 'Northern Sydney'. As a result of the restructure the schools in this area that had previously been serviced by three Aboriginal workers, lost these

positions. Intense community backlash and lobbying by the Guringai Local Aboriginal Education Consultative Group has resulted in the reinstatement of two part-time positions, equivalent to one full-time position. This is regarded as inadequate to meet the community need, in particular because of the geographical dispersion, isolation and relative social disadvantage of Aboriginal families in the Northern Sydney region.

With limited resources, DET is initiating many positive strategies in Northern Sydney to close the gap of achievement for Aboriginal students. These include in-service cross-cultural training days for classroom teachers and Aboriginal student leadership camps. The success of these programs has been dependent upon substantial collegial support by workers within DET that is to be commended. The profile of Aboriginal education has been raised to such an extent that the Aboriginal Education Consultant and the Aboriginal Community Liaison Officer have difficulty in keeping up with the volume of requests from the community and the demand of schools.

A key recommendation from the *Aboriginal Education Review* was that each DET region and TAFE Institute, in partnership with the AECG and other key Aboriginal organisations such as Land Councils, establish a local Aboriginal Education and Training Planning Group. The function of the planning group is to identify regional targets and strategies to further the implementation of the *Aboriginal Education and Training Action Plan*.

In 2005, the Northern Sydney Aboriginal Education and Training Planning Group was established to address some of the recommendations from the *Aboriginal Education Review*. This committee has not as yet been able to respond to the inadequacies of the current Aboriginal staff allocations for the region and other current local issues.

In addition to the children of Aboriginal families living in the Northern Sydney region, each year a number of young women from various Aboriginal communities around NSW come into this region to gain secondary education schooling. During their education they board at Biala Aboriginal Hostel in Allambie Heights.

The 16 young women currently living at Biala attend Mackellar Girls High School at Manly Vale and concurrently participate in vocational training at Northern Beaches College of TAFE. The need for additional support for these students, who often experience loneliness and isolation from their families and home communities, was identified in the previous *Northern Sydney Aboriginal Social Plan*.



*Biala Girls at Northern Beaches College, Northern Sydney Institute of TAFE*

## **Tertiary and Further Education (TAFE)**

The Northern Sydney Institute of TAFE is a key provider of education and training to Aboriginal students.

The Institute is home to seven colleges which include Northern Beaches, Crows Nest, Bradfield, North Sydney, Ryde, Meadowbank and Hornsby Colleges. In 2005, there were 373 Aboriginal students, representing .07% of total enrolments of 51,957 students across the Institute. A breakdown of enrolments is provided in the table below.

<b>Course Enrolments by Aboriginal students</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>
Bradfield College	3	8	4
Crows Nest College of TAFE	18	12	23
Hornsby College of TAFE	35	40	46
Meadowbank College of TAFE	102	96	110
North Sydney College of TAFE	24	30	22
Northern Beaches College of TAFE	51	60	74
Ryde College of TAFE	140	217	94
<b>TOTAL NORTHERN SYDNEY INSTITUTE</b>	<b>373</b>	<b>463</b>	<b>373</b>

*(Source: Northern Sydney Institute of TAFE)*

Through the work of the Gamarada Aboriginal Unit the Institute actively encourages local Aboriginal people to participate in further education to gain skills and qualifications in their chosen vocations either through Aboriginal identified or non-identified courses. They also provide advice to mainstream teaching staff on Aboriginal issues.

The Gamarada Unit's Aboriginal Development Manager is a member of the DET's Northern Sydney Aboriginal Education and Training Planning Group to look at creating smoother transitions for students from schools to TAFE through to employment or higher education.

The Metropolitan Local Aboriginal Lands Council (MLALC) Sites and Culture Unit has worked with TAFE NSW to establish an Aboriginal Sites Officers course. Graduates are provided with employment opportunities through MLALC. A new partnership with Hornsby TAFE will see the development of training qualification for Aboriginal tourism officers.

## **Macquarie University - Warawara, Department of Indigenous Studies**

*Warawara* Department of Indigenous Studies is a faculty within Macquarie University's Division of Society, Culture, Media and Philosophy. In addition to teaching Indigenous studies, *Warawara* facilitates an alternative entry program aimed at providing access for Aboriginal people to undergraduate courses across the University. Two courses included in the program are the Bachelor in Community Management and the Bachelor of Teaching (Early Childhood Services).

*Warawara* also offers support to Aboriginal students enrolled in other facilities within the University. The objectives of *Warawara* Department of Indigenous Studies are to:

- encourage Aboriginal participation across all areas of the University and at all levels
- support Aboriginal students culturally, personally and academically
- provide advice across the University on all matters relating to Aboriginal education, employment and cultural protocol, and
- promote knowledge of Aboriginal Australia through the teaching of Indigenous studies and the promotion of Indigenous perspectives within courses across the University.

## **Wider Community Education and Reconciliation**

Stakeholders also identified a need in the Northern Sydney region to use localized culturally appropriate educational programs to heighten Aboriginal cultural awareness within the non-Aboriginal population.

Within the Northern Sydney region, and elsewhere, reconciliation has played a major role in educating non-Aboriginal people about Aboriginal Australia. Such awareness raising should be encouraged to continue. To do so, partnerships must be formed with local Aboriginal residents of the Northern Sydney region who can provide leadership, direction and community protocols on the appropriate content and delivery of cultural awareness education.



*General Public Aboriginal Cultural Awareness Walk and Talk,  
Narrabeen Lakes, Pittwater LGA*



The Aboriginal Heritage Office and the Metropolitan Local Aboriginal Land Council have been instrumental in providing community education programs on Aboriginal heritage sites and culture. These programs have been targeted to schools, the wider community and in the case of the Aboriginal Heritage Office, to training council officers.

Another important organisation in the provision of community-wide education is the Northern Sydney Reconciliation Network, an affiliate of the NSW Reconciliation Council. Its primary focus is to raise awareness about Aboriginal Australians to the wider community and to work towards the social justice required to achieve true reconciliation. Events and activities organized throughout the Northern Sydney region by local reconciliation groups have an incremental effect in building support for the reconciliation process among the non-Aboriginal population. Their role is to:

- promote to the wider community an understanding of, and respect for, Aboriginal and Torres Strait Islander cultures
- encourage the local Aboriginal community to communicate with the wider population regarding the contemporary issues that affect them as individuals, families and communities in the Northern Sydney region
- encourage in the wider community the development of positive attitudes towards Indigenous Australians.



*Woodford Bay Reconciliation Memorial to the Cameraygul People*



*Flags Flying, Manly Wharf*

## Key Objectives

In regard to educational outcomes for Aboriginal people and increased cross-cultural awareness, our objectives are:

- Encourage involvement of Aboriginal residents of Northern Sydney in educational decision-making processes
- Seek equality of access to education services for Aboriginal children, youth and adults in the Northern Sydney region
- Assist in the promotion of Local Aboriginal Education Consultative Groups in the region and encourage partnership programs with local schools
- Assist in Aboriginal student participation in Northern Sydney Institute of TAFE
- Provide vocational guidance & support for students at Biala Hostel
- Implement strategies to enhance communication, leadership and direction for local Reconciliation groups, networks and Aboriginal Support Groups
- Support the process of Reconciliation in order to:
  - enhance the wider community's understanding of, and respect for, Aboriginal and Torres Strait Islander cultures
  - facilitate improved communication between Aboriginal and non-Aboriginal communities, and especially to improve awareness of contemporary issues affecting Aboriginal people in the region and beyond
  - encourage in the wider community the development of informed and positive attitudes towards Aboriginal Australians.

## **Key Recommendations**

It is recommended that:

- 3.1** Northern Sydney councils actively lobby the Department of Education and Training to address issues related to accessing educational services, the effectiveness of current Aboriginal educational programs, and lower outcomes in numeracy, literacy and science for Aboriginal children.
- 3.2** The Northern Sydney Aboriginal Social Plan Project work with the Department of Education and Training, TAFE NSW and Universities to raise awareness among the Aboriginal community of educational opportunities for Aboriginal people of all ages.
- 3.3** The Northern Sydney Aboriginal Social Plan Project work with the Department of Education at the regional level to better integrate the local Aboriginal culture and heritage in existing Aboriginal studies curriculum. This work should be conducted in conjunction with local Aboriginal workers and residents and through the local Aboriginal Education Consultative Group.
- 3.4** The Northern Sydney Aboriginal Social Plan Project work in cooperation with the Department of Education and Training to develop a register of Aboriginal community people as potential guest speakers and specialty teachers i.e. art workshops, bush walking, dance, story telling etc.
- 3.5** The Northern Sydney Aboriginal Social Plan Project work with the Department of Education and Training to increase the involvement of Aboriginal people in the design and development of Aboriginal educational programs and general education programs for both Aboriginal and non-Aboriginal students.
- 3.6** Northern Sydney Aboriginal Social Plan Project and Northern Sydney Councils support reconciliation groups in the region through access to meeting spaces, resources, information and participation in joint projects.
- 3.7** Northern Sydney councils promote Aboriginal culture and history by incorporating Aboriginal themes in events and council-run programs for children, young people and seniors.
- 3.8** Northern Sydney councils utilise their library services and Tourist Information Centres and work with local Historical Societies and other relevant organisations to promote the Aboriginal history of their local area.



## 4. Housing

Stable and affordable housing was identified in consultations as extremely important for Aboriginal families living in the Northern Sydney region. Shelter NSW (2005) sets a benchmark of no more than 30% of gross income in mortgage repayments or rent as an indicator of housing affordability. Families and individuals that need to pay more than 30% of their income on housing costs are said to experience “housing stress”. Analysis of 2001 Census data indicates a relatively high level of housing stress among Aboriginal residents. Based on this data an estimated 35% of Aboriginal people who rent properties in the private rental market paid over 30% of household income in rent. Amongst Aboriginal homeowners, an estimated 18% of owners require more than 30% of household income to meet mortgage repayments.

Relatively high land values and rents within the region exacerbate this issue. Lack of affordable housing may also break down social and family connections as young people or older people from families who have traditionally resided in the area are forced to move outside the region in order to obtain affordable accommodation (Northern Beaches Key Worker Study, 2004). There is also research evidence that Aboriginal people living in urban areas may experience racism in the rental property market (National Aboriginal Community Controlled Health Organisation, 2001, p3).

There are local reports of overcrowding in accommodation causing stress on families. According to Census data, eight percent of Aboriginal households, compared with five percent of the non-Aboriginal households are regarded as crowded. However the actual rate may be much higher. Aboriginal households in the Northern Sydney region on average had 2.8 people living in them compared to the average non-Aboriginal household with 2.6 people. Aboriginal households are more commonly larger than non-Aboriginal households and the proportion with six or more people in them was 1.8 times higher than that of non-Aboriginal households.

The quality of housing available to low or medium income Aboriginal people is also of concern and may contribute to increased health problems or put inhabitants at risk of harm. On census night 2001, roughly 1% of Aboriginal people in the Northern Sydney region lived in caravans, cabins or houseboats and 1.5% live outdoors or in improvised housing conditions. The proportion of people living in these circumstances is 17 times higher than for non-Aboriginal people.

In addition to public housing provided by the Department of Housing, the Metropolitan Local Aboriginal Land Council (MLALC) leases houses to its members at reduced rents. Rents are utilised for the maintenance of residences and payment of rates. MLALC's Housing Unit is also responsible for the lobbying for accommodation through the Aboriginal Housing Organisation and other government bodies. MLALC is currently working in close consultation with NSW Aboriginal Land Council for the development of an appropriate home ownership scheme that will assist members to purchase of their own houses.

## **Key Objectives:**

In regard to Aboriginal housing needs our objectives are that:

- the housing needs of Aboriginal individuals and families are identified and specific support is provided
- waiting lists for social housing are reduced and more emergency housing options provided
- current Department of Housing and Aboriginal Housing Office options are evaluated.

## **Key Recommendations:**

It is recommended that:

- 4.1** Northern Sydney councils work with the Centre for Affordable Housing (NSW Department of Housing) to address the issue of declining housing affordability in Northern Sydney region.
- 4.2** The Northern Sydney Regional Organisation of Councils and the Shore Regional Organisation of Councils take joint action in promoting the critical need for affordable housing in the region.
- 4.3** The Northern Sydney Aboriginal Social Plan Project, in collaboration with relevant housing agencies, conducts further consultation with Aboriginal residents about their housing requirements with a view to developing culturally appropriate models for affordable housing tailored to local needs.
- 4.4** The Aboriginal Project Officer researches existing funding opportunities and resources for the provision of affordable housing in the region and innovative models of delivery such as housing trusts and cooperatives.
- 4.5** The Aboriginal Project Officer seeks information from the state government and relevant housing agencies about housing provision and tenancy services for Aboriginal people in the Northern Sydney region.
- 4.6** The Aboriginal Project Officer acts as a point of contact for state government and other relevant housing agencies to provide advice about the housing needs of Aboriginal people in the Northern Sydney region, and the cultural appropriateness of services.
- 4.7** The Northern Sydney Aboriginal Social Plan Project work with relevant housing agencies to establish housing tenant support groups or similar.

## 5. Employment

The need for meaningful employment for Aboriginal people is one of the major findings from the consultation process. It has been demonstrated in Census data that Aboriginal residents of the Northern Sydney region experience higher unemployment rates than the rest of the community (7% compared with 4% for non-Aboriginals), but at significantly lower rates than the national average unemployment rate of 24% for Aboriginal Australians. However, Aboriginal people in employment tend to work in lower paid, lower skilled areas. A majority of Aboriginal people in the Northern Sydney region work in service provision. Aboriginal professionals account for only 18% of Aboriginal population compared to 29% of the non-Aboriginal population. Census data also indicates that relatively few Aboriginal people are in key roles such as managers or administrators, but rather tend to work as trades people, labourers and in lower paying jobs in general.

Consultations indicate that Aboriginal people believe equal economic participation is essential if they are to regain their self-respect and autonomy. Aboriginal people are seeking access to a similar range of choices as the rest of the community. To achieve this, there is a need for local community development to assist people entering the workforce, seeking career advancement, or starting a small business.

Another concern raised during consultations is inadequacy of resources applied to Aboriginal designated positions in the Northern Sydney region. Due to the low recorded numbers of Aboriginal people in the Northern Sydney region, it is common for workers to be employed on a part-time basis and for positions to cover a broad geographical region incorporating Northern Sydney and the Central Coast. Aboriginal workers in these positions often experience high workloads and the additional pressure of requests to take on extra roles outside the scope of their official duties. Being part of the community that they are serving makes it harder to ration their services and establish a realistic workload, which in turn leads to “burn out” and high turnover.

Northern Sydney councils could become more proactive in employing Aboriginal workers and providing traineeships. Two strategies that are in place to assist councils in this process include:

### **Aboriginal Employment in Practice Support Strategy (AEIPSS)**

The NSW Premier’s Department, in partnership with the Australian Government’s Department of Employment and Workplace Relations, offers financial assistance to Public Sector agencies and local councils for the employment of Aboriginal people. The AEIPSS aims to:

- Assist Public Sector agencies and local councils in improving quality of service and program outcomes, through employment of Aboriginal people.

- Assist Public Sector agencies and local councils in ensuring they have the workforce needed to meet current and future service and program requirements. The focus is on entry and front line service jobs.
- Help strengthen partnerships between Public Sector agencies, local councils and Aboriginal communities through Aboriginal employment.

The Strategy provides a one-off payment to employers that recruit Aboriginal people to 12 month traineeships and full time on going employment.

### **Elsa Dixon Employment Program**

The Elsa Dixon Aboriginal Employment Program is an initiative of the NSW Government to encourage job opportunities and career advancement for Aboriginal and Torres Strait Islander people. The program is administered by the NSW Department of Education and Training. The aim of the program is to promote diversity, innovation and service responsiveness in the NSW workforce by reducing barriers to employment and promotion for Aboriginal people.

### **Key Objectives:**

In regard to Aboriginal employment our objectives are to:

- promote equal economic participation by Aboriginal residents in the Northern Sydney region
- increase awareness of a range of different employment opportunities for Aboriginal people
- encourage links to and partnerships with existing Aboriginal employment programs
- support Aboriginal people in their existing jobs and provide information about opportunities for career development.

### **Key Recommendations:**

It is recommended that:

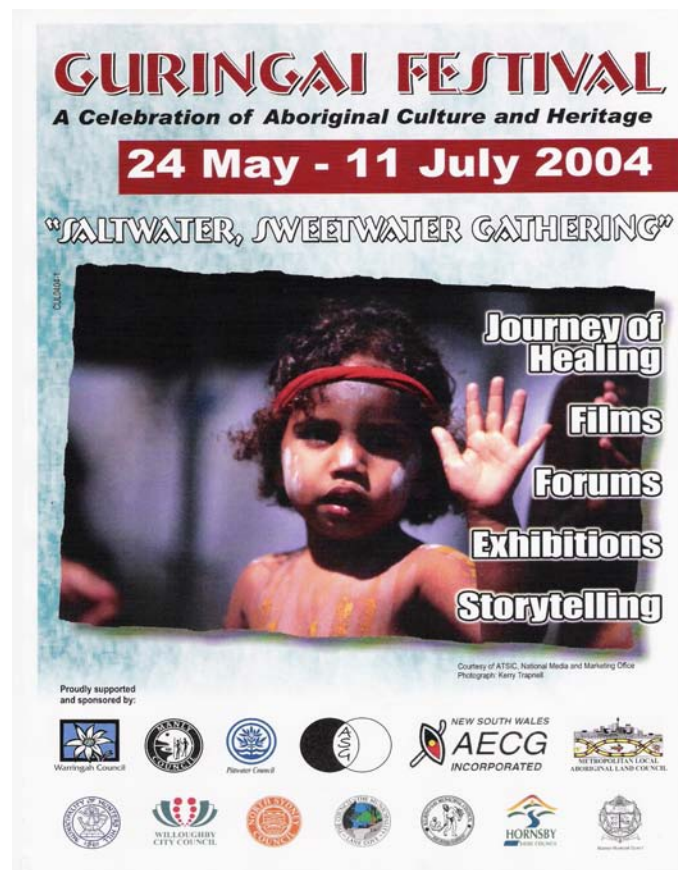
- 5.1** The Northern Sydney Aboriginal Social Plan Project work with the Aboriginal and Torres Strait Islander Employment Network to develop an employment strategy for the region.
- 5.2** Northern Sydney councils adopt a proactive approach to employing local Aboriginal people in administrative, management and other positions and seek to enhance the skills and work experience opportunities of existing Aboriginal staff.
- 5.3** Northern Sydney councils advocate for employment of Aboriginal workers in appropriate positions in NSW Government agencies and for those positions to be adequately supported.

- 5.4** The Northern Sydney Aboriginal Social Plan Project provide information to Aboriginal people about support and mentoring available to Aboriginal people wishing to set up a small business.
- 5.5** Northern Sydney councils sponsor an Aboriginal Employment Expo within the region to showcase employment opportunities within all levels of government, the private and non-government sectors, both within and outside of the region.

## 6. Culture and Heritage

Aboriginal communities in the region want the right to be able to practice their culture and feel proud of their unique heritage as Australia's Indigenous peoples. Consultations suggest that the sense of Aboriginal identity and pride in Aboriginal residents of the region is weakened by separation from their original Aboriginal country homelands, distance from families and isolation from other Aboriginal people within the region.

One of the ways that the 11 local councils have been instrumental in creating a positive change within the region has been through the Guringai Festival.



The concept originated from the Northern Beaches Aboriginal community in partnership with Manly Council's Aboriginal & Torres Strait Islander Committee. The community desired to celebrate Aboriginal culture and heritage in the Northern Sydney region and to increase visibility of the local Aboriginal community. Each year the festival runs from May 26<sup>th</sup>, Day of Healing, incorporating Reconciliation Week through to NAIDOC Week in mid July. It has raised the profile of the Aboriginal community and given a platform for real awareness around the disadvantage that Aboriginal people face living in the region.



*Guringai Festival Flags, Manly Beach*

There are a number of dates which Aboriginal people commemorate and celebrate that should be recognised by the local and state government departments in the region. Some dates of significance are included in the table below.

Dates	Significance for Aboriginal people and the wider community
26 January	<b>Survival Day</b> For Aboriginal people <b>Australia Day</b> is a day to commemorate and celebrate survival. Concerts and other events are held.
26 May	<b>National Day of Healing</b> (formerly Sorry Day) This day commemorates the losses of Aboriginal people who were separated from their families as a result of government policies and the need to implement the recommendations of the <i>Bringing them Home Report</i> .
27 May - 3 June	<b>National Reconciliation Week</b> This event began in 1996 to provide a special focus for nationwide Reconciliation activities. The week was initiated to reflect on successes of Reconciliation and future endeavours that need to be accomplished to achieve reconciliation between Aboriginal and non-Aboriginal Australians.  This week enables the nation to celebrate two other significant achievements in Australia's history that have brought a nation closer to significant improvements in Aboriginal rights. May 27 is the anniversary date for the 1967 Referendum. An overwhelming 90% of Australians voted to have the Australian constitution changed to remove clauses of discrimination against Aboriginal Australians  The referendum gave the Australian Government the power to make laws on behalf of Aboriginal People that could over-rule State decisions on Aboriginal affairs.

<b>Dates</b>	<b>Significance for Aboriginal people and the wider community</b>
27 May	Anniversary of the <b>1967 Referendum</b> to amend section 51(xxvi) of the Australian Constitution.
June 3	Anniversary of the High Court's decision in the native title case, <b>Mabo v Queensland No 2</b> , in which the High Court overturned the doctrine of terra nullius and recognised native title interests in land.
3 – 10 July	<p><b>NAIDOC</b> celebrations are held around Australia in the first full week in July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander people.</p> <p>NAIDOC originally stood for 'National Aborigines and Islanders Day Observance Committee'. This committee was once responsible for organising national activities during NAIDOC Week and its acronym has become the name of the week itself.</p> <p>The week is celebrated not just in the Aboriginal community, but also in increasing numbers of government agencies, schools, local councils and workplaces.</p>
Labor Day weekend	<p><b>NSW Annual Aboriginal Rugby League Knockout Carnival</b></p> <p>The 35<sup>th</sup> event was hosted by the Cec Patten-Ron Merritt Memorial RAB Rugby League Team Inc over the Labor Day Weekend of 2005 at Redfern Oval and Henson Park, Marrickville.</p>

## **Aboriginal Heritage**

In 2000, North Sydney, Lane Cove, Willoughby & Warringah councils employed an Aboriginal Heritage Manager to carry out a range of tasks in the four local government areas for an initial period of five years. The Northern Sydney Aboriginal Heritage Office is located in Lane Cove. The Aboriginal Heritage Manager works in close partnership with the Aboriginal custodians of the land, the Metropolitan Local Aboriginal Land Council, in lieu of traditional owners on the Traditional Owners Register.

The primary responsibility of the Aboriginal Heritage Manager has been to review the councils' Aboriginal heritage planning systems, assess and record local Aboriginal heritage sites and prepare site management reports for the four participating councils.

The Northern Sydney Aboriginal Heritage Office released a report in 2005 (Watts, 2005) reviewing five years of Aboriginal site management, conservation and preservation work carried out by the Aboriginal Heritage Manager and team.



In 2005, Manly Council employed an in-house Aboriginal Heritage Officer to carry out similar work within the Manly local government area. At time of writing the position was vacant.



## **Aboriginal Sacred and Significant Sites**

While the NSW Department of Environment and Conservation has the direct responsibility for sacred sites, councils also encourage notification and protection of sites as areas of historical importance in their areas. It is recommended that Northern Sydney councils work with the relevant bodies such as the Aboriginal Heritage Office, the Metropolitan Local Aboriginal Land Council (MLALC) and in some areas the relevant Darug organisations as well as NSW Department of Environment and Conservation to implement the *National Parks and Wildlife Service Act 1974*. The Act provides a framework for the protection of Aboriginal heritage. In addition, councils should recognise that Aboriginal heritage is not just about particular sites but is deeply linked to a holistic view of the environment, its plants, animals, landscapes and people.

The MLALC have been instrumental in training Aboriginal Sites Officers to assess Aboriginal heritage and cultural sites.

A number of Northern Sydney councils have been active in identifying and protecting Aboriginal heritage sites. For example, in 2005, an Aboriginal Heritage Study for Mosman Local Government Area was completed by Kelleher and Nightingale, Australian Museum Business Services for NSW Department of Environment and Conservation, Sydney Harbour Federation Trust, Mosman Council and Metropolitan Local Aboriginal Land Council. The Study aimed to provide each of the organisations with a baseline understanding of the Aboriginal heritage of the Mosman area and their management responsibilities. In addition to the previous 92 sites recorded, a further 15 sites were identified. The Study is part of the broader government initiative of the Sydney Harbour Dreaming Project. The report is the first of its kind providing a foundation for future heritage management strategies, and a valuable model for other local government areas.

## **Key Objectives**

In relation to Aboriginal culture and heritage our objectives are:

- councils continue to promote and participate in the Guringai Festival
- councils facilitate in consultation with local residents community gatherings to promote contemporary cultural practices
- continue to protect Aboriginal sites in the region
- enhance participation and knowledge of the general community and Aboriginal people in site recognition and protection
- raise awareness and understanding in the general community of the significance of events such as Sorry Day, NAIDOC & Reconciliation Week to Aboriginal people.

## **Key Recommendations**

It is recommended that:

- 6.1** Northern Sydney councils continue to allocate resources to promote and participate in the Guringai Festival.
- 6.2** In partnership with local Aboriginal residents facilitate community events and gatherings to promote cultural heritage and identity within contemporary society.
- 6.3** Northern Sydney councils work with relevant agencies and Aboriginal organisations to ensure best practice in providing protection, care and effective management of Aboriginal sites and objects.
- 6.4** Northern Sydney councils seek to comply with all laws protecting Aboriginal sites and objects, especially in relation to development.
- 6.5** Northern Sydney councils promote the value of Aboriginal culture and heritage to all community members and prioritise protection, care and ongoing maintenance as a measure of value to the whole community.
- 6.6** Northern Sydney councils include Aboriginal Cultural Heritage in their cultural planning processes.

## Appendix A

### Demographic Profile

Detailed demographic data on Aboriginal people in the Northern Sydney region has been published in *A Portrait of the Indigenous People of Northern Sydney compared with NSW* (The Public Practice, 2004)<sup>1</sup>. This data below is based on this source, which in turn is drawn from ABS Census of Population and Housing 2001 undertaken on Census Night, 7<sup>th</sup> August 2001.

A factor to be considered when viewing this data is that it is reliant on people 'identifying' as being Aboriginal or Torres Strait Islander. It is widely accepted that some Aboriginal people are hesitant to 'identify' either because of current racism and disregard in the wider community, or because of historic apprehension in regards to confidentiality and what the material is being used for. Most of this section discusses the whole Aboriginal community whether Aboriginal, Torres Strait Islander or both.

### Explanatory Notes

This population includes any visitors on Census night but does not include those who were away from home on Census night or who did not complete a Census form.

Some people did not complete all the questions on the Census form. They are usually shown in the tables as "not stated".

Where the number of people in a table of Census data is just a few, the number may have been randomly changed to protect privacy, generally to become 0 or 3. This means very small numbers are not accurate and some columns may not add up exactly.

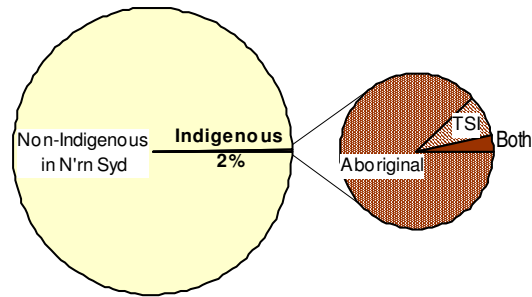
### Population Overview

- Census 2001 identified that Northern Sydney had an Aboriginal population of 1,763 people.
- 1,551 were Aboriginal and 156 were Torres Strait Islanders; 56 identified as both.
- Northern Sydney's Aboriginal population was 1.5% of NSW's Aboriginal population of 120,000.
- The Aboriginal population is 0.2% of the Northern Sydney population of 737, 295.
- Across NSW, Aboriginal people are 1.9% of the population.
- There were almost equal numbers of Aboriginal men and women with 50 women to 50 men in every 100 people.

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<sup>1</sup> For a copy of this document please contact The Aboriginal Project Officer, Manly Community Centre 9977 1066.

### Proportion of Indigenous people



Aboriginal people in Northern Sydney	Number of people			% of population		Change over 1996-2001		
	males	females	people	Northern Sydney	NSW	Northern Sydney		NSW
Aboriginal	782	769	1,551	0.2%	1.8%	148 more	up 10%	up 19%
Torres Strait Islander	75	81	156	0.0%	0.1%	101 fewer	down 65%	down 21%
Both Aboriginal & T.S.I.	30	26	56	0.0%	0.1%	9 more	up 16%	up 59%
<b>Aboriginal people</b>	<b>887</b>	<b>876</b>	<b>1,763</b>	<b>0.2%</b>	<b>1.9%</b>	<b>56 more</b>	<b>up 3%</b>	<b>up 18%</b>
Non-Aboriginal in N'r'n Syd	354,666	380,866	735,532	100%	98%	29,369 more	up 4%	up 5%
<b>Total</b>	<b>355,553</b>	<b>381,742</b>	<b>737,295</b>	<b>100%</b>	<b>100%</b>			

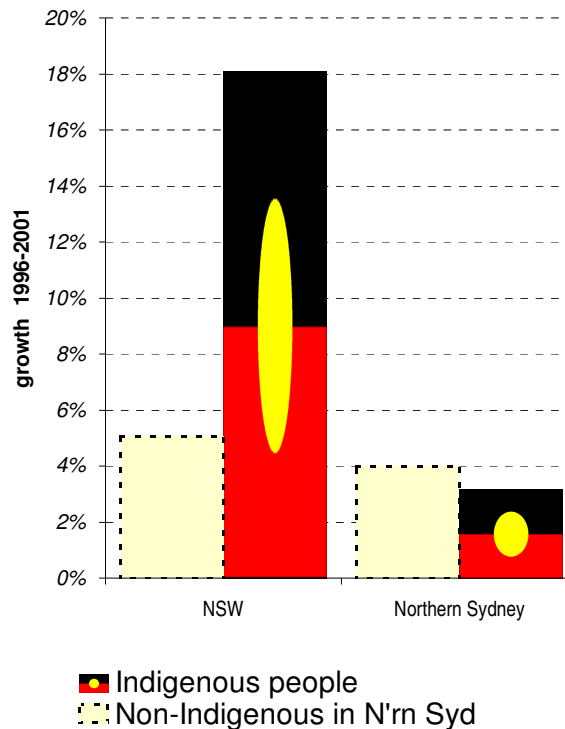
"Others" includes those with unstated Aboriginal status.

## Population Growth

Between 1996 and 2001, Northern Sydney's Aboriginal population grew by 56 or one-thirtieth. This means the annual growth rate was 0.6%. At this rate, the Aboriginal population would reach about 1,790 by mid 2003 and 1,810 by mid 2005.

This growth was much less than across NSW, where the Aboriginal community grew at 3.4% a year. Within Northern Sydney, the Aboriginal growth rate was lower than the non-Aboriginal growth rate of 1.0% pa.

### Population growth



### Sizes of Main Age Groups

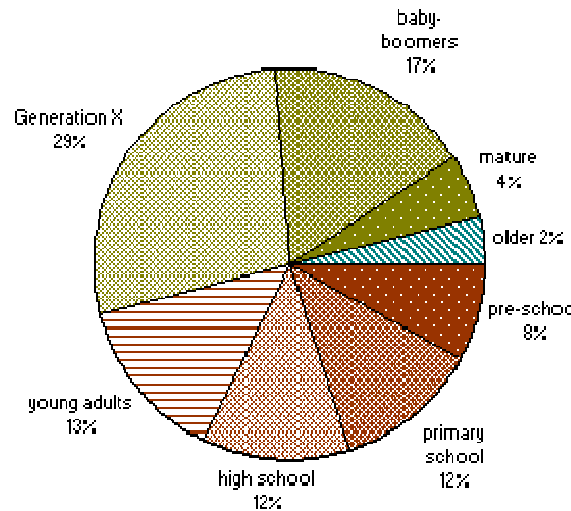
Working-age adults can be broadly divided into two groups – the baby-boomers, born post-War and aged 40 - 54 in 2001; and Generation X, aged 25 - 39 in 2001.

In Northern Sydney's Aboriginal community, there were about:

- 300 baby-boomers (16%)
- 490 Generation X (30%)
- The proportion in Generation X (28%) was greater than the proportion of non-Aboriginal people of this age (23%).
- The proportion of baby-boomers (17%) was less than the proportion amongst non-Aboriginal people (22%).

There were also about 95 mature-age Aboriginal people (50–64 years) in 2001, making 5% of the population. This proportion was 55% that of the non-Aboriginal population, indicating much lower life expectancy.

### Main age groups in the Indigenous community



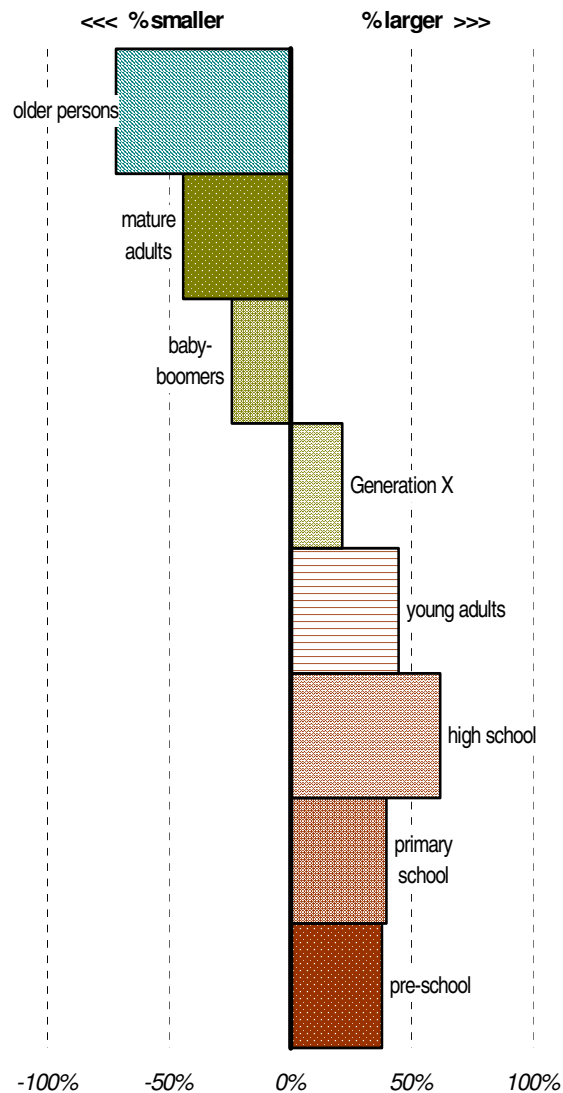
There were 67 older Aboriginal people (aged 65+), making up 4% of the Aboriginal population:

- The Northern Sydney Aboriginal community included about 140 pre-school-aged children (under 5 years), and around 210 primary-aged children (5–11 years).
- Pre-school and primary-aged children constituted 8% and 12% of Aboriginal people (6% and 9% non-Aboriginal community).
- There were about 210 Aboriginal youth (high-school age 12–17 years). They made up 12% of the Aboriginal population (8% non-Aboriginal youth).
- There were also 240 young adults aged 18–24, constituting 13% of the population (9% non-Aboriginal).

Number and % of Aboriginal people in each age group	% of Aboriginal people in each age group				% of non-Aboriginal in N'n Syd	Relative size to non-Aboriginal age groups
	No. of each age in N'n Syd	N'n Syd	NSW	Relative size		
pre-school (0–4)	141	8%	13%	39% smaller	6%	38% larger
primary school (5–11)	210	12%	19%	38% smaller	9%	40% larger
high school (12–17)	214	12%	14%	13% smaller	8%	62% larger
young adults (18–24)	236	13%	11%	22% larger	9%	45% larger
Generation X (25–39)	491	28%	21%	32% larger	23%	21% larger
baby-boomers (40–55)	295	17%	14%	21% larger	22%	24% smaller
mature adults (55–64)	95	5%	4%	27% larger	10%	44% smaller
older persons (65+)	67	4%	3%	37% larger	14%	72% smaller
<b>all people</b>	<b>1,749</b>	<b>100%</b>	<b>100%</b>		<b>100%</b>	

The relative size of Aboriginal age groups = [% if Aboriginal of that age] ÷ [% of non-Aboriginal of same age]. A relative size of 120% is expressed as 20% larger, while one of 75% would be 25% smaller.

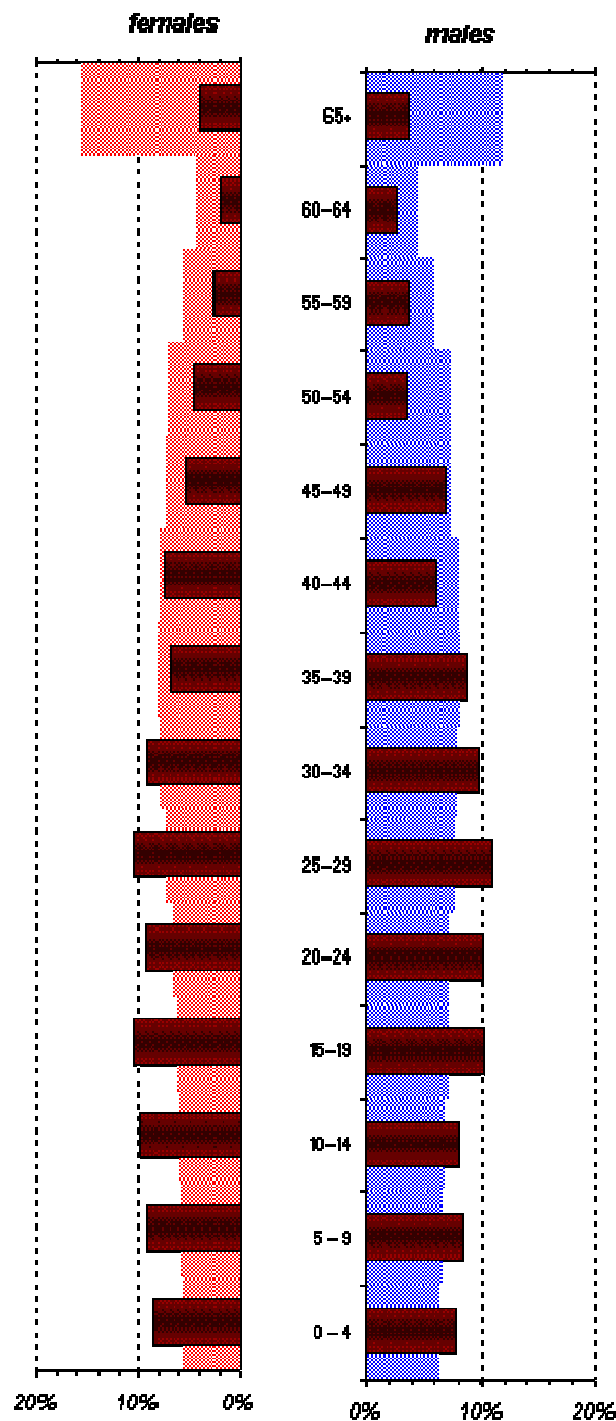
## Relative size of Indigenous and non-Indigenous age groups



## The Age Profile

A lot can be told about a community by the shape of its age profile, which looks like a tree. The length of each branch represents the proportion of people in an age group. Higher branches represent older people. One side of the tree represents males, the other side females. Both sides add to 100%.

## Age profiles of Northern Sydney's Aboriginal and non-Aboriginal people



An "average" Australian community has roughly equal numbers of people in each 5-year age group up until the age of about 45. The bottom of the tree looks like a post. Above the age of 45, as more people die, the number in each age group falls, and the branches shorten.

Male branches shorten faster than females' because their lives are shorter, on average. The top branch represents all people aged 65+, so covers more than one five-year age group and is longer, like a cap on the pole.



A distressing feature of Aboriginal communities is that people have shorter average life spans. The top branches of the age tree, representing older people, are noticeably shorter for Aboriginal communities (the dark, narrow branches) than for non-Aboriginal (the lighter, broader branches).

In Northern Sydney, the proportion of Aboriginal people aged 65 or more is three-tenths that of the local non-Aboriginal people. Out of every 100 Aboriginal people, there would be only 2 men and 2 women aged 65+, compared with 6 men and 8 women among 100 non-Aboriginal people.

While Aboriginal communities have fewer older people than non-Aboriginal, they usually have roughly the same proportion of people in the main child-rearing ages. In Northern Sydney, out of every Aboriginal 100 people, there were 38 people aged 20-39 years, compared with 30 among 100 non-Aboriginal people.

Aboriginal women have more children on average than non-Aboriginal people, so the proportion of young people in their community is larger. This is shown by the longer branches at the bottom of the age tree. In Northern Sydney, among every 100 Aboriginal people, there would be about 26 children under 15. The same number of non-Aboriginal people would include only 18 children.

## **Religious and Spiritual Beliefs**

Altogether, almost seven in every ten Aboriginal people in Northern Sydney were Christians, in 2001. The proportion of Christians – 66% – was 9% lower than the proportion in the NSW Aboriginal community and 2% lower than the proportion amongst all people in Northern Sydney.

The most common Christian religions were Anglican (25% of Aboriginal people), Catholic (26%), Uniting Church (4%), Other Christian (2%) and Presbyterian (2%).

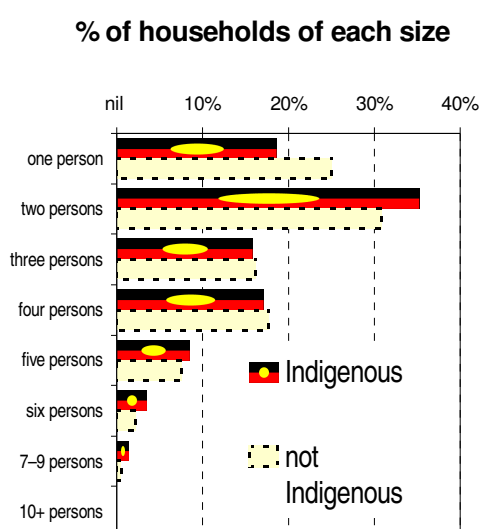
The biggest differences in the local Aboriginal community from that across NSW were the larger proportions who were Uniting Church and Other Christian, with smaller proportions that were Anglican and Catholic.

Only 0.3% of Aboriginal people in Northern Sydney followed Aboriginal spiritual beliefs, almost the same as the rate across NSW. Just 2.8% followed other non-Christian religions.

## Aboriginal Households in Northern Sydney

In 2001, Northern Sydney had some 727 households which included Aboriginal people. The average household size was 2.8 people (6% larger than non-Aboriginal households - averaged 2.6 people).

The most common sizes of Northern Sydney's Aboriginal households were two persons (33% of households) and one person (20% of households). For non-Aboriginal households - common sizes was also two persons (30% of households), then one person (25% of households).



Aboriginal households are often large. In Northern Sydney, three in every ten Aboriginal households had four or more people. This was quite similar to non-Aboriginal households, with almost three in every ten people. The proportion of Aboriginal households with six or more people was 1.8 times that of non-Aboriginal households.

About 50% of Aboriginal households had just one or two people, the same as for non-Aboriginal households. Only 7% of Aboriginal people lived alone, compared with 10% of non-Aboriginal people.

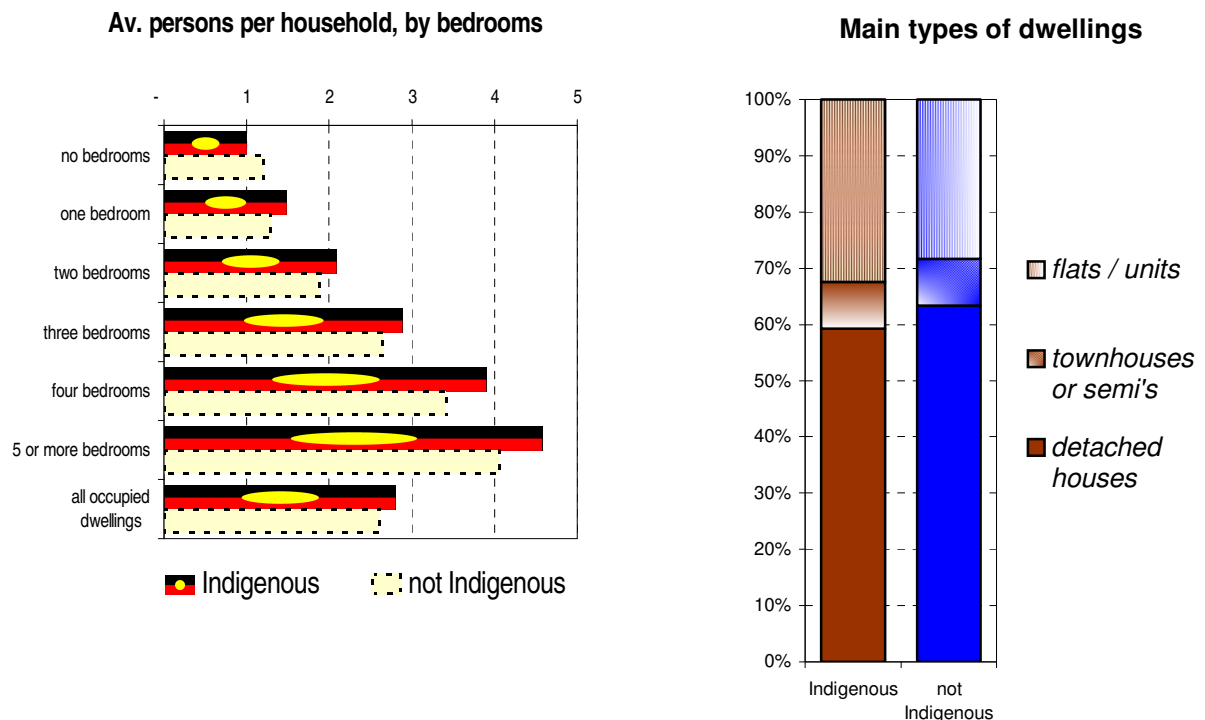
The average single-family Aboriginal household had 3.1 people, which was similar to non-Aboriginal family households.

It is more common for Aboriginal families to share a dwelling than for non-Aboriginal families. In Northern Sydney, 3.5% of Aboriginal households were shared by more than one family, which was 3.0 times as many as the non-Aboriginal community.

An indicator of overcrowding in housing is the proportion of dwellings where more than one bedroom has two or more people. On this measure, 57

Aboriginal households were crowded; 8% of households, compared with 5% of the non-Aboriginal households.

The greatest relative crowding occurred in dwellings with four bedrooms where Aboriginal households averaged 3.9 residents compared with 3.4 in other households.



## Dwellings and Ownership

Aboriginal people in Northern Sydney most commonly live in detached houses (the same as non-Aboriginal households); almost 60% of households lived this way in 2001.

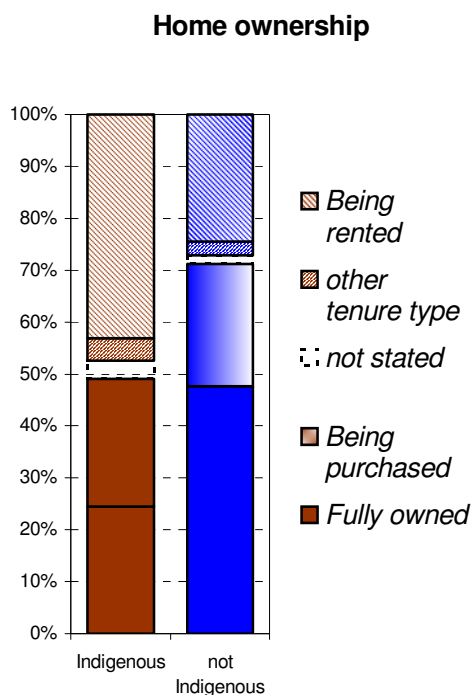
About 40% of Aboriginal households lived in medium density housing, similar to non-Aboriginal people. Around 8% lived in townhouses or terraces and 31% in flats, similar to non-Aboriginal households.

Roughly 1% of Northern Sydney's Aboriginal households lived in caravans, cabins or houseboats and 1.5% lived outdoors or in improvised housing. The proportion living in these places was 17 times that of non-Aboriginal households (0.1%).

Home ownership among Aboriginal people is generally much lower than for non-Aboriginal. In Northern Sydney in 2001, just over 20% of Aboriginal households fully owned their home, compared with almost 50% non-Aboriginal households.

The rate of Aboriginal households purchasing their home (25%) was equivalent to the rate for non-Aboriginal households.

On the other hand, a much larger proportion of Aboriginal households lived in rented housing – over 40% compared with over 20% non-Aboriginal households.



## Aboriginal Families in Northern Sydney

In Northern Sydney in 2001, there were some 599 families which included at least one Aboriginal person. Of these,

- 44% were couples with children,
- 12.5% were single parent families,
- 40% were couples without children.

The total number of people in Aboriginal families in Northern Sydney was 1,938 while the number of Aboriginal people living in families (i.e. not alone) was 1,614. This means that about 320 non-Aboriginal people lived in Aboriginal families, averaging almost two in every ten people.

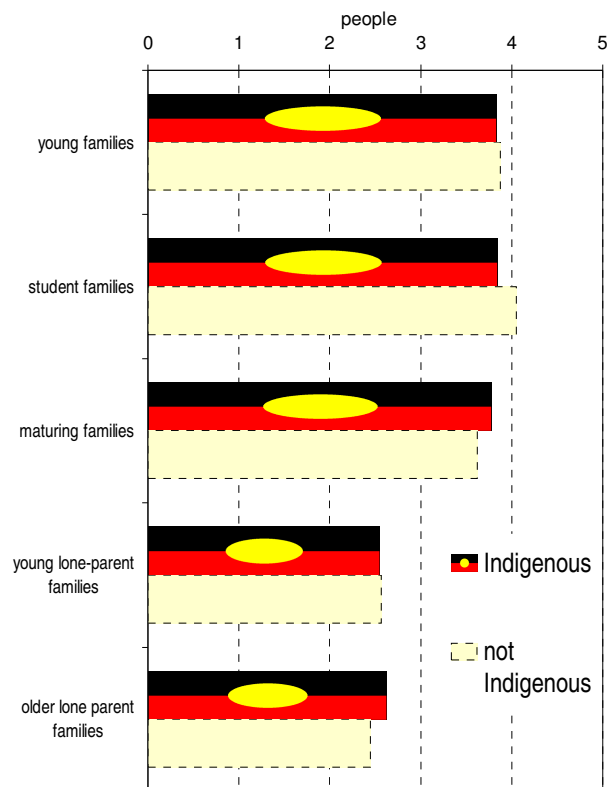
The Northern Sydney Aboriginal community had 266 couples with children. The average size of these families was 3.8 people, similar to non-Aboriginal couple families. 58% of the families were young families with all children under 15 (compared with 52% of non-Aboriginal couples).

Lone parent families made up 12.5% of Aboriginal families in Northern Sydney (similar to non-Aboriginal families (11%). Their average size, 2.6 people, was 0.1 larger than non-Aboriginal lone-parent families.

Commonly, fewer Aboriginal people live in couples without children. However, they make up 40% of Aboriginal families in Northern Sydney, compared with 36% for non-Aboriginal families.

## Living Arrangements

**Average size of families**



Some 33% of all Aboriginal adults (aged 15+) in Northern Sydney were married in 2001, and another 12.5% lived in an unmarried couple. The others were either single (47%) or single parents (7%).

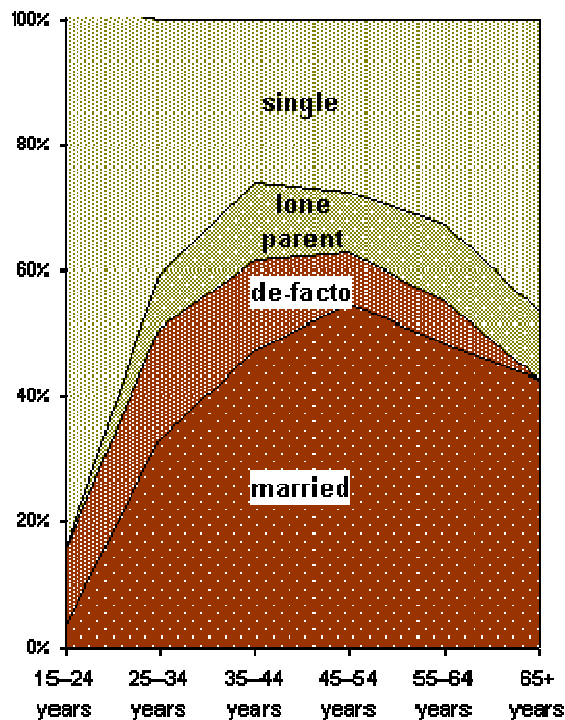
Compared with non-Aboriginal people in Northern Sydney, about five-eighths as many Aboriginal people were married, but 2.0 times as many lived in as unmarried couples, 1.3 times as many lived alone and 1.7 times as many were lone parents.

The proportion of lone parents among Aboriginal people peaked at 13% among those aged 35–44 years when the rate for all that age in Northern Sydney was just 5%. Among those aged 55–64 years, 12% were single parents compared with 5% among all people.

About one-quarter of Aboriginal couples were unmarried in 2001, compared with one-ninth of all couples in Northern Sydney.

The proportion of unmarried couples tended to fall with age, going from 77% of the 15–24 year-old and 35% of 25–34 year-old couples, to 12% of 55-64 year olds and none of those aged 65+.

### Marital status by age



## Aboriginal Schooling

62% of Aboriginal children (3-4 years) in Northern Sydney attended pre-school in 2001, which was smaller than the proportion of the non-Aboriginal children, 71%. The proportion at pre-school was much larger than for Aboriginal children across NSW, 51%.

In 2001, the number of Aboriginal children at primary school was 89% of the number aged 5–11 years. This 'attendance ratio' was lower than for non-Aboriginal children (96%). As primary school is compulsory, attendance ratios should be similar for all children. This suggests that the ratio could be affected by fewer children aged 5 or 11 attending at primary school.

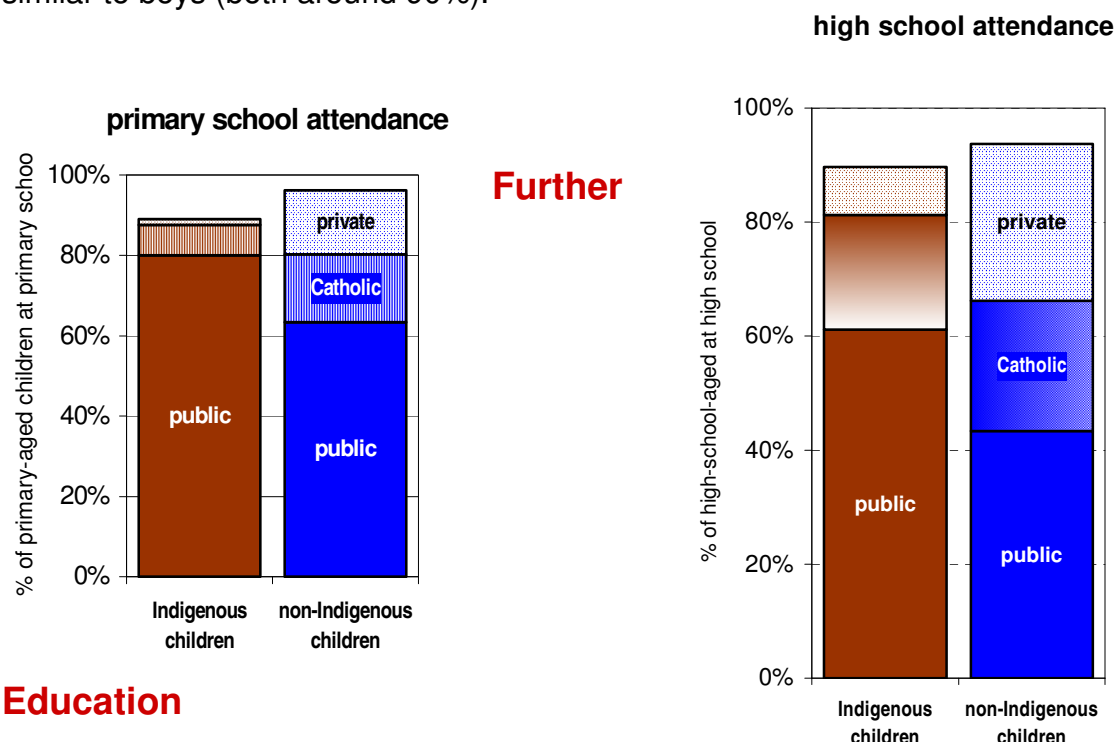
Among primary school children, a more noticeable difference is that fewer Aboriginal children attended Catholic or private primary schools. 10% of Aboriginal primary students attended private or Catholic schools, compared with 34% non-Aboriginal students.

High-school attendance by Aboriginal teenagers was at a rate close to that of their non-Aboriginal peers. The number represented 90% of the number of

high school-age (11 to 17 years); attendance was 94% for non-Aboriginal teenagers. Among those aged 15–19 in 2001, 72% of Aboriginal teenagers were attending some form of education, compared with 83% for non-Aboriginal.

It is generally less common for Aboriginal teenagers to shift from public to private or Catholic schooling for high school. In 2001, 68% of Aboriginal high-school students remained in public schools, compared with 46% of non-Aboriginal students.

The high-school attendance rate among Aboriginal girls aged 12–17 was similar to boys (both around 90%).



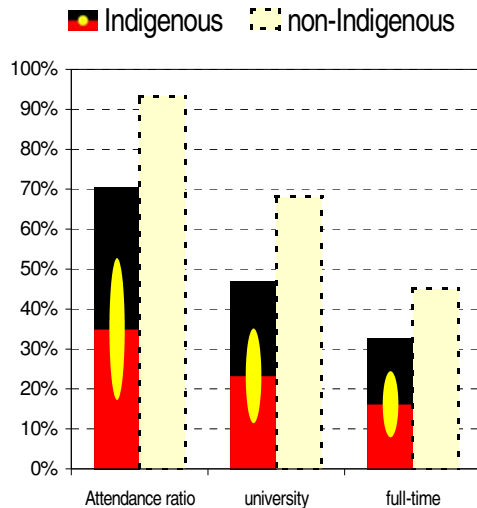
## Education

On average, Aboriginal people in Northern Sydney left school after finishing 10 years and 8 months of schooling, which was earlier than other people, who finished an average of 11 years and 2 months of school.

- 45% of Aboriginal people had completed Year 12 in 2001 (65% non-Aboriginal)
- 83% of Aboriginal people had completed Year 10 or higher (91% non-Aboriginal)
- 166 Aboriginal people in Northern Sydney were receiving tertiary education, equal to 70% of 18–24 years, much lower than for non-Aboriginal people at 93%
- 47% of Northern Sydney's Aboriginal tertiary students attended university (the others were mainly at TAFE) compared with 68% of non-Aboriginal students
- 33% of Aboriginal tertiary students were full-time, compared with 45% of non-Aboriginal students
- 14.4% of Aboriginal people aged 15+ had a university degree, half the non-Aboriginal rate of 27.7%

- Only 39 in every 1,000 Aboriginal people had a post-graduate degree, compared with 75 in every 1,000 non-Aboriginal people, aged 15+
- 61% of Aboriginal people had no tertiary qualification or did not give one on their Census form, compared with 48% of non-Aboriginal people.

#### tertiary education rates



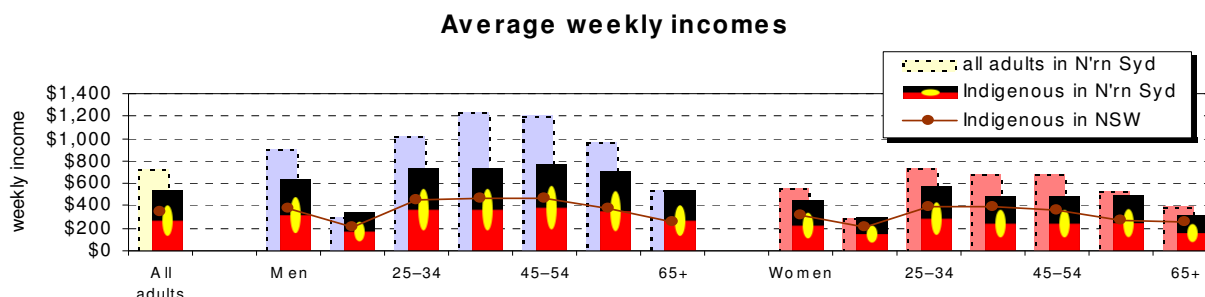
### Aboriginal Languages

- Nearly all Aboriginal people in Northern Sydney spoke English in 2001
- 18, or 1.0% of them, speak an Aboriginal language (NSW - 0.7%)
- Of those who spoke an Aboriginal language, 67% spoke English fluently and 33% didn't.



## Weekly Incomes

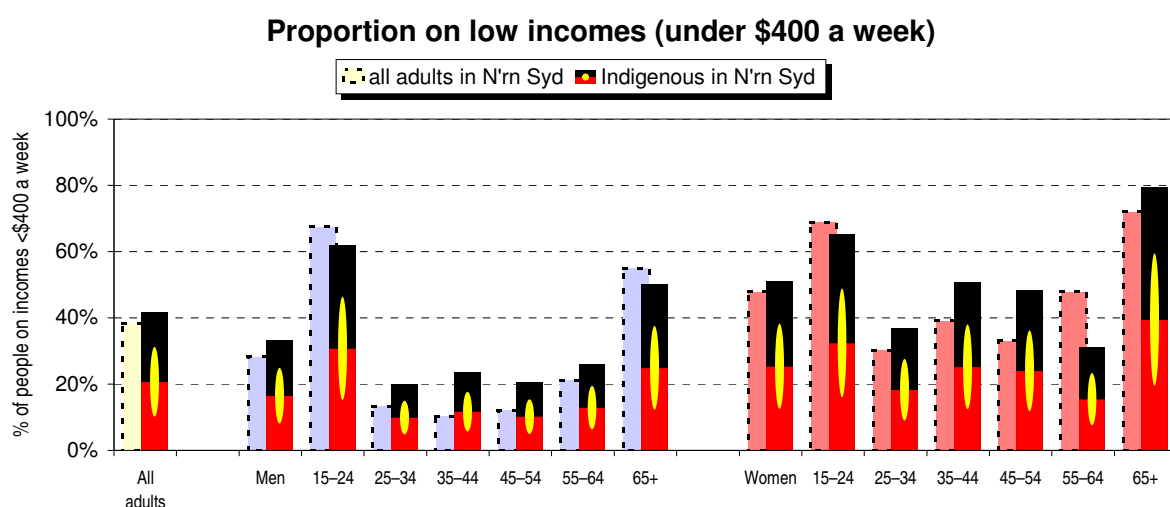
- In Northern Sydney, the average income of Aboriginal people aged 15+ was \$543 a week in 2001. This was 25% lower than the overall average (\$723 a week)



- The average income of Aboriginal families was \$1,399 a week in 2001, 10% or \$161 lower than the overall family average
- The average income of Aboriginal households (families, groups and singles) was \$1,284 a week in 2001, 5% or \$74 lower than overall
- Aboriginal men aged 35–44 were most disadvantaged relative to non-Aboriginal men; their average incomes were 40% lower than overall.
- Aboriginal women aged 45–54 were most disadvantaged relative to non-Aboriginal women with average incomes 31% lower than overall.

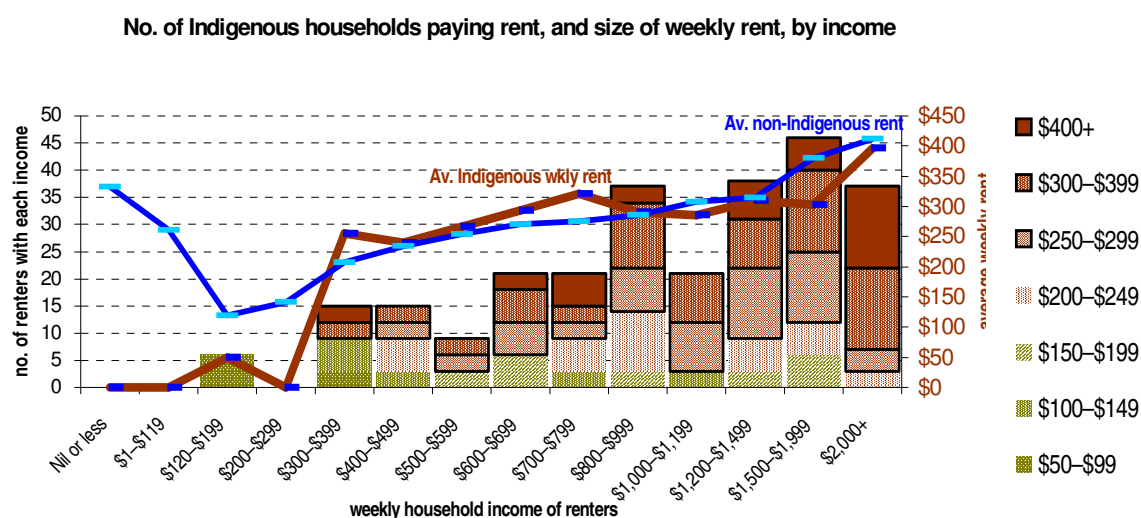
Across Northern Sydney, 42% of Aboriginal adults had low incomes (under \$400 a week in 2001), compared with 38% of all adults (aged 15+). The largest proportions on low incomes were among men aged 15–24 (62% on under \$400 a week), and women aged 65+ (79%).

Relative disadvantage was highest amongst Aboriginal women aged 45–54, with 48% on low-incomes, 15% more than in the overall community. It was also higher amongst women aged 35–44 (13% more on low-incomes) and women aged 35–44 (12% more).



## Cost of Housing

- Average cost of housing for Aboriginal households in Northern Sydney was \$268 a week, compared with an average of about \$312 a week for non-Aboriginal households
- 296 renting households paid an average of \$234 a week
- 181 home-owning households had average monthly mortgage payments of \$1,319
- 251 Aboriginal renters had private landlords and paid an average rent of \$314 a week (7% less than paid by non-Aboriginal households)
- 44 lived in public housing with an average rent of \$86 (similar to non-Aboriginal households)



Overall, about 103 Aboriginal households, or 35% of renters, paid over 30% of household income in rent.

- The highest rents paid by Aboriginal people were for those earning \$2,000+ a week, averaging about \$397 a week (\$412 paid by non-Aboriginal people with this income)
- This rent represented just 16% of their average income, compared with 73% paid by Aboriginal households on \$300 - \$399 week and 53% paid by those on \$400 - \$499 week
- 36% of Aboriginal households were home-owners, 181 in all with the average mortgage repayment \$1319 a month (3% higher than the non-Aboriginal average)
- 33 households, or 18% of owners, paid over 30% of household income in mortgage repayments.

## Employment

The workforce patterns of Aboriginal people appears to indicate little disadvantage. More Aboriginal adults were in the workforce (either working or looking for work); of those who were, similar rates were unemployed. The combined effect means that 69% of Aboriginal people in Northern Sydney were working, compared to 66% of non-Aboriginal people.

950 Aboriginal people were in the workforce in 2001, representing 74% of those aged 15+, with an unemployment rate of 7%. By comparison, 68% non-Aboriginal people were in the workforce, and their unemployment rate was just 4%.

The unemployment rate among Aboriginal men in the workforce ranged from:

- 16% of 55 - 64 year-olds
- 13% of 15 - 24 year-olds
- none of 65+ years olds

Amongst women, it ranged from:

- 13% of 55 - 64 year-olds
- 11% of 15 - 24 year-olds
- 65+ years year-olds

Unemployment rates tend to fall over the age of 50 because many people leave the workforce, through retirement or disability. Unemployment in the Aboriginal workforce was relatively worst (compared to the non-Aboriginal unemployment rate) among men aged 55 - 64 (13% higher), women aged 55 - 64 (11% higher), men aged 35 - 44 (7% higher) and women aged 15 - 24 (5% higher).

Participation in the workforce by Aboriginal men – whether employed or seeking work – ranged from 91% of 25 - 34 year-olds and 91% of 35 - 44 year-olds to 21% of 65+ year-olds. Amongst women, it ranged from 79% of 25 - 34 year-olds and 74% of 45 - 54 year-olds to 9% of 65+ year-olds. In comparison with the non-Aboriginal community, Aboriginal participation in the workforce was lowest among men aged 55 - 64 (11% lower), women aged 45 - 54 (6% lower), men aged 45–54 (5% lower) and men aged 35 - 44 (4% lower).

## **Industries**

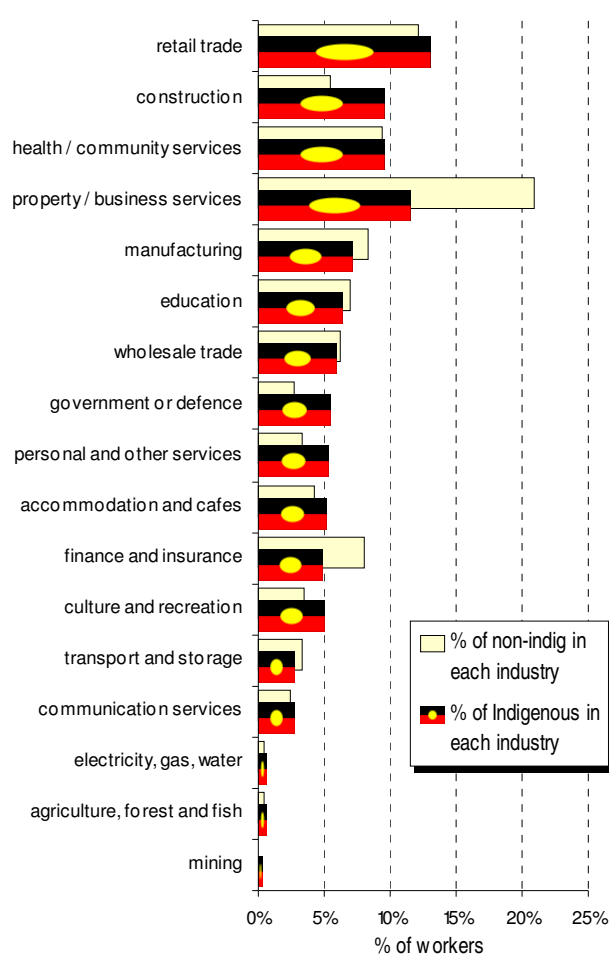
The main industry where the Aboriginal people of Northern Sydney worked was retail trade, which employed 116 or 13% of Aboriginal workers in 2001. This was followed by:

- property / business services (12%).
- construction (10%)
- health / community services (10%)

The industry which employed the fewest Aboriginal people, relative to its size, was property / business services which employed 21% of non-Aboriginal workers but 12% of the Aboriginal workforce.

Other industries with lower Aboriginal employment were finance and insurance, manufacturing, and education. However, construction, government or defence, and personal and other services employed proportionally more Aboriginal workers.

### Industries employing Indigenous workers



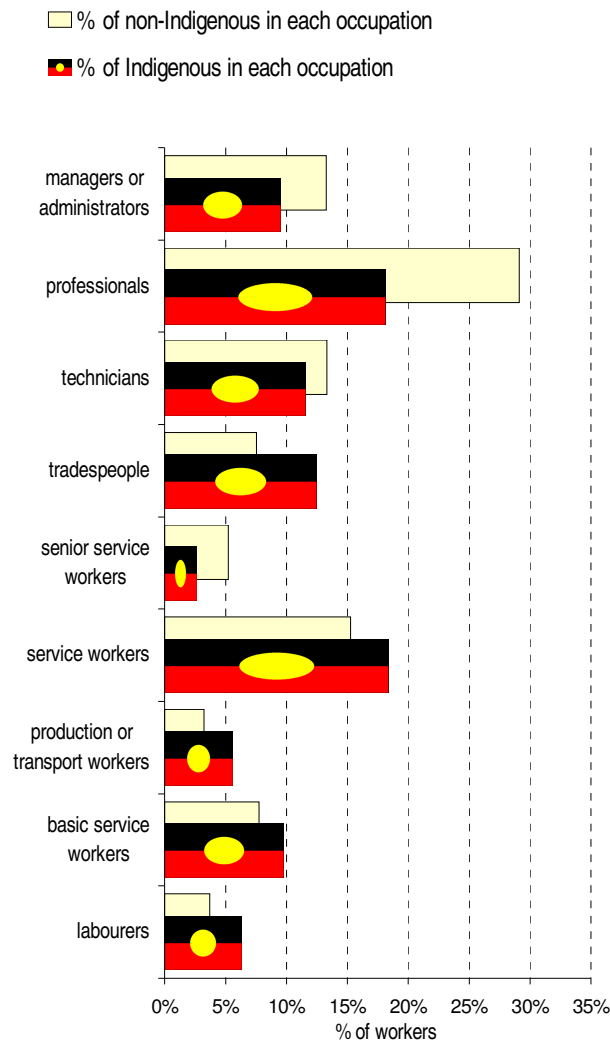
## Occupations

Most commonly, Aboriginal workers in Northern Sydney worked as service workers, of whom there were 164 in 2001, 18% of the Aboriginal workforce. The next largest occupations were professionals (18% of Aboriginal workers), tradespeople (12%) and technicians (12%).

The occupation with the fewest Aboriginal people, relative to its size, was professionals. About 29% of non-Aboriginal workers were professionals but just 18% of Aboriginal workers were. Other occupations with fewer Aboriginal workers were managers or administrators, senior service workers and technicians. However, there were proportionally more Aboriginal people working as tradespeople, service workers and labourers.

The most common occupations for Aboriginal men were tradespeople, professionals and managers or administrators, while those of women were service workers, professionals and basic service workers.

## Occupations of Indigenous workers



## Computer Use

- 45% of Aboriginal people used a computer in 2001, compared with 57% of others
- Highest amongst those aged 15–24 years (55%) and 35–44 years (49%)
- Relative to non-Aboriginal people, use was lowest amongst 0–14 years when the rate was 38%, 66% of the non-Aboriginal rate of 59%
- Internet use by Aboriginal people was at 46% compared with 56% of others
- Internet use at home (a good indicator of access to information) was lower than for non-Aboriginal people (33% of Aboriginal people compared to 44% of non-Aboriginal).

## Appendix B

### Consultation Outcomes

**Stony Range**  
**December 11, 2004**

1. Do you require more information about service providers in this region?

Yes: 29	No: 2
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2. Is affordable housing a concern for you?

Yes: 20	No: 5
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3. Would you like more community gatherings

Yes: 21	No: 0
---------	-------

4. Would you like more information/communication about what is going on in this region?

Yes: 30	No: 0
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5. Would you like an Aboriginal Community Centre in this region?

Yes: 34 One person wrote @ the dam	No: 0
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6. What other issues would you like addressed?

More community recreational events owned by locals to invite other clans to share our beaches, land etc. AECG & Education	
--	--

**What are your most important issues now?**

- Aboriginal recognition
- Cultural identity
- Cultural ownership
- Equality in the workplace
- Employment
- Housing
- Health and mental health
- Aboriginal site protection
- Networking
- Children
- Family and friends
- Integration

**Do you feel there is a need for an Aboriginal community centre?**

- Yes – unanimous
- One person suggested the centre be located in Chatswood

**What are your visions for the future?**

**More Community Networking Communication Flow**

- More employment for young Aboriginal people
- More Aboriginal people employed in areas such as health, education and housing in Northern Sydney areas
- Raising awareness of Aboriginal culture and history in the area e.g.
  - Through bushwalks
  - Sharing stories
  - Get-togethers
- Activities for the whole community and for the children

**Understanding of Culture**

- Strong community
- Work together on issues which need to be addressed
- Support of community by all government
- Culture camps
- Non-racial multiculturalism
- Equality for all peoples

## **How can we achieve it?**

### **Knowledge and Understanding**

- Push through health and employment areas by having cultural awareness etc.

### **Networking Together**

- Together as a community (families)
- Recognition of Aboriginal peoples as the owners/custodians of their culture and heritage

### **Dedication/ Communication**

- Compulsory ATSI history and culture education for everyone
- Recognition of Aboriginal heritage/ culture
- Consultation with and input from the community



## Appendix C

### Australian Government Programs and Policy Focus

#### Office of Indigenous Policy Coordination (OIPC)

On the 1 July 2004 the Australian Government commenced sweeping changes to the administration of Indigenous affairs including the abolition of the Aboriginal and Torres Strait Islander Commission (ATSIC) and Aboriginal and Torres Strait Islander Services (ATSIS). There is no longer a dedicated Australian Government agency administering Indigenous programs. Programs formerly the responsibility of ATSIC and ATSIS are now with the agencies that look after similar programs for all Australians.

Most of these programs and services are funded through the network of Indigenous Coordination Centres (ICC) in urban, regional and rural Australia. ICCs are managed by the Office of Indigenous Policy Coordination (OIPC) within the Department of Families, Community Services and Indigenous Affairs. In the States and regions, 30 Indigenous Coordination Centres (ICC's) have been established based on former ATSIC-ATSIS offices. One of these is located in Haymarket Sydney, to service the metropolitan area including Northern Sydney.

A Ministerial Taskforce on Indigenous Affairs is providing leadership and strategic direction at the highest level, supported by the Secretaries' Group on Indigenous Affairs and advised by the National Indigenous Council. Members of the National Indigenous Council are appointed by the Minister and administrative support is provided by the Office of Indigenous Policy Coordination (OIPC).

The Ministerial Taskforce on Indigenous Affairs is chaired by the Hon Mal Brough MP, the Minister for Families, Community Services and Indigenous Affairs, and includes as members:

- Minister for Transport and Regional Services
- Minister for Health and Ageing
- Attorney General
- Minister for Communication, Information Technology and the Arts
- Minister for Employment and Workplace Relations
- Minister for Environment and Heritage
- Minister for Education, Science and Training, and
- Minister for Justice and Customs

The Office of Indigenous Policy Coordination (OIPC) is responsible for:

- coordinating whole-of-government innovative policy development and service delivery across the Australian Government

- developing new ways of engaging directly with Indigenous Australians at the regional and local level
- brokering relations with State/Territory governments
- reporting on the performance of government programs and services for Indigenous people to inform policy review and development
- managing and servicing a network of Indigenous Coordination Centres (ICCs) across Australia, and
- advising the Minister and Government on Indigenous Issues.

## **Statutory Bodies in Indigenous Affairs**

A number of specialist offices and statutory bodies are also integral components of the Indigenous Affairs portfolio. These include:

**The Office for Aboriginal and Torres Strait Island Health** was set up within the Australian Government Department of Health and Ageing to improve access for Aboriginal people to effective primary health care, substance use services and population health programs. The work of the OATSIH is intended to:

- improve the responsiveness of the mainstream health system to Aboriginal health needs
- provide complementary action through Indigenous-specific health programs
- work collaboratively across governments and the health sector to improve service delivery and outcomes.

**Aboriginal Hostels Limited (AHL)** has provided temporary accommodation services to Aboriginal and Torres Strait Islander people since 1973. AHL has established a network of hostels across Australia and currently operates 48 of its own hostels while funding 83 community hostels. It owns one property in the Northern Sydney region, Biala, a hostel for Aboriginal secondary students.

**Indigenous Business Australia (IBA)** was established to assist and enhance Aboriginal self-management and economic self-sufficiency. IBA does not receive recurrent funding and is required to act commercially and must meet its functional responsibilities from the profits derived from its investment activities. As at 30 June 2004, IBA had 30 investments in businesses across a wide range of sectors. Its involvement may be through:

- Investing directly as a joint venture partner;
- providing a loan/guarantee facility for Aboriginal people to enter businesses as IBA's joint venture partners; or
- providing loans for Aboriginal people to engage in business opportunities. Loans of this nature are normally \$500,000 or more.

However, IBA's enabling legislation prevents IBA from providing grants.

Changes to Indigenous Affairs at the Federal level has meant that IBA now has carriage for delivery of two key programs. They are the Home Ownership Programme (HOP) and the Indigenous Business Development Programme

(IBDP) previously run respectively by ATSIC and the Department of Employment and Workplace Relations (DEWR).

**Indigenous Land Corporation (ILC)** The Indigenous Land Corporation (ILC) is an Australian Government statutory authority. The ILC assists Indigenous Australians acquire land and manage Indigenous-held land in a sustainable way to provide cultural, social, economic or environmental benefits for themselves and future generations.

**Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS)** The Australian Institute of Aboriginal and Torres Strait Islander Studies, which commenced in 1961, is an independent statutory authority devoted to Aboriginal and Torres Strait Islander studies.

The Institute undertakes and encourages scholarly, ethical community-based research, holds an extensive collection of films, photographs, video and audio recordings and the world's largest collections of printed and other resource materials for Indigenous Studies, and has its own publishing house.

The AIATSIS library is used by Aboriginal peoples, researchers, museums, galleries, and many others, including the general public.

**The Office of the Registrar of Aboriginal Corporations (ORAC)** was established to assist the Registrar of Aboriginal Corporations in administering the *Aboriginal Councils and Associations Act 1976* and in supporting and regulating corporations for Indigenous people throughout Australia, and in providing an avenue for new incorporations where these are needed. ORAC tailors its services to the special needs of Indigenous groups and corporations, and strives for national and international best practice in corporate governance.

The Registrar of Aboriginal Corporations is an independent statutory office holder appointed by the Minister for Immigration and Multicultural and Indigenous Affairs under the Act. The Act provides Aboriginal communities, groups and organisations with a simple and inexpensive means of incorporation, with the flexibility to take account of Aboriginal customs and traditions.

The Corporations (Aboriginal and Torres Strait Islander) Bill 2005 (the Bill) was introduced into the Australian Parliament on 23 June 2005. If parliament agrees to the Bill it will become a law on 1 July 2006. Some parts of the new law may come into force at a later date. The Bill will replace the *Aboriginal Councils and Associations Act 1976*.

## **Federal Policy Directions**

The major direction in Aboriginal policy at the Federal level is 'shared responsibility'. Originally part of the Council of Australian Government's framework of working in partnership with Indigenous communities, shared responsibility is now part of the Federal Government's broader approach through the newly established Office of Indigenous Policy Coordination, set up on July 1

2004 as the primary source of advice on Indigenous issues after the abolition of ATSIC.

It the basis for the Australian government's mainstreaming of Aboriginal policy and thereby transferring responsibilities of the former ATSIC and ATSIS to a range of Australian Government departments. Secretaries of Australian Government departments are now required to deliver particular policy outcomes within their performance agreements. The national framework set by the Productivity Commission outlined in the section "Relationship to Other Policies and Agencies" within this report is a key driver of this approach.

A key plank of current Australian Government policy on Indigenous Affairs is the development of Shared Responsibility Agreements (SRAs). SRAs are made at a local level and spell out what communities, governments and others will contribute to achieve long-term changes in Indigenous communities. While SRAs have been welcomed as a measure to reduce dependency on passive welfare, criticisms of their practical implementation have emerged (McCausland, 2005).

The Australian Government also is progressing negotiations on Regional Partnership Agreements (RPAs) to tailor government interventions across a whole region. RPAs will also provide a framework for recognising and engaging with the range of regional Indigenous representative arrangements that are developing around Australia.

To date, such policy initiatives have had little practical effort in urban areas such as the Northern Sydney region.

### New South Wales State Government Programs and Policy Focus

#### Brief background of Aboriginal Affairs in NSW

The assimilation of Aboriginal people into mainstream society was the aim of government policy in NSW until 1981.

- 1883 The Aborigines Protection Board was established. The Board did not have legal powers until 1909, when the Aborigines Protection Act was passed.
- 1909 Aborigines Protection Act passed that gave the Aborigines Protection Board wide powers and control over the lives of Aboriginal people, including the power to remove children from families. Policies implemented were on the basis of 'protection and segregation'.
- 1940 The Aborigines Protection Board was renamed the Aborigines Welfare Board in 1940 with the Aborigines Protection (Amendment) Act 1940. Policies shifted to ones of assimilation and integration. A clear intention of the Act and the Board was the forced assimilation of Aboriginal people, most notably through the separation of children from their families. These children are now known as the 'Stolen Generations' and many are still searching for their families. The implementation of the assimilation policy from 1950/51 included the moving of Aboriginal people to stations to be prepared for assimilation into the general community.
- 1969 The Aborigines Act (NSW) 1969 abolished the Aborigines Welfare Board and created the Aboriginal Advisory Council and the Directorate of Aboriginal Welfare (1969-1975) within the Premier's Department. In the same year, the Federal Government assumed responsibilities for Aboriginal Affairs. Aboriginal children then became wards of the State with the Welfare Board's functions transferred to the Department of Child Welfare and Social Welfare.
- 1973 The Federal Parliament passed the Aboriginal Affairs (Arrangements with the States) Act that gave responsibility for Aboriginal housing, health, and education back to the States. In NSW, these functions were mainstreamed into the relevant Government departments with responsibility for service delivery.
- 1978 The Select Committee of the NSW Legislative Assembly on Aborigines published two reports that stated the policies of assimilation had failed. The reports recommended that Government policies must be aimed at self-determination. The first report was primarily about recommending that Government recognise prior Aboriginal ownership of the land and land rights. The second report focused on recommendations about social and economic policies relating to Aboriginal people. The reports led to fundamental changes in Aboriginal affairs in NSW.
- 1981 The NSW Ministry of Aboriginal Affairs was established as a direct response to the reports published in 1978 with the role to provide advice

- to the Minister and to determine and implement Aboriginal policy with other with other Government Departments.
- 1983 The NSW Aboriginal Land Rights Act 1983 was enacted through the Ministry of Aboriginal Affairs. The Ministry attempted to implement the philosophy of self-determination.
  - 1988 The Ministry of Aboriginal Affairs was abolished and its functions were transferred to the Premier's Department as the Bureau of Aboriginal Affairs.
  - 1989 The Bureau of Aboriginal Affairs was restructured and became known as the Office of Aboriginal Affairs. The NSW Aboriginal Affairs Coordinating Committee was established, chaired by the Director General of the Office of Aboriginal Affairs with the aim of improving information exchange between Departments and ensuring effective and appropriate service delivery to Aboriginal people.
  - 1992 The Council for Australian Governments endorsed the National Commitment to Improved Outcomes in the Delivery of Programs and Services for Aboriginal People and Torres Strait Islanders. The Office of Aboriginal Affairs took on the role of assisting Government departments in implementing this National Commitment. The NSW Coordinating Committee for Services Provided to Aborigines (chaired by the Director General) was established to achieve more effective and efficient Government agency outcomes.
  - 1993 The Office of Aboriginal Affairs transferred from Premier's Department to become a separate agency that is responsible to the Minister for Aboriginal Affairs.
  - 1994 The Office of Aboriginal Affairs was replaced by the Department of Aboriginal Affairs, with an upgraded role for the Director General.
  - 1996 NSW Premier, the Hon Bob Carr makes an apology to the Aboriginal people in State Parliament.
  - 2000 Premier Bob Carr announced a new approach to Aboriginal affairs in NSW, based on partnership between Aboriginal people, the Government, and other relevant sectors.  
*"Partnerships: A New Way of Doing Business with Aboriginal People acknowledges the problems with past approaches to Aboriginal affairs and seeks to build on the successes."*
  - 2003 *"Two Ways Together": The Aboriginal Affairs Plan 2003-2012*, is introduced as the NSW Government's a 10 year plan to improve outcomes for Aboriginal people and communities.

Current NSW Government policy on Aboriginal affairs is based on the philosophy of Aboriginal self-determination. The policy of self-determination is based on the rights of Aboriginal people to determine their own priorities and freely pursue their economic, social, and cultural development. The policy seeks to demonstrate a commitment to changing the historical relationships between government and Aboriginal people and improving social well-being for Aboriginal communities.

## **The Department of Aboriginal Affairs (DAA)**

The Department of Aboriginal Affairs (DAA) is part of the NSW Government. The Department defines its role as working with Aboriginal people and a wide range of stakeholders and sectors to:

*“...promote the interests of Aboriginal people in NSW and reduce the inequity they continue to experience as a result of colonisation.*

*Our vision is to work in partnership with Aboriginal people in New South Wales to achieve social, economic and cultural independence.”*

<http://www.daa.nsw.gov.au/about/>  
Accessed 31/03/05

The Department of Aboriginal Affairs has responsibility for:

- the Aboriginal Communities Development Program, a major housing and infrastructure program in Aboriginal communities
- a Grants Program for Aboriginal organisations, communities and individuals
- assisting Aboriginal people to trace their family history by providing access to the archives of the Aborigines Welfare Board and Aborigines Protection Board
- developing policies and projects on community and social justice issues such as economic development, leadership, family violence and Aboriginal languages
- administering the *Aboriginal Land Rights Act* 1983
- developing policy on land, water and cultural heritage issues.

## **DAA Policy Initiatives**

Two major policy initiatives have been developed by the Department of Aboriginal Affairs in partnership with Aboriginal people.

### **Two Ways Together: Partnerships: A New Way of Doing Business with Aboriginal People**

This is an umbrella policy that sets out the ways in which Aboriginal people, the NSW Government and government agencies will work together, and jointly plan and deliver solutions that meet community needs.

The overall goals of the Plan are to:

- change the way Government works with Aboriginal people
- enhance the skills and capacity of Aboriginal communities and individuals
- achieve real and measurable improvements for Aboriginal people in health, education, economic development, justice, housing and infrastructure, families and young people

- support and affirm Aboriginal peoples' culture and heritage

The Plan establishes what “business needs to be done” (i.e. reforms to service delivery) and “how business will be done”. Through negotiation, Aboriginal communities and government agencies agreed that the 7 priority areas for action in New South Wales are

- Health
- Education
- Economic Development
- Justice
- Families and Young People
- Culture and Heritage
- Housing and Infrastructure

A cluster group of key government agencies and Aboriginal peak bodies has been formed for each of the priority areas, and is led by a lead agency. The cluster groups have set goals, targets and action plans for NSW consistent with national indicators.

Like their Australian Government counterparts, CEOs of NSW agencies will be accountable for ensuring that their agency provides the services and takes action as agreed through their performance contracts.

The policy also includes measure to improve Government interactions with Aboriginal people through measures such as:

- improving the capacity of government agencies to work effectively with Aboriginal people
- enhancing the capacity of communities, through leadership development, improving individual technical and management skills and improving organisational capacity and governance
- local planning and decision making processes in partnership with Aboriginal communities

### **NSW Aboriginal Languages Policy**

The NSW Aboriginal Languages Policy was introduced in 2005 as a comprehensive policy designed to promote initiatives to teach and revive the State's 70 Aboriginal languages. Under the policy, changes to the NSW school curriculum will enable students in Government and non-Government schools will be able to study an Aboriginal language from Kindergarten to Year 10.

The policy recognises that revitalisation of Aboriginal languages is central to strengthening Aboriginal culture and identity. To assist in the preservation of Aboriginal languages, the NSW Aboriginal Languages Research & Resource Centre was opened in March 2003.



## **Ministerial Council on Aboriginal and Torres Strait Islander Affairs**

The Minister for Aboriginal Affairs is a member of the Ministerial Council on Aboriginal and Torres Strait Islander Affairs (MCATSIA), which is made up of the Ministers of the Australian, State and Territory governments responsible for Aboriginal and Torres Strait Islander affairs. MCATSIA is a forum for discussing matters of current interest arising out of Australian government decisions, or generated by the Council or one of its members.

## **Other NSW Government Agencies**

A range of NSW Government agencies have major policy or program initiatives that impact on Aboriginal families and communities in Northern Sydney. The key initiatives not previously discussed in the section entitled “Relationship to other Policies and Programs” are set out below.

## **The Department of Community Services (DoCS)**

### **DoCS a Blueprint for Change**

As an organisation the Department of Community Services is the leading community services organisation in NSW and the largest child protection agency in Australia. Their key roles and responsibilities are to:

- Work with the community to keep children safe and to support their families
- Provide protection for children at risk of harm
- Provide care for children at risk of harm
- Provide care for children who cannot live with their families
- Provide and regulate adoption services
- Fund and regulate children’s services such as preschools and day care centres
- Coordinate recovery services to help people affected by disasters
- Offer a range of community support services to help homeless people and families move to independent living.

The Northern Sydney region is serviced by an Aboriginal Community Project Officer, based on the Central Coast. A DoCS Aboriginal Advisory Committee was established in 2003 and meets quarterly informing departmental programs and planning.

## **The Department of Ageing Disability and Home Care (DADHC)**

### **The Aboriginal Policy Framework**

DADHAC recognises that quality of life, health and wellbeing are essential to promoting community development and maximising the ability of people to function independently in society.

The purpose of the framework is to develop a platform for progressing Aboriginal ageing and disability issues by:

- promoting independence, wellbeing and health of Aboriginal people
- providing appropriate and accessible community care and support services for Aboriginal communities
- increasing participation by Aboriginal people in the Department's funded services and programs
- providing information about DADHC services
- increasing participation by Aboriginal people in planning, implementation, delivery and evaluation of all DADHC programs.

The DADHC *Aboriginal Policy Framework* is underpinned by the understanding that life expectancy of Aboriginal people is 20 years less than that for the total Australian population.

While the Department is in the process of developing more reliable benchmarking data about the number of Aboriginal clients using the Department's services in the Northern Sydney region, the available data and anecdotal evidence shows that Aboriginal people using the services are under-represented.

## **NSW Attorney General's Department**

The NSW Attorney General's Department has produced the *NSW Aboriginal Justice Plan 2004-2014* in its bid to reduce the number of Aboriginal people who are offenders and victims of crime.

The goals of the 10-year plan are to:

- Reduce the number of Aboriginal people coming into contact with the criminal justice system in its entirety – for offenders, Aboriginal victims of crime and the broader Aboriginal community
- Improve the quality of services for Aboriginal people. This aspect applies to all services offered by the Government to Aboriginal people, with the specific aim of redressing the factors that lead to offending by improving the quality of services and ensuring that they are responsive to the needs and aspirations of the Aboriginal community, and
- Develop safer communities by recognising that the majority of victims of offences committed by Aboriginal people are other Aboriginal people and that many offences are not reported through the criminal justice system. It recognises that there is a clear desire among Aboriginal communities to resolve their own crime and offending problems and for communities themselves to work together to improve their own safety and the safety of others.

## **NSW Department of Environment and Conversation**

The NSW Department of Environment and Conservation is responsible for the care, control and management of all Aboriginal relics and places in NSW. This includes sites of significance and sacred sites. Under section 90 of the *National Parks and Wildlife Act* 1994 it is illegal to destroy a known sacred or significant site.

## **State Employment Initiatives**

### **Aboriginal and Torres Strait Islander Employment Network**

The Aboriginal and Torres Strait Islander Employment Network (ATSIEN) is a formal network of people involved in the employment and training of Aboriginal people in NSW. ATSIEN is co-ordinated from Sydney, with membership from around NSW.

### **Aboriginal Community Programs**

The Aboriginal Community Program is a unit of the NSW Department of Education and Training which administers a range of funding programs to assist Aboriginal people gain employment or establish small businesses. The unit also provides advice to the Minister for Education and Training and other NSW Government agencies on issues relating to Aboriginal employment, education and training, and economic development.

### **Department of Employment and Workplace Relations: Indigenous Capital Assistance Scheme (ICAS)**

ICAS aims to increase employment opportunities for Aboriginal Australians by giving Aboriginal businesses access to culturally appropriate commercial finance and professional and mentoring support services through a participating financial institution. Financial support for loans ranging from \$50,000 to \$500,000 is available over a three year period in conjunction with professional and mentoring support services.

## Appendix E

### Local Government Policy and Focus

The Local Government and Shires Association of NSW in its major policy statement regarding Aboriginal and Torres Strait Islander People states that:

*“Local Government recognises that Aboriginal and Torres Strait Islander people have a right to self-determination, practical reconciliation and quality of life equal to the wider community.*

*Local Government:*

- *Acknowledges Aboriginal and Torres Strait Islander people as the traditional owners of their own lands by including Aboriginal people in official council ceremonies using local customary protocols such as ‘welcome to country’ and by encouraging the flying of the Aboriginal and Torres Strait Islander Flags*
- *Recognises the establishment of council Aboriginal Consultative Committees is important in providing a mechanism for direct consultation with and participation of Aboriginal communities*
- *Recognises the importance of including Aboriginal people in council social/community planning under the regulation*
- *Acknowledges that it has a role to play in the improvement of both the environment of villages and existing infrastructure in villages*
- *Recognises the role of regional and local Aboriginal authorities in planning and providing for local communities and acknowledges the need for an integration of resources between these authorities and other spheres of government*
- *Encourages greater participation by Aboriginal and Torres Strait Islander people in Local Government political life, seeking to facilitate election campaign initiatives within the community*
- *Facilitates access to facilities, services and programs for Aboriginal and Torres Strait Islander people*
- *Supports initiatives that bring about a profound reconciliation between Aboriginal and Torres Strait Islander people and the wider community”*

Councils provide and manage services that benefit the local community by ensuring the services are run efficiently and are meeting the current and future projected needs of the community. This is achieved through provision of: community services; sporting, recreation and entertainment; public health responsibilities; environmental conservation, protection and improvement; and waste removal, treatment and disposal, to name a few.

Therefore local government is the appropriate tier of government to take a lead role in local planning, support and advocacy on behalf of Aboriginal people and ensuring community services for its residents because it:

- Has valuable knowledge of the local community enabling identification and response to the unique needs of the local area

- Can achieve community participation and develop community networks to enhance local decision-making
- Is accountable through management plans and social plans while ensuring the physical, social and economic environment of the local community is considered within this planning
- Can plan and provide services and programs that are flexible and locally appropriate to the needs of families
- Can advocate for the local community with other levels of government

The current political climate has seen greater pressure placed on local government to provide services and resources without the additional funding required and without the recognition of local government's unique ability to have input into decision-making. It is necessary for local government to find ways to maintain its ability to ensure the needs of the community are being met.

## Bibliography

Australian Bureau of Statistics (2001) *Census of Population and Housing 2001*.

Australian Bureau of Statistics (2001), *ABS Indigenous Profile 2001*.

Australian Human Rights and Equal Opportunity Commission, '*Bringing them Home, The Stolen Children Report*'

[http://www.hreoc.gov.au/social\\_justice/stolen\\_children/](http://www.hreoc.gov.au/social_justice/stolen_children/) [accessed July 2nd 2005]

City of Ryde (2005), *Aboriginal Needs Paper Social Plan 2005*, City of Ryde.

Epic DotGov in association with Glazebrook and Associates, *Northern Beaches Key Workers Study*, (2004), Commissioned by the Department of Planning, Infrastructure and Natural Resources, Manly Council, and Warringah Council (awaiting publication)

Gamarada Unit

<http://www.tafensw.edu.au/nsi/index.cfm?PageID=101&PageIndex=1121>

Human Rights and Equal Opportunity Commission (2005), '*Bringing Them Home, National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families – Frequently asked questions website*,

[http://www.hreoc.gov.au/social\\_justice/stolen\\_children/](http://www.hreoc.gov.au/social_justice/stolen_children/) Accessed March 2005

Kelleher, M., and Nightingale, A., *Aboriginal Heritage Study of the Mosman Local Government Area*, Volume 4 (Public Document), Australian Museum Business Services, Sydney. September 2005.

McCausland, Ruth (2005) *Ngiya Institute for Indigenous Law, Policy and Practice Briefing Paper No. 1: Shared Responsibility Agreements* 28 February 2005 Ngiya Think Tank Jumbunna Indigenous House of Learning University of Technology, Sydney. [http://www.jumbunna.uts.edu.au/research/shared\\_responsibility.pdf](http://www.jumbunna.uts.edu.au/research/shared_responsibility.pdf) [accessed March 2006]

National Aboriginal Community Controlled Health Organization website, <http://www.naccho.org.au/Home.html> [accessed June 15th 2005]

National Aboriginal Community Controlled Health Organization (1999) *Inquiry into Indigenous Health Submission from NACCHO*

<http://www.naccho.org.au/printpara.cfm?paraID=32> [accessed June 15th 2005]

National Aboriginal Community Controlled Health Organization (NACCHO) (March 2001) Submission to the Australian Government Parliamentary Inquiry into the needs of Urban Dwelling Aboriginal and Torres Strait Islander Peoples, <http://www.naccho.org.au/printpara.cfm?paraID=32> [accessed June 15th 2005]

Northern Sydney Aboriginal Social Plan (2000), *Northern Sydney Aboriginal Social Plan 2000*.

Northern Sydney Aboriginal Social Plan, *Aboriginal Services Directory in the Northern Sydney Region 2004*, Hornsby Council and Northern Sydney Aboriginal Social Plan

Northern Sydney Aboriginal Social Plan (2004) *Findings from Community Consultation Event Stoney Range*, Northern Sydney Aboriginal Social Plan, December 11, 2004.

Northern Sydney Aboriginal Social Plan (2005) *Lane Cove Consultation Outcomes*, May 7th, Northern Sydney Aboriginal Social Plan.

Northern Sydney Aboriginal Social Plan (2005) *Northern Sydney Aboriginal Social Plan Update*: a discussion paper for a forum on April 19th 2005, Northern Sydney Aboriginal Social Plan.

Northern Sydney Aboriginal Social Plan (2004) *Stakeholders Forum Outcomes Report*, April 19, 2004, North Sydney Council for Northern Sydney Aboriginal Social Plan 2004.

NSW Aboriginal Education Consultative Group, *AECG Constitution*, <http://www.nswaecg.com.au/webpages/2001-constitution.doc>, Accessed March 2005

NSW DADHC, *Department of Ageing, Disability and HomeCare Aboriginal Policy Framework*, [www.dadhc.nsw.gov.au](http://www.dadhc.nsw.gov.au), Accessed March 2005

NSW Department of Aboriginal Affairs, *About the Department of Aboriginal Affairs*, [www.daa.nsw.gov.au](http://www.daa.nsw.gov.au), Accessed March 2005

NSW Department of Community Services *Annual Report 2004-05 Aboriginal Child Youth and Family Strategy*, [http://www.community.nsw.gov.au/html/Annual\\_report05/comm\\_communities\\_div.htm#ACYFS](http://www.community.nsw.gov.au/html/Annual_report05/comm_communities_div.htm#ACYFS), Accessed March 2005

NSW Department of Community Services, *A Blueprint for Change – Stakeholder Information*, [http://www.community.nsw.gov.au/documents/blueprint\\_change.pdf](http://www.community.nsw.gov.au/documents/blueprint_change.pdf) Accessed March 2005

NSW Department of Education and Training (DET), *Aboriginal Community Programs*, <https://www.det.nsw.edu.au/eas/acomm/>, Accessed March 2005

NSW Department of Education and Training (DET), *Aboriginal Education Policy 1987*, <http://www.schools.nsw.edu.au/learning/yrk12focusareas/aboriginale/>

NSW Department of Education and Training (DET), *Aboriginal Education Policy Review 2003 Media Release*.

NSW Department of Education and Training (DET), *National Aboriginal and Torres Strait Islander Policy 1997*

NSW Local Government and Shires Association (1997), *Statement of Commitment between Local Government and Aboriginal Communities*.

NSW Health (2003), *Aboriginal Health Needs Analysis*, Northern Sydney Area Health Service (unpublished report)

NSW Health, (2003) *Northern Sydney Drug and Alcohol Needs Analysis* Northern Sydney Area Health Service (unpublished report)

NSW Health, *Planning Better Health*, NSW Health website, <http://www.health.nsw.gov.au/pbh/overview/>, Accessed June 2005

NSW National Parks and Wildlife Service (NPWS), *National Parks and Wildlife Act 1974*,  
<http://www.nationalparks.nsw.gov.au/npws.nsf/Content/National+Parks+and+Wildlife+Act+1974> Accessed March 2005

NSW National Parks and Wildlife Service (NPWS), *Review of Aboriginal ownership provisions of the National Parks and Wildlife Act 1996*,  
<http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Review+of+Aboriginal+ownership+provisions+of+the+National+Parks+and+Wildlife+Act>, Accessed March 2005

NSW Reconciliation Network, *Aims of NSW Reconciliation Network*,  
[www.nswrecon.com/about\\_us/#aims](http://www.nswrecon.com/about_us/#aims), Accessed March 2005

Quiggin, Robynne (2005), *Aboriginal Need Analysis Report*, commissioned City of Ryde.

Rattle, Robert and Kwiatkowski, Roy E (2003), Chapter 7 Integrating health and social impact assessment, in, Becker, Henck A and Vanclay, Frank *The International Handbook of Social Impact Assessment*, Edward Elgar, Cheltenham, UK

Shelter NSW (2005) website <http://www.sheltersnsw.infoexchange.net.au/>

Steering Committee for the Review of Commonwealth Service Provision (2005) *Overcoming Indigenous disadvantage: Key indicators 2005: Report*. Canberra: Productivity Commission.

The Public Practice Pty Ltd (2004) *A Portrait of the Indigenous People of Northern Sydney compared with NSW*. (Unpublished report)

Warawara, Macquarie University, <http://www.warawara.mq.edu.au/>

Watts, D. (2005), *Report on the Activities of the Aboriginal Heritage Office 1999 to 2004*, David Watts, Aboriginal Heritage Manager.



World Health Organization, *'Preamble to the Constitution of the World Health Organization as adopted by the International Health Conference'*, New York, 19-22 June, 1946; signed on 22 July 1946 by the representatives of 61 States (Official Records of the World Health Organization, no. 2, p. 100) and entered into force on 7 April 1948 <http://www.who.int/about/definition/en/> [accessed July 2nd 2005]

DET: Aboriginal Program Policy

[http://www.aboriginaleducation.nsw.edu.au/gen\\_info/index.html](http://www.aboriginaleducation.nsw.edu.au/gen_info/index.html)

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1 September 2006

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## **ELECTION OF CHAIRPERSONS/DEPUTY CHAIRPERSONS - 2006 TO 2007 COMMITTEES & ADVISORY COMMITTEES**

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### **EXECUTIVE SUMMARY**

**PURPOSE OF REPORT:**

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

**BACKGROUND:**

In 2004, Council established Informal Committees & retained a number of Advisory Committees.

**COMMENTS:**

Last year, Council elected Councillors as Chairpersons/Deputy Chairpersons of the Committees & the Advisory Committees.

**RECOMMENDATION:**

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

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## PURPOSE OF REPORT

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

## BACKGROUND

Council has established the following Informal Committees:

- Policy Review Committee
- Planning Committee
- Finance Committee
- Community Development Committee

A new Facilities Committee has also recently been established with Councillor Ebbeck as Chairperson and Councillor Malicki as the Deputy Chairperson with the respective positions being reconsidered in September 2007.

The following Advisory Committees were retained:

- Bushland, Catchments & Natural Areas Reference Group.
- Parks, Sport & Recreation Reference Group
- Companion Animals Advisory Committee
- Heritage Advisory Committee
- Access Committee
- Traffic Committee

## COMMENTS

Last year, Council elected the following Councillors as Chairperson/Deputy Chairperson of the Committees.

### Committees

#### Policy Review

Chairperson:	Councillor Ryan
Deputy Chairperson:	Councillor Andrew

#### Planning

Chairperson:	The Mayor
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Deputy Chairperson: Councillor Innes

**Finance**

Chairperson: Councillor Ryan  
Deputy Chairperson: Councillor Ebbeck

**Community Development**

Chairperson: Councillor Shelley  
Deputy Chairperson: Councillor Ebbeck

The Councillors on the following Advisory Committees either retained their position for a second year or were elected to the position last year.

**Advisory Committees**

**Bushland, Catchments and Natural Areas Reference Group**

The Charter states that "Appointments to the Reference Group will remain current for **two years** from the date of appointment".

Chairperson: Councillor Andrew  
Deputy Chairperson: Councillor Shelley

**Parks, Sport and Recreation Reference Group**

The Charter states that "Appointments to the Reference Group will remain current for **two years** from the date of appointments".

Chairperson: Councillor Ebbeck (2nd year)  
Deputy Chairperson: Councillor Malicki (2nd year)

**Companion Animals Advisory Committee**

The Charter states that "Appointments to the Committee will remain current for **two years** from the date of the appointments".

Chairperson: Councillor Shelley  
Deputy Chairperson: Councillor Ryan (2nd year)

**Heritage Advisory Committee**

The Charter states that "Appointment of Councillors and Community Representatives to the Committee is for a maximum of 2 years with nominations for community members to be called for every 2 years and for Councillors to be nominated **after a 2 year term** coinciding with the

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appointment of Councillors to committees following the election of the Mayor and Deputy Mayor or following the general elections - whichever occurs first".

Chairperson: Councillor Bennett (2nd year)  
Deputy Chairperson: Councillor Andrew (2nd year)

**Ku-ring-gai Access Consultative Committee**

The Charter states that "Nominations for Committee Membership will be called for by Council in February of each year."

Chairperson: Councillor Lane  
Deputy Chairperson: Councillor Innes

**Ku-ring-gai Traffic Committee**

There was no term of appointment for Chairpersons/Deputy Chairpersons specified in the resolution or the Terms of Reference for the Committee.

Chairperson: Councillor Lane  
Deputy Chairperson: Councillor Ebbeck

Should Councillors wish to step down from their roles on the various Advisory Committees, Council will need to elect replacements.

**CONSULTATION**

Not applicable.

**FINANCIAL CONSIDERATIONS**

Not applicable.

**CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Not applicable.

**SUMMARY**

Not applicable.

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## RECOMMENDATION

- A. That Council elect the Chairperson/Deputy Chairperson for the following Committees:
- Policy Review Committee
  - Finance Committee
  - Community Development Committee
- B. That Council elect the Deputy Chairperson for the Planning Committee.
- C. That Council elect the Chairperson/Deputy Chairperson for the following Committees, where necessary:
- Bushland, Catchments & Natural Areas Reference Group
  - Parks, Sport & Recreation Reference Group
  - Companion Animals Advisory Committee
  - Heritage Advisory Committee
  - Ku-ring-gai Access Consultative Committee
  - Ku-ring-gai Traffic Committee

Geoff O'Rourke  
**Senior Governance Officer**

John McKee  
**General Manager**

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## REPRESENTATION ON COMMUNITY COMMITTEES/ORGANISATIONS

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

For Council to make appointments to community committees/organisations.

**BACKGROUND:**

Not applicable.

**COMMENTS:**

Council is represented on a number of community bodies, which include community organisations of which Council is a stakeholder and Advisory Committees for various government departments.

**RECOMMENDATION:**

That Council make appointments to community committees/organisations as required and that the community committees and organisations be informed of Council's representatives.

## PURPOSE OF REPORT

For Council to make appointments to community committees/organisations.

## BACKGROUND

Not applicable.

## COMMENTS

Council is represented on the following community bodies and committees. Council is required to nominate representatives for each of these bodies.

<b>Committee/Organisation</b>	<b>Number to be appointed</b>	<b>Current Delegate/s</b>
The Ku-ring-gai Police and Community Safety Committee	1	Councillor Lane
Ku-ring-gai Meals on Wheels Inc	1	Councillor Ryan
Eryldene Trust	2	Councillor Anderson
RTA-Sydney Region Combined Consultative Forum	1	Councillor Lane
Hornsby/Ku-ring-gai Bushfire Management Committee	1	Councillor Andrew
Metropolitan Public Libraries Association	1	Councillor Hall
Rural Fire Service District Liaison Committee	1	Councillor Andrew
Hawkesbury/Nepean Local Government Advisory Group	1 plus 1 Alternate	Councillor Shelley
Northern Sydney Regional Organisation of Councils (NSROC)	Mayor plus 1 plus 1 Alternate	Councillor Malicki Councillor Cross Councillor Ryan
Ku-ring-gai Youth Development Service Inc Management Committee	1	Councillor Shelley

## CONSULTATION

Not applicable.



## **FINANCIAL CONSIDERATIONS**

Not applicable.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

All departments have reviewed the list of committees and bodies currently requiring representation.

## **SUMMARY**

Councillor representation on the external committees identified in this report is an important component of representing Council and the community's views on a range of matters relevant to Ku-ring-gai.

## **RECOMMENDATION**

- A. That Council make appointments to community committees/organisations as listed in this report.
- B. That the community committees/organisations be informed of Council's representatives.

Geoff O'Rourke  
**Senior Governance Officer**

John McKee  
**General Manager**

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## VARIATION TO EXISTING OFFSET LOAN

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council a proposal to vary an existing offset loan facility at its next rollover date.

**BACKGROUND:**

Council currently has two offset loans with the Commonwealth Bank of Australia. The loans have outstanding balances of \$1,040,000 and \$780,000 and mature on 15 June 2010 and 13 June 2009 respectively.

**COMMENTS:**

The existing arrangement with the offset loans results in Council paying a margin of 0.15% for the amount outstanding on these loans.

Council has opportunities to make investments that provide for higher returns than those being earned as part of the offset arrangement.

**RECOMMENDATION:**

That Council accept the terms of the two variable loans as outlined in the report.

That the General Manager and Acting Director of Finance and Business be delegated to authorise all relevant documentation in relation to the establishment of the two variable loans and the repayment of the existing offset loans.

## PURPOSE OF REPORT

To present to Council a proposal to replace existing offset loans with variable loans set at a margin above the bank bill swap reference rate.

## BACKGROUND

Council currently has two offset loans with the Commonwealth Bank of Australia. The loans have outstanding balances of \$1,040,000 and \$780,000 and mature on 15 June 2010 and 13 June 2009 respectively.

## COMMENTS

Under the terms of the offset facilities, interest rates on both the borrowing and the investment are reset each 180 days. The current rate of interest on the loan is 5.87% whilst the interest on the investment is 5.72%. The net effect is that Council pays a margin of 0.15% or 15 basis points on the amount outstanding on each of the loans.

Negotiations have taken place with the Commonwealth Bank of Australia and agreement has been reached whereby they will provide Council with variable loans in place of the existing offset loans without penalty of fees. Under the proposed arrangement the loan will convert to a variable loan and will be set at the 180 days bank bill swap reference rate (BBSW) plus 15 basis points. The terms of the two loans are as follows:

Amount to be financed:	Loan 1005	\$1,040,000
	Loan 1006	\$780,000

Purpose of finance:	Variation to existing offset rate loans
---------------------	---

Term:	Loan 1005	Maturity date 15 June 2010
	Loan 1006	Maturity date 13 June 2009

Council can also repay in full or in part, the variable loan on the expiry of any interest period subject to provision of at least two business days prior written notice. No early repayment fee will apply under such circumstances.

The funds that are currently held in the offset account can be utilised for alternate investments. Therefore, as long as the investment returns are more than the 180 day BBSW, Council will make a gain from renegotiating the terms of these loans. If returns exceed BBSW plus 15 basis points Council will make a net gain from investing borrowed funds. It is worth noting that the past two investments made by Council also have their returns linked to the BBSW and are both to be set at 80 basis points above the 90 day BBSW.

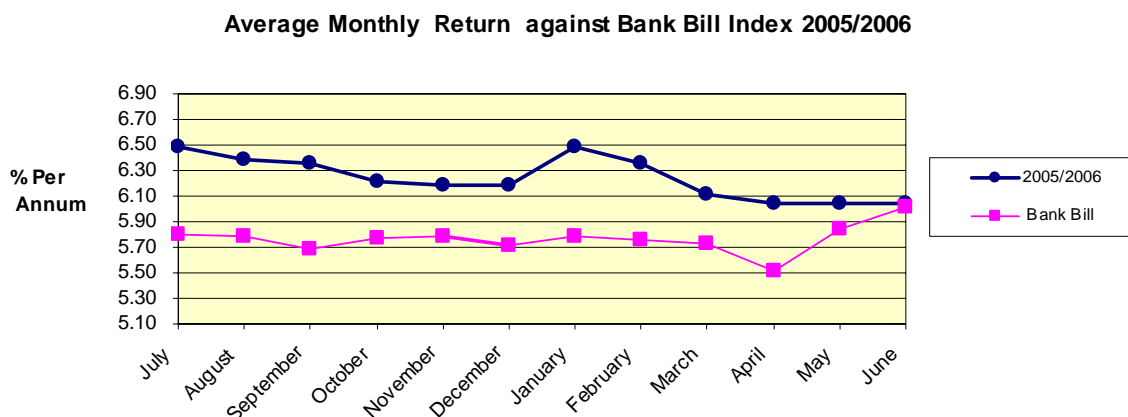
## CONSULTATION

Not applicable.

## FINANCIAL CONSIDERATIONS

Based on the current arrangement, Council in effect is only receiving a return of 5.72% on this investment and will always pay a margin of 15 basis points for the offset loans. With the implementation of the proposed variation, Council will be able to use the funds held under the loan offset facility to achieve returns estimated between 20 to 80 basis points above the benchmark

The following graph shows Council's portfolio performance in comparison to the benchmark for the last financial year.



## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

## SUMMARY

Council currently has two offset loans for a total value of \$1,820,000. Under the existing offset facility and proposed terms interest, is charged at a margin of 15 basis points set every 180 days against the prevailing 180 day BBSW rate.

Negotiations with the Commonwealth Bank of Australia have resulted in Council being able to establish two variable loans in place of the existing offset loans with no penalty of fees.

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The funds currently invested to offset the loans can now be utilised for other investments which it is anticipated will return more than the 180 day BBSW rate, resulting in a net gain to Council in terms of its borrowing costs and investment returns.

## **RECOMMENDATION**

- A. That Council accept the terms of the two variable loans as outlined in the report.
- B. That the General Manager and Acting Director of Finance and Business be delegated to authorise all relevant documentation in relation to the establishment of the two variable loans and the repayment of the existing offset loans.

John Clark  
**Acting Director Finance & Business**

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## INVESTMENT CASH FLOW & LOAN LIABILITY AS AT 31 AUGUST 2006

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To present to Council investment allocations, returns on investments and details of loan liabilities for August 2006.

**BACKGROUND:**

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (Financial Management) Regulation (1999) and Council's Investment Policy which was adopted by Council on 18 July 2006 (Minute No.254).

**COMMENTS:**

The Reserve Bank of Australia (RBA) increased the official cash rate from 5.75% to 6.00% during the month of August.

**RECOMMENDATION:**

That the summary of investments and loan liabilities for August 2006 be received and noted.

## PURPOSE OF REPORT

To present to Council investment allocations, returns on investments and details of loan liabilities for August 2006.

## BACKGROUND

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (Financial Management) Regulation (1999) and Council's Investment Policy which was adopted by Council on 18 July 2006 (Minute No. 254).

This policy allows Council to utilise the expertise of external fund managers or make direct investments for the investment of Council's surplus funds. This is done, as for many other councils, with the advice of Grove Research & Advisory Pty Limited.

## COMMENTS

During the month of August, Council had a cash inflow of \$6,850,000 and gross capital appreciation on Council's investments was \$204,600.

Council's total investment portfolio at the end of August 2006 is \$45,100,000. This compares to an opening balance of \$36,367,000 as at 1 July 2006.

Council's interest on investments for August year to date is \$388,200. This is less than the year to date budget of \$460,580 and is as a result of funds from the sale of Council's Depot not being received as anticipated.

Council's total debt as at 31 August 2006 is \$11,155,400. There were no debt repayments during the month of August.

## 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.

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▪ **Performance against the UBS Bank Bill Index**

This measures the annualised yield (net of fees and charges) for each of Council's portfolios. 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**

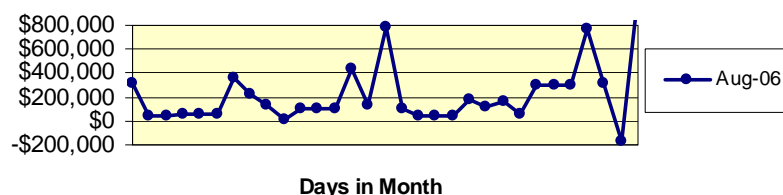
This represents the mix or allocation of surplus funds with each of Council's Fund Managers and direct securities.

Council's Investment Policy requires that not more than 35% of funds are to be with any one Fund Manager. All funds are kept below this required level of 35%.

**Management of General Fund Bank Balance**

During August, Council had an inflow of funds of \$6,850,000. Funds were received from the first rates instalment which fell due on 31 August 2006.

**Management of General Fund Bank Balance**



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

The weighted average return for the total portfolio year to date was 6.09% compared to the benchmark of the UBS Bank Bill Index of 6.08%.



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Issuer	Investment Name	Investment Rating	Invested at 31-Aug-06 \$000's	Period Return (%)	YTD Return (%)	% of Total Invested
Macquarie Bank	Macquarie Income Plus	A	11,316	6.61	6.05	25.09
Select Investments	Titanium AAA	AAA	2,000	6.92	6.92	4.44
Deutsche Bank	Deutsche Income	A	11,218	6.45	6.13	24.88
Perpetual	Perpetual Credit Income	A	10,614	6.05	5.95	23.54
BT	BT IMC	AAA	3,847	5.71	5.81	8.53
Bendigo Bank	Turramurra Community Bank	BBB	528	5.95	5.95	1.17
CBA	CBA Offset No1	AA-	780	5.76	5.76	1.73
CBA	CBA Offset no 2	AA-	1,040	5.76	5.76	2.31
Adelaide Bank	AAA SAVER	AAA	3,751	6.40	6.40	8.32
<b>TOTALS/WEIGHTED AVERAGES</b>			<b>45,094</b>	<b>6.35</b>	<b>6.09</b>	<b>100</b>

Matured/Traded Investments - Weighted YTD Average Return (%)

0.00

Weighted Average Overall Return Year To Date (%)

6.09

\*\* Benchmark Return: UBSWA Bank Bill Index(%)

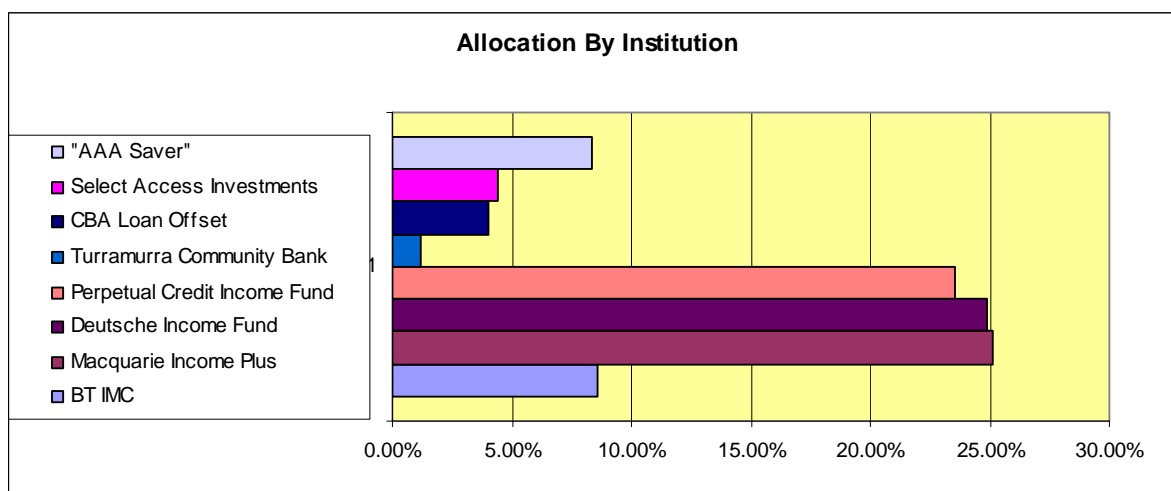
6.08

Variance From Benchmark (%)

0.01

## Allocation of Investment Funds

Council's funds during August were allocated as follows:

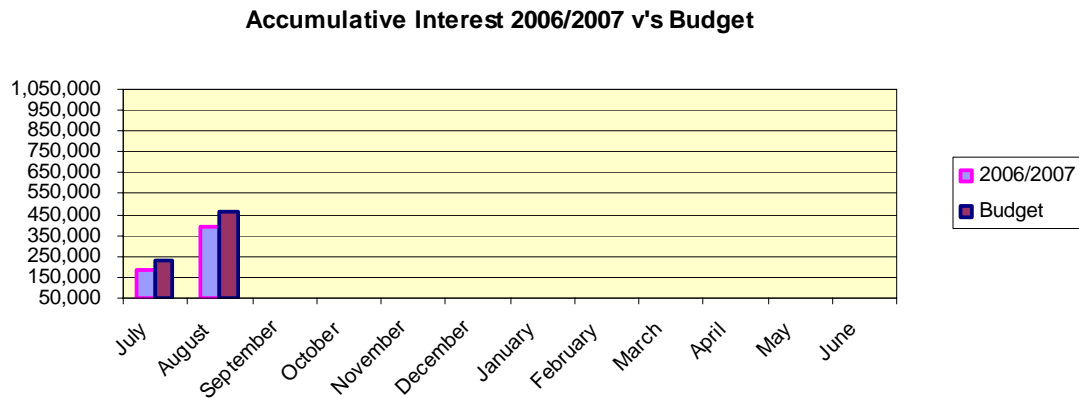


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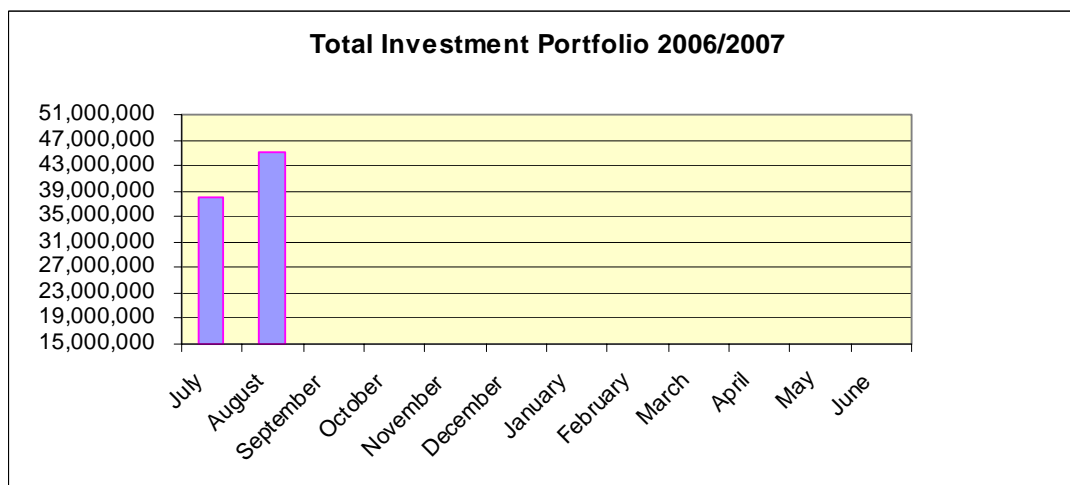
### Accumulative Interest

The following chart compares the interest earned on an accumulative monthly basis against the budgeted year to date forecast. At the end of August, year to date interest earnings totalled \$388,200 against a budget of \$460,600, a negative variance of \$72,400.



### Total Investment Portfolio

The following chart tracks the year to date investment portfolio balances for 2006/2007.



During August 2006 Council's investment portfolio increased by \$6,850,000.

Council's closing investment portfolio after interest and fees of \$45,100,000 in August 2006 is \$8,733,100 higher than the July 2006 opening balance of \$36,366,900.

## Item 14

S02722  
5 September 2006**Summary of Borrowings**

There were no loan repayments made in August leaving total debt at \$11,155,400.

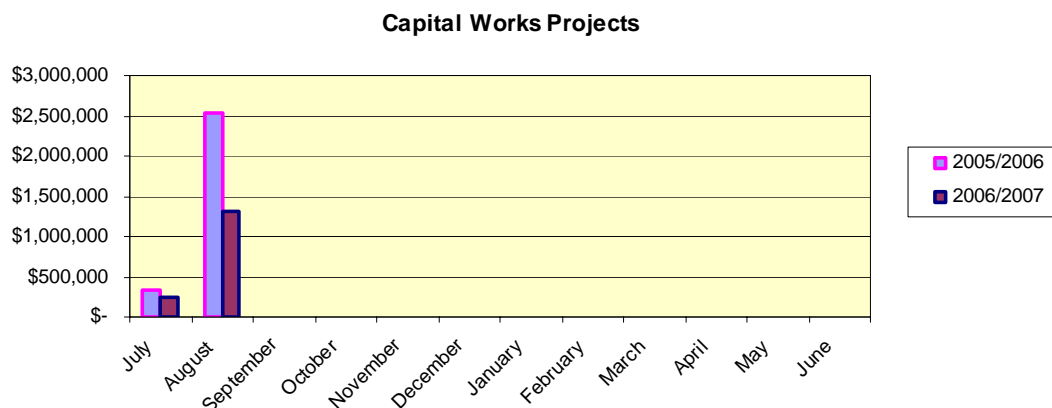
Lender	Loan Number	Original Principal	Principal Repayments	Balance Outstanding	Interest Rate	Draw Down Date	Maturity Date
Westpac	127	\$1,000,000	\$747,409	\$252,591	6.32%	29-Jun-98	29-Jun-08
CBA Offset No 1	128	\$2,600,000	\$1,820,000	\$780,000	5.87%	29-Jun-99	13-Jun-09
CBA Offset No 2	129	\$2,600,000	\$1,560,000	\$1,040,000	5.87%	13-Jun-00	14-Jun-10
CBA	130	\$2,600,000	\$1,099,393	\$1,500,607	6.32%	26-Jun-01	28-Jun-11
NAB	131	\$2,600,000	\$835,742	\$1,764,258	6.85%	27-Jun-02	27-Jun-12
Westpac	132	\$1,882,000	\$467,466	\$1,414,534	5.16%	27-Jun-03	27-Jun-13
CBA	133	\$1,800,000	\$276,017	\$1,523,983	6.36%	23-Jun-04	23-Jun-14
Westpac	134	\$1,600,000	\$120,575	\$1,479,425	6.05%	29-Jun-05	30-Jun-15
NAB	135	\$1,400,000		\$1,400,000	6.48%	30-Jun-06	29-Jun-16
<b>TOTAL</b>		<b>\$18,082,000</b>	<b>\$6,926,602</b>	<b>\$11,155,398</b>			

**Capital Works Projects**

During August 2006, Council expended \$1,060,800 on capital works, which compares to \$1,244,700 during August 2005, a decrease of \$183,900.

Council's 2006/2007 total revised budget for capital works is \$25,174,600, which leaves funds of \$23,873,400 unexpended at the end of August.

The following graph compares the gross accumulative monthly expenditure totals for capital works for financial years 2005/2006 and 2006/2007.



## CONSULTATION

Not applicable

## FINANCIAL CONSIDERATIONS

The Reserve Bank of Australia (RBA) increased the official cash rate from 5.75% to 6.00% during the month of August.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

Not applicable.

## SUMMARY

As at 31 August 2006:

- Council's total investment portfolio is \$45,100,000. This compares to an opening balance of \$36,367,000 as at 1 July 2006, an increase of \$8,733,100.
- Council's interest on investments totals \$388,200. This compares to the year to date budget of \$460,580.
- Council's total debt stands at \$11,155,400.

## RECOMMENDATION

That the summary of investments, daily cash flows and loan liability for August 2006 is received and noted.

## CERTIFICATE OF THE ACTING DIRECTOR FINANCE & BUSINESS

I certify that as at the date of this report the investments listed have been made and are held in compliance with Council's Investment Policy and appropriate legislation.

John Clark  
Acting Director Finance & Business

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## OPEN SPACE GRASS MOWING SERVICES - PREFERRED TENDERERS

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	For Council to consider the appointment of preferred contractors to deliver grass mowing services for Northside and Southside Location Description Schedule areas of our local government area..
<b>BACKGROUND:</b>	This report will outline the process followed through the Expressions of Interest invitation to tender and selection of preferred tenderers. The report will also provide details of the financial and non-financial selection criteria used in the assessment of tenders.
<b>COMMENTS:</b>	The tender assessment revealed two standout companies for the provision of grass mowing services.
<b>RECOMMENDATION:</b>	That Council support the recommendations of this report in providing grass mowing services for the Northside Location Description Schedule and the Southside Location Description Schedule for a period of up to five years.

## PURPOSE OF REPORT

For Council to consider the appointment of preferred contractors to deliver grass mowing services for Northside and Southside Location Description Schedule areas of our local government area

## BACKGROUND

On 18 July 2006 Council considered a report recommending a process for the selection of grass mowing service providers, to deliver the grass mowing service contracts for the defined areas known as Northside Location Description Schedule and Southside Location Description Schedule.

These two newly defined areas were established after a detailed review of the current contract areas previously defined as A, B, C and D.

The existing service providers for the current contract areas are:

Area A	Menoscape Pty Ltd
Area B & C	Marsupial Landscapes Management Pty Ltd
Area D	TK Services

The previous Council report outlines the status and term of the existing contractual arrangements and outlines the process followed in the review of the existing contract areas to establish the new contract areas and further details the proposed process for the selection of new service providers.

Council's resolution as a result of the Ordinary Meeting of Council 18 July 2006 is outlined in full below:

- A. *That Council endorse a selective tendering process, for the provision of grass mowing services for a period of up to five years.*
- B. *That Council maintains a frequency of thirteen (13) cuts per year for grass mowing services at three hundred and ninety (390) sites.*
- C. *That Council increase mowing frequencies from 13 to 16 cuts per year at thirteen (13) selected sites identified as high profile and as outlined in this report.*
- D. *That a future report be present to Council outlining the evaluation of preferred tenderers for grass mowing services.*

This report will outline the process followed through the Expressions of Interest invitation to tender, and selection of preferred tenderers. The report will also provide details of the financial and non-financial selection criteria used in the assessment of tenders.

## Item 15

S02977  
18 September 2006**Expressions of Interest and Tender Evaluation Process****Expressions of Interest**

An Expressions of Interest (EOI) was advertised in the Sydney Morning Herald on 27 and 29 June and 1 July 2006. The EOI closed at 2.30pm 18 July 2006 and 14 submissions were received.

An assessment panel was formed to assess the EOI submissions, comprising Senior Manager Open Space Services, Manager Open Space Operations and Parks, Sport and Recreation Technical Officer.

The panel reviewed each submission based on preselected criteria specifically related to service provision, environmental management, Occupational Health and Safety management, adequate staff structure, appropriate machinery and experience undertaking service provision of a similar nature and scope. The total score possible in response to these criteria was 60. A copy of an example of the assessment sheet including criteria can be found in **Attachment 1**. It was determined that only companies achieving a score of at least 50 would be recommended to be invited to tender.

As a result of the assessment of the EOI submissions, seven (7) companies were invited to tender for the provision of grass mowing services as outlined in a memo to the Director Open Space and Planning dated 19 July 2006, **Attachment 2 (Confidential)**.

A summary of the EOI assessments is detailed in the table below.

<b>Company Name</b>	<b>Score /60</b>	<b>Invited to Tender</b>
Marsupial landscapes Pty Ltd	56	Yes
Total Landscape Care	56	Yes
Menoscape Pty Ltd	53	Yes
Envirolands Landscape Contractors Pty Ltd	52	Yes
House with no steps	52	Yes
The Green Horticultural Group	51	Yes
TK Services	50	Yes
Furnass Landscapes	49	No
Nuleve Landscapes	47	No
ISS Facility Services	47	No
Landscape Direct	40	No
PCI Paul Cameron Industries	40	No
Emerald Lawn & Landscape	35	No
ATECH Property Maintenance	34	No

**Table 1: Summary of EOI assessment process**

**Invitation to Tender**

In accordance with Council resolution 18 July 2006, tender documentation was sent to seven (7) companies on Monday 24 July 2006 with a closing date for Tenders being 2.30pm on 15 August 2006.

## Item 15

S02977  
18 September 2006

Five tenders were received for the Northside Location Description Schedule and six (6) tenders received for the Southside Location Description Schedule. One company provided no tender by the due date, another company tendered only for the Southside Location Description Schedule and the remaining five tenderers provided a tender for both Northside and Southside Location Description Schedules.

**Tender Evaluation**

The tenders submitted were assessed by the same panel of staff who assessed the EOI submissions. The Tender called for specific information in relation to details already reviewed, as well as two key areas that were given considerable weighting in the assessment, being the cost for the service provision and feedback from relevant referees.

A total possible score of 100 was achievable and a copy of an example of the assessment sheet can be found in **Attachment 3**.

The process and results of the Tender assessment were submitted to the Director Open Space and Planning in a memo dated 18 August 2006. This memo includes a ranking and score for each response for each Location Description Schedule and tables outlining the cost for service provision of each Location Description Schedule for each response. A copy of this memo can be found in **Attachment 4 (Confidential)**.

A summary of the results of the Tender assessment can be found in the table below.

**Northside Area**

<b>Company Name</b>	<b>Score /100</b>
The Green Horticultural Group	91.1
Envirolands Landscape Contractors	81.2
Marsupial Landscapes	78.6
TK Services	68.5
Menoscape	60.4
The House with No Steps	No tender submitted
Total landscape Care	No tender submitted

**Southside Area**

<b>Company Name</b>	<b>Score /100</b>
Envirolands Landscape Contractors	81.2
Marsupial Landscapes	78.6
Menoscape	75.2
TK Services	68.5
The Green Horticultural Group	68.4
The House with No Steps	58
Total landscape Care	No tender submitted

**Table 2: Summary of tender assessment process**



## COMMENTS

The Tender assessment revealed two standout companies for the provision of grass mowing services, The Green Horticultural Group for the Northside Location Description Schedule and Hideaway Landscapes Pty Ltd trading as Envirolands Landscape Contractors for the Southside Location Description Schedule.

While the cost of the service provision was given appropriate weighting, it is also considered that the two companies will provide a value for money service, considering their staff structure, small plant and machinery and other benefits outlined in their tender documents. This is outlined in a memo to the Director Open Space and Planning dated 15 September 2006 , **Attachment 5**.

This information, in addition to financial considerations and Director's comments, further justifies the recommendation for these two companies as the successful tenderers.

## CONSULTATION

Community consultation has been outlined in previous Council reports in relation to the review of the existing contract areas and frequency of cuts.

## FINANCIAL CONSIDERATIONS

Please refer to confidential **Attachment 6** – Financial Considerations.

The prices quoted by the recommended preferred tenderers fit in with the existing budget allocation for this contract.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The Finance and Business Development Department was consulted regarding the EOI and Tender process.

Consultation throughout the EOI and tender evaluation process was limited to the panel members and the Director Open Space and Planning.

## DIRECTOR'S COMMENTS

Having reviewed the process and recommendations of the tender evaluation panel, I am satisfied that the tender process and assessment has been undertaken in accordance with the requirements of Council's procurement policy and the Local Government (General) Regulations 2005.

I concur with the panel's recommendation for the preferred tenderers.

## SUMMARY

The EOI and tender evaluation has been undertaken following an appropriate process and two standout tenderers have been recommended for the Northside and Southside Location Description Schedule.

## RECOMMENDATION

- A. That the Green Horticultural Group be identified as the preferred tenderer to provide grass mowing services for the Northside Location Description Schedule for a period of up to five years and Envirolands Landscape Contractors be identified as the preferred tenderer to provide grass mowing services for the Southside Location Description Schedule for a period of up to five years.
- B. That all tenderers be advised of Council's decision.
- C. That the Mayor and General Manager execute all relevant documents and the common seal of Council be affixed to all documentation.

Steven Head  
**Director Open Space and  
Planning**

Amanda Colbey  
**Senior Manager Open Space  
Services**

Matthew Drago  
**Manager Open Space  
Operations**

**Attachments:**

- 1. EOI Assessment Sheet - 643083**
- 2. Memo dated 19 July 2006 re EOI assessment - Confidential**
- 3. Tender Assessment Sheet - 649455**
- 4. Memo dated 18 August 2006 re tender assessment - Confidential**
- 5. Memo dated 15 September 2006 re additional information - Confidential**
- 6. Financial Considerations - Confidential**

## GRASS MOWING CONTRACT - EOI - ASSESSMENT OF SUBMISSIONS

*(internal evaluation, not for public distribution)*

Tendering Company Name:	
Contact Name & Tel. No:	

### Summary:

Question No.	Maximum Score 5 (0-5 range)	Actual Score	Requirements: Has applicant supplied adequate information for the following items:	Comment
1	5		Name of applicant and/or business name.	
2	5		Address, telephone number, mobile number, facsimile & email contacts.	
3	5		Detailed list of small plant & machinery to be used in fulfilling the contract.	
4	5		Environmental Management policy.	
5	5		Occupational Health & Safety Statement.	
6	5		White Card certification details.	
7	5		Financial standing of the applicant.	
8	5		Business experience in relevant field.	
9	5		Details of person/s responsible for the management of the Contract.	
10	5		Proposed levels of staffing relevant to this Contract.	
11	5		3 Professional References	
13	5		Relevant additional information.	
<b>Total</b>	<b>60</b>			<b>Rank:</b>

Signed: .....

Dated: .....



**GRASS MOWING CONTRACT - EOI - ASSESSMENT OF SUBMISSIONS**  
**RANKING** *(internal evaluation, not for public distribution)*

No.	Company Name	Suburb/ Town	Council Comments	EOI Score	Referees Contacted	Referees Comments	Rank

Signed: .....

Printed Name:

Dated:

**TENDER EVALUATION SHEET** *(internal evaluation, not for public distribution)*

Tendering Company Name:	
Contact Name & Tel. No:	

**Summary:**

No.	Requirement			Tendered Price		Maximum Weighting	Actual Score
1a	Yearly Contract Total Price for Location Description Schedule <b>NORTHSIDE</b> Contract.					28	
1.b	Yearly Contract Total Price for Location Description Schedule <b>SOUTHSIDE</b> Contract.					28	
2	Price & Schedule of Rates Analysis (Annexure H) (Council will assume these Schedule of Rates holistically form the principles for the actual contract, on a site by site area basis)						
	Machinery Description & Site Tidying Up	Labour Component	Site Specific Description	Tendered Price			
	Ride-on mower	1 operator	Level topography to Moderate slope	Rate per 60 minutes: \$		2	
	Ride-on mower	1 operator	<b>Steep topography</b>	Rate per 60 minutes: \$		2	
	Manual Cutter/whipper snipper	1 operator	Level topography to Moderate slope	Rate per 60 minutes: \$		2	
	Manual Cutter/whipper snipper	1 operator	<b>Steep topography</b>	Rate per 60 minutes: \$		2	
	Collection of branches, twigs & rubbish	1 operator	Level topography to Moderate slope	Rate per 60 minutes: \$		2	
	Collection of branches, twigs & rubbish	1 operator	<b>Steep topography</b>	Rate per 60 minutes: \$		2	
	General Vegetation & Litter Removal	1 operator	Level topography to Moderate slope	Rate per 60 minutes: \$		2	
3		Occupational Health & Safety Requirements Occupation, Annexure A.			Yes	No	
	1	Does the organisation have an OH&S <b>Policy</b> ?					2
	2	Does the organisation ensure that systems of work and the working environment of the employees are <b>safe</b> and without risks to health ?					2
	3	Does the organisation <b>provide such information</b> , instruction, training and supervision, as may be necessary to ensure the employees’ health and safety at work or in the workplace ?					2
	4	Does the organisation ensure that any <b>plant, machinery or substance</b> provided for use by the employees at the workplace is safe and without risk to health when properly used ?					2

	5	Is the organisation able to provide an OH&S <b>Safety Plan</b> in accordance with the Specification ?			2	
	6	Does the organisation have <b>documented procedures</b> to respond to an OH&S incident or emergency at work or in the workplace, as required under this Contract ?			2	
	7	If yes, have all staff received induction and competency <b>training</b> to ensure the appropriate application of these procedures ?			2	
	8	Have all staff received <b>White Card</b> Certification training ?			2	
	9	Have <b>White Card</b> Certification photocopies been attached ?			2	
	10	Has Annexure F, <b>Plant &amp; Machinery Resources</b> been completed.			2	
	11	Are the Plant & Machinery Resources listed considered <b>adequate</b> to meet the demands of the Contract ?			2	
<b>4</b>		<b>Environmental Management, Annexure B</b>	<b>Yes</b>	<b>No</b>		
	1	Does the organisation have an Environmental Management System ?			2	
	2	Does the organisation have an <b>environmental policy</b> ?			2	
	3	Does the organisation have a <b>waste reduction</b> policy and plan ?			2	
	4	Does the organisation have any other <b>environmental programs in place</b> ?			2	
	5	Does the organisation undertake environmental <b>audits</b> or monitoring programs ?			2	
	6	Does the organisation have documented procedures and provide regular environmental awareness and competency <b>training</b> for employees ?			2	
	7	Has the organisation, or your proposed sub-contractors, ever had any <b>Notices served</b> and/or judgments passed against it or them pursuant to State or Federal Government environmental legislation ?			2	
	8	Is the organisation able to <b>provide an Environmental Management Plan</b> in accordance with the Specification ?			2	
	9	Does the organisation have <b>documented procedures</b> to respond to an environmental <b>accident or emergency</b> for work, as required under the Contract ?			2	
<b>5.</b>		<b>Non-Price Factors in summary:</b>				
	1	Have <b>Annexures C, F &amp; H</b> been fully completed & submitted ?			0	
	2	<b>Annexure F</b> , Points 1 & 2 Are Company information & key staff details in order, and appropriate to level required ?			0	



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## BUSINESS CENTRES IMPROVEMENT PROGRAM

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### EXECUTIVE SUMMARY

<b>PURPOSE OF REPORT:</b>	To seek Council's endorsement of the Business Centres Improvement Program for 2006 to 2009.
<b>BACKGROUND:</b>	Council previously adopted a draft five year Business Centres Improvement Program. A number of these works have been completed.
<b>COMMENTS:</b>	With the preparation of the town centre plans it is not proposed to undertake any major upgrade works in each of the town centres as this is likely to be funded from developer contributions. Consequently, most of the works proposed relate to upgrades to the car parks and footpaths in several neighbourhood centres.
<b>RECOMMENDATION:</b>	That Council adopts the 2006 to 2009 Business Centres Improvement Program as attached to this report.



## PURPOSE OF REPORT

To seek Council's endorsement of the Business Centres Improvement Program for 2006 to 2009.

## BACKGROUND

In 2004, Council adopted a draft five year Business Centres Improvement Program which was aimed at improving the appearance of the Business Centres by incorporating new pavement treatments, improved traffic and pedestrian access, landscaping and street furniture. The replacement of the footpaths in the shopping centres was also considered to overcome damaged and uneven footpaths that could cause tripping hazards in busy shopping centres.

Works carried out in previous programs included:

- Gordon Shopping Centre along the eastern side footpath
- Lindfield Shopping Centre between Balfour and Bent Streets and 295 to 317 Pacific Highway on the northern side footpath
- Wahroonga shopping centre
- Grandview Street Pymble from 55 Grandview Street to Alma Street.
- Rohini Street, Turramurra
- Various minor works in the business centres

## COMMENTS

Whilst the previous draft program included works in the town centres, it is now appropriate that the program be reviewed.

As part of the town centre planning, it is proposed to prepare a public domain manual and undertake work in each of the town centres in accordance with the designs incorporated in the public domain manual. Funding for the work is expected to be covered by development contributions and as such, it is not proposed to undertake major works in any of the six town centres unless the work is considered necessary because of pedestrian safety reasons. An inspection of a number of the neighbourhood shopping centres was undertaken to assess the extent of work required to improve the conditions of some of the car parks and footpaths.

Any damaged sections of footpaths that require attention in the main town centres will be repaired using funds from the footpath maintenance budget.

**Attached** is a copy of the proposed 2006 to 2009 Business Centres Improvement program based on the annual allocation of \$185,000.

At this stage it is not proposed to develop the program beyond 2008/09 until all the town centre plans, public domain plans and funding details have been finalised.

## **CONSULTATION**

Consultation has taken place with the representatives of several neighbourhood centres where works are proposed.

## **FINANCIAL CONSIDERATIONS**

Council allocates \$185,000 per annum to improvement works in the business centres in its capital works program.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

Consultation has taken place with staff from the Planning department regarding the town centre planning.

## **SUMMARY**

Council previously adopted a draft five year program for footpath improvement works in several of the business centres. A significant number of these works have been completed.

However, as planning for the main town centres involves the development of public domain plans and associated development contribution strategies, it is not considered appropriate to undertake any works in the main town centres unless it is considered that sections of the footpaths are unsafe for pedestrians.

Attached is a proposed 2006 to 2009 Business Centres Improvement program which is aimed at undertaking works in the neighbourhood centres for areas that require attention and upgrades.

## **RECOMMENDATION**

That Council adopts the 2006 to 2009 Business Centres Improvement Program as attached to this report.

Greg Piconi  
**Director Technical Services**

**Attachments: Business Centres Improvement Program 2006 to 2009-671019**

# BUSINESS CENTRES IMPROVEMENT PROGRAM 2006 to 2009

TOWN CENTRE	LOCATION	EXISTING PAVEMENT	AREA m <sup>2</sup>	ESTIMATED COST	2006/07	2007/08	2008/09	Proposed Treatment
WAHROONGA	Railway Avenue to Coonanbarra Road	Asphalt	665	\$ 154,750	\$ 70,000			Completion of footpath and pedestrian crossing treatments
EAST LINDFIELD	Shopping Centre Car Park at Wellington Street	Asphalt	210	\$ 60,000	\$ 60,000			Heavy patch and resheeting of car park including landscaping and line marking
TURRAMURRA	Kissing Point Road Car Park	Asphalt	30	\$ 5,000	\$ 5,000			Upgrade of disabled access from car park to shops
WEST PYMBLE	Shopping Centre at Kendall Street	Concrete	250	\$ 60,000	\$ 50,000	\$ 10,000		Replacement of Concrete paving and repairs to furniture
GORDON	St Johns Avenue to Wade Lane northern side	Asphalt	140	\$ 35,000		\$ 35,000		Asphalt and pavers banding, landscaping and street furniture on northern side.
PYMBLE	Princes Street shops at Bannockburn Road	Concrete	230	\$ 55,000		\$ 55,000		Concrete and pavers banding, street furniture and retaining walls
STH TURRAMURRA	Shopping centre at Auluba Road	Concrete	200	\$ 50,000		\$ 50,000		Heavy patch and resheeting of car park including landscaping and line marking
TURRAMURRA	Eastern Road Shops at Tennyson Avenue	Asphalt	70	\$ 15,000		\$ 15,000		Replacement of failed asphalt parking bay with concrete paving
ST IVES	Warrimoo Avenue Shops near Dalton Road	Asphalt	330	\$ 50,000			\$ 50,000	Heavy patch and resheeting of car park including landscaping and line marking
WEST LINDFIELD	West Lindfield Shopping Centre	Asphalt and concrete	800	\$ 85,000		\$ 20,000	\$ 65,000	Resheeting of car parks, replacement of concrete paving where appropriate and new street furniture
EAST ROSEVILLE	Babbage Road shops and Rowe Street Car Park	Asphalt and concrete	220	\$ 30,000			\$ 30,000	Improvements to paving area in front of shops including landscaping and street furniture. Landscaping of car park and line marking
EAST KILLARA	Koola Avenue Shopping Centre	Asphalt	240	\$ 40,000			\$ 40,000	Heavy patch and resheeting of car park including line marking
				<b>\$ 639,750</b>	<b>\$ 185,000</b>	<b>\$ 185,000</b>	<b>\$ 185,000</b>	

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## **LINDFIELD CENTRE - DRAFT BUILT FORM CONTROLS FOR PRECINCT F (DROVERS WAY / BEACONSFIELD PARADE / GLADSTONE PARADE) AND PRECINCT P (WOLSELEY ROAD / TREATTS ROAD / RAILWAY)**

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### **EXECUTIVE SUMMARY**

#### **PURPOSE OF REPORT:**

To have Council consider and adopt the Draft Development Control Plan (DCP) controls for Precinct F (an area bounded by Drovers Way / Beaconsfield Parade / Gladstone Parade) and Precinct P (an area bounded by Wolseley Road / Treatts Road / Railway) in the Lindfield Centre prior to formal exhibition of the Draft Plans.

#### **BACKGROUND:**

At its meeting on 16 August 2006 Council considered and adopted the Draft Local Environmental Plan (LEP) and Draft Development Control Plan (DCP) for the Lindfield Centre for formal public exhibition. Council also resolved to undertake further planning on Precincts F and P prior to formal exhibition of the Draft Plans.

#### **COMMENTS:**

This report provides further detailed planning and design controls for Precincts F and P in the Lindfield Centre for Council's consideration and adoption for formal public exhibition.

#### **RECOMMENDATION:**

That Council endorse the draft site specific built form controls for Precincts F and P in the Lindfield Centre for formal public exhibition as outlined in the recommendation.

## PURPOSE OF REPORT

To have Council consider and adopt the Draft Development Control Plan (DCP) controls for Precinct F (an area bounded by Drovers Way / Beaconsfield Parade / Gladstone Parade) and Precinct P (an area bounded by Wolseley Road / Treatts Road / Railway) in the Lindfield Centre prior to formal exhibition of the Draft Plans.

## BACKGROUND

At its meeting on 16 August 2006 Council considered and adopted the Draft Local Environmental Plan (LEP) and Draft Development Control Plan (DCP) for the Lindfield Centre for formal public exhibition.

Council also resolved to undertake further planning on Precincts F and P in the Lindfield Centre prior to formal exhibition of the Draft Plans. Copies of Council's Report and Resolution of 16 August 2006 are included in **Attachment 1**. The relevant Resolutions for Precincts F and P read as follows:

Precinct F (Drovers Way / Beaconsfield Parade / Gladstone Parade)

*"Precinct F controls for the Development Control Plan be deferred from the Plan and a report be brought back to Council that clarifies the status of the riparian corridor and any amendments required to the Development Control Plan prior to the exhibition of the Draft Lindfield Local Environmental Plan."*

Precinct P (Wolseley Road / Treatts Road / Railway)

*"In relation to Precinct P Wolseley and Treatts Road, Lindfield that the draft development controls be prepared consistent with Option 2 in the officer's report. Development controls be reported to Council prior to the exhibition period. The land within the proposed R4 zone be allocated a FSR of 1:1 and a maximum height of 4 storeys and proposed R3 zone be allocated a FSR of 0.8:1 and a maximum height of 3 storeys in the draft Local Environmental Plan."*

Following Council's resolution of 16 August 2006, this report provides further detailed planning and design controls for Precincts F and P for Council's consideration and adoption for formal public exhibition. The documentation has been prepared by Council's Urban Design Consultant Hill Thalys, in consultations with staff and other specialist consultants. Feedback from community consultation including a mediation session for Precinct P has been considered and incorporated.

In addition, Council's traffic engineers and planners have undertaken further assessment of the traffic proposals for Precincts F and P. The traffic report in **Attachment 2** supports the recommended traffic proposals for these precincts and provides more detailed traffic analysis and recommendation.

## COMMENTS

### Site Specific Built Form Controls for Precinct F (Drovers Way / Beaconsfield Parade / Gladstone Parade)

#### *Background*

Precinct F is an existing 2(d3) zoned area characterised by single dwellings on steep site and has street frontages to Beaconsfield Parade, Drovers Way and Gladstone Parade, with predominantly residential apartment buildings to the east and single detached houses to the west.

This Precinct has been identified as containing a watercourse and riparian zone (**Attachment 3A**) consistent with Council's Riparian Policy 2004. This riparian zone is subject to ongoing review process and should be added to the Council's adopted Riparian Policy and associated map. The classification of this riparian zone under the Riparian Policy is recommended to be a Category 3 "Bed and bank stability / water quality" which has a core riparian zone of at least 10 metres from the top of each bank.

Council resolved on 23 May 2006 to rezone the existing 2(d3) sites in Precinct F to R4 High Density Residential. Following the Council's resolution, a number of planning options were developed and reviewed and a preferred option was included in the Draft DCP for Council's consideration and adoption for formal exhibition. However it was resolved at the Council Meeting of 16 August 2006 that the draft controls for this precinct be deferred for further clarification on the status of the riparian corridor through this area.

In response to Council's resolution of 16 August 2006, Council's Environmental Officers have undertaken a detailed site assessment of the riparian zone in this precinct. The report summarising the key findings and recommendations is included in **Attachment 3B**. Council's urban design consultant has also prepared revised draft built form controls incorporating the riparian zone for Council's consideration.

#### *Issues and opportunities*

The most significant factor for consideration in this precinct is the existing drainage corridor identified as riparian zone and to ensure revegetation and restoration of the channel. The riparian zone provides an opportunity for communal open space, visual amenity, water quality maintenance and habitat for local fauna.

Based on a detailed assessment of the existing situation and consideration of the objectives of the Riparian Policy, the following conclusions can be made:

- There is a poorly defined channel that would classify as a current riparian zone within Precinct F. It has been confirmed by site investigations that the existing drainage is mostly in an open channel form with some piping towards Drovers Way. There is a good potential for

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creation of a semi-natural riparian zone and stream “channel” and therefore water quality control and aquatic habitat.

- There are a number of large mature trees within the precinct which require protection and retention. These trees have been identified and assessed by Council’s Environmental Officers (**Attachment 3B**).
- The corridor has a recovery potential in terms of revegetation of indigenous species.
- The site is at the top of the catchment and therefore has a low flood risk.

New street connections are considered vital through this precinct with the increased density to improve the permeability of the area. There is an opportunity for a new street connecting Beaconsfield Parade and Drovers Way to provide pedestrian access and vehicular access (mainly local) to the car parks of future developments. This proposed connection will incorporate deep soil landscaping area for street trees to provide transition to the adjoining low density residential area to the east. Retention of the significant native canopy trees along the battle-axe access way off Beaconsfield Parade will also assist in providing a visual buffer between properties.

It is important to note that the provision of new open space and street connections should not result in any reduction in development yields for the current 2(d3) sites rezoned R4 zone within this precinct. Also the revised draft DCP controls comply with the height and FSR standard for this precinct in the draft Lindfield Centre LEP adopted by Council on 16 August 2006.

***Recommendations***

The draft building envelope controls for this precinct are shown in the Draft Lindfield Centre DCP Part 4 Precinct F (**Attachment 4**). In summary they are:

- Residential apartment buildings of 5 and 6 storeys with the higher buildings fronting part of Drovers Way and Gladstone Parade.
- 10-12m building setback for deep soil landscaping and significant trees along Beaconsfield and Gladstone Parades.
- 6-8m building setback to Drovers Way.
- Minimum building setback of 9m from the western edge of this precinct.
- New one way street with footpaths and street trees provided as part of the site redevelopment (**Attachment 2**). The existing significant native canopy trees along the battle-axe access way off Beaconsfield Parade will be incorporated within the street reserve.
- New linear open space along the riparian corridor provided as part of site redevelopment. Pedestrian access will be provided within this corridor.

In addition, the built form controls for the site requires all buildings to be set back at least 10 metres on either side of the riparian corridor. This creates a 20 metre wide predominantly landscape zone following the existing pipe line alignment. In conjunction with these requirements the following controls are also recommended to be included within Part 4 of the Draft DCP as site specific guidelines for Precinct F:

- Removal of existing pipe and creation of a new bed, bank and piping following the current alignment. The relevant guidelines are provided in **Attachment 3A**.

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- Protection of significant trees that have ecological and landscape character value.
- Private open space controls that limit the extent of private courtyards and ensure the riparian corridor is communal open space (and provides a habitat corridor).
- Restoration and revegetation of the riparian corridor with local indigenous plants.
- Allowance of a pierced vehicle crossing over the riparian zone if required consistent with the Riparian Policy.

**Site Specific Built Form Controls for Precinct P (Wolseley Road / Treatts Road / Railway)*****Background***

Precinct P is broadly bounded by Wolseley and Treatts Roads, the railway line and existing Ibbotson Park. It comprises the North Shore Synagogue and the Masada Infants and Primary School sites as well as single detached housing.

At its meeting 23 May 2006, Council resolved to rezone the entire precinct to R2 Low Density Residential. Upon the receipt of the Draft LEP from Council, the NSW Department of Planning has requested the removal of all lands proposed to be zoned R2 from the Draft LEP and an improved yield from all sites to be rezoned. In response to this request, the following three land use options were subsequently developed for Council's consideration based on the outcomes of the mediation session held on 27 July 2006 with relevant stakeholders:

**Option 1A:** The rezoning of the entire precinct to R3 Medium Density Residential.

**Option 1B:** Rezoning the precinct to R3 Medium Density Residential, with the exception of properties at 1, 3, 5, 7, 9 and 11 Treatts Road.

**Option 2:** Rezoning the precinct generally to R3 Medium Density Residential, with the exception of 6 lots owned by Masada which would be rezoned to R4 High Density Residential.

On 16 August 2006, Council resolved to adopt land use option 2 for Precinct P as per the officer's recommendation. The adopted land use option for Precinct P with a mix of R3 and R4 zoning is consistent with the Minister's direction and would provide increased density and housing choice while protecting the interface zone and providing the maximum public domain benefits. Accordingly, Council's urban design consultant has undertaken further work on Precinct P in regard to the built form proposals, traffic and access strategies and public domain and landscape improvements and presented a preferred draft plan to the Planning Committee on 19 September 2006.

***Issues and opportunities***

The development of townhouses permitted under R3 zoning is proposed along the street frontages to Wolseley and Treatts Roads to ensure that the neighbourhood character of the locality is preserved. The natural boundaries formed by the existing roads to this precinct will help to reduce interface impacts to the nearby low density residential area. Retention and enhancement of existing vegetation at the western edge of this precinct acting as a buffer will also assist in preserving the existing streetscape along Wolseley Road.



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Apartment buildings up to 4 storeys within proposed R4 zone are to be located towards the raised railway line. It is envisaged that the greater density proposed under R4 zoning would provide public domain benefit, such as the opportunity to improve open space by upgrading existing local parks and improvement to the permeability of the area by providing new connections.

There is a significant opportunity to rationalise the existing street configuration within this precinct. This includes reconfiguration of Council's owned Eleham Road which is currently closed off for the use of school as playground under a lease agreement. A new street connection running parallel to the railway corridor through the mid section of this precinct will improve the permeability of the area in terms of pedestrian and vehicular movement. The proposed future developments will need to address this street to provide passive surveillance and activities. The provision of the newly aligned road as a public road to Council could be achieved via a planning agreement under Section 93F of the Environmental Planning & Assessment Act or via Section 80A Condition of Consent.

**Recommendations**

The draft building envelope controls for this precinct are shown in the Draft Lindfield Centre DCP Part 4 Precinct P (**Attachment 5**). In summary they are:

- Residential apartment buildings up to 4 storeys within R4 zone towards the railway line and townhouses up to 3 storeys within R3 zone along Wolseley and Treatts Roads.
- Approximately up to 128 new dwellings in total with a mix of housing types.
- Predominantly 10m building setback for deep soil landscaping and significant trees along street frontage to Wolseley Road.
- Predominantly 10m building setback for deep soil landscaping and significant trees along street frontage to Treatts Road.
- Creation of new two way street connection with footpaths and street trees between Wolseley Road and Treatts Road as part of the site redevelopment (**Attachment 2**).
- Provision of active frontages to the new street connection.
- Improvement to existing Ibbotson Park.
- Possible sale or land swap of Eleham Road to gain additional public domain benefit in the locality.

These controls are consistent with the development standard contained in the Draft LEP for Lindfield Centre adopted by Council on 16 August 2006.

**Summary of Proposed Yields**

The final proposed residential yield for the Lindfield Centre in Draft LEP / DCP will increase from 516\* to 644\* dwellings with an additional of 128\*\* dwellings provided within Precinct P.

*\* This calculation does not include yield from existing medium density zones 2(d3), 2(d), 2(e), 2(f) or 2(h) or strata titled apartment buildings considered unlikely to change in the future.*

*\*\* This is calculated on the basis of an average of 110sqm per dwelling.*

## **CONSULTATION**

All property owners within and adjacent to the Precincts F and P have been notified of this report going to the Planning Committee on 19 September 2006 and to Council on 26 September 2006. In addition, all those on the planning email feedback register for Lindfield have been notified. This group comprises of interested residents, business owners, local groups and other stakeholders and includes those who attended the community workshop. Relevant information has also been placed on Council's website.

Matters raised at the 19 September 2006 Planning Committee Meeting have also been addressed in this report.

## **FINANCIAL CONSIDERATIONS**

Planning for the Lindfield Centre is covered by the Open Space and Planning Department budget.

## **CONSULTATION WITH OTHER COUNCIL DEPARTMENTS**

The integrated planning approach has ensured input from all Council departments throughout the project including Open Space and Technical Services advice.

## **SUMMARY**

At its meeting on 16 August 2006 Council considered and adopted the Draft Local Environmental Plan and Draft Development Control Plan for the Lindfield Centre for formal public exhibition. Council also resolved to undertake further planning on Precincts F and P prior to formal exhibition of the Draft Plans.

## **RECOMMENDATION**

That in accordance with Council's resolution on the Lindfield Centre Draft Local Environmental Plan and Draft Development Control Plan on 16 August 2006 the following amendments be made prior to formal exhibition:

- i. That Council endorse the draft site specific built form controls for Precinct F in the Lindfield Centre for the inclusion of Part 4 of the Draft Development Control Plan for formal public exhibition.

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- ii. That Council endorse the draft site specific built form controls for Precinct P in the Lindfield Centre for the inclusion of Part 4 of the Draft Development Control Plan for formal public exhibition.
- iii. That strategy diagrams in Part 2 of the Draft Development Control Plan be amended to be consistent with the proposed draft controls for Precincts F and P.
- iv. That the identified riparian zone in Precinct F be added to Council's adopted Riparian Map.

Ling Lee  
**Urban Design Architect**

Antony Fabbro  
**Manager Urban Planning**

Steven Head  
**Director Open Space &  
Planning**

**Attachments:**    **Attachment 1 - Copies of Lindfield report and resolution from 16 August 2006 meeting - 655021 & 653109**  
                          **Attachment 2 - Traffic Assessment report - 674485**  
                          **Attachment 3A - Proposed Riparian Corridor Map and Guidelines - 674021**  
                          **Attachment 3B - Report outlining detailed assessment of the riparian zone in Precinct F - 672611**  
                          **Attachment 4 - Draft Built Form Controls for Precinct F in the Lindfield Centre - 674569**  
                          **Attachment 5 - Draft Built Form Controls for Precinct P in the Lindfield Centre - 674573**

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## LINDFIELD CENTRE - DRAFT LOCAL ENVIRONMENTAL PLAN AND DRAFT DEVELOPMENT CONTROL PLAN

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### EXECUTIVE SUMMARY

**PURPOSE OF REPORT:**

To have Council consider and adopt the Draft Local Environmental Plan (LEP), Draft Development Control Plan (DCP) and associated strategies for the Lindfield Centre and submit the Draft Plans to the Department of Planning to seek their approval for formal exhibition of the Draft LEP and Draft DCP.

**BACKGROUND:**

The Minister has directed Council to prepare plans for additional housing in and around its town centres and to provide for retail and commercial activities to meet the needs of the local community.

**COMMENTS:**

Council has adopted an integrated, place-based approach to planning for the Lindfield Centre. This report provides a Draft LEP and Draft DCP and other strategies consistent with the Minister's Direction for Council's consideration.

**RECOMMENDATION:**

That Council endorse the Draft Plans for formal public exhibition as outlined in the recommendations.

## PURPOSE OF REPORT

To have Council consider and adopt the Draft Local Environmental Plan (LEP), Draft Development Control Plan (DCP) and associated strategies for the Lindfield Centre and submit the Draft Plans to the Department of Planning to seek their approval for formal exhibition of the Draft LEP and Draft DCP.

## BACKGROUND

Following Council's resolution of 23 May 2006, this report provides further detailed planning and urban design analysis, building envelopes, and feedback from a further range of studies on traffic, economic feasibility studies and stakeholder consultation. The key planning controls and documentation for the Lindfield Centre are presented including a Draft LEP and Draft DCP for adoption for formal public exhibition.

In a letter dated 27 May 2006, the State Government gave a direction (under Section 55 of the Environmental Planning and Assessment Act) to Council to prepare an LEP in relation to areas in and around existing retail and commercial centres in the rail / road corridor and St Ives Centre as Stage 2 of its Residential Development Strategy.

This requires Council to prepare plans for additional medium density housing, including shop top housing and re-evaluation of density controls on existing medium density zones. It also requires Council to provide for retail and commercial activities in centres to cater for the needs of the local community. In line with this direction, Council has finalised the planning for the Lindfield Centre as a Draft LEP and Draft DCP and associated strategies for Council's consideration prior to submitting the Draft Plans to the NSW Department of Planning seeking permission to formally exhibit the Draft Plans.

The planning documentation has been prepared by Council's integrated town centres team and specialist consultants. It includes traffic, parking and transport modelling, comprehensive urban design analysis, community facilities and open space planning, the framework for a preliminary public domain concept plan and independent economic feasibility analysis/testing of proposed development scenarios. A development contributions strategy is also being prepared to identify and allocate funding mechanisms to implementation. Continuing community engagement will relate these to whole-of-community aspirations for the Lindfield Centre.

Council's 2005-2009 Management Plan sets out the direction of Council in relation to planning for the commercial centres.

### Where do we want to be in 5 years?

*"This planning will provide a good foundation for Ku-ring-gai being a vibrant place to live in the decades ahead, while maintaining its unique character, natural environment and heritage. Integration of Council's planning will improve the liveability and vitality of local communities and the sustainability of the area. Council must respond to NSW Government and community demands*

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*for additional housing, greater housing choice and associated facilities, mindful of the need to enhance quality of life at Ku-ring-gai in the 21<sup>st</sup> century”.*

**What we will do this year**

Council's Management Plan identifies the following actions relevant to planning for the Lindfield Centre:

- Continue to implement Stage 2 of the Residential Development Strategy by preparing plans for major commercial centres;
- Review classifications of community landholdings in association with Stage 2 of the Residential Development Strategy;
- Prepare a comprehensive Public Domain Plan;
- Develop plans for Traffic Management and other forms of transport in the main centres.

**Measuring our achievements in 2005/2006**

- Finalise the Integrated Plan for Lindfield Centre.

Council considered and adopted a report on 7 February 2006 that sets out the key processes to have all 6 centres finalised by the end of 2006, including the Lindfield Centre.

**The Lindfield Centre Integrated Plan will:**

- Produce a DCP and LEP consistent with the community's values and vision, with requirements of the Ministers Section 55 Direction, LEP 194 and DCP 55, in accordance with best practice planning principals and SEPP65 and the NSW Residential Flat Design Code, the Draft NSW standard LEP template and the Metropolitan Strategy.
- Seek, engage and build-in community and relevant stakeholder values, during the formal exhibition of the draft plans.
- Following the exhibition of a Draft LEP and Draft DCP, review submissions and finalise a suite of planning documents for final adoption by Council and submission to the NSW Department of Planning, including a new Development Contribution Strategy, and action plans for Public Domain, Traffic & Parking, and Community Facilities.

**COMMENTS**

Summary of Council's resolved position on 23 May 2006:

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*“That Council adopt in principle the preferred Lindfield Land Use Plan as outlined in this report and in Attachment H, as amended, to guide future development of retail, residential, community and commercial activity within the Lindfield Centre.”*

A summary of Council’s adopted land use strategy (23 May 2006) for the Lindfield Centre is as follows:

Lindfield will be a Large Village as defined by the Metropolitan Strategy, and will comprise:

- approximately 20,000sqm of retail floor space including two supermarkets, one on the eastern side and one on the western side;
- new community facilities including a new 1,200sqm branch library on the eastern side.
- small scale commercial floor space within the retail core catering for professional offices, medical centres, and a range of other uses;
- around 2,100 new residential dwellings (including both RDS Stage 1 and RDS Stage 2) within a 600 metre radius of the centre;
- new green local parks on fringes of the commercial area to serve existing and future residents on both sides of the centre;
- a new village green on Drovers Way behind the shops with cafes and restaurants;
- a new town square on Tryon Road providing a central community meeting place;
- widened footpaths and street trees on major commercial streets.

Copies of Council’s reports and resolutions of 23 May 2006 are included in **Attachment 1**.

**Draft Development Control Plan**

The proposed DCP to apply to the Lindfield Centre will take the form of an amendment to the Draft Ku-ring-gai Town Centres Development Control Plan.

Recent amendments to Part 3 of Environmental Planning and Assessment Act have resulted in Council only being allowed to have one DCP applying to land covered by the Draft Ku-ring-gai (Town Centres) Draft LEP. This has resulted in the Draft Town Centre DCP being drafted as a comprehensive DCP, containing all development controls to apply to land covered by the Draft LEP. It is proposed to only amend Part 2 (Vision, Objectives and Strategies), Part 3 (Public Domain Controls) and Part 4 (Primary Development Controls) of the Draft DCP to incorporate the relevant master planning provisions for the Lindfield Centre. The remaining general provisions contained in the other parts of the Draft DCP (Parts 1 and 5 to 9) will also apply to Lindfield Centre and it is not proposed to make any amendment to those provisions except for car parking rates.

The new Section 74C of the Environmental Planning and Assessment Act, also clarifies that a DCP may not duplicate the provisions of an LEP, be inconsistent with an LEP, or contain provisions that prevent compliance with an LEP. Every effort has been made to ensure that the Draft DCP provisions applying to Lindfield satisfy the requirements of the Act, with the controls contained in the Draft DCP being consistent with the development standards contained in the Draft LEP.

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7 August 2006**Proposed DCP provisions for the Lindfield Centre**

A copy of the Draft DCP provisions to apply specifically to Lindfield Centre are contained in **Attachment 2**. These consist of the following components.

*Part 2: Vision, Objectives and Strategies*

This part contains the vision for the Lindfield Centre developed in conjunction with the community. It also presents a series of objectives and strategies guiding future character, form and function to help achieve the vision. It is intended that this part sets out a framework for the proposed controls and guidelines in Parts 3 and 4 by providing an understanding of the development context.

*Part 3: Public Domain Controls*

This part contains a set of controls and guidelines to help guide the public domain improvements in conjunction with the development of private land. It provides a strategic guidance for the desired future character of the public open space (existing and proposed) and streets within the Lindfield Centre.

The public domain controls are in the form of street by street controls and include controls/guidelines for street definition, parking, paving, street tree planting, street furniture, lighting and powerlines, whilst taking into consideration the potential of adjoining properties and public spaces. A Public Domain Manual and Town Centre Style Guide are also to be developed that will address detailed design requirements for public domain improvements and ensure consistency of design within and across centres.

*Part 4: Primary Development Controls*

Part 4 of the Draft DCP contains the provisions of the final detailed master plan that has been developed for the Lindfield Centre. The development standards contained in the Draft LEP are consistent with the Master Plan provisions and facilitate the enforcement of the Master Plan.

Part 4 of the Draft DCP includes site specific building envelope controls for each of the key sites within Lindfield. There is a focus on both mixed use and residential only development areas, to ensure desired built form outcome. These controls specifically respond to the resolutions of Council on 23 May 2006 and link these to the objectives and strategies set out in Part 2 that define the future urban structure for Lindfield.

The site specific controls are in the form of building envelopes which establish the allowable bulk, height and the position of development on each site. The primary development controls include controls for building use and ground floor activities, site amalgamation, building height, building depth and separation, building setback, building articulation, active frontage, vehicle access and deep soil zone/private open space. It is intended that this urban form methodology provides a greater certainty of outcome for Council, community and site owners.



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The building envelope control drawings are expressed through a combination of drawings (plans and sections) and text. Three-dimensional diagrams are also used to assist in the interpretation of the development guidelines and controls. It is important to note that a building envelope is not a building, but a three dimensional zone that limits the extent of a building in any direction. It defines the extent of the overall building zone in plan and section within which a future building can be located.

The Draft Master Plan has been determined through stakeholder consultation, a thorough urban design analysis and economic assessment. A feasibility model for some of the key sites is provided in the confidential **Attachment 3 – Lindfield Centre Economic Feasibility** prepared by BEM Property Consultants. The controls are also consistent with the Retail Strategy for Lindfield Centre. Council's economic feasibility consultant has provided preliminary verbal advice that economic testing is generally feasible in line with site model testing.

**Section 54 Notification**

The Draft LEP has been formatted to be consistent with the NSW Government gazetted the Standard Instrument (Local Environmental Plans) Order 2006.

In addition Council has received advice from the Department of Planning on 5 July 2006 in relation to the Section 54(4) notifications for Gordon, Pymble, Lindfield and Roseville. Authorisation has been issued subject to the conditions within the specific schedules for each centre.

A copy of the Lindfield Centre Schedule No. 2 – Lindfield Centre is **Attachment 4**. These required changes have been made and incorporated into the Draft LEP Amendment No. 2 and the relevant supporting documentation and maps as they apply to the Lindfield Centre.

Council will be required to submit the Draft LEP prior to a Section 65 Certificate being issued and to provide a copy of the certificate and accompanying instrument and maps when the LEP is exhibited.

**Precinct by Precinct Description**

A detailed discussion on how the proposed Draft DCP provisions respond to the planning considerations of the key sites is included below. This section is structured to provide a detailed account and analysis of the process of resolving the final building envelopes which form Part 4 of the Draft DCP as it applies to Lindfield Centre.

The analysis is undertaken on a precinct basis. Lindfield Centre has been divided into a number of precincts these are shown in **Attachment 5**. The final outcomes of this discussion are illustrated in Part 4 of the Draft DCP in **Attachment 2**.

Each subsection contains:

- Background (specific to the planning topic);
- Issues and Opportunities (assessment, feedback from testing and solutions);

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- Final analysis and recommendations (including the relevant LEP/DCP Controls or recommended actions).

**Precinct A – Lindfield Avenue / Kochia Lane / Tryon Road (including Council's Car Park)***Background*

Precinct A defines part of the core area of Lindfield Centre to the east which is in close proximity to the railway station and is generally bounded by Lindfield Avenue, Tryon Road, Kochia Lane and Milray Street. The area is currently zoned under KPSO 3(b)-(B2) Commercial Services with an allowable FSR of 1:1.

This key precinct includes heritage listed shops fronting Lindfield Avenue (1-21 Lindfield Avenue), Council's car park with a total of 135 car spaces and a 2-storey commercial development (12-18 Tryon Road) including Council's baby health centre and basement parking of approximately 95 car spaces.

The existing heritage building features a 2 storey section with a pitched roof flanked by three storey end bays with parapet roofs. It is considered significant for its aesthetic and representative qualities owing to its overall form and detailing, as an excellent example of an Inter War Mediterranean style commercial building. However the rear façade fronting Chapman Lane is dominated by series of garages and alterations which are unsightly and detract from the aesthetic qualities of the building. A photo of the existing rear elevation is shown in **Attachment 6A**.

In regard to the existing heritage building (1-21 Lindfield Avenue), Council resolved that it would remain as a heritage item and is to be redeveloped in accordance with the following resolution:

*"That any development to the Spanish Mission heritage-listed shops bounded by Lindfield Avenue, the Minister's site in Lindfield Avenue, Council's car park and Tryon Road contained in Precinct K (now Precinct A) and proposed to be zoned B2 be sympathetic to the heritage value of the shops and not adversely impact on the appearance, views, façade or fabric of the existing buildings on all four sides."*

Council's heritage consultant City Plan Heritage has undertaken detailed assessment of the external fabric of the existing heritage building to identify the opportunities and constraints for redevelopment. The full report is included in **Attachment 6B**.

Council resolved on 23 May 2006 that this precinct be rezoned to B2 Local Centre to provide a mix of retail, commercial, shop top housing, community facilities and open spaces.

Council also resolved to create a new Town Square (on the Tryon Road car park site) and to provide basement public parking with some parking retained at grade. The relevant resolutions read as follows:

*"That in regard to the Council car park site in Tryon Road that any underground car parking allow for adaptive reuse of the area as a green space (as indicated on the land use strategy*

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*map) and that such green space have the capacity to support appropriate landscaping including trees on the site.”*

*“That in regard to the Council car park site in Tryon Road that sufficient at-grade parking is provided for ‘express’ use of the shops and for people with disabilities.”*

Council’s urban design consultant Hill Thalys has prepared a number of options for the existing commercial building at 12-18 Tryon Road and a preferred option was presented to the Planning Committee.

Contact has been made on a number of occasions with Body Corporate representatives and some of the strata owners of the commercial building. The owners have expressed interest in extending over the existing building, which was initially designed to allow for future expansion. The owners have also raised the concern that the provision of future parking under the existing building may not be a feasible option. A submission was also received regarding their proposal to redevelop up to 9 storeys and is included in **Attachment 7A and Attachment 7B**.

These draft plans have been reviewed and the following comments are provided:

- Height, bulk and scale of the building and potential impact of the 9 storey building on the proposed square and adjoining sites including the residential area along Tyron Road. This will not provide for the desired transition from the 7 storey Minister’s site in Lindfield Avenue to the surrounding 5 storey residential development in Tryon Road and Milray Street.
- The maximum of 7 storeys contained in the Draft LEP and DCP controls will provide approximately 40 units on the sites. The Body Corporate’s position that 9 storeys is required to provide sufficient additional housing to satisfy the Minister’s direction is not supported.
- The area of the town square will be reduced and its role and function will be significantly changed with the location of the library in the proposed town square area. The library will be isolated from other key activity areas within the precinct.
- The costs of 3 levels of underground parking on Council’s site and how parking is to be funded and allocated requires further resolution.
- The proposal seeks to incorporate Council owned land in Kochia Lane without returning a net public benefit in the form of a library or other community space. Council’s initial economic feasibility testing of the proposed draft LEP and DCP controls indicates that the scheme is feasible, with the Council owned land being used to offset the provision of the Library space within the redevelopment of the site.

### *Issues and opportunities*

During the development of the public domain and built form controls for the precinct, the following were identified and considered:

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- There is significant opportunity to create a place of strong community focus on Council's owned land with the proposed new town square. This space has some potential to provide landscaping and areas for significant trees within the commercial centre.
- Undergrounding of power lines and widening of landscaped strip along Tryon Road.
- Opportunity for new additions to the rear of the existing heritage building along the Chapman Lane boundary at street level to replace existing garages. It is considered important to provide an active facade which addresses the proposed town square, whilst maintaining the heritage significance of the building.
- Parking concession required to give incentive for sensitive and viable redevelopment of the existing heritage building.
- Proposed Council's basement parking could be linked to the surrounding developments, including future development at the Minister's site along Lindfield Avenue.
- Existing commercial development at Tryon Road has the potential to expand with new upper levels to provide commercial, shop top housing and community facilities. The future parking requirement could be incorporated into the adjoining proposed basement parking for Council.
- The shop top housing must be configured to achieve good solar access and amenity for residents and minimal overshadowing impacts on public areas.
- Council's community facilities (including new library) could be relocated to this precinct based on the following rationale:
  - They would be located within the area currently targeted for significant increased density thus promoting a walkable community that reduces pressure on vehicle use;
  - Potential for new library to address an active public open space;
  - Easy, level access from Tryon Road and the railway station;
  - Visibility from public streets and public open space;
  - Quieter environment;
  - Safer environment for children and older residents;
  - Users can incorporate trips to retail centre as well as Council facilities in one stop;
  - Potential focus / destination for a new public open space while providing opportunities to the retail sector;
  - Would be located centrally to the existing high density residential zones whose new residents will contribute to the success of the vibrant village centre and provide ready patronage to a new library/other Council facilities;
  - Car parking can be more easily incorporated.

*Final analysis and recommendations*

The draft public domain and building envelope controls are shown in the Draft Lindfield Centre DCP Part 3 and Part 4 Precinct A and are summarised as below:

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- Retention of properties 1-21 Lindfield Avenue as heritage item with proposed new retail frontage (eg. cafes and restaurants) at the rear fronting Chapman Lane. A photo montage is included in **Attachment 6A** showing one of the possible redevelopment options. The future redevelopment must comply with the following guidelines:
  - Any major additions to the building should be distinct from the original building form and simple in detail so as to not dominate the aesthetic and built form character of the item.
  - Any additions to the building must allow for conservation works to the façade, side elevations and the end bays.
  - Additions should not be apparent from the Lindfield Avenue streetscape.
  - No additions to the roofs of the end bays.
  - The principal roof elements should be retained including the pitched roof and the parapet roofs.
  - There is the opportunity for additions to the rear between the end bays. The additional building form must not project forward of the rear alignment of the end bays. The maximum height is 1 level above the rear eaves line of the central pitched roof.
  - There are to be no additions forward of the ridge of the pitched roof. Any additions that are higher than the roof ridge are to be setback behind the line of the eaves of the rear roof pitch.
  - Additions to the upper levels on the rear elevation should not be set forward of the alignment of the end bays. Any new building form should be recessed adjacent to the end bays to provide physical separation and distinction between new and old elements.
- It is proposed that redevelopment of existing Council's car park site will include:
  - A new basement public parking to accommodate both existing and future parking requirements;
  - Proposed town square of approximately 2,680sqm.
- The redevelopment of the existing commercial building (12-18 Tryon Road) will provide:
  - Approximately 1,500sqm GFA of community space to include a new enlarged library of 1,200sqm possibly on the 2nd floor with direct ground level access;
  - Up to 37 residential apartments over the existing building;
  - Additional commercial space of approximately 2,200sqm GFA;
  - Additional basement parking to meet the requirements;
  - Building heights between 5 and 7 storeys (3 and 5 storeys over the existing building) with the higher component fronting proposed town square.

**Precinct B – Pacific Highway / Railway (including existing Lindfield Library Site)***Background*

Precinct B is a parcel of land between the Pacific Highway and the railway line, defined by Tryon Place to the north and Strickland Avenue to the south. The precinct is a key site due to its visual

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prominence from the road and rail and is within walking distance of the railway station. A mix of building heights and styles creates an unattractive presentation to the highway.

Various zones apply to the lands within this precinct, including:

- The northern end of this precinct (305-329 Pacific Highway / 1-5 Tryon Place) contains 3(a)-A2 Retail Services lands with retail shops fronting both Tryon Place and Pacific Highway and 3(b)-B2 Commercial Services lands (283-303 Pacific Highway) with relatively recent commercial developments for offices and showrooms. Both zones permit FSR of 1:1 under the KPSO.
- The middle section of this precinct (251-271 Pacific Highway) is zoned 5(a) Special Uses (municipal purposes) and owned by Council, incorporating a 300sqm Lindfield Branch Library, seniors citizens centres, tennis courts and affordable housing for a number of aged residents (Arunga Units). Some public parking is available on site.
- The southern end of this precinct (239-257 Pacific Highway) currently zoned 2(d) Residential contains existing 2-3 storey strata title apartment buildings which are unlikely to redevelop.

Council's Library Facilities Study by Dr David Jones, Building and Planning Advisory Service, State Library NSW, concludes that the existing branch library is unsatisfactory as it is too small and very poorly designed, and it should be demolished whether or not the site is used for a new library. The study further recommends construction on the current site or the Woodford Lane car park of a new community facilities building. In addition, the study indicates that there are some reservations about the positioning of the site as the driveway is on a busy main road and is just beyond a bend, and this may be problematic for a community facility likely to be used by many hundreds of people per day.

Council resolved on 23 May 2006 that this precinct be zoned as B2 Local Centre to provide a mix of uses including community facilities. The relevant resolution read as follows:

*"That Precinct H [now Precinct B] (the library site) be investigated for its open space potential as well as community facilities."*

Council's urban design consultant in consultation with staff and traffic consultant has prepared a number of options for this precinct which have been reviewed and a preferred option was presented to the Planning Committee.

The preferred option has recommended relocation of the existing Council owned facilities within this precinct to more central locations on B2 zone within Precincts A and C currently targeted for significant increased density. This recommendation is consistent with Council's resolution as follows:

*"That opportunities for community facilities as per Council's adopted Community Plan be specifically allowed for in Precincts F (now Precinct C), H (now B) and K (now A) in the areas zoned B2."*

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During the development of the public domain and built form controls for the precinct, the following were identified and considered:

- Opportunity for a landmark development around Tryon Place with good proximity to the railway station and high visibility from the rail and road.
- Tryon Place could benefit from significant public domain improvements and become a car free zone, as it is in a very high pedestrian activity area of Lindfield.
- The Council's library site could be redeveloped to fund the relocation of on site services and facilities. The existing aged housing within the site could be retained and incorporated into the future redevelopment.
- Review of vehicular site access requirements in conjunction with RTA to accommodate the increased densities in the area.
- Extension of the existing rear lane to provide access to any future development.
- The development fronting the highway is to have adaptable 1<sup>st</sup> floor with higher ceiling height to cater for small professional offices.

*Final analysis and recommendations*

The draft public domain and building envelope controls for the precinct are shown in the Draft Lindfield Centre DCP Part 3 and Part 4 Precinct B. In summary they are:

- Maximum building heights of 5 to 7 storeys with higher building at Tryon Place adjoining the railway station;
- Up to 1,160sqm NFA of retail space and 7,330sqm GFA of commercial space in total;
- Approximately 146 new dwellings in the form of shop top housing;
- Reconfiguration and extension of existing rear lane to link to Pacific Highway and Strickland Avenue. New connection / extension is to be achieved as part of site redevelopment should redevelopment of those sites occur in the long term. Should this not be able to be realised access through Council's existing site can be further investigated;
- New additional connections between existing rear land and the highway provided as part of site redevelopment;
- Proposed closure of Tryon Place to traffic, to create a pedestrian plaza.

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Precinct C defines the central retail core of Lindfield Centre to the west which is broadly bounded by Pacific Highway, Bent Street, Beaconsfield Parade and is in close proximity to the railway station. The streetscape along Pacific Highway within the core area is characterised by the inconsistent theme in built form, colour and signage.

This key precinct incorporates a traditional main street retail area currently zoned 3(a)-(A2) Retail Services and a Council car park of a total of 72 spaces (at the rear of the shops) currently zoned 5(a) Special Uses (parking). There is also an existing Scout Hall on 2(c2) zoned land, adjacent to the Council car park on Woodford Lane.

The retail strip fronting Pacific Highway is particularly constrained in terms of redevelopment as a result of fragmented ownership and the narrowness of some of the sites restricts basement parking.

Council resolved on 23 May 2006 that this precinct be rezoned to B2 Local Centre to provide a mix of retail, commercial, shop top housing, community facilities and open spaces. A big proportion of Council's car parking will be relocated to basement parking with some retained at grade.

Council's urban design consultant in consultation with traffic consultant has prepared a number of options for this site which have been reviewed, in terms of economic feasibility, and a preferred option was presented to the Planning Committee.

*Issues and opportunities*

During the development of the public domain and built form controls for the precinct, the following were identified and considered:

- There is a significant opportunity to create a new civic space on council's car park site on the western edge of the town centre which will act as a village green and allow for the retention of significant existing trees.
- The council's car park site could be redeveloped to provide a visually-appealing and functional multipurpose facility including a library of the required size, youth space, senior citizens' space, multipurpose spaces and a residential component which could help to fund the project.
- Some opportunities exist for redevelopment of the main street retail area particularly at the rear of the shops to address the new proposed civic space.
- The redevelopment of retail strip fronting Pacific Highway will require certain lot amalgamations to provide basement parking.
- The development fronting the highway is to have adaptable 1<sup>st</sup> floor with higher ceiling height to cater for small professional offices.



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- The shop top housing fronting the highway must be configured to achieve good amenity for residents based on noise planning principles.
- Existing Drovers Way through the car park should be reconfigured to improve the efficiency of the site for future development.
- Deep soil landscaping with trees will be incorporated as part of the street.
- Improvement to the existing service lane including provision of new footpaths and lighting.

*Final analysis and recommendations*

The draft public domain and building envelope controls are shown in the Draft Lindfield Centre DCP Part 3 and Part 4 Precinct C and are summarised as below:

- It is proposed that redevelopment of existing Council's car park site on Woodford Lane will include:
  - New basement public parking to accommodate both existing and future parking requirements;
  - Proposed Woodford Lane Town Park / Square of approximately 1,195sqm;
  - Approximately 1,900sqm GFA of community space to include a new multi-purpose community centre;
  - Approximately 12 dwellings (possibly aged care residential) over the proposed community centre.
- The main street retail area will have:
  - Approximately 7,170 sqm NFA of retail space on the ground floor in total;
  - Possible 1<sup>st</sup> floor commercial space to cater for small professional offices;
  - Up to 101 residential apartments above the retail.
- Building height limit of 5 storeys applies to all developments.
- Realignment and reconfiguration of Drovers Way to create a new street connection with deep soil landscaping for street trees between Beaconsfield Parade and Bent Street. New connection / extension is to be achieved as part of site redevelopment.
- Existing Scout Hall building is to be retained and upgraded for future community uses.

**Precinct D – Bent Lane***Background*

The precinct is predominantly defined as the area bounded by Pacific Highway, Balfour Street and Bent Street with a combination of commercial and residential areas as follows:

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- The commercial lands currently zoned 3(a)-A2 has a frontage to Pacific Highway with shops and offices serviced by Bent Lane at the rear. The retail strip is particularly constrained in terms of redevelopment as a result of fragmented ownership and the narrowness of some of the sites restricts basement parking.
- The residential areas to the west of Bent Lane include a retirement village on 2(b) lands and a relatively new townhouse development on 2(e) lands. These sites have been built out and are unlikely to redevelop.

Council has resolved to change the existing 3(a)-A2 zone to B2-Local Centre zone to allow shop top housing. Part of the resolution read as follows:

*“The area bounded by Pacific Highway, Bent Street, Bent Lane and Balfour Street... be amended to a B2 Local Centre zoning.”*

*Issues and opportunities*

During the development of the built form controls for the precinct, the following were identified and considered:

- The redevelopment of retail strip fronting Pacific Highway will require certain lot amalgamations to provide basement parking.
- The shop top housing fronting the highway must be configured to achieve good amenity for residents based on noise planning principles.
- The development fronting the highway is to have adaptable 1<sup>st</sup> floor with higher ceiling height to cater for small professional offices.
- Improvement to the existing service lane including provision of new footpaths and lighting.
- A new street between Balfour Street and Bent Street is desirable to improve permeability.
- Deep soil landscaping with trees will be incorporated as part of the new street.

*Final analysis and recommendations*

The draft building envelope controls for this precinct are shown in the Draft Lindfield Centre DCP Part 4 Precinct D and are summarised as below:

- The retail strip area within B2 Local Centre zone will have:
  - Approximately 1,550sqm NFA of retail / commercial space on the ground floor in total;
  - Possible 1<sup>st</sup> floor commercial space to cater for small professional offices;
  - Up to 27 residential apartments above the retail;
  - 5 storey building height limit;

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- Proposed widening to Bent Lane with new footpaths implemented as part of site redevelopment.
- A maximum building height of 5 storeys to R4 High Density Residential zone and 3 storeys to R3 Medium Density zone.
- New street connection with deep soil landscaping for street trees between Balfour Street and Bent Street provided as part of the redevelopment of R4 sites.

**Precinct E – Pacific Highway / Balfour Lane (including Coles Supermarket Site)***Background*

Precinct E is broadly defined by Holy Family Catholic School / Church to the north, Pacific Highway to the east, Balfour Street to the south and single dwelling areas to the west and is being anchored by a supermarket of approximately 900sqm NFA.

The commercial area fronting Pacific Highway is currently zoned 3(a)-A2 Retail Services and is occupied by a supermarket, a few shops and offices and an electricity substation with rear service access via Balfour Lane. The existing 2(d3) site behind the commercial area is currently used as car park for the supermarket.

There is an existing heritage item along the highway (388-390 Pacific Highway). It is considered significant for its aesthetic and representative qualities owing to its overall form and detailing, as an excellent example of an Inter War Old English style commercial building that has a long association with retailing in this locality.

Council's heritage consultant has undertaken further investigation and research on the existing heritage item and has recommended the retention of heritage listing with a potential for future adaptive reuse.

Council has resolved to rezone the precinct to B2 Local Centre to allow a mix of uses including retail, commercial and residential.

Council's urban design consultant in consultation with the traffic consultant has prepared a number of options for this precinct which have been reviewed and a preferred option was presented to the Planning Committee.

A meeting has been held with the land owners and their representative for the supermarket site (376-384 Pacific Highway). The owners have expressed interest in redeveloping their site and are favourable to the proposed strategy to relocate the existing laneway. There was also a meeting with the adjoining heritage building site (386-390 Pacific Highway) regarding the future status of the heritage building and the development potential for the site as a whole.

Notification has also been received from Energy Australia to confirm that the substation (402 Pacific Highway) is likely to remain on site and will be upgraded as required.

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- Some sites are likely to be amalgamated for redevelopment to include a full line supermarket and boutique shops, shop top housing, commercial space as well as basement parking.
- Future development adjacent to the existing heritage item should maintain a sympathetic context for the heritage item.
- Realignment of Balfour Lane is required to facilitate the redevelopment.
- The development fronting the highway is to have adaptable 1<sup>st</sup> floor with higher ceiling height to cater for small professional offices.
- The shop top housing must be configured to achieve good solar access and amenity for residents and minimal overshadowing impacts on public areas.
- The residential component should be positioned away from the existing substation.
- Minimise building heights to the west adjoining the low density residential areas.
- Need to consider the isolated site (406 Pacific Highway) between the substation and the school currently occupied by existing cottage used as commercial premises.
- Opportunity to rationalise existing vehicular access to the school / church currently via Balfour Lane.

*Final analysis and recommendations*

The draft building envelopes controls for the precinct are shown in the Draft Lindfield Centre DCP Part 4 Precinct E. In summary they are:

- Approximately 3,230sqm NFA of retail space on the ground floor to include a large supermarket of approximately 2,500-3,000sqm;
- Up to 2,920sqm GFA of commercial space on both ground and 1<sup>st</sup> floors;
- Up to 58 new dwellings in the form of shop top housing. Note that 33 dwellings are currently permitted on LEP 194 site (existing car park);
- Building heights of 5 storeys fronting Pacific Highway and 3 storeys at the rear to the west;
- Existing heritage item at 388-390 Pacific Highway is to retain its heritage listing but could be redeveloped by conserving the front portion of the building including the roof form. Full report outlining a comprehensive heritage assessment and guidelines are included in **Attachment 6C**;

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- Realignment and reconfiguration of Balfour Lane should the sites be amalgamated. Deep soil landscaping with street trees will be incorporated within new street.

**Precinct F – Beaconsfield Parade / Gladstone Parade***Background*

The precinct is an existing 2(d3) zoned area defined by Beaconsfield Parade, Drovers Way and Gladstone Parade, and adjoins single dwelling areas to the west. These 2(d3) sites are predominantly characterised by single dwellings on large parcels of land and have a high rate of unrealised development potential.

Council has resolved to rezone the precinct to R4 – High Density Residential to be in line with the new LEP template.

*Issues and opportunities*

- Council's urban design consultant in consultation with the traffic consultant has prepared a number of options for this precinct which have been reviewed and a preferred option was presented to the Planning Committee.
- There is potential for site amalgamation in this precinct, though there appears to be currently no common owners.
- New street connection is desirable along the western edge of this precinct to improve permeability. This street will also acts as a mechanism to provide transition / buffer to the adjoining low density residential areas. Deep soil landscaping area with street trees will be provided within the street.
- Provision of new street connection should not result in any reduction in development yields for the current 2(d3) sites.
- Best practice stormwater control devices should be incorporated as part of site redevelopment.

*Final analysis and recommendations*

The draft building envelope controls for the site are shown in the Draft Lindfield Centre DCP Part 4 Precinct F. In summary they are:

- Residential apartment buildings up to 6 storeys in height, fronting Drovers Way;
- Approximately 233 dwellings in total (as per originally permitted under LEP 194);
- 10-12m building setback for deep soil landscaping and significant trees along Beaconsfield and Gladstone Parades.

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- New green open space provided as part of site redevelopment;
- New landscaped street connection between Beaconsfield Parade and Gladstone Parade provided as part of site redevelopment.

**Precinct G – Woodside Avenue / Havilah Road***Background*

This residential precinct is broadly defined by Woodside Avenue, Lindfield Avenue and Havilah Road and adjoins single dwelling area to the east, consisting of 2(d3) and 2(c2) residential lands.

The current 2(d3) zoned lands (59 Lindfield Avenue, 1-9 Woodside Avenue) within this precinct are occupied by single dwelling houses. However, there is a recent DA approval for 5 storey residential apartments with a total of 27 units at 5-9 Woodside Avenue.

Council resolved that this whole precinct be rezoned to R4 High Density Residential. Regarding the rezoning proposal, contact has been made on a number of occasions with the various land owners as well as adjoining land owners and their representatives.

Council's urban design consultant in consultation with the traffic consultant has prepared a number of options for this precinct which have been reviewed and a preferred option was presented to the Planning Committee.

A submission was received from the representatives of land owners of properties 19-25 Woodside Avenue and 4-6 Havilah Road (**Attachment 8**). The submission requested that current 2(c2) properties which are within the proposed R4 rezoning be rezoned to R3, as well as asking that the submission's subject properties be rezoned R3 to act as an interface to such development. Failing this, the submission requested that the land adjacent either not be rezoned at all or alternatively limit rezoning to R3. Any proposed accessway was requested to be limited to pedestrian only. Detailed assessment of this has been undertaken by Council Officers and Council's Consultant and it was determined that rezoning of these properties would not resolve the interface issue, but rather transfer it to it adjacent properties. Further investigation of this matter is warranted in terms of interface impacts as part of the comprehensive LEP process.

*Issues and Opportunities*

- New connection between Havilah Road and Woodside Avenue to improve permeability. It will also provide a transition / buffer to the 1 and 2 storey dwellings further to the east.

*Final analysis and recommendations*

The draft building envelopes controls for the precinct are shown in the Draft Lindfield Centre DCP Part 4 Precinct G. In general, 5 storey building height limit and 1.3:1 FSR controls remain on existing 2(d3) sites rezoned to R4.

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The site specific controls for the remainder of the precinct (currently zoned 2(c2) rezoned to R4) are summarised as follows:

- New pedestrian link between Woodside Avenue and Havilah Road provided as part of site redevelopment.
- 4 storey residential apartment of approximately 23 new dwellings;
- 10-12m building setback for deep soil landscaping and significant trees along Woodside Avenue.
- 9m building setback for deep soil landscaping and significant trees along Havilah Road.
- 9.5 – 11.5m building setback from existing 2(c2) sites to the east. Proposed pedestrian link and landscaped areas with trees will be provided within this area.

**Precinct H – Lindfield Avenue / Milray Street / Nelson Road***Background*

The precinct is broadly defined by Lindfield Avenue, Havilah Road, Nelson Road, Tryon Road, Milray Street and Kochia Lane. It has a few distinct areas as follows:

- The retail core area (23-43 Lindfield Avenue) currently zoned 3(a)-A2 has shops fronting Lindfield Avenue and a shopping plaza anchored by a supermarket. There is also a Council's car park at the rear of the shops (9 Havilah Lane) with a total of car spaces. This area is within the Minister's site for future development up to 7 storeys with ground floor retail and shop top housing.
- The current 2(d) sites are predominantly occupied by existing strata title apartment buildings and are unlikely to redevelop. There is a heritage item (55a Lindfield Avenue) fronting Havilah Lane which is a small timber hall constructed for the Roseville Club and was relocated to this site during the Inter War period. Part of the 2(d) sites (51, 55, 55a Lindfield Avenue) are within Minister's site for residential development up to 5 storeys.
- The current 2(d3) sites are mostly occupied by single dwellings but there is a court approval for 5 storey residential development with a total of 72 units at 2-8 Milray Street. There is also a pending DA recently lodged for 5 storey residential development with a total of 26 units at 20-22 Tryon Road. Overall, there is still a high rate of unrealised development potential on current 2(d3) sites. There is also a significant amount of remnant vegetation along the drainage corridor within this area.
- The current 2(c2) sites (12, 14, 16, 18, 20, 22 and 24 Nelson Road) at the periphery of this precinct were identified as interface sites where single dwellings directly adjoin high density residential zones 2(d3) in the Council Meeting of the 18 October 2005. The property at 20 Nelson Road is a potential heritage item and has undergone further heritage assessment as a result of Council's resolution of the 27 June 2006 as follows:

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*“That No 20 Nelson Road, Lindfield be subject to further heritage and urban design analysis and review as part of the Lindfield town centre program and that the matter be brought back to Council as part of the Lindfield centre planning process.”*

The most significant factor for consideration on this precinct is the riparian corridor through the area. The riparian zone through this precinct is Category 3 - Bed and Bank stability/water quality. There are a number of large mature trees within the riparian corridor.

Based on a detailed assessment of the existing situation and consideration of the objectives of the Riparian Policy, the following conclusions can be made:

- There is no bed and bank present within the corridor that would define a current riparian zone;
- The corridor has recovery potential in terms of revegetation of indigenous species;
- The site is at the top of the catchment and therefore has a low flood risk and lesser need for piping;
- The site has a number of significant existing trees which require protection and retention.

Council resolved on 23 May 2006 to rezone the existing 2(d) and 2(d3) zones to R4 High Density Residential and the existing 2(c2) zone to R3 Medium Density Residential. In addition, the Minister's site fronting Lindfield Avenue has been rezoned to part B2 Local Centre and part R4 zone in accordance with Section 54(4) notification from Department of Planning.

Council's urban design consultant in consultation with the traffic consultant has prepared a number of options for this precinct which have been reviewed and a preferred option was presented to the Planning Committee.

*Issues and opportunities*

- Retain development yield on existing 2(d3) sites rezoned R4 zone. These sites are the most likely site to redevelop given the low level of existing development.
- Minimise building heights at the interface sites fronting Nelson Road to provide transition to low density residential areas to the east.
- Retention and opportunities for large scale mature trees on the drainage corridor adjacent to Milray Street and Havilah Road. Best practice stormwater control devices should be incorporated.
- As the existing heritage item at 55a Lindfield Avenue has previously been relocated, there is considered to be some opportunity for its sympathetic relocation upon redevelopment.



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- The property at 20 Nelson Road is a potential item currently identified by Council but has not been recommended for heritage listing by City Plan Heritage. Full report outlining detailed assessment and recommendations is provided in **Attachment 6D**.

*Final analysis and recommendations*

The draft building envelopes controls for the precinct are shown in the Draft Lindfield Centre DCP Part 4 Precinct H. In general, building height limit of 5 storeys apply to R4 zone and 3 storeys to R3 zone.

The built form controls for the site requires all buildings to be setback 10 metres on either side of the corridor. This creates a 20 metre wide landscape zone following the existing pipe line alignment. In conjunction with these requirements the following controls are also recommended to be included within the Draft DCP as site specific guidelines:

- Removal of existing pipe and creation of a new bed, bank and piping following the current alignment. Guidelines for this have been provided in **Attachment 9**. It is proposed to incorporate these guidelines within the Draft DCP;
- Landscaping of riparian zone with appropriate indigenous species;
- Protection of ecologically significant trees;
- Private open space controls that limit the extent of private courtyards and ensure the riparian corridor is communal open space;
- Allowance of a vehicle crossing over the riparian zone if required;
- Restoration and revegetation of the riparian corridor.

**Precinct I – Bent Street / Beaconsfield Parade***Background*

This precinct is bounded by Bent Street to the north, Woodford Lane car park to the east, Beaconsfield Parade to the south and existing single residential dwellings to the west. It consists of 2(d3) and 2(c2) zones predominantly occupied by single dwellings.

Council has identified a number of interface sites within this precinct where single dwellings directly adjoin high density residential zones 2(d3). The following sites were identified in the Council Meeting of the 18 October 2005:

18, 20, 22, and 24 Bent Street, Lindfield  
5, 5A and 7 Beaconsfield Parade, Lindfield.

Council resolved on 23 May 2006 to rezone the existing 2(d3) zone to R4 High Density Residential and the existing 2(c2) zone to R3 Medium Density Residential.

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Council's urban design consultant in consultation with the traffic consultant has prepared a number of options for this precinct which have been reviewed and a preferred option was presented to the Planning Committee.

*Issues and Opportunities*

- There is potential for site amalgamation in this precinct, though there appears to be currently no common owners.
- New street connection (extension to realigned Drovers Way) to improve permeability.
- Provision of new street connection should not result in any reduction in development yields for the current 2(d3) sites.
- Future development on R4 zone must address the new street (realigned Drovers Way).
- Minimise building heights adjoining existing low density residential area to provide a transition in building densities.

*Final analysis and recommendations*

The draft building envelopes controls for the site are shown in the Draft Lindfield Centre DCP Part 4 Precinct I. In summary they are:

- New street connection between Bent Street and Beaconsfield Parade incorporated as part of redevelopment of R4 sites.
- 5 storey apartment buildings with up to 132 dwellings within R4 zone (currently permitted under LEP 194).
- 3 storey townhouse developments with up to 50 dwellings within R3 zone.
- 10-12 metre building setback for deep soil landscaping and significant trees along Bent Street and Beaconsfield Parade.
- 6 metres building setback from proposed new street within R4 zone.

**Precinct J – Pacific Highway / Wolseley Road Intersection***Background*

The precinct is at the intersection of Pacific Highway and Wolseley Road with rail corridor to the east and single houses to the west.

There is a relatively recent two storey commercial development on current 3(b)-B2 zoned land (345 Pacific Highway) and no change is envisaged for this site. Conventional single dwelling houses are

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situated on all other lands currently zoned 2(d3) and IDO. 78 within this precinct. However there is a Development Application (DA) lodged recently for 4 storey apartment with a total of 22 units at 2-6 Wolseley Road. Lindfield.

Council resolved that the 3(b)-B2 zoned lands be rezoned to B5-Business Development. Existing 2(d3) sites have also been rezoned to R4 High Density Residential with no change to the development yield proposed. Further rezoning was resolved within this precinct as follows:

*“That ... 8 and 10 Wolseley Road be zoned R3 (these sites were recommended for “no change” by the consultant in the interface study).”*

Council also resolved the following with regards to this precinct:

*“That Wolseley Road remain as a cul de sac with pedestrian-only access to Pacific Highway.”*

*Issues and opportunities*

- Retention of existing cul-de-sac at the intersection of Wolseley Road and Pacific Highway.

*Final analysis and recommendations*

No site specific built form controls have been prepared for this precinct. In general, building height limit of 4 storeys apply to R4 zone and 3 storeys to R3 zone. R3 zone will have up to 9 new medium density units

**Precinct K – Pacific Highway / Drovers Way***Background*

Precinct K is an area bounded by Pacific Highway, Beaconsfield Parade, Drovers Way and Gladstone Parade, comprising two main distinct areas as follows:

- The northern portion (280-296 Pacific Highway) is currently predominantly zoned 3(b)-B2, with the exception of 2 Beaconsfield Parade zoned 2(c2). This area is occupied by Lindfield Post Office, a Telstra service building and a 4-storey commercial development;
- The southern portion (238-278 Pacific Highway) is currently zoned 2(d) and has mostly been developed into residential flat developments which are unlikely to redevelop. There is an existing heritage item at 270 Pacific Highway.

Council has resolved to rezone existing 3(b)-B2 to B2 Local Centre zone and existing 2(d) to R4 High Density Residential zone to reflect existing use on sites and is consistent with Minister's directive.

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- A large proportion of the precinct is unlikely to redevelop due to strata titling.
- Removal of heritage listing on property 270 Pacific Highway (as recommended by City Plan Heritage) as the existing heritage item has been heavily altered and therefore its significance compromised.

*Final analysis and recommendations*

No site specific built form controls have been prepared for this precinct. In general, the B2 Local Centre zone will permit mixed use development up to 5 storeys and the R4 High Density Residential zone will permit residential flat development up to 5 storeys.

**Precinct L – Pacific Highway / Gladstone Parade***Background*

This precinct is an area characterised by the residential flat buildings, broadly defined by Pacific Highway to the east and Gladstone Parade to the north and adjoins Lindfield Public School to west and 2(d3) zoned lands to the south.

The sites currently zoned 2(d) in this precinct have been developed for residential flat building purposes. There remains no unrealised development potential. However, this area has been rezoned to R4 reflecting the existing uses and development capacity as resolved by Council.

The existing 2(d3) site of approximately 570sqm at the north-west corner of this precinct remains undeveloped. It is currently owned by NSW Department of Education and is consider unlikely to redevelop on its own.

*Issues and opportunities*

- A large proportion of the precinct is unlikely to redevelop due to strata titling.

*Final Analysis and Recommendations*

No site specific built form controls have been prepared for this precinct. The R4 High Density Residential zone is proposed for the LEP which reflects existing uses and is consistent with the requirements of the Department. The LEP shows a 5 storey height limit and an FSR of 1.3:1.

**Precinct M – Strickland Avenue / Llewellyn Street***Background*

Precinct M is an area peripheral to the commercial centre and is broadly defined by Pacific Highway, Strickland Avenue, the railway and Llewellyn Street.

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All lands currently zoned 2(d) in this precinct have been developed for residential flat building purposes. There remains no unrealised development potential. However, this area has been rezoned to R4 reflecting the existing uses and development capacity as resolved by Council.

*Issues and opportunities*

- A large proportion of the precinct is unlikely to redevelop due to strata titling.

*Final analysis and recommendations*

No site specific built form controls have been prepared for this precinct. The R4 High Density Residential zone is proposed for the LEP which reflects existing uses and is consistent with the requirements of the Department. The LEP shows a 5 storey height limit and an FSR of 1.3:1.

**Precinct N – Tryon Road / Russell Avenue***Background*

This precinct is a residential area with a mix of zoning including 2(c2), 2(e), 2(d), 2(d3) and Special Uses (Church). It includes the Minister's site (9-25 Tryon Road) which has recently been redeveloped with 5-storey apartments.

There are four significant items in the precinct:

1. Anglican Church (1-7 Tryon Road) currently zoned 2(d3) is a potential item for heritage listing.
2. Uniting Church (33 Tryon Road) on current 5(a) Special Uses zoned lands is a State listed heritage item;
3. A substantial 2 storey Federation dwelling adjoining Uniting church (31 Tryon Road) on current 2(d3) site;
4. Former Masonic Hall on current 2(d) zoned site at 1a Lindfield Avenue;
5. Property at 22 Russell Avenue is a very prominent element within the streetscape and has a high level of aesthetic significance to contribute to the character of the immediate area.

Council resolved to rezone the existing 2(e) and 2(d3) zoned lands (excluding Minister's site) at the northern portion of Tryon Lane to R4 zone and existing Special Uses Zone to Special Purposes (SP2) Infrastructure zone. Part of the southern portion of Tryon Lane (1a Lindfield Avenue / 2-18 Russell Avenue) currently zoned 2(e) and 2(d) has been rezoned to R3. The remaining area of the precinct has been rezoned to R2.

However, there are a number of proposed changes to the zoning scheme resolved by Council on 23 May 2006 in response to the Section 54(4) notification by Department of Planning. These include:

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- The Minister's site (9-25 Tryon Road) currently zoned 2(e) to be changed to R4 zone;
- Proposed SP2 Infrastructure zone (33 Tryon Road) to be changed to R4 zone so that it is consistent with adjoining proposed land use zoning as SP2 zone is not to be used for car park area, community facilities, churches or schools;
- Proposed zoning to properties 1a Lindfield Avenue and 2-6 Russell Avenue to be changed from R3 to R4 Zone as no downzoning is permitted;
- Proposed zoning to properties 20-26 Russell Avenue to be changed from R2 to R3 Zone as no downzoning should occur.

*Issues and opportunities*

- The southern portion of this precinct (1a Lindfield Avenue / 2-26 Russell Avenue) could be viewed as a transition between the 5-storey Mirvac development and 1-storey single dwellings on the south of Russell Avenue.
- Potential land use conflict with the proposed heritage listing of some items.
- The former Masonic Hall at 1a Lindfield Avenue features some Art Deco detailing and a reasonably well resolved façade. As the structure behind is relatively utilitarian there is the opportunity to adapt the façade provided that it does not conflict with a comprehensive redevelopment.
- A large proportion of the precinct is unlikely to redevelop due to strata titling.

*Final analysis and recommendations*

No site specific built form controls have been prepared for this precinct.

City Plan Heritage has recommended heritage listing for the following properties within the precinct:

1. Anglican Church at 1-7 Tryon Road which is currently not listed;
2. Uniting Church at 33 Tryon Road which is currently a state listed heritage item;
3. Property at 22 Russell Avenue which is a potential heritage item identified by Council. It is a largely intact Federation Period mansion with some association to the adjacent Marshall Mount School.

The former Masonic Hall at 1a Lindfield Avenue and the existing building at 31 Tryon Road have been recommended for future potential adaptive reuse.

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The dwelling at No.31 Tryon Road, Lindfield (**Attachment 6E**) has been identified as building for potential adaptive re-use. The site current has a substantial 2 storey federation Arts & Crafts Style residence and is located directly adjacent to the State heritage listed Church as No 33 Tryon Road.

A potential adaptive re-use could see the conversion of the existing dwelling into apartments , with additional development at the rear of the site that is sympathetic to the dwellings and the adjacent state listed church.

**Precinct O – Pacific Highway / Highfield Road***Background*

This precinct is an area fronting Pacific Highway with 2(e) zone to the east of the highway and 2(d) and 2(d3) zones to the west. These lands fall within the Minister's directions for rezoning.

Council resolved to rezone the existing 2(e) lands addressing the highway to R3. However, this rezoning is likely to be insufficient incentive to redevelop from the existing strata titled developments within the middle stretch of the area (377-429 Pacific Highway).

All lands currently zoned 2(d) and 2(d3) in this precinct have been developed for residential flat building purposes. There remains no unrealised development potential. However, this area has been rezoned to R4 reflecting the existing uses and development capacity.

*Issues and opportunities*

- A large proportion of the precinct is unlikely to redevelop due to strata titling.

*Final analysis and recommendations*

No site specific built form controls have been prepared for this precinct as most sites have realised their full development potential. In general, building height limit of 5 storeys apply to R4 zone and 3 storeys to R3 zone.

**Precinct P – Wolseley Road / Treatts Road (including Masada College Site)***Background*

Precinct P (previously known as Precinct A) is within the triangular area bounded by Treatts Road to the north, the railway line to the east and Wolseley Road to the west. The majority of this precinct is within 600m radius from the Lindfield Station and commercial centre. Pedestrian access to the station is considered quite level and direct.

The precinct is currently zoned under 3 separate zonings and comprises the following sites:

- The synagogue site adjacent to the railway overpass is zoned 5(a) Special Uses, permitting uses associated with a Church. The synagogue is situated on the highest portion of the precinct;

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- The Masada Infants and Primary School site along the railway line is zoned under IDO 79. This instrument operates to permit school and childcare activities. Church use is also permitted on part of the site. Access to the school is currently via railway land. The area of Eleham Road currently leased from Council has been used as school's playground. Existing Ibbotson Park is situated to the south adjoining the school.
- The low density residential area around the school and synagogue currently zoned under IDO 78 is characterised by single dwelling houses. Gazetted in 1980, IDO 78 prevented expansion of school uses into the adjoining residential area. Permissible uses are residential dwelling houses, roads, open space and utility installations.

A number of contacts have been made with residents in the area, and with the representatives for Masada and the synagogue. Several forums were held between these parties and Council.

The representatives for Masada School have confirmed their intention to consolidate with the college site at St Ives since numbers of students at the current school have declined in recent years with changing population trends. Accordingly they wish to rezone the site to facilitate its sale for relocation. They have also indicated that the Synagogue is likely to relocate in the medium to longer term. In addition, Masada School has presented concept designs for the residents' and Council's consideration.

Council's urban design consultant has prepared a preferred land use strategy which was presented to Council for its consideration at the meeting of 23 May 2006. The strategy proposed to rezone the precinct to R3 and R4 for a range of residential developments up to 5 storeys. It also included a new street and extension of Ibbotson Park.

At the meeting 23 May 2006, Council resolved to rezone the entire precinct to R2 Low Density Residential. The Draft LEP incorporating this zoning change was sent to the Department of Planning in accordance with the requirements of Section 54 of the Act. In response, The Department has requested the removal of all lands proposed to be zoned R2 from the Draft LEP and an improved yield from all sites to be rezoned. Accordingly the planning for this area has been revisited.

To assist in the formulation of a land use zoning for Precinct P, a mediation session conducted by an independent mediator was held on 27 July 2006 with relevant stakeholders. The outcomes of the session were further reviewed and three options were developed for consideration out of the mediation report. The mediation report describing the process and outcomes is included in **Attachment 10A**.

*Issues and opportunities*

During the development of the land use options for the precinct, the following were identified and considered:

- The large land holding in single ownership in this area presents an opportunity for public domain benefit.



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- Retention and enhancement of existing vegetation at the western edge to preserve the existing streetscape along Wolseley Road.
- Minimisation of building heights along Wolseley Road to provide transition to the adjoining low density residential areas.
- The opportunity for higher density development against the backdrop of the raised railway line.
- The opportunity to increase and improve open space in the locality by enlarging Ibbotson Park as part of site redevelopment.
- Review of vehicular site access requirements to accommodate the increased densities in the area.
- Option for Eleham Road to gain additional public domain benefits in the area.

*Final analysis and recommendations*

The following land use options have been developed based on the outcomes of the mediation session:

- ***Option 1A: The rezoning of the entire precinct to R3.***

This option would provide a zoning for the development of townhouses and villas which is compatible with the nearby low density residential development to provide increased yields in line with the Minister's direction. The natural boundaries formed by the existing roads will help to reduce interface impacts to the surrounding low density residential areas.

- ***Option 1B: Rezoning the precinct to R3, with the exception of Nos. 1-11 Treatts Road which would be excluded from the Draft LEP.***

This option would provide a zoning for increased density for the major portion of the precinct, but retains a low scale residential character along Treatts Road, which is generally the highest portion of the precinct and at the greatest distance from the railway station.

- ***Option 2: Rezoning the precinct generally to R3, with the exception of 6 lots owned by Masada close to the railway line and part of Eleham Road, which would be rezoned to R4.***

This option is similar to the option previously presented by Council's urban design consultant, with the exception of the 3 lots on Treatts Road currently occupied by the North Shore Synagogue. These sites are proposed to be changed from R4 to R3.

This option would provide a zoning allowing townhouses and villas along the street frontages and higher density apartment building against the raised railway line. It is proposed to have maximum 4 storeys within the R4 zone to ensure that the neighbourhood character of the locality is preserved.

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The additional density in this option would allow for greater improvements in the public domain such as extension to the existing park.

Option 2 is recommended as it provides increased yields, housing choice eg. villas, townhouses and apartments while protecting the interface zone and providing the maximum public domain benefit.

Once the zoning and heights are determined, further work will be undertaken in regard to the built form proposals, traffic and access strategies and public domain and landscape improvements.

## SUMMARY OF YIELDS

The following tables provide a summary of the proposed yields for residential dwelling numbers, retail floor space and commercial floor space within the Draft DCP and Draft LEP. The tables also show the changes in yields compared to the existing situation.

### Residential

Table 1 shows a final proposed residential yield of 516 dwellings. This calculation does not include yield from existing medium density zones 2(d), 2(e), 2(f) or 2(h) or strata titled apartment buildings considered unlikely to change in the future.

Housing has been allocated in appropriate areas, consistent with Councils resolution on 23 May 2006 which adopted a target of 760 new dwellings (RDS stage 2 only) within a 600 metre walking radius of the centre.

**Table 1: Summary of Residential Dwellings for Lindfield RDS Stage 2**

Precinct	New residential dwellings proposed in draft LEP/DCP
A	37
B	146
C	110
D	27
E	25
F	0
G	23
H	50
I	50
J	9
K	0
L	39
P	128 (if included by Council)
<b>Total</b>	<b>516 (644 if Precinct P included)</b>

Notes:

1. Precinct references refer to precinct based built form controls in the Town Centre DCP.
2. All numbers in the Draft LEP/DCP column are calculated on the basis of an average of 110sqm per dwelling.

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3. Precincts shown indicate areas of proposed residential dwellings as part of RDS Stage 2 and do not include LEP 194/200.

**Retail**

Table 4 shows a total retail yield of approximately 20,000sqm NFA of retail floor space. This represents an increase of about 5,700sqm NFA of retail space which will accommodate a supermarket of about 2,500-3,000sqm.

The total retail floor space proposed for Lindfield Centre is consistent with Council's adopted position that Lindfield would be a Village comprising up to 6,000sqm of retail floor space including a supermarket.

The total retail floor space shown in Table 2 proposed for Lindfield Centre is also consistent with the Ku-ring-gai Retail Strategy adopted by Council. The strategy recommends provision of up to 6,000sqm of ground floor retail/commercial space

**Table 2: Summary of Retail Floor Space**

Precinct	Existing retail floor space	Proposed retail floor space Draft LEP/DCP	Variation
<b>A</b>	-	360	
<b>B</b>	-	1168	
<b>C</b>	-	7177	
<b>D</b>	-	1550	
<b>E</b>	-	3229	
<b>F</b>	-	0	
<b>G</b>	-	0	
<b>H</b>	2935	3173 (within Minister's Site)	
<b>I</b>	-	0	
<b>J</b>	-	0	
<b>K</b>	-	0	
<b>L</b>	-	3755	
<b>Total</b>	<b>14760</b>	<b>20412</b>	<b>+5652</b>

Notes:

1. Retail areas are net floor area (NFA).
2. Precinct references refer to precinct based built form controls in the Town Centre DCP.

**Commercial**

Council's adopted position for Lindfield in relation to commercial space is as follows:

- small scale commercial floor space above retail catering for professional offices, medical centres, and a range of other uses including an appropriately located community room;
- Commercial office buildings along the highway, providing employment within close proximity of the rail station.

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There will be a minor increase in the overall commercial floor space proposed as part of the Draft LEP/DCP. This increase will primarily occur in Precinct A (approximately 2,200sqm GFA) and Precinct B (approximately 2,150sqm GFA). Note that there will be a net loss of commercial floor space at Lindfield Avenue Minister's site upon redevelopment (based on Master Plan prepared by UDAS). (Capacity for small businesses and services has been retained in precincts B, C, D and E through the provision for flexible first floor spaces for potential future adaptive reuse).

**Draft Local Environmental Plan**

The *Draft Ku-ring-gai Local Environmental Plan (LEP) 2006 (Town Centres)* is the statutory planning instrument that will control what can be developed on various parcels of land. The Draft LEP is complemented by the Draft Development Control Plan (DCP) which will provide the controls for the detailed planning and design issues. The controls contained in the Draft DCP must be consistent with any provisions of the Draft LEP.

The Draft LEP that has been prepared to implement the recommend future development outcomes for the Lindfield Centre takes the form of an amendment to the principal Draft LEP that was previously adopted to apply to the St Ives Centre and subsequently amended to also apply to the Turramurra, Gordon and Pymble centres. It will be known as *Draft Ku-ring-gai Local Environmental Plan 2006 (Town Centres) (Amendment No 3)*. This amending Draft LEP will bring land in and around the Lindfield Centre under the principal Draft LEP and introduce appropriate zonings, development standards and additional provisions to implement the overall master plan that has been developed for Lindfield. Draft LEP (Amendment No.3) will also apply to the Roseville Centre.

A copy of the proposed *Draft Ku-ring-gai (Town Centres) Local Environmental Plan (Amendment No 3)* is included as **Attachment 11**. Details of the key components are discussed below.

**Components of Draft Ku-ring-gai (Town Centres) LEP – (Amendment No. 3)**

The Draft LEP (Amendment No.3) only contains the new provisions to be added to the principal Draft LEP. All existing provisions contained in the principal Draft LEP will also apply. All new provisions introduced by Amendment No.3 includes amendments to the written LEP instrument and introduces new land application, zoning and development standard maps which cover land within the Lindfield Centre.

**Written instrument**

The written instrument contains the detailed planning provisions that will apply to land covered by the Draft LEP. This includes aims, standard zone descriptions and zone objectives, permitted land uses, development standards, subdivision provisions and numerous miscellaneous provisions. The Standard LEP introduced by the State Government mandates certain provisions that are to be included in all future written instruments of LEPs.

Draft LEP (Amendment No.3) introduces the following additional provisions to the principal Draft LEP written instrument:

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- Amendments to Clause 3 and 7 to make reference to the new land application, zoning, lot size building height and FSR maps apply to the Lindfield Centre. The proposed changes to the respective maps are discussed in more detail below;
- Amendments to Schedule 4 (Reclassification of Public land) and Schedule 5 (Environmental Heritage) of the Draft LEP. Details of these are discussed below.

Schedule 4 - Classification and reclassification of public land

Schedule 4 of the Draft LEP includes a list of the Council owned land that is to be considered for reclassification from 'community land' to 'operational land' as part of the LEP making process. There are statutory procedures required by the Local Government Act and the Environmental Planning and Assessment Act that must be followed during the exhibition period of the Draft LEP to facilitate the reclassification of this public land.

The sites to be added to Schedule 4 by the Draft LEP and the reclassification process is discussed in detail later in this report.

Schedule 5 – Environmental Heritage

Schedule 5 list sites to be included as heritage items under the Draft LEP. On 23 May 2006 Council considered a report on the heritage study that had been undertaken for the Lindfield Centre. A copy of the Council report and resolution are included as **Attachment 1**.

The Table 3 below sets out all properties reviewed and assessed within the Town Centre.

**Table 3- Summary of Existing/Potential Heritage Items and Proposed Heritage Classifications for the Key Areas affected by the Proposed Land Use Plan**

Address	Existing Zone	Existing Classification	Proposed Classification
1-21 Lindfield Avenue	3(b)-(B2)	Heritage Item	Heritage Item (no change)
55a Lindfield Avenue- part of Minister's Targeted Site (former Roseville Club)	Part 2(d), Part reserved for Local Road Widening	Heritage Item	Listed to be retained for potential adaptive reuse or potential relocation  Note - Minister's Site controls note the item as heritage, but also note it as an existing building to be demolished pending development
270 Pacific Highway	2(d)	Heritage Item	Removal of Item
386-390 Pacific Highway	3(a)-(A2)	Heritage Item	Heritage Item (potential adaptive reuse)
22 Russell Avenue	2(e)	Not Classified	Heritage Item (new)
1a Lindfield Avenue (Masonic Hall)	2(d)	Not Classified	Not recommended for listing, potential adaptive reuse

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Address	Existing Zone	Existing Classification	Proposed Classification
20 Nelson Road	2(c2)	Not Classified	Not recommended for listing
1-5 Tryon Road	2(d3)	Not Classified	Heritage Item (new)
25 Tryon Road	2(e)	Heritage Item	Removal of Item  Note – this Item was on the Minister’s Targeted Site and was demolished during the course of redevelopment
31 Tryon Road (with Church)	2(d3)	Not Classified	Potential adaptive reuse
33 Tryon Road	5(a)-church	State listed heritage item	Heritage Item (new)

The heritage study has assessed all existing heritage items under the KPSO, draft heritage items awaiting gazettal and potential heritage items under investigation. Following consideration of this report the following properties are recommended to be heritage items in the Draft LEP:

- 1-21 Lindfield Avenue
- 22 Russell Avenue
- 1-5 Tryon Road
- 33 Tryon Road
- 55A Lindfield Avenue
- 386-390 Pacific Highway

#### Land Application Map (Refer Attachment 12)

This map shows which land in Lindfield will be rezoned by the Ku-ring-gai (Town Centres) LEP Amendment No. 3. This includes those sites that were identified in the resolution of Council on 23rd May 2006 for inclusion in the Draft LEP for Lindfield. These are sites where it is proposed to change the land use and or residential density under Council’s adopted preferred planning option for the Lindfield Centre. All sites to be rezoned and the proposed zones of these sites are listed below under the section of the zoning map.

The Draft LEP (Amendment No.3) includes a number of sites that are currently zoned Residential 2(d3). The reason for including these sites is to be able to incorporate site specific development controls for these sites into the DCP that will address potential interface impacts from the development of these sites.

The Draft LEP (Amendment No.3) also includes a number of sites that are currently zoned Residential 2(d) or 2(e) under the KPSO. These sites were identified for zoning for higher densities in accordance with the Minister’s Section 55 Direction which requires Council to determine which areas are appropriate for improved development standards so as to encourage the redevelopment of land in the existing medium density zones. This was reinforced by the Departments advice in response to the Section 54(4) notification for Lindfield. The Department also requires the Minister’s SEPP53 sites in Lindfield Avenue and Tryon Road to be included in the LEP. These two

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sites will be rezoned to a combination of B2 – Local Centre and R4 - High Density Residential however; the development standards under SEPP53 will continue to apply.

The planning controls on all other land not identified in the Land Application Map will remain unchanged and the Ku-ring-gai Planning Scheme Ordinance (KPSO) will continue to apply.

### Zoning Map (Refer Attachment 12)

This map shows the zones that will apply to the land covered by Draft LEP (Amendment No.3) The Draft LEP (Amendment No.3) uses zones in Lindfield which are already contained in the Draft LEP and no new zones are proposed. Zones used include the following:

- *B2- Local Centre zone:* - to apply to the core retail/commercial area of Lindfield. This zone will permit developments with a mix of retail, commercial, residential and associated community facilities, consistent with the Minister's direction;
- *R3- Residential Medium Density zone:* - to provide for medium density housing generally in the form of townhouse development of 2 to 3 storeys;
- *R4 – Residential High Density zone:-* to provide for unit development up to 5 storeys with similar densities to that currently permitted in the 2(d3) zone under LEP 194.

The details about the various zones, zone objectives and permitted land uses in the zones are described in the Principal LEP written instrument.

Site Description	Addresses	Proposed zoning	Amendments to 23 May Resolution by Council
Area bounded by Lindfield Avenue, Tyron Road, Kochia Lane and Milray Street  (Precinct A)	8,10,12,18 Tryon Road  1-3,5,7,9,11,15,17-21 Lindfield Avenue  3 Kochia Lane	B2- Local Centre	Zone R2- Low Density Residential becomes B2- Local Centre to reflect better consistency with the LEP Template.
Area bounded by Pacific Highway, Strickland Avenue and Tryon Place.  (Precinct B)	1-5 Tryon Place  23A,251,257,259,265-271,283,295303,305,307,309,313,315,317,319,321,323,329 Pacific Highway	B2- Local Centre	As per Resolution (R2)
Properties fronting the Pacific Highway between Bent Street and Beaconsfield Parade.  (Precinct C)	303,304,306,308,310-312,314,316,318,320-322,324,326,328,330-332,336,338,340,342,346-348,350,352,354,356 Pacific Highway	B2- Local Centre	As per Resolution (B2)
Area bounded by Balfour Street, Bent Street and	22,30 Balfour Street	B2- Local Centre	As per Resolution

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Site Description	Addresses	Proposed zoning	Amendments to 23 May Resolution by Council
Pacific Highway (Precinct D)	1-7,9-15,17-21, Bent Street 358-360,362-364,366,368-370,372,374 Pacific Highway	R4- High Density Residential R3- Medium Density Residential	
Area on the corner of Balfour Street, fronting the Pacific Highway (Precinct E)	384-376,370-386,402,406 Pacific Highway 1 Balfour Street	B2- Local Centre	As per Resolution
Area bounded by Wolseley Road, Pacific Highway and the Railway Line. (Precinct F)	2,4,6,8,10 Wolseley Road 345 Highfield Road	B5- Business Development R4- High Density Residential R3- Medium Density Residential	As per Resolution
Area bounded by Woodside Avenue and Havilah Road, fronting Lindfield Avenue. (Precinct G)	1,3,5,7,9,11,15,17 Woodside Avenue 59 Lindfield Avenue 2, 2A Havilah Road	R4- High Density Residential	As per Resolution
Area bounded by Lindfield Avenue, Havilah Road, Tyron Road and Nelson Road. (Precinct H)	1,3,7,9,10,11,15,17,19 Havilah Road 23-25,27, 31,33,35,37,39,41,43,51,55A Lindfield Avenue 2,12-14 Kochia Lane 9,10 Havilah Lane 1,2,2A,3,3A,4,5,7,8,9,10,11,12,14,15 Milray Street 20,22,24 Tryon Road 8-10,12,14,14A,16,18,20,22,24 Nelson Road	R4- High Density Residential R3- Medium Density Residential Minister Site	As per Resolution except for ministers site which has been zoned for Zone B2- Local Centre and Zone R4-High Density Residential
Property fronting Bent Street, bounded by Newmark Crescent and Beaconsfield Parade (Precinct I)	2,4,6,8,10,12,14,16,18,20,22,24 Bent Street- 3,3A,5,5A,7 Beaconsfield Parade	R4- High Density Residential R3- Medium Density Residential	As per Resolution
Area on the corner of Beaconsfield Parade and Drovers Way including	5,5A,7 Gladstone Parade 2A,2,4,6,8,8A,10,10A Drovers Way	R4- High Density Residential	As per Resolution



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Site Description	Addresses	Proposed zoning	Amendments to 23 May Resolution by Council
Gladstone Parade. (Precinct J)	4A,4 6A,6 Beaconsfield Parade		
Area bounded by Beaconsfield Parade, Drovers Way, Pacific Highway and Gladstone Parade. (Precinct K)	1,3 Gladstone Parade 3,9 Drovers Way 2 Beaconsfield Parade 238-240,246,254,258,266,270,274-278, 280-286,288,296 Pacific Highway	R4- High Density Residential  B2- Local Centre	As per Resolution
Area on the corner of Gladstone Parade and the Pacific Highway (Precinct L)	4-6 Gladstone Parade 230,234 Pacific Highway	R4- High Density Residential	To be zoned R4- High Density Residential  4-6 Gladstone Parade  230,234 Pacific Highway
Area Bounded by Llewellyn Street, Pacific Highway, Strickland Avenue and the Railway Line. (Precinct M)	231,235 Pacific Highway 2 Llewellyn Street	R4- High Density Residential	As per Resolution
Area bounded by Lindfield Avenue, Tryon Road, Russell Avenue, Russell Lane and Nelson Road. (Precinct N)	1A Lindfield Avenue 2-6,8-10,12-18,20,22,24,26 Russell Avenue 1-5,7,9,11,13,15,17,19,21,23,25,27-29,31,33 Tryon Road	R4- High Density Residential  R3- Medium Density  Ministers site	Zone R4- High Density Residential and Zone SP2- Infrastructure (Place of Public Worship) becomes Zone R4- High Density Residential to reflect better consistency with the LEP Template.  The properties along 1A Lindfield Avenue  2-6,8-10,12-18,20,22,24,26 Russell Avenue were in Zone R3- Medium Density Residential they become Zone R4 now be Zoned

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Site Description	Addresses	Proposed zoning	Amendments to 23 May Resolution by Council
			R3-  Was R3 and R2 now R4 and R3
Area on the corner of Treatts Road and Pacific Highway including the land on the corner of Highfield Road and Pacific Highway which also includes Highfield Lane.  (Precinct O)	365,367,375,377,393,403-415,414,419,425-429,433,437,441,445,449-451 Pacific Highway	R3- Medium Density  R4- High Density Residential	Was R3 and nothing across the road now R3 and R4 across the road
Area on the corner of Treatts Road and Wolseley Road.  (Precinct P)	1,3,5,7,9,11,15 Treatts Road  7,9 Wolseley Road  2,4,6,7,8 Eleham Road	Not previously rezoned	Was R2 and following mediation Part R4 and Part R3 subject to Council endorsement

Minimum Lot Size Map (refer to **Attachment 12**)

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

Building Height Map (refer to **Attachment 12**)

This map shows the maximum height of buildings permitted on any parcel of land. The heights range from 2 up to 7 storeys, which is reflected by the building envelope controls contained in the Draft DCP.

Floor Space Ratio Map (refer to **Attachment 12**)

This map shows the maximum floor space ratio (FSR) that can be developed on each parcel of land. FSR is the gross floor area of a building as a ratio to the total site area. The FSR standards have been derived from the detailed building envelopes developed in the Draft DCP, ensuring consistency between the two plans.

In the case of land in the High Density Residential zone, the prescribed FSR standard reflects the density of development that would be permitted in the 2(d3) zone under LEP 194.

The FSR controls also specify minimum and maximum amounts of retail and commercial floor space that can be developed on sites in the Local Centre zone where these uses are permitted. Minimum FSR standards are included to ensure that some retail/commercial space will be provided

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on particular sites as required by the overall planning strategy for Lindfield. Maximum retail/commercial FSRs place a cap on the maximum amount of floor space for these uses, consistent with the adopted planning strategy for the centre. The maximum FSR identified for each site refers to the total floor space for all uses including residential, retail and/or commercial.

**TRAFFIC & PARKING STUDY**

A traffic and parking study was commissioned to assess the current traffic and parking conditions and develop a traffic flow scheme to best manage future traffic generation through the Lindfield Centre associated with the Stage 2 Residential Development Strategy. The study, undertaken by Arup, also modelled the impact on the road network likely to be generated from the residential redevelopment under LEP 194 and the Minister's sites.

Standard traffic generation rates, as used for other town centre studies on the Highway, were used to assess the likely impacts of traffic improvement measures to accommodate the land use planning option. Other forms of comparison relate to the Levels of Service (LOS) for the various intersections and Degree of Saturation (DS) of intersections.

LOS is an index of the operational performance of traffic at an intersection and is based on the average delay per vehicle. LOS ranges from A – very good to F – highly congested conditions. Another common measure of intersection performance is the degree of saturation (DS), which provides an overall measure of the capability of the intersection to accommodate the traffic levels. A degree of saturation of 1.0 indicates that the intersection is operating at capacity and a desirable (and practical) degree of saturation is less than 1.

The traffic components of previous town centre reports included economic performance indicators, which are useful as comparisons of the impacts of various scenarios. The cost figures allow comparison of options, subject to the performance being acceptable during the peak periods. Typically, when considering arterial road network changes, the RTA would compare the operating costs of a proposal against the costs of the existing arrangements. However, in the case of the Lindfield Centre, only one set of traffic improvement options is being considered, therefore the need for economic performance indicators is diminished.

It should be noted that the Roads and Traffic Authority generally gives higher priority to traffic on Pacific Highway, at the expense of traffic on side streets in order to ensure the peak traffic flow is maintained. The likely increase in residential and retail/ commercial space will place additional pressure on side streets, as the RTA would not support reductions to the LOS for peak traffic flow on Pacific Highway.

**Existing Scenario**

Based on existing traffic conditions, the preliminary findings of the Arup traffic study are that;

- The intersection of Pacific Highway/Highfield Road operates satisfactorily on both peaks (LOS B),
- The intersection of Pacific Highway/Balfour Street/Havilah Road is currently at during the am peak (LOS E and DS = 1), and incidents will cause excessive delays;

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- Significant delays are experienced for vehicles turning right at the unsignalised intersection of Pacific Highway with Strickland Avenue;
- The intersection of Pacific Highway/Grosvenor Road is approaching capacity during the am and pm peak (LOS C/B and DS = 0.9);
- The unsignalised intersection of Lindfield Avenue with Tryon Road fails during the pm peak (LOS F and DS > 1.2).

**Base 2 Scenario (all LEP 194 sites and Minister's sites)**

With the inclusion of all the proposed residential development under LEP 194 and the Minister's sites (known as 'Base 2 Scenario'), traffic modelling was undertaken to determine what effect the traffic generation from these new residential developments would have on the existing network.

The analysis by Arup highlights further capacity constraints at the intersections of Pacific Highway with Balfour Street/Havilah Road, Strickland Avenue and Grosvenor Road, as well as the intersection of Lindfield Avenue with Tryon Road.

**Urban Design Proposal**

Analysis of the impacts of the Urban Design proposal on the existing road network highlights the issues listed below. Base 1 and Base 2 assumes no change to the existing road network.

In brief, there would be particular issues on Pacific Highway at its intersections with Balfour Street/Havilah Road, Strickland Avenue and Grosvenor Road, as well as the intersection of Lindfield Avenue with Tryon Road. The impacts of the Urban Design proposal on the critical intersections are detailed below:

**Pacific Highway/Balfour Street/Havilah Road**

- Currently at capacity during the am peak. The Urban Design proposal would cause the intersection to fail (LOS F, DS >1.1) during the am peak.

**Pacific Highway/Strickland Avenue**

- Existing right turn delays would deteriorate significantly under the Urban Design proposal. Traffic signals at this location would reduce right turn delays, but would reduce the Level of Service of other traffic signals on Pacific Highway in the Lindfield Town Centre. Consequently, the RTA is unlikely to support traffic signals at this location.

**Pacific Highway/Grosvenor Road**

- The intersection is operating close to capacity during the am and pm peak, and the Urban Design proposal would result in further deterioration of performance during the am peak, with the intersection effectively at capacity. The Urban Design proposal would cause the intersection to exceed capacity and fail in the pm peak (LOS F and DS = 1.1)

**Lindfield Avenue/Tryon Road**

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- Currently fails during the pm peak, and completion of Minister's site in Tryon Road would further impact on performance. The Urban Design proposal would result in additional delays in during the pm peak, and would cause the intersection to effectively operate at capacity during the am peak.

The modelling concludes that the following intersections will continue to operate at a satisfactory level (all future case scenarios):

- Pacific Highway/Highfield Road
- Lindfield Avenue/Strickland Avenue
- Nelson Road/Havilah Road
- Nelson Road/Tryon Road
- Balfour Street/Bent Street
- Beaconsfield Parade/Drovers Way

At this stage, the parking demands have not been fully examined but it is intended that the number of public parking spaces be retained and increased where possible.

### Traffic Improvement Proposals

A number of improvement options were considered as part of the town centre traffic upgrade options. Some of the preliminary upgrade options would be affected by constraints such as the Pacific Highway and the north shore railway line, which would involve significant infrastructure improvements that would not be feasible within the scope of the Lindfield Centre study.

As a result, the following transport upgrade options, to improve the transport operation within Lindfield town centre, are recommended for further consideration as part of the current town centre planning process. A plan indicating the location of the traffic improvement proposals is in the **attached** sketch plan (**Attachment 13** – Recommended Transport Improvements).

#### 1. New traffic signals at the intersection of Lindfield Avenue with Tryon Road

As indicated above, the Urban Design proposal would cause this intersection to operate close to capacity during the am peak and increase the already excessive delays during the pm peak, due to the existing priority (Stop) controls.

To accommodate the existing traffic flows and additional growth in the town centre, traffic signals would be required at this location. The traffic modelling indicates that traffic signals at this location would reduce delays and increase safety, bringing the intersection performance to LOS B. The existing mid-block pedestrian operated signals in Lindfield Avenue would be removed, with pedestrian needs accommodated at the proposed Lindfield Avenue/Tryon Road signals.

Parking restrictions would be required on the approaches to the intersection, to maintain 2 approach lanes in each direction.

Access to the railway station would need to be coordinated with the installation of the new signals, so that any new ramps or lift access points lie in close proximity to the marked pedestrian crossings.

## **2. Minor capacity improvements at Pacific Highway/Balfour Street/Havilah Road intersection**

This intersection is currently operating at capacity, with the main constraint being lack of capacity on the Havilah Road approach due to the span of the railway underpass. Ideally, to improve performance and access from the Havilah Road approach, the span of the overpass would have to be increased to accommodate 3 lanes on the approach side and one lane on the departure side. This would be a major project which would require significant funds, which are unlikely to result from redevelopment of the town centre. Furthermore, RailCorp is unlikely to fund or contribute to alterations to the underpass.

Another possible improvement could be reduction of the number of signal phases by removing right turns, for example. However, this measure is not considered feasible as it would impact significantly on local access due to the limited right turn opportunities on Pacific Highway in the Lindfield Centre.

Minor capacity improvements at the intersection could be achieved by lengthening of the right turn bay on the southeast approach of Pacific Highway to 60m. Also, extension of parking restrictions on the north-western side of Balfour Street could be undertaken to improve capacity on that leg, as part of the Urban Design scheme for the Coles site. These improvements would have only a marginal improvement on the overall intersection performance, but would improve traffic flow for local traffic, particularly traffic leaving the expanded Coles site.

## **3. Minor capacity improvements at Pacific Highway/Grosvenor Road intersection**

The Pacific Highway/Grosvenor Road intersection is currently approaching capacity in both the am and pm peaks. Due to the current signal timings, the main source of delay is to traffic on Grosvenor Road. It is therefore unlikely the RTA would allocate more green time to this approach, as the RTA favours signal timings to Pacific Highway traffic. Increasing the green time could increase demand for Grosvenor Road and the Grosvenor Road / Lady Game Drive intersection. The presence of Burleigh Street, which is offset from Grosvenor Road, necessitates a dedicated phase, which also impacts on the operation of the intersection.

Minor capacity improvements could be achieved by extending parking restrictions on Grosvenor Road, particularly in the pm peak, to enable two continuous approach lanes. Parking restrictions could apply from 4.30pm to 6.30pm, to avoid impacting on pickup/drop-off activities associated with Lindfield Public School. These improvements would have only a marginal improvement on the overall intersection level of service, but would reduce the length of queues on Grosvenor Road.

## **4. Realignment of Balfour Lane**

The intersection of Balfour Street and Balfour Lane is located in close proximity to the traffic signals at the intersection of Pacific Highway/Balfour Street/Havilah Road. During peak time, congestion occurs at this location, primarily due to the presence of the Coles supermarket car park access and the access point for the Holy Family Catholic School from Balfour Lane. This is further exacerbated by the queues at the nearby traffic signals.

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The Urban Design proposal includes the expansion of the existing Coles supermarket, involving the realignment of Balfour Lane a short distance to the west of its present location. The connection to Holy Family Catholic School would be maintained. Realignment of Balfour Lane further west would reduce the impact of movements to/from the school and supermarket on the Balfour Street approach of the traffic signals, thereby improving local access.

**5. New connecting road from Beaconsfield Parade to Bent Street**

The Urban Design proposal includes a new road connection between Beaconsfield Parade and Bent Street. This connection would improve vehicle circulation and provide for additional parking.

**6. Modification to the precinct between Lindfield Avenue/Kochia Lane/Milray Street**

The Urban Design proposal includes substantial development on the site of the existing car park. The surface car park would be replaced with basement car parking, supported by modifications to traffic control arrangements on Chapman Lane, Kochia Lane and Havilah Lane.

**7. Modification to Tryon Lane precinct**

The Urban Design proposal includes substantial redevelopment of the Pacific Highway precinct between Tryon Place and Strickland Avenue. Access to the precinct would involve a left in/left out arrangement at the Pacific Highway/Tryon Place pedestrian signals, realignment to the south of the existing left in/left out Highway access, and left in only from Strickland Avenue. Tryon Place would be extended southwards to Strickland Avenue, with the southern section becoming one-way northbound only.

**8. New pedestrian links**

A number of non-vehicular pedestrian links on the eastern and western side of the town centre have been included in the Urban Design proposal. These would serve mainly to reduce the size of blocks by providing links at shorter intervals. These links would improve the permeability of the local pedestrian network and encourage pedestrian access to the town centre and transport facilities there.

**Other issues**

The Arup traffic report lists other issues which were also considered as part of the town centre planning process;

- New signals on Pacific Highway at Strickland Avenue were considered, as an additional controlled access point to/from the eastern side of Lindfield. New signals at this location could reduce pressure on the existing signals at the intersection of Pacific Highway with Balfour Street/Havilah Road. As mentioned previously, traffic modelling indicates that traffic signals at this location would reduce the overall Level of Service of Pacific Highway through Lindfield. The RTA is therefore unlikely to agree to such a treatment.

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- Currently, the staggered cross-intersection of Lindfield Avenue with Havilah Road is in close proximity to the railway underpass and the Pacific Highway/Havilah Road/Balfour Street intersection, which contributes to considerable vehicular congestion. Due to its poor performance, the nearby Pacific Highway/Havilah Road/Balfour Street intersection contributes to the congestion at this location.

Significant improvements to the Pacific Highway/Havilah Road/Balfour Street intersection are unlikely to occur. However, a possible treatment to reduce through traffic in Lindfield Avenue and reduce the number of conflicting manoeuvres at this intersection would be to reconfigure the intersection so that a proportion of the through traffic is diverted around Lindfield Avenue past the town centre via Milray Street.

For example, the Lindfield Avenue/Havilah Road intersection could be modified so that southbound vehicles on Lindfield Avenue will be directed via Havilah Road/Milray Street to rejoin Lindfield Avenue at Tryon Road. Northbound vehicles in Lindfield Avenue would continue north in Lindfield Avenue to access the railway underpass and Pacific Highway, or divert via Tryon Road/Milray Street to rejoin Lindfield Avenue at Havilah Road. Vehicles travelling east in Havilah Road from Pacific Highway and under the underpass would be permitted to turn either left or right into Lindfield Avenue. This would reduce conflicting manoeuvres in the vicinity of the Pacific Highway/Havilah Road/Balfour Street intersection and to improve amenity along Lindfield Avenue in the town centre.

Alternatively, a partial reconfiguration of the intersection could be undertaken, where northbound traffic on Lindfield Avenue could be maintained as per exiting, with only southbound traffic diverted via Havilah Road/Milray Street/Tryon Road.

Such proposals would improve pedestrian amenity and safety in Lindfield Avenue between Havilah Road and Tyron Road. Traffic modelling indicates that there would be a slight improvement in performance of the nearby intersection of Pacific Highway and Balfour Street/Havilah Road as a result of the reconfiguration of the Lindfield Avenue/Havilah Road intersection. However, during the peak periods, this could result in up to 500 vehicles per hour diverted along the Havilah Road/Milray Street/Tryon Road route (depending on extent of reconfiguration), or may result in through-traffic seeking alternative routes. The priority at the intersection of Tryon Road and Milray Street would need to be modified to accommodate the changes to traffic flows. Also, consideration may need to be given to introducing a morning peak right turn ban from Werona Avenue (southbound) into Treatts Road (westbound) to limit its potential use by through traffic.

It is unlikely that a roundabout at the Lindfield Avenue/Havilah Road intersection would be supported by the RTA as it could result in traffic queuing back through the traffic signals at the intersection of Pacific Highway/Havilah Road/Balfour Street.

Therefore, given the lack of clear advantages/disadvantages of the reconfiguration, it is not recommended that a form of intersection reconfiguration be implemented, but should not be discounted as a possible future treatment.

- Increased development in Lindfield would create increased demand for public transport. This



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would require increased public transport services stopping at Lindfield, as well as improved railway station access and improved bus/taxi arrangements. Easy access upgrade to Lindfield railway station is likely to be undertaken by Railcorp some time in 2008, subject to funding.

- The existing vehicular connection between Drovers Way and Gladstone Parade is not direct, but via a short section of roadway parallel to Gladstone Parade. A more direct connection was investigated, but found not to be feasible due to the steep grades at the intersection.
- A new road connection between Lindfield Avenue and Nelson Road (south of Havilah Road) was considered, but was found to be better served as a pedestrian link only.

**Staging of Traffic Options**

The following traffic changes and stages are recommended as part of the traffic improvements measures. Whether changes are short or long term will depend on individual developments proceeding, and their timing. It is expected that timing of improvements are likely to be:

**Short term**

- Minor capacity improvements at Pacific Highway/Balfour Street/Havilah Road intersection;
- Minor capacity improvements at Pacific Highway/Grosvenor Road intersection.

**Medium term**

- New traffic signals at the intersection of Lindfield Avenue with Tryon Road

**Long term**

- New connecting road from Beaconsfield Parade to Bent Street;
- Realignment of Balfour Lane;
- New connecting road from Beaconsfield Parade to Bent Street;
- Modification to Tryon Lane precinct;
- New pedestrian links.

**Overview of the recommended traffic improvements**

Proposed traffic improvements for the Lindfield Centre include:

- New traffic signals at the intersection of Lindfield Avenue with Tryon Road;
- Minor capacity improvements at Pacific Highway/Balfour Street/Havilah Road intersection;

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- Minor capacity improvements at Pacific Highway/Grosvenor Road intersection;
- Realignment of Balfour Lane;
- New connecting road from Beaconsfield Parade to Bent Street;
- Modification to the precinct between Lindfield Avenue/Kochia Lane/Milray Street;
- Modification to Tryon Lane precinct;
- New pedestrian links.

A traffic and parking study was commissioned to assess the current traffic and parking conditions and develop a traffic flow scheme to best manage future traffic generation through the Lindfield Town Centre associated with the Stage 2 Residential Development Strategy. The study, undertaken by Arup, also modelled the impact on the road network likely to be generated from the residential redevelopment under LEP 194 and the Minister's sites. Economic performance indicators are provided in **Attachment 13**.

The economic performance indicators or operating cost figures are indicative hourly costs, based on Sidra modelling outputs. These are therefore different to the annual figures used in other town centre studies, but show the relative impacts on costs under the different scenarios. Costs shown are estimates of costs that motorists would experience when travelling through that section of the road network. Costs shown are useful as comparisons of the impacts of various scenarios.

The hourly cost figures allow comparison of options, subject to the performance being acceptable during the peak periods. Typically, when considering arterial road network changes, the RTA would compare the operating costs of a proposal against the costs of the existing arrangements.

Standard traffic generation rates, as used for other town centre studies on the Highway, were used to assess the likely impacts of traffic improvement measures to accommodate the land use planning option. Other forms of comparison relate to the Levels of Service (LOS) for the various intersections and Degree of Saturation (DS) of intersections.

LOS is an index of the operational performance of traffic at an intersection and is based on the average delay per vehicle. LOS ranges from A – very good to F – highly congested conditions. Another common measure of intersection performance is the degree of saturation (DS), which provides an overall measure of the capability of the intersection to accommodate the traffic levels. A degree of saturation of 1.0 indicates that the intersection is operating at capacity and a desirable (and practical) degree of saturation is less than 1.

It should be noted that the Roads and Traffic Authority generally gives higher priority to traffic on Pacific Highway, at the expense of traffic on side streets in order to ensure the peak traffic flow is maintained. The likely increase in residential and retail/ commercial space will place additional pressure on side streets, as the RTA would not support reductions to the LOS for peak traffic flow on Pacific Highway.

## Existing Scenario

The traffic consultant report from ARUP (**Attachment 13**) including results of the Sidra analysis provides details of the existing scenario and of the other scenarios.

Based on existing traffic conditions, the preliminary findings of the study found that:

## Reclassification of Council Owned Land

A report has been prepared on the various property holdings within the Lindfield Centre. The report includes details relating to the site's ownership, current leases, acquisition details and restrictions on the use of the land. To alter the current use, zoning or character, Council will need to proceed through a number of processes.

A copy of the report of Council's property holdings for Lindfield Centre is included as **Attachment 14** to this report.

In order to deliver on the planning outcomes for the recommended option, there are currently a number of Council owned sites within the Lindfield Centre that are affected by the recommended option. The majority of these sites are currently classified as community land under the Local Government Act.

### Classification of Land

Land which is owned by or under the control of a local council (with some exceptions, such as roads and crown reserves) must be classified as either 'community land' or 'operational land' under the *Local Government Act 1993*. Community land will ordinarily be land which is open to the public, such as a park, bushland reserve or sportsground, while operational land may be held by Council as an asset or used for other purposes such as works depots or garages.

The purpose of the 'community land' classification is to identify council owned land which should be set aside for use by the general public. Community land cannot be sold by the Council and can only be leased for certain purposes. There are a number of restrictions on the way Councils can deal with community land:

- Community land cannot be sold;
- a Council can grant a lease over community land, but only for certain purposes which are authorised by the plan of management for the land;
- Community land must be managed in accordance with a plan of management; and
- Community land may only be dedicated as a public road where the road is necessary for enjoyment of the land.

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Normally, land can only be reclassified from community land to operational land by making a new LEP. The procedures for making an LEP must be complied with, including public exhibition of the plan and consideration of submissions from members of the public. The plan must be made by the Minister for Planning

In the case where reclassification of the land is carried out by an LEP it will also require a public hearing to be conducted under section 68 of the Environmental Planning and Assessment Act and Section 29(1) of the Local Government Act. It is intended that the public hearing will be conducted during the public exhibition period of the Draft LEP.

### Land Proposed to be Reclassified

In order to deliver on the planning outcomes for the recommended option presented in this report, it is recommended that the following Council owned lands be reclassified from “Community” to “Operational” land:

Map Ref	Property Location	Property Description	Property Name
1	9 Havilah Lane Lindfield	Lot 21 DP 713207	KMC Car Park No.42
2	3 Kochia Lane Lindfield	Lot 12 DP 225925	KMC Car Park No.6
3	8-10 Tryon Road Lindfield	Lots 2 & 3 DP 219628, Lot 5 DP 219146	KMC Car Park No.6
4	1 Beaconsfield Parade and 19 Drovers Way Lindfield	Part Lot 1 DP 929131, Part DP 108363 and Part Public Road	KMC Car Park No.5
5	259 Pacific Highway Lindfield	Lot 1 DP 212617	Car Park No 51
5	259 Pacific Highway Lindfield	Lot 2 DP 212617	Seniors Resource Centre
5	259 Pacific Highway Lindfield	Lot 3 DP 212617	KOPWA
6	265 Pacific Highway Lindfield	Part Lot 8 DP 660564 & Part Lot 8 The Clanville Estate (Old System Land)	Lindfield Library and Community Centre Tennis Courts
7	1/12-18 Tryon Road Lindfield	Lot 1 SP 37466	Lindfield Early Childhood Centre
8	Lot 1 Milray Street, Lindfield	Lot 1 DP 132916	Drainage Reserve
8	Lot 2/4 Milray Street, Lindfield	Lot 2/4 DP 132916	Drainage Reserve

## CONSULTATION

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Council will continue to engage with Lindfield residents and other stakeholders to seek and include a broad range of ideas and opinion during the planning steps summarised below. This was documented in some detail in the Report to Council of 23 May 2006.

### Preliminary Surveys and Consultations

The consultations to date were completed in 3 phases:

1. Mail out of a survey to 4700 households in the Lindfield postcode area.
2. Consultation with Lindfield Chamber of Commerce.
3. Consultation workshop to develop a Character Statement for Lindfield centre, including representatives of local resident groups, residents & business.
4. An email survey of interested residents / businesses, seeking feedback on a Character for Lindfield.

### Surveys & Consultations completed:

• 2006 Lindfield Residents' Survey – responses =	1500	Feb 06
• Lindfield Chamber of Commerce	10	6 March
• Lindfield Residents' / Business Workshop	65	1 May
• Lindfield Character Survey	92	5 May

The consultations and householder survey allowed the collation of an extensive e-mail register of persons (some 600 for Lindfield), interested in keeping informed of progress. This has been used to provide updated information quickly about Lindfield town centre planning, and to seek feedback to Council via on-line surveys on planning and Council-wide issues.

During the above, Council has received correspondence from the public, both as letters and e-mails, on the planning for the Lindfield centre. This information has been passed to on staff and relevant consultants for consideration in planning process.

As with interest in other centres, the correspondence has indicated a mixture of support, objection and has raised areas that suggest further assessment.

Details of the results of the above household survey and consultations were documented in the previous report to Council of 23 May 2006 on planning for the Lindfield centre.

### Workshop on a Character for Lindfield Centre

A workshop to help identify a Character for the Lindfield Centre was convened at St Albans' Church Hall Lindfield on Monday 1 May 2006. It included some 60 Lindfield householders who had volunteered their availability to attend consultations when they completed the above resident survey, plus local business owners, and established resident-group nominees. The householders were invited as a sample to range across age, time lived in the locality, household size and gender, so as to provide a broad array of perspectives at the workshop.

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Each of the themes identified in the workshop were used to build a sentence to describe the desired outcome. Based on these, a survey on the future Character of Lindfield Centre was then emailed to the above participants, plus all other householders and businesses who had provided their email address for such purpose. The survey responses gave good support to most of the Lindfield centre Character elements shown below:

1. Lindfield will retain its friendly, family-oriented character including low density housing, heritage buildings, trees and parks.

<b>Agree 92%</b>	<i>Neither 7%</i>	Disagree 1%
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2. New higher density housing will be located close to the rail and highway corridor, with notable heritage facades on the retail strips preserved to maintain a character streetscape that is both attractive and commercially viable.

<b>Agree 71%</b>	<i>Neither 9%</i>	Disagree 20%
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3. Lindfield will grow to be a moderate-sized shopping centre, serving the needs of local and nearby residents, with a viable mix of uses including supermarkets, shop-top housing, professional and larger offices, and a good variety of specialty and other retail.

<b>Agree 71%</b>	<i>Neither 6%</i>	Disagree 23%
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4. Leisure-based uses such as cafes and restaurants will be located to take advantage of new public spaces providing a variety of type, character and experience.

<b>Agree 94%</b>	<i>Neither 2%</i>	Disagree 4%
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5. A multi-purpose community hub including library, child care centre, seniors' resource centre and youth space will be located in central locations within the shopping area. These facilities will provide for future needs.

<b>Agree 76%</b>	<i>Neither 14%</i>	Disagree 10%
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6. New shops, improved footpaths and greenery along the Highway and Lindfield Avenue with coordinated signage and street furniture will provide better pedestrian amenity and access.

<b>Agree 87%</b>	<i>Neither 9%</i>	Disagree 4%
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7. There will be safer and more direct pedestrian and cycle routes to the Lindfield centre, rail station, across the Pacific Highway and to local residential areas and schools. Access across

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the highway from the rail station will be streamlined, strengthening links between bus, rail, west and east sides of the centre

<b>Agree 95%</b>	<i>Neither 1%</i>	Disagree 4%
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8. Improvements will be made to the Pacific Highway to enhance road access between the western and eastern side of the Lindfield centre. Traffic improvements will enhance circulation within the centre and provide better links with the local road network. Shopper and related parking will be improved and increased in terms of access, quantity, safety and design.

<b>Agree 88%</b>	<i>Neither 4%</i>	Disagree 8%
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These results indicate that retaining Lindfield's family / friendly / green / low density character, cafes/restaurants and new public spaces, improved access across the highway and pedestrian/amenity, have high levels of agreement. A notable level of reticence was apparent in responses about more intensive development.

### Proposed Consultations & Surveys

[Lindfield Centre –	Extraordinary Council Meeting – 16 August 2006]
Lindfield Centre -	Preliminary Exhibition (Web-site, Chambers & Lindfield Library) - Spring 2006
Lindfield –	Exhibition and Feedback Survey of Draft DCP /LEP (Web-site, Gordon Chambers & Library) - Spring 2006
Public Hearing -	reclassification of community lands to operational lands (Council Chambers) - Spring 2006

### Further consultation – Draft Development Control & Local Environment Plans

Council has indicated that it will mount a preliminary public exhibition of the Draft DCP and LEP for Lindfield centre so that all stakeholders can have the opportunity to see the plans and time to consider the implications, before formal exhibition commences. This is scheduled for Spring 2006 at appropriate locations and on Council's web-site.

As part of the later, formal exhibition of the Draft Plans for Lindfield, Council will have staffed displays at the local venues and on its web-site. An exhibition survey to glean comments and opinions will be available at these locations and at Council's web-site. Exhibition and survey web-links will be sent to all persons who have provided their email address to Council, to be kept informed about Lindfield town centre planning. This is scheduled later in 2006, following NSW Department of Planning approval to exhibit.

A public hearing before an independent arbiter to determine the reclassification of community lands to operational lands, indicated by the above plans, will also be convened during the exhibition

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period. It is intended to be held concurrently with the exhibition, in a convenient venue – with statutory public notification, as well as email advice to those above, being provided beforehand.

Further consultation including business and property owners in the town centre area will be completed, and information and feedback links maintained via email messages and exhibition survey, with stakeholders and the general community. These will include staffed exhibitions at Lindfield centre shops / Library and Council Chambers as required, updates on web based information, information in local papers and the Ku-ring-gai News. Brochures about the 6 town centres' planning, including Lindfield, have been included in July 2006 rate notices to Ku-ring-gai ratepayers.

## FINANCIAL CONSIDERATIONS

All primary costs are met by the Planning Department's operational and projects budgets. Additional funding opportunities for new and enhanced public facilities will be sourced through the preparation of a new Section 94 Plan, potential grant funding and other planning mechanisms.

Other funding sources will also be incorporated into the project, including a new Section 94 Plan and potential grant funding.

## CONSULTATION WITH OTHER COUNCIL DEPARTMENTS

The integrated planning approach has ensured input from all Council departments throughout the project.

## SUMMARY

The Minister has directed Council to prepare plans for additional housing in and around its town centres and to provide for retail and commercial activities to meet the needs of the local community. Following Council's resolutions on 23 May 2006, this report provides the further detailed planning and urban design analysis, building envelopes, planning controls and feedback from further range of studies on traffic and transport, economic feasibility studies, community facilities and further stakeholder consultation. A development contributions strategy is also being prepared to assist with funding the new services and facilities created by the plans. The key planning controls and documentation for the Lindfield Centre are presented including a Draft LEP and Draft DCP for adoption for public exhibition. The Draft LEP and Draft DCP will then be presented to the Department of Planning seeking their formal endorsement for formal public exhibition.

## RECOMMENDATION

- A. That Council adopt the Draft Ku-ring-gai (Town Centres) Local Environmental Plan - Amendment (No 3), as it applies to the Lindfield Centre, for exhibition as attached to this report.
- B. That:
  - i. Council adopt the Draft Ku-ring-gai (Town Centres) Development Control Plan for the Lindfield Centre including further minor amendments as necessary to



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ensure consistency with Council's adopted Draft Local Environmental Plan and with gazetted Standard Instrument Local Environment Plans Order 2006.

- ii. In relation to precinct P Wolseley and Treatts Road, Lindfield- that the Draft development controls be prepared consistent with the Draft LEP and reported to council prior to the exhibition period commencing.
- C. That Council write to the Director General, Department of Planning under Section 64 Environmental Planning and Assessment Act requesting that a Certificate under Section 65(2) be issued for exhibition of the Draft Local Environmental Plan applying to the Lindfield Centre.
- D. That subject to a Certificate under Section 65(2) being issued, Council exhibit for a minimum period of 28 days the Draft Local Environmental Plan and Draft Development Control Plan as required by the Environmental Planning and Assessment Act 1979.
- E. That following the exhibition period a further report be presented to Council with an assessment of submissions and a final Local Environmental Plan and Development Control Plan for adoption.
- F. That the economic feasibility information be released to the Department of Planning on a confidential basis to support Council's request for a Certificate to exhibit the Draft Plan.
- G. That the Draft Local Environmental Plan propose reclassification of the following Sites from community land to operational land:
 

Map Ref	Property Location	Property Description	Property Name
1	9 Havilah Lane, Lindfield	Lot 21 DP713207	KMC Car Park No.42
2	3 Kochia Lane, Lindfield	Lot 12 DP225925	KMC Car Park No.6
3	8-10 Tryon Road, Lindfield	Lots 2 & 3 DP219628, Lot 5 DP219146	KMC Car Park No.6
4	1 Beaconsfield Parade and 19 Drovers Way, Lindfield	Part Lot 1 DP929131, Part DP108363 and Part Public Road	KMC Car Park No.5 Car Park No 51
5	259 Pacific Highway, Lindfield	Lot 1 DP212617	Seniors Resource Centre
5	259 Pacific Highway, Lindfield	Lot 2 DP212617	KOPWA
5	259 Pacific Highway, Lindfield	Lot 3 DP212617	Lindfield Library and Community Centre
6	265 Pacific Highway, Lindfield	Part Lot 8 DP660564 & Part Lot 8 The Clanville Estate (Old System Land)	Tennis Courts
7	1/12-18 Tryon Road, Lindfield	Lot 1 SP37466	Lindfield Early Childhood
8	Lot 1 Milray Street, Lindfield	Lot 1 DP 132916	Drainage Reserve
8	Lot 2/4 Milray Street, Lindfield	Lot 2/4 DP 132916	Drainage Reserve
- H. That Council adopt the recommended traffic improvements for Lindfield as outlined in this report.
- I. That the Draft Local Environmental Plan be exhibited in accordance with the requirements of Local Environmental Plans and *Council Land Best Practice Guideline* (January 1997).
- J. That a public hearing be conducted in respect to the reclassification of Council land as part of the Local Environmental Plan exhibition in accordance with the relevant provisions of the Local Government Act 1993.

Item 1

**S04350**  
**7 August 2006**

- K. That a Parking Management Plan be prepared and reported to Council prior to gazettal of the Draft Local Environmental Plan for the Lindfield Centre.
- L. That Council acknowledge those who have made submissions and that they be informed of Council's resolution.

Ling Lee  
Urban Design Architect

Craige Wyse  
Senior Urban Planner

Antony Fabbro  
Manager Urban Planning

Greg Piconi  
Director Technical Services

Steven Head  
Director Open Space & Planning

- Attachments:**
- 1. Copy of Lindfield report & Resolution of Council Meeting, 23 May 2006 - 647885 & 647889
  - 2. Lindfield Centre Draft Development Control Plan (circulated separately)
  - 3. Confidential Economic Feasibility Assessment, BEM Property Consultants (circulated separately)
  - 4. Copy of Section 54(4) - Schedule 2 - Lindfield Centre from DCP - 648445
  - 5. Lindfield Centre Precinct Map - 648446
  - 6A. Heritage Assessment Potential Adaptive Re-use - 1-21 Lindfield Avenue, Lindfield - 648448
  - 6B. Heritage Assessment Additional Research - 1-21 Lindfield Avenue, Lindfield by City Plan Heritage - 648450
  - 6C. Heritage Assessment Additional Research 388-390 Pacific Highway, Lindfield by City Plan Heritage - 648452
  - 6D. Heritage Assessment Additional Research - 20 Nelson Road, Lindfield by City Plan Heritage - 648455
  - 6E. Heritage Assessment Additional Research - 31 Tryon Road, Lindfield by City Plan Heritage - 648878
  - 7A. Submission - 12-18 Tryon Road, Lindfield by Chris Young Planning - 648457
  - 7B. Submission - 12-18 Tryon Road, Lindfield by Concept Plan & Section - 648465
  - 8. Submission - Woodside Avenue & Havilah Road, Lindfield by Ingham Planning - 648469
  - 9. Proposed Riparian Guidelines - 648472
  - 10A. Submission - Precinct P Mediation Report - 648473
  - 10B. Submission - Precinct P Addendum - 648477
  - 10C. Submission - Precinct P Zoning Options - 648480
  - 11. Draft Ku-ring-gai LEP (Town Centres) Amendment No 3 - Written Instrument - 649085
  - 12. Draft LEP (Town Centres) Amendment No 2 - Maps - Lindfield Centre - 648881
  - 13. Lindfield Centre Recommended Transport Improvements - 648883
  - 14. Council Land Holdings & Land proposed for classification - 649086

## RESOLUTION OF EXTRAORDINARY MEETING OF COUNCIL

16 AUGUST 2006

EMC8 **Lindfield Centre - Draft Local Environmental Plan & Draft Development Control Plan**

File: S04350

**The following members of the public addressed Council:**

C Bentley	P Andrews
J Docherty	K Coppel
K Wee	S Gross
B Robertson	R Hudson
J Lomax	W Butt
C Young	M Armstrong
L Hunt	S Donovan
L Vaubell	P Mayoh
B Williams	K Cowley
E Keays	S O'Donnell
N Sheffield	H Huang
M Berman	I Cairns

To have Council consider and adopt the Draft Local Environmental Plan (LEP), Draft Development Control Plan (DCP) and associated strategies for the Lindfield Centre and submit the Draft Plans to the Department of Planning to seek their approval for formal exhibition of the Draft LEP and Draft DCP.

**Resolved:**

(Moved: Councillors Anderson/Bennett)

- A. That Council adopt the Draft Ku-ring-gai (Town Centres) Local Environmental Plan –Amendment (No 3), only as it applies to the Lindfield Centre, for exhibition as attached to the report:

*For the Resolution:*      *The Mayor, Councillor E Malicki, Councillors Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against the Resolution:*      *Councillor Bennett*

- i. That the Local Environmental Plan zoning map be amended to be consistent with Schedule 5 Environmental Heritage Items contained within Draft Local Environmental Plan Amendment No 3.

*For the Resolution:*                      *The Mayor, Councillor E Malicki, Councillors Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against the Resolution:*              *Councillor Bennett*

- ii. That the substation located at 402 Pacific Highway, Lindfield be zoned SP2 (Infrastructure) under the Draft Plan.

*For the Resolution:*                      *The Mayor, Councillor E Malicki, Councillors Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against the Resolution:*              *Councillor Bennett*

- iii. That the FSR map for Precinct A - 12 to 18 Tryon Road, Lindfield be amended to include a minimum FSR of 0.25:1 for community uses within the overall site FSR.

**CARRIED UNANIMOUSLY**

- iv. That the FSR map for the Woodford Lane car park site within Precinct C be amended to include an overall minimum FSR of 0.4:1 for community uses within the overall FSR.

**CARRIED UNANIMOUSLY**

*Parts A(i) & (ii) were CARRIED as parts of the Original Motion*

B. That:

- i. Council adopt the Draft Ku-ring-gai (Town Centres) Development Control Plan for the Lindfield Centre including further minor amendments as approved by Council to ensure consistency with Council's adopted Draft Local Environmental Plan and with gazetted Standard Instrument Local Environment Plans Order 2006.

*For the Resolution:*                      *The Mayor, Councillor E Malicki, Councillors Andrew, Cross, Ebbeck, Hall, Lane, Ryan & Anderson*

*Against the Resolution:*              *Councillors Bennett & Shelley*

(Moved: Councillors Cross/Lane)

- B. ii. In relation to Precinct P Wolseley and Treatts Road, Lindfield that the draft development controls be prepared consistent with Option 2 in the officer's report. Development controls be reported to Council prior to the exhibition period. The land within the proposed R4 zone be allocated a FSR of 1:1 and a maximum height of 4 storeys and proposed R3 zone be allocated an FSR of 0.8:1 and a maximum height of 3 storeys in the draft Local Environmental Plan.

*For the Resolution:* Councillors Cross, Ebbeck, Hall, Lane, Ryan & Andrew

*Against the Resolution:* The Mayor, Councillor E Malicki, Councillors Anderson, Bennett & Shelley

*Part B(ii) was CARRIED as a Foreshadowed Amendment to the Amendment & the Original Motion. The Amendment was:*

(Moved: Councillors Anderson/Bennett)

- B. ii. *In relation to Precinct P - Wolseley & Treatts Road, Lindfield - that the Draft Development Controls be prepared consistent with Option 1(b) in the officer's report & the Draft Local Environmental Plan be reported to Council prior to the exhibition period commencing & amend the FSR map for the site to 0.8:1.*

*The Original Motion was:*

(Moved: Councillors Shelley/Anderson)

*In relation to Precinct P - Wolseley & Treatts Road, Lindfield - that the Draft Development Controls be prepared consistent with Option 1(a) in the officer's report & the Draft Local Environmental Plan be reported to Council prior to the exhibition period commencing & amend the FSR map for the site to 0.8:1.*

- B. iii. Precinct F Controls for the Development Control Plan be deferred from the Plan & a report be brought back to Council that clarifies the status of the riparian corridor & any amendments required to the Development Control Plan prior to the exhibition of the Draft Lindfield Local Environmental Plan.

**CARRIED UNANIMOUSLY**

*Part B(iii) was the same as the Original Motion*

- C. That Council write to the Director-General, Department of Planning under Section 64 Environmental Planning & Assessment Act requesting that a Certificate under Section 65(2) be issued for exhibition of the Draft Local Environmental Plan applying to the Lindfield Centre.
- D. That subject to a Certificate under Section 65(2) being issued, Council exhibit for a minimum period of 28 days the Draft Local Environmental Plan & Draft Development Control Plan as required by the Environmental Planning & Assessment Act 1979.
- E. That following the exhibition period, a further report be presented to Council with an assessment of submissions & a final Local Environmental Plan & Development Control Plan for adoption.

*For Parts C, D & E of the Resolution:*      *The Mayor, Councillor E Malicki, Councillors Andrew, Cross, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against Parts C, D & E of the Resolution:*    *Councillor Bennett*

*Parts C, D & E of the Amendment were the same as the Motion*

- F.    That the economic feasibility information be released to the Department of Planning on a confidential basis to support Council's request for a Certificate to exhibit the Draft Plan.

**CARRIED UNANIMOUSLY**

*Part F of the Amendment was the same as the Motion*

- G.    i.    That the Draft Local Environmental Plan propose reclassification of the following Sites from Community Land to Operational Land:

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
1	9 Havilah Lane, Lindfield	Lot 21 DP713207	KMC Car Park No.42

*For the Resolution:*      *The Mayor, Councillor E Malicki, Councillors Andrew, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against the Resolution:*    *Councillors Bennett & Cross*

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
2	3 Kochia Lane, Lindfield	Lot 12 DP225925	KMC Car Park No.6

*For the Resolution:*      *The Mayor, Councillor E Malicki, Councillors Andrew, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against the Resolution:*    *Councillors Bennett & Cross*

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
3	8-10 Tryon Road, Lindfield	Lots 2 & 3 DP219628, Lot 5 DP219146	KMC Car Park No.6

*For the Resolution:*      *Councillors Andrew, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against the Resolution:*    *The Mayor, Councillor E Malicki, Councillors Bennett & Cross*

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
4	1 Beaconsfield Parade & 19 Drovers Way, Lindfield	Part Lot 1 DP929131, Part DP108363 & Part Public Road	KMC Car Park No.5

*For the Resolution: Councillors Andrew, Ebbeck, Hall, Lane,  
Ryan, Shelley & Anderson*

*Against the Resolution: The Mayor, Councillor E Malicki, Councillors  
Bennett & Cross*

- ii. That the Draft Local Environmental Plan propose NOT to reclassify the following Sites from Community Land to Operational Land:

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
5	259 Pacific Highway, Lindfield	Lot 1 DP212617	Car Park No 51

*For the Resolution: The Mayor, Councillor E Malicki, Councillors  
Bennett, Cross, Shelley & Anderson*

*Against the Resolution: Councillors Andrew, Ebbeck, Hall, Lane &  
Ryan*

*The voting being EQUAL, the Mayor exercised  
her casting vote IN FAVOUR of the Resolution*

(Moved: Councillors Shelley/Anderson)

*The Original Motion was to reclassify the Site.*

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
5	259 Pacific Highway, Lindfield	Lot 2 DP212617	Seniors Resource Centre

*For the Resolution: The Mayor, Councillor E Malicki, Councillors  
Bennett, Cross, Shelley & Anderson*

*Against the Resolution: Councillors Andrew, Ebbeck, Hall, Lane &  
Ryan*

*The voting being EQUAL, the Mayor exercised  
her casting vote IN FAVOUR of the Resolution*

(Moved: Councillors Shelley/Anderson)

*The Original Motion as to reclassify the Site.*

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
5	259 Pacific Highway Lindfield	Lot 3 DP212617	KOPWA

*For the Resolution: The Mayor, Councillor E Malicki, Councillors Bennett, Cross, Shelley & Anderson*

*Against the Resolution: Councillors Andrew, Ebbeck, Hall, Lane & Ryan*

*The voting being EQUAL, the Mayor exercised her casting vote IN FAVOUR of the Resolution*

(Moved: Councillors Shelley/Anderson)

*The Original Motion was to reclassify the Site.*

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
6	265 Pacific Highway, Lindfield	Part Lot 8 DP660564 & Part Lot 8 The Clanville Estate (Old System Land)	Lindfield Library & Community Centre Tennis Courts

*For the Resolution: The Mayor, Councillor E Malicki, Councillors Bennett, Cross, Shelley and Anderson*

*Against the Resolution: Councillors Andrew, Ebbeck, Hall, Lane and Ryan*

*The voting being EQUAL, the Mayor exercised her casting vote IN FAVOUR of the Resolution*

(Moved: Councillors Shelley/Anderson)

*The Original Motion was to reclassify the Site.*

- iii. That the Draft Local Environmental Plan propose reclassification of the following Site from Community Land to Operational Land.

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
7 ,	1/12-18 Tryon Road Lindfield	Lot 1 SP37466	Lindfield Early Childhood

*For the Resolution: The Mayor, Councillor E Malicki, Councillors Andrew, Ebbeck, Hall, Lane, Ryan, Shelley & Anderson*

*Against the Resolution: Councillors Bennett & Cross*

*The Amendment was the same as the Motion.*

- H. That Council adopt the recommended traffic improvements for Lindfield as outlined in the report and staff consult with the RTA on the possibility of introducing traffic signals at the intersection of the Pacific Highway and Strickland Avenue and a pedestrian bridge over the Pacific Highway near Tryon Place during the exhibition period.

**CARRIED UNANIMOUSLY**



- I. That the Draft Local Environmental Plan be exhibited in accordance with the requirements of Local Environmental Plans and *Council Land Best Practice Guideline* (January 1997).

**CARRIED UNANIMOUSLY**

- J. That a public hearing be conducted in respect to the reclassification of Council land as part of the Local Environmental Plan exhibition in accordance with the relevant provisions of the Local Government Act 1993.

**CARRIED UNANIMOUSLY**

- K. That a Parking Management Plan be prepared and reported to Council prior to gazettal of the Draft Local Environmental Plan for the Lindfield Centre.

**CARRIED UNANIMOUSLY**

- L. That Council acknowledge those who have made submissions and that they be informed of Council's resolution.

**CARRIED UNANIMOUSLY**

*Part H to L of the Amendment were the same as the Motion*

- Q. a. That Council rescind the resolutions of Council at its meeting of 23 May 2006 that relate to the proposal to rezone the properties at 11 to 17 Woodside Avenue and 2A & 2 Havilah Road.

*The above Rescission Motion was signed by  
Councillors Shelley, Anderson & Bennett*

*For the Rescission: The Mayor, Councillor E Malicki, Councillors  
Bennett, Cross, Shelley & Anderson*

*Against the Rescission: Councillors Andrew, Ebbeck, Hall, Lane &  
Ryan*

*The voting being EQUAL, the Mayor exercised  
her casting vote IN FAVOUR of the Resolution*

- b. That these subject properties be zoned R3.

*For the Resolution: The Mayor, Councillor E Malicki, Councillors  
Bennett, Cross, Shelley & Anderson*

*Against the Resolution: Councillors Andrew, Ebbeck, Hall, Lane &  
Ryan*

*The voting being EQUAL, the Mayor exercised  
her casting vote IN FAVOUR of the Resolution*

- c. That the Controls be a maximum height of 3 storeys, FSR of 0.8:1, subject to feasibility.

*For the Resolution: The Mayor, Councillor E Malicki, Councillors Andrew, Bennett, Cross, Ebbeck, Ryan, Shelley & Anderson*

*Against the Resolution: Councillors Hall & Lane*

- R. That the new infiltration street listed on Map 2.28 in the DCP for Precinct E be removed and alternative water management strategies be examined for this area.

*For the Resolution: The Mayor, Councillor E Malicki, Councillors Andrew, Cross, Ebbeck, Lane, Ryan, Shelley & Anderson*

*Against the Resolution: Councillors Bennett & Hall*

*Parts Q & R of the Amendment were the same as the Motion*

**At 11.55pm a Motion moved by Councillors Ebbeck & Andrew  
to extend the meeting until business completed  
was put to the vote & CARRIED UNANIMOUSLY**

*The following parts of the Amendment when put to the vote were LOST.*

- B. iv. *That in Precinct F the road from Beaconsfield Parade that is marked in the shape of T and with one part intersecting with Drovers Way be retained and that the section from the widest part of the lot and continuing to Gladstone Parade be for pedestrian access only.*

*Part B(iv) was the same as the Motion*

- G. *That the Draft Local Environmental Plan propose the reclassification of the following Sites from Community Land to Operational Land.*

<b>Map Ref</b>	<b>Property Location</b>	<b>Property Description</b>	<b>Property Name</b>
8	Lot 1 Milray Street, Lindfield	Lot 1 DP 132916	Drainage Reserve
8	Lot 2/4 Milray Street, Lindfield	Lot 2/4 DP 132916	Drainage Reserve

*Part G was the same as the Motion*

- M. *That the Precinct E FSR map be amended to show maximum retail of 1.25:1 with an FSR of 2.25:1 overall, with no change in height.*

*Part M was the same as the Motion.*

- N. That the Precinct A FSR map be amended to give an overall FSR of 2.7:1.*
- O. That during the exhibition period the officers undertake further examination of, including consultation with the principals of the aforementioned commercial building, the setback controls in the DCP relating to this site and bring a further report to Council.*
- P. That in regard to the proposed heritage listing of 22 Russell Avenue that the officers undertake further discussion with the owners.*
- S. That during the exhibition period the officers examine the area immediately adjacent to Precinct I being 11, 11a and 15 Beaconsfield and their rear neighbours at 2, 4 and 6 Newark be examined for R3 zoning with the feasibility of a new street connection from the corner of Newark through to Beaconsfield and a report be brought back to Council.*

*Parts N, O, P & S were the same as the Motion*

## **TRAFFIC COMMENTS ON PRECINCTS F AND P, LINDFIELD**

### **PRECINCT F**

#### Proposed Road between Beaconsfield Parade and Drovers Way

The Draft DCP shows that only Site 2 would have access onto the new road. Based on the site area and proposed floor space ratio, approximately 72 dwellings would have vehicular access to the new road. The resulting traffic generation of this site would be up to 43 vehicle trips per hour (during the peak hour), or up to 430 daily trips. When distributed to the surrounding road network traffic volumes of up to 260 vehicles per day are expected in the new road.

According to the AMCORD guidelines, for a road with two-way traffic flows of up to 300 vehicles per day, the appropriate carriageway road width would be up to 5m, within a road reserve 12m wide. The Draft DCP shows a 12m road reserve, and a 6m wide road carriageway is proposed. This is considered to be appropriate. However, given the presence of the sharp curve near the Drovers Way end, it is suggested that the new road should be made one-way to minimise the potential for conflicts at the curve. It is suggested that the traffic flows from Drovers Way to Beaconsfield Parade, given that Beaconsfield Parade is wider than Drovers Way.

Given the proximity to Lindfield railway station, it is suggested that parking restrictions be implemented in the new road to minimise potential commuter parking impacts.

### **PRECINCT P**

#### Proposed Road between Treatts Road and Wolseley Road

A new road through Precinct P is proposed, which would connect Treatts Road with Wolseley Road. It is proposed to accommodate 2-way traffic flow in the new road.

The Draft DCP shows that Site 2 and the majority of Site 3 would have access onto the new road. Based on the site areas and proposed floor space ratios, approximately 79 dwellings would have vehicular access to the new road. The resulting traffic generation of this site would be up to 47 vehicle trips per hour (during the peak hour), or up to 470 daily trips. When distributed to the surrounding road network, traffic volumes of between 100 and 380 vehicles per day are expected at the southern and northern ends (respectively) of the new road.

According to the AMCORD guidelines, for a road with two-way traffic flows of up to 300 vehicles per day, the appropriate carriageway road width would be up to 5m, within a road reserve 12m wide. For two-way traffic flows between 300 and 1000 vehicles per day, the guidelines suggest a carriageway road

width 5m-5.5m wide, within a road reserve 13m wide. The Draft DCP shows a 12m road reserve, and a 6m wide road carriageway is proposed. This is considered to be appropriate. Given the proximity of the new road to Lindfield railway station, it is suggested that parking restrictions be implemented in the new road to minimise potential commuter parking impacts.

#### Traffic Generation in Wolseley Road

Based on the existing dwellings accessing Wolseley Road, it is estimated that the traffic flows in Wolseley Road would be 17 vehicles per hour during the peak hour and 180 vehicles per day.

The Draft DCP shows 2 access points for Site 3. 1 access point would be off Wolseley Road and 1 off the new road. The building layout on Site 3 indicates that the majority of dwellings would have vehicular access from the new road, with the Wolseley Road access point taking the balance. Based on the site area and proposed floor space ratio, approximately 12 dwellings would have vehicular access to Wolseley Road. This would represent 7 additional vehicle trips during the peak hour and 70 additional daily trips in Wolseley Road.

In terms of total impacts to Wolseley Road, it is anticipated that the proposal would add up to 17 vehicles per hour (170 vehicles per day) in Wolseley Road. The total future traffic flows in Wolseley Road are therefore estimated to be 34 vehicles per hour during the peak hour, and 350 vehicles per day. This includes a component of traffic from Site 2 as well as a component of traffic from the eastern dwellings in Site 3. Daily traffic flows of 350 vehicles are considered to be low traffic volumes for a local road, and there would not be significant additional impact in Wolseley Road in terms of amenity.

Given the location of the new road at the Wolseley Road end, it is considered there may be some benefit to the existing dwellings at the southern end of Wolseley Road, if the desired trip route would be to/from the Treatts Road railway bridge, although the impact of these traffic volumes in the new road would be minor.







OPTION A

MOST DESIRABLE OUTCOME  
Open Channel

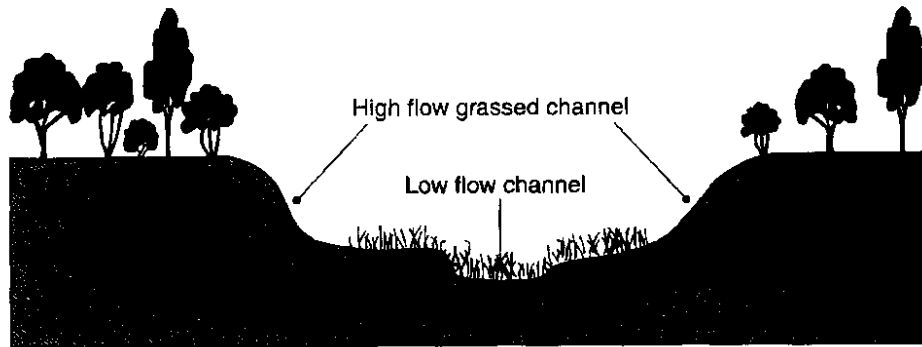


Figure 7.52 Provision of a natural low-flow channel within a hydraulically efficient urban waterway.

OPTION B

MODERATELY DESIRABLE OUTCOME  
Partially Open, Partially Piped

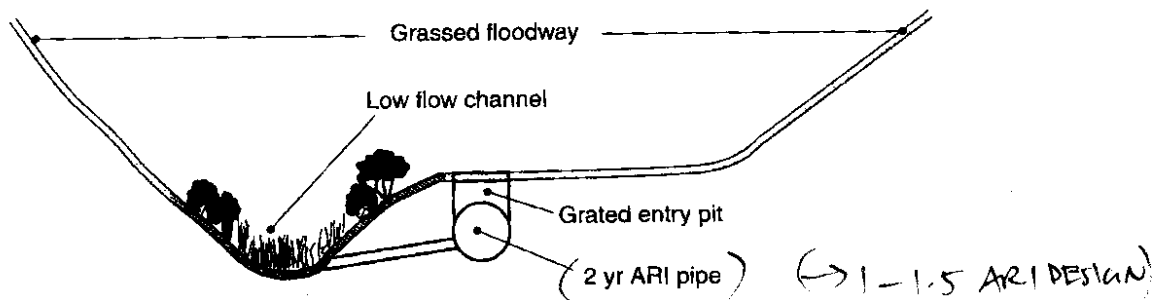


Figure 7.54 Cross-section of a grassed floodway combined with a re-established natural low flow channel.

## **Environmental Advice – Riparian assessment. Precinct F, Lindfield.**

A site inspection of the riparian zone within Precinct F and adjoining lands (see attached map – figure 1) was performed on the 12th and 13th of September 2006. The site inspection was performed to determine the condition of the riparian area of the site and constraints for future development.

### ***Riparian condition***

The riparian condition of the site is consistent with a category 3 water course as identified in the Ku-ring –gai Council Riparian Policy. Where Category 3 water courses are described as:

*“areas that would provide limited habitat value but provide an important contribution to the overall health of the catchment. Typically these would be narrow zones along highly modified streams that may have no indigenous vegetation. These streams would be difficult, and in some cases not possible, to rehabilitate to a natural state. However, these areas will still contribute significantly to downstream water quality maintenance, and if piped or lined with concrete, would cause increased flooding and erosion potential.*

*Many of the riparian environments that fall into this category are on private property with the streams forming part of the landscape character of the garden. As a consequence the longer-term management of these systems will rely on strong partnerships with private property owners and the community. “*

The water course on this site originates as a as a piped stormwater drain at 6 Drovers Way before, opening into an open earth-lined channel border by a residential garden. Downstream (in 4 Drovers Way) the water course is a brick-lined/ concrete open channel bordered by a swimming pool and a driveway. In 16 and 18 Beaconsfield (downstream of the site) the riparian corridor is a concrete/sandstone lined channel bordered by residential gardens. In 22 Beaconsfield the water course is an open concrete/ sandstone lined channel bordered by lawns, which terminates into an underground pipe.

### ***Biodiversity values***

The site contains a riparian zone (described above), residential gardens (predominately exotic), remnant canopy, residential buildings and associated amenities. A number of large trees occur on the site, which are exotic (e.g. pine trees and Coral trees) native (Blue Gum *Eucalyptus saligna* and Blackbutt *Eucalyptus pilularis* and Smooth Barked Apple *Angophora costata*). The site historically would have supported Blue Gum High Forest but due to development only scattered canopy remains. Exotic trees on the site have little habitat value for most native species, however, these trees stabilise soil and may have heritage value or landscape value and if removed should be replaced with a suitable replacement. A tree protection officer should be consulted before any works are performed adjacent to large trees of if trees are to be removed from the site





### Legend

- Site boundary
- Watercourse (piped)
- Watercourse (open channel)
- Native canopy trees (approximate location only)

**Figure 1 site map**



**Figure 2 Large Blue Gum (left) Blackbutt (right)**



**Figure 3 Driveway of 16/18 Beaconsfield Pde containing a least 7 native canopy trees**



**Figure 4 Downstream of the site, water course run through an open concrete channel leading in an underground pipe.**



**Figure 5 typical water course condition on the riparian corridor sandstone channels (left) and brick lined channel (right)**





**Figure 6 typical water course condition on the site showing earth-lined open channel and associated riparian vegetation.**

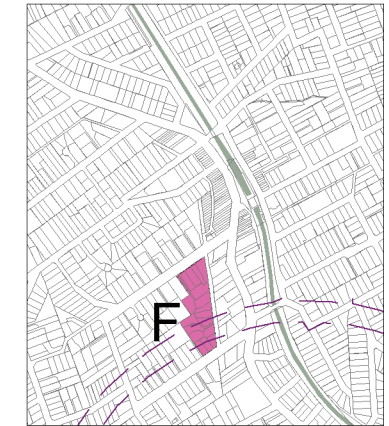
### ***Recommendations:***

- The riparian corridor running through the site and adjoining lands should be added to the Riparian Policy and associated map.
- Removal of underground stormwater pipes on the site and replacement with vegetated open channel (riparian zone).
- Native species are preferable for landscaping on this site. Trees, shrubs, ferns and herbs from the Blue Gum High Forest community would be appropriate for this site.
- Retention and protection of existing water course and 10m buffer area via the Riparian Policy and master plans created for the site.
- Where possible, retention of existing Blue Gum *Eucalyptus saligna* and Blackbutt *Eucalyptus pilularis* and Smooth Barked Apple *Angophora costata* that occur on the site.
- A qualified arborist must be consulted to ensure onsite tree retention/ planting is compatible with the master plan for the site.
- A tree protection officer must be consulted before performing work within tree root zones or before removal of large trees.
- Removal of Coral Tree (weed species) from site.

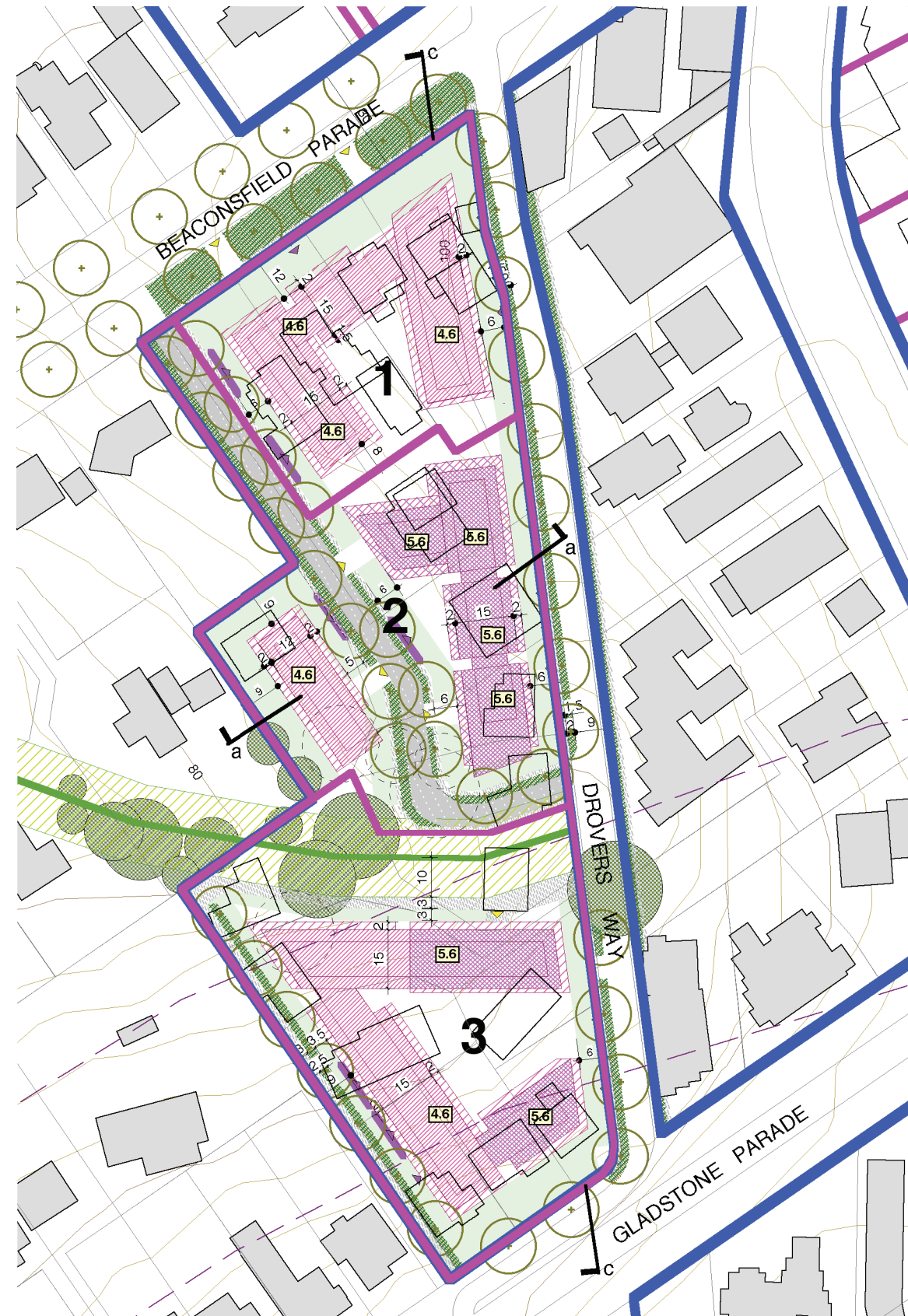
# Lindfield DCP

## PRECINCT F

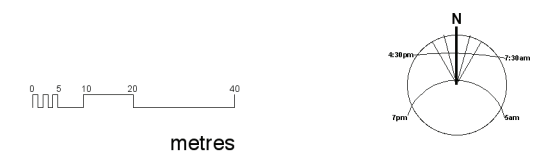
### 1.0 Site Plan



- Public Domain**
- new streets or new public connection
  - existing parks/potential open space
  - deep soil zone public domain/riparian management
  - priority public domain strategy/public benefit arcade
  - proposed community use site/ building
  - footpath - type 01/ type 02
- Private Domain**
- setback zone
  - residential - to 3 storey/ articulation zone
  - residential - to 5 storey/ articulation zone
  - residential - to 6 storey/ articulation zone
  - number of storeys
  - carpark entry/service dock
  - pedestrian entry - all ground level dwellings
  - pedestrian entry - all upper level dwellings
- North Shore Line**
- existing buildings retain/demolish
  - precincts / lot amalgamations
  - existing buildings retain/demolish
  - existing church/school



Site information based on aerial photographs, cadastra and contour information supplied by Ku-ring-gai Council  
**PRELIMINARY DRAFT**  
**21 September 2006**

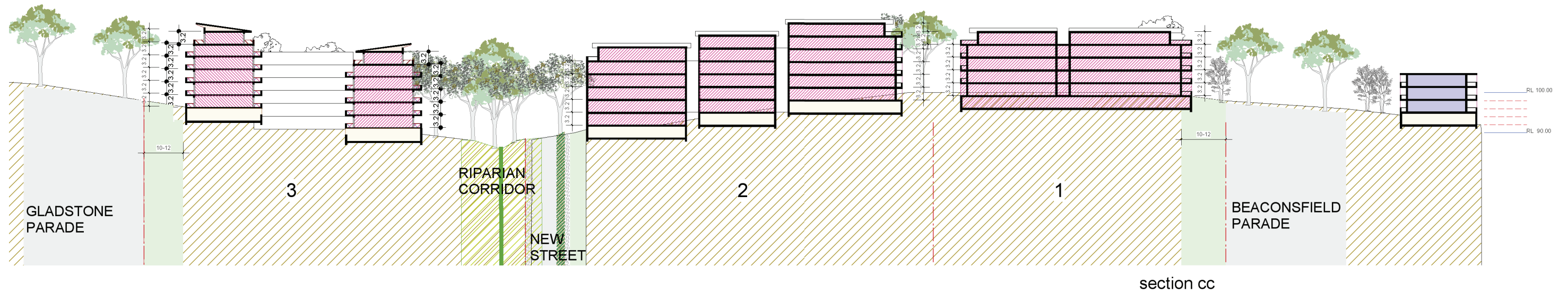


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For Ku-ring-gai Council -

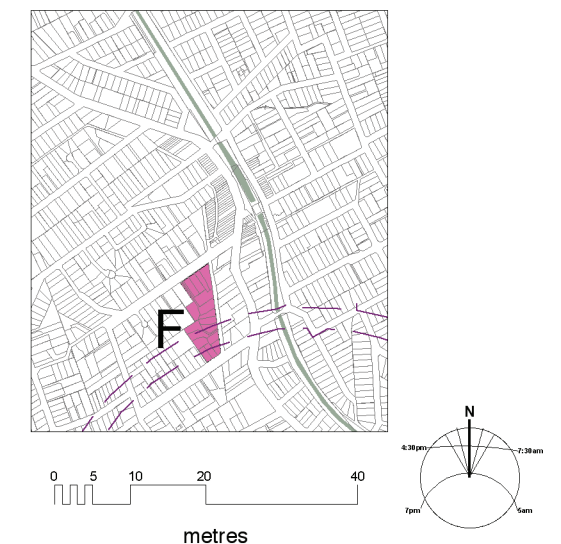
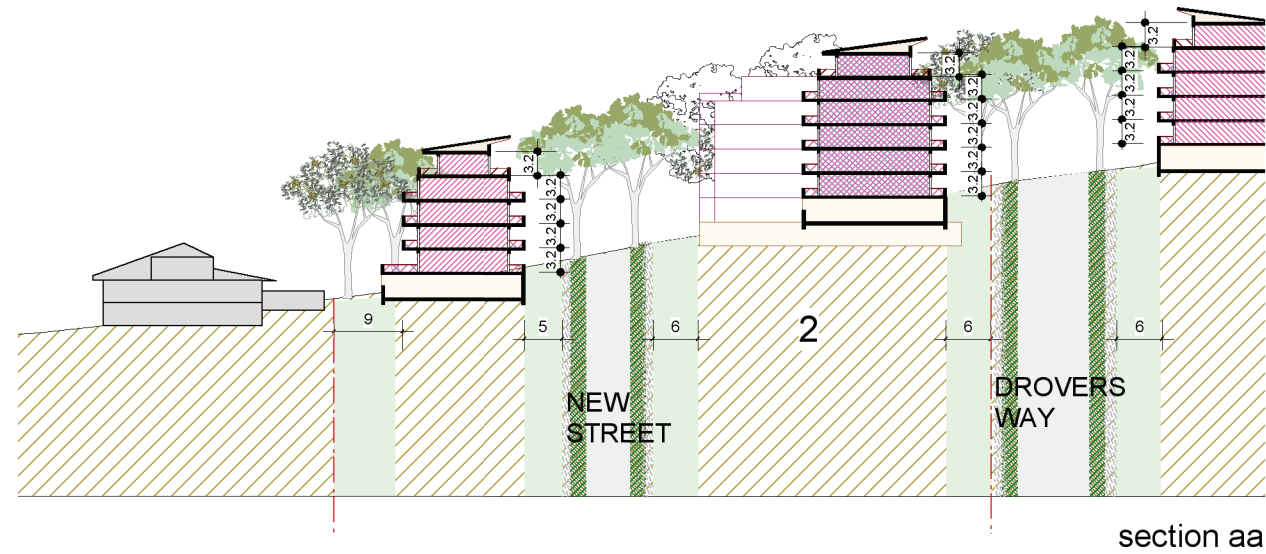


# Lindfield DCP PRECINCT F

## 1.1 Sections aa cc



- Public Domain**
- new streets or new public connection
  - existing parks/potential open space
  - deep soil zone public domain/riparian management
  - priority public domain strategy/public benefit arcade
  - proposed community use site/ building
  - footpath - type 01/ type 02
- Private Domain**
- setback zone
  - residential - to 3 storey/ articulation zone
  - residential - to 5 storey/ articulation zone
  - residential - to 6 storey/ articulation zone
  - number of storeys
  - carpark entry/service dock
  - pedestrian entry - all ground level dwellings
  - pedestrian entry - all upper level dwellings
  - North Shore Line
  - existing buildings retain/demolish
  - precincts / lot amalgamations
  - existing buildings retain/demolish
  - existing church/school



Site information based on aerial photographs, cadastra and contour information supplied by Ku-ring-gai Council  
**PRELIMINARY DRAFT**  
**21 September 2006**

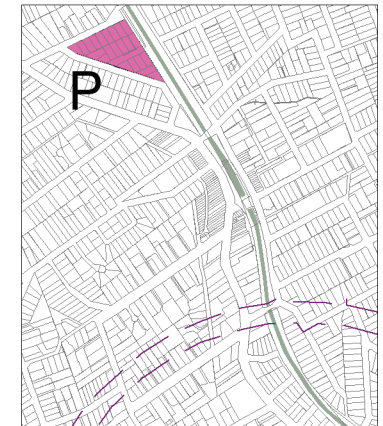
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# Lindfield DCP

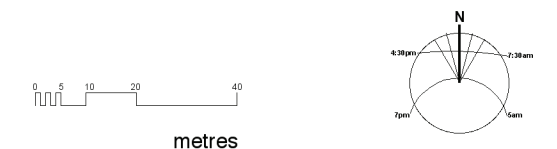
## PRECINCT P

### 1.0 Site Plan



- Public Domain**
  - new streets or new public connection
  - existing parks/potential open space
  - deep soil zone public domain/riparian management
  - priority public domain strategy/public benefit arcade
  - proposed community use site/ building
  - footpath - type 01/ type 02
- Private Domain**
  - setback zone
  - residential - to 3 storey/ articulation zone
  - residential - to 4 storey/ articulation zone
  - number of storeys
  - carpark entry/service dock
  - pedestrian entry - all ground level dwellings
  - pedestrian entry - all upper level dwellings
- North Shore Line**
  - existing buildings retain/demolish
  - precincts / lot amalgamations
  - existing buildings retain/demolish
  - existing church/school

Site information based on aerial photographs, cadastra and contour information supplied by Ku-ring-gai Council  
**PRELIMINARY DRAFT**  
**21 September 2006**

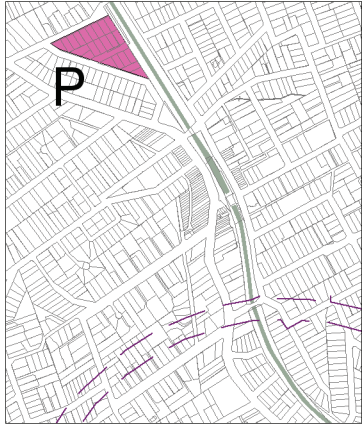
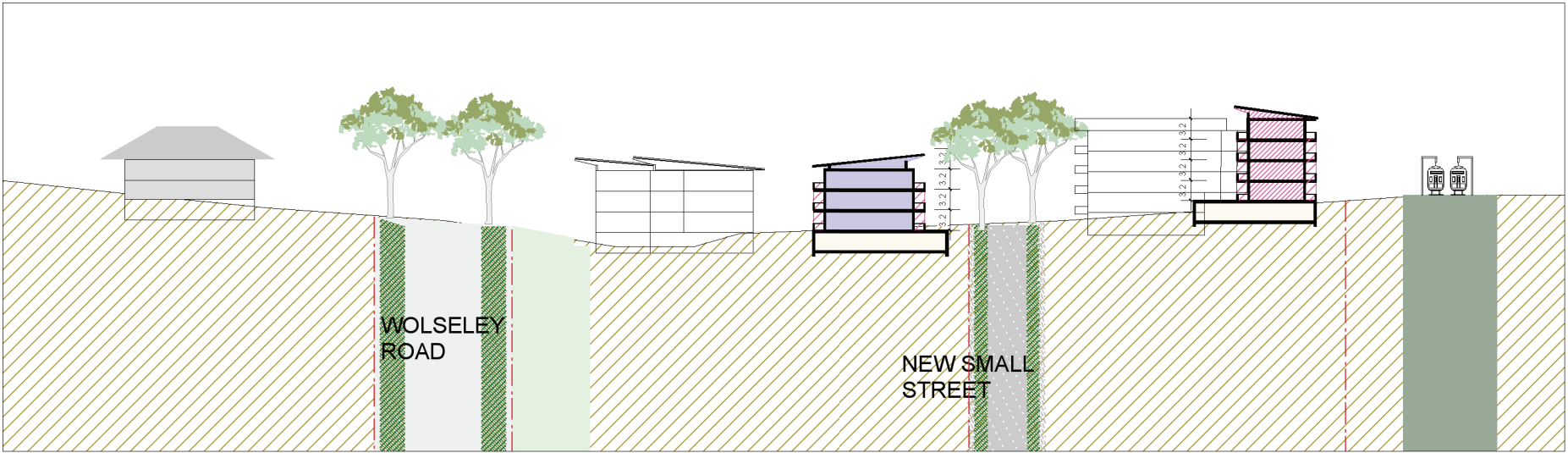


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# Lindfield DCP

## PRECINCT P

### 1.1 Sections aa



section aa

- Public Domain**
- new streets or new public connection
  - existing parks/potential open space
  - deep soil zone public domain/riparian management
  - priority public domain strategy/public benefit arcade
  - proposed community use site/ building
  - footpath - type 01/ type 02
- Private Domain**
- setback zone
  - residential - to 3 storey/ articulation zone
  - residential - to 4 storey/ articulation zone
  - number of storeys
  - carpark entry/service dock
  - pedestrian entry - all ground level dwellings
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  - precincts / lot amalgamations
  - existing buildings retain/demolish
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