

MINUTES OF ORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 13 MARCH 2007

Present: The Mayor, Councillor N Ebbeck (Chairperson) (Wahroonga Ward)
Councillors A Andrew & E Malicki (Comenarra Ward)
Councillors L Bennett & T Hall (St Ives Ward)
Councillor I Cross (Wahroonga Ward)
Councillors M Lane & A Ryan (Gordon Ward)
Councillors M Shelley & J Anderson (Roseville Ward)

Staff Present: General Manager (John McKee)
Director Corporate (John Clark)
Director Development & Regulation (Michael Miocic)
Acting Director Technical Services (Roger Guerin)
Director Open Space & Planning (Steven Head)
Manager Urban Planning (Antony Fabbro)
Director Community Services (Janice Bevan)
Acting Governance Officer (David Linnert)
Minutes Secretary (Christina Randall-Smith)

The Meeting commenced at 7.02pm

The Mayor offered the Prayer

DECLARATIONS OF INTEREST

The Mayor adverted to the necessity for Councillors and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

Councillor Lane declared a possible Pecuniary Interest to Item GB.8 - Finalisation of Bushland Encroachment Policy as his property backs onto bushland.

53 CONFIRMATION OF REPORTS TO BE CONSIDERED IN CLOSED MEETING

File: S02499

Resolved:

That in accordance with the provisions of Section 10 of the Local Government Act 1993, all officers' reports be released to the press and public, with the exception of:

Refer GB.2: **2 to 4 Sturt Place, St Ives - Demolition of 2 Dwelling Houses & Construction of a Residential Flat Building comprising 33 Units,**

Basement Car Parking for 69 Vehicles, Swimming Pool & Associated Landscaping Drainage - Confidential Memorandum by Director Development & Regulation dated 13 March 2007.

DOCUMENTS CIRCULATED TO COUNCILLORS

The Mayor adverted to the documents circulated in the Councillors' papers and advised that the following matters would be dealt with at the appropriate time during the meeting:

Councillors

Information: Background Information to **NM.02 - Inquiry into the F3 to Sydney Orbital Transport Link** - Media Release by Minister for Local Government.

Late Item: Refer GB.10 - **Response to Department of Local Government on "A New Direction for Local Government" Position Paper & "Planning for a Sustainable Future" Options Paper** - Attachment 3 - Response for Department of Local Government.

Refer GB.2: **2 to 4 Sturt Place, St Ives - Demolition of 2 Dwelling Houses & Construction of a Residential Flat Building comprising 33 Units, Basement Car Parking for 69 Vehicles, Swimming Pool & Associated Landscaping Drainage** - Memorandum by Director Development & Regulation dated 13 March 2007 re the amendment of Condition 89 in the Recommendation.

Refer GB.2: **2 to 4 Sturt Place, St Ives - Demolition of 2 Dwelling Houses & Construction of a Residential Flat Building comprising 33 Units, Basement Car Parking for 69 Vehicles, Swimming Pool & Associated Landscaping Drainage** - Confidential Memorandum by Director Development & Regulation dated 13 March 2007.

Refer GB.4: **Tender for Audit Services for the period, 1 July 2007 to 30 June 2013** - Memorandum by Director Corporate dated 13 March 2007 re amendment to Page 2 of the attachment (Page 151 in the Business Paper).

CONFIRMATION OF MINUTES

54 **Minutes of Ordinary Meeting of Council**

File: S02131

Meeting held 27 February 2007

Minutes numbered 23 to 52

Resolved:

(Moved: Councillor Lane/Cross)

- A. That Minutes numbered 23 to 52 circulated to Councillors were taken as read and confirmed as an accurate record of the proceedings of the Meeting, subject to the word "Acting" being inserted before the word "Director" in Minute No 50.
- B. That it be noted that Councillor Cross & Malicki departed before the voting of Minute No 38 - 9 to 15 Kings Avenue, Roseville but were present for the voting of Minute No 39 - Motion of Dissent.

CARRIED UNANIMOUSLY

Presentation by Councillor Hall**National Trust Heritage Awards 2007**

Councillor Hall presented a Certificate received on behalf of Council for the Council's Centenary history book "Under the Canopy". The Certificate was received from the National Trust of Australia (NSW) at the 2007 National Trust Heritage Awards.

PETITIONS

55

Creation of Lead-Free Park - East Gordon Park, Mount Ida Street, East Gordon - (One Hundred & Twenty-Six [126] Signatures)

File: S04922

"We, the undersigned, dog owners and friends, daily exercise our animals at

DARNLEY OVAL - EAST GORDON RESERVE

morning and evening, in an atmosphere of friendship and conviviality especially for the elderly.

We maintain control of our precious animals and clean-up any droppings that may occur. Our animals cannot venture out onto the roads, nor do most have a large backyard to enjoy; the exercise at the Oval keeps them fit and non-aggressive to each other and ourselves.

The Oval is a source of pride and ownership — we also exercise on it and keep it clear of debris etc.

We now ask Council to declare the Oval a "lead-free" zone and oblige".

Resolved:

(Moved: Councillors Lane/Ryan)

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

CARRIED UNANIMOUSLY

GENERAL BUSINESS

56 **Tender for Audit Services for the Period 1 July 2007 to 30 June 2013**

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File: S05943

To advise Council of the expiration of the current contract for audit services and to recommend calling new tenders.

Resolved:

(Moved: Councillors Ryan/Shelley)

- A. That Council calls tenders for audit services for the period 1 July 2007 to 30 June 2013.
- B. That tenders be evaluated by a committee of Council officers comprising the General Manager, Director Corporate, Director Operations and Manager Finance.
- C. That the committee prepare a report for a future Council meeting recommending the appointment of an auditor.

CARRIED UNANIMOUSLY

57 **Lease - 265 to 271 Pacific Highway, Lindfield**

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File: P55058

To advise Council of the Ku-ring-gai Youth Development Service Inc. exercising its option to renew the lease for the premises at 265 to 271 Pacific Highway, Lindfield.

Resolved:

(Moved: Councillors Ryan/Shelley)

- A. That Council receive and note the exercise of option and approve the grant of a 2-year lease to the Ku-ring-gai Youth Development Service Inc. over Council premises at 265 to 271 Pacific Highway Lindfield.
- B. That the Mayor and General Manager be authorised to execute all necessary lease documents.
- C. That Council authorise the affixing of the Common Seal of Council to the lease agreement.

CARRIED UNANIMOUSLY

58 **New Members to the Heritage Advisory Committee**

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File: S03816

For Councillors to consider approving new Community representatives as members to the Heritage Advisory Committee and the meeting dates for 2007 for the Committee.

Resolved:

(Moved: Councillors Ryan/Anderson)

- A. That Greg Holman and Vanessa Mack be appointed as Community Representatives to the Heritage Advisory Committee for 2007.
- B. That the meeting dates for the Heritage Advisory Committee for 2007 be held on 26 March, 16 April, 25 June, 27 August and 29 October 2007.
- C. That the previous Community representatives be thanked for their contribution to the Heritage Advisory Committee.

CARRIED UNANIMOUSLY

**Councillor Lane declared a possible pecuniary interest
in respect of the following item -
GB.8 - Finalisation of Bushland Encroachment Policy
and withdrew from the Chamber taking no part
in discussion and voting on the item**

59 **Finalisation of Bushland Encroachment Policy**

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File: S04801

To seek Council's approval to adopt the final Bushland Encroachment Policy in accordance with the Local Government Act 1993.

Resolved:

(Moved: Councillors Ryan/Shelley)

- A. That the draft Bushland Encroachment Policy be adopted by Council subject to the addition of the following under Clause 4.1 Policy:

The Policy takes a pro-active approach to dealing with bushland encroachments. The priority ranking system is subject to change, dependent on Council's need to respond to external factors beyond its control such as bushfires or other significant events.

- B. That notification of the adoption of the Bushland Encroachment Policy be undertaken consistent with the requirements of Section 161 of the Local Government Act 1993.

CARRIED UNANIMOUSLY

Councillor Lane returned

Standing Orders were suspended to deal with the Business Paper items in the following order after a Motion moved by Councillors Ryan & Cross was
CARRIED UNANIMOUSLY

60

18 Kanoona Avenue, St Ives

File: 558/06

Ward: St Ives

The following member of the public addressed Council:

I Glendinning

To respond to issues raised at the site inspection of 10 February 2007 and seek Council's determination of Development Application No. 558/06.

Resolved:

(Moved: Councillors Shelley/Ryan)

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 558/06 for demolition of an existing dwelling and construction of an attached dual occupancy on land at 18 Kanoona Avenue, 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 the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

<i>Plan no.</i>	<i>Rev</i>	<i>Title</i>	<i>Drawn by</i>	<i>Dated</i>	<i>Date Received</i>
DA-203	B	Site/Ground floor plan	WIBSOMA Pty Ltd	05-01-07	15-02-07
DA-204	B	First floor plans	WIBSOMA Pty Ltd	05-01-07	15-02-07
DA-205	B	Roof Plan	WIBSOMA Pty Ltd	05-01-07	15-02-07
DA-206	B	Elevations and Sections	WIBSOMA Pty Ltd	05-01-07	15-02-07

2. All building works shall comply with the Building Code of Australia.
3. The submission of the approved plans to Sydney Water, before any work is commenced to ensure that the proposed structure meets that Authority's By-Laws. Failure to submit these plans before commencing work will render the owner liable to a penalty and may result in the demolition of work.
4. 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.
5. 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.
6. **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.
7. 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.
8. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.

9. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
10. 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.
11. 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.
12. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
13. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
14. 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.
15. 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.

16. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
17. 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.
18. For the protection of the health and safety of occupants, workers and the environment, any person renovating or demolishing any building built before the 1970's should be aware that surfaces may be coated with lead-based paint. Lead dust is a hazardous substance. Persons are required to follow the attached recommended guidelines to prevent personal and environmental contamination.
19. 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.
20. 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.
21. Stormwater runoff from all new impervious areas and subsoil drainage systems must be piped to the street drainage system. *New* drainage line connections to the street drainage system must conform and comply with the requirements described in sections 5.3 and 5.4 of Ku-ring-gai Council Water Management Development Control Plan 47. The Applicants attention is directed to the requirements for obtaining a *Road Opening Permit* for excavating in the road reserve.
22. A mandatory rainwater retention and re-use system comprising storage tanks and ancillary plumbing must be provided for the development. The (minimum) total storage volume of the rainwater tank system, and the prescribed re-use of the water on site, must satisfy all relevant BASIX commitments and the requirements specified in chapter 6 of Ku-ring-gai Council Water Management Development Control Plan 47 (DCP47).
23. 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.

24. 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.
25. 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.**
26. 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.
27. 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".
28. 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 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.

29. 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>Cupressus macrocarpa</i> 'Brunniana' (Golden Cypress) Towards the site's south-eastern corner.	Remove
<i>Hakea salicifolia</i> (Willow Leafed Hakea) Adjacent to the site's north-western corner.	Remove

30. REMOVAL of the following tree/s from Council's nature strip to permit vehicular access 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:

No/Tree/Location
T1/*Pistacia chinensis* (Pistacia)/Within the driveway crossing site.

31. All disturbed areas, which are not to be built upon or otherwise developed, shall be rehabilitated to provide permanent protection from soil erosion within fourteen (14) days of final land shaping of such areas.

32. 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
T6/ <i>Camellia sasanqua</i> (Chinese Camellia) Near the south-eastern corner of the garage at the western side of the site.	Prune

33. 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.
34. 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:
- | Tree/Location | Radius From Trunk |
|---|-------------------|
| <i>Franklinia axillaris</i> (Gordonia)
Adjacent to the western boundary and close to the south-western corner of No.20 Kanoona Avenue. | 3m |
35. No mechanical excavation for the approved OSD 1 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
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<i>Franklinia axillaris</i> (Gordonia) Adjacent to the western boundary and close to the south-western corner of No.20 Kanoona Avenue.	3m
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36. 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
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<i>Franklinia axillaris</i> (Gordonia) Adjacent to the western boundary and close to the south-western corner of No.20 Kanoona Avenue.	3m
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37. 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:

No/Tree/Location	Radius From Trunk
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T2/ <i>Pistacia chinensis</i> (Pistacia) On the Kanoona Avenue nature strip in line with the common side boundary between Nos. 18 and 20 Kanoona Avenue.	4m
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38. 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.
39. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along Kanoona Avenue. The tree used shall be a minimum 75 litres container size specimen tree:

Tree Species	Quantity
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<i>Pistacia chinensis</i> (Pistacia)	1
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To ensure the replacement tree will remain clear of the driveway and will be viable in the long term, the tree shall be located on the western side of the driveway crossover, at a minimum distance of 3 metres from the edge of the driveway.

40. Following removal of the existing *Pistacia chinensis* (Pistacia) from Council's nature strip and its replacement, the nature strip shall be rehabilitated to the satisfaction of Council at no cost to Council.
41. 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.
42. The 3 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 A
CONSTRUCTION CERTIFICATE

43. 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.

44. 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).
45. 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.
46. 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.
47. To maintain suitable levels of privacy to adjoining properties, a fixed privacy screen shall be installed on the western and eastern edges first floor balconies of both dwellings having a minimum height of 1.8m above the finished floor level, as shown in red on the approved plans. The privacy screens shall be constructed of materials complimentary to the finishes of the development. Details of the privacy screen shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.
48. 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 ONE (1) ADDITIONAL DWELLING IS CURRENTLY \$32,324.00. 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.

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 - 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

49. 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.

50. 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.
51. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:
- Exact location and reduced level of discharge point to the public drainage system.
 - Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs, cut-off and intercepting drainage structures, subsoil drainage, flushing

facilities and all ancillary stormwater plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).

- Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems. Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
- Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the 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).

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 **Hydraulic Plans D1580 Sheets 1 to 7 Rev. 'A' dated 30 May 2006** prepared by **Nasseri Associates** submitted for Development Application approval, which are to be advanced as necessary for construction issue purposes.

52. Prior to issue of the Construction Certificate the submitted **Hydraulic Plans D1580 Rev. 'A' dated 30 May 2006** prepared by **Nasseri Associates** must be revised and submitted to the Principal Certifying Authority for approval. The amendments must be undertaken by qualified persons and must address the following issues:
 1. The On-Site Detention (OSD) basins 1 and 2 located within the front landscaped area shall be deleted. A single detention tank shall be provided under the common driveway area. Supporting hydraulic calculations shall be submitted in accordance with Appendix 3 '*OSD Calculation Sheet*' of Council's Water Management Development Control Plan 47.
53. Prior to the issue of a Construction Certificate, the compliance certificate obtained under Section 73 of the Water Board (Corporatisation) Act must be submitted for verification by the Principal Certifying Authority.
54. The submitted landscape plan Job No. 05.014 Issue D, prepared by PATIO LANDSCAPE ARCHITECTURE & DESIGN and dated 23.05.06, is to be amended. An amended plan of the proposed landscape works for the site shall be submitted to, and approved by, the Principal Certifying Authority, prior to the issue of any 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:

- All stormwater infrastructure shall be shown.
 - The canopy trees shown in the front setback shall be amended to include 2 x *Angophora costata* (Sydney Red Gum), The third canopy tree could be located at the site's north-eastern (rear) corner. The canopy replenishment trees shall be positioned so as not to conflict with or cause future damage to stormwater infrastructure.
 - The retaining walls along the northern and western sides of the lawn and close to the *Magnolia x soulangiana* (Magnolia) located at the rear of the western dwelling shall be deleted.
 - The lawn at the rear of the western dwelling shall be maintained at its existing level to ensure preservation of the *Magnolia x soulangiana* (Magnolia).
55. The Construction Certificate shall not be issued 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.

56. A CASH BOND/BANK GUARANTEE of \$4,000.00 shall be lodged with Council as a Landscape Establishment Bond prior to issue 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.

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

57. 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.

58. 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***Magnolia x soulangiana* (Magnolia)

3m

Close to the rear boundary and towards the site's north-western corner.

59. 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 western garage 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**T6/*Camellia sasanqua* (Chinese Camellia)

3m

Forward of the garage at the western side of the site.

60. 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.
61. 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.
62. 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.
63. 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 OCCUPATION

64. Prior to the issue 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.
65. 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.

66. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 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.

67. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, 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.

68. Prior to issue of the Occupation Certificate the following must be provided to Council (attention Development Engineer):

- a) A copy of the approved Construction Certificate stormwater detention/retention design for the site, and
- b) A copy of any works-as-executed drawings required under this consent
- 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 applies particularly where the appointed Principal Certifying Authority (PCA) is not Ku-ring-gai Council.

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

70. 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:

- a) That the stormwater drainage works have been satisfactorily completed in accordance with the approved Construction Certificate drainage plans.
- b) 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.
- c) That retained water is connected and available for uses as specified by **BASIX or DCP 47 commitments (all toilet flushing, laundry and garden irrigation).**

- d) 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.
- e) That all grates potentially accessible by children are secured.
- f) 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
- g) 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.

71. 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.

72. Excavation for the installation of CONDUITS/SEWER/STORMWATER/GAS within the specified radius of the trunk/s of tree/s shall be carried out using the thrust boring method. Documentary evidence of compliance with conditions of

consent in this regard shall be submitted to the Principal Certifying Authority prior to issue of the Occupation Certificate.

No/Tree/Location**Radius Form Trunk**

T2/*Pistacia chinensis* (Pistacia)

4m

On the Kanoona Avenue nature strip in line with the common side boundary between Nos. 18 and 20 Kanoona Avenue.

73. 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

Conyza sp (Fleabane)

Cytisus sp. (Broom)

Hedera helix (English Ivy)

Jasminum polyanthum (Jasminum)

Nephrolepis cordifolia (Fishbone fern)

Tradescantia albiflora

74. The landscape works, shall be installed in accordance with the approved plan/s and/or conditions of consent, be completed prior to the issue of Occupation Certificate and be maintained in a healthy and vigorous condition at all times.

For the Resolution: *The Mayor, Councillor N Ebbeck, Councillors Andrew, Cross, Hall, Lane, Malicki, Ryan, Shelley & Anderson*

Against the Resolution: *Councillor Bennett*

61 **2 to 4 Sturt Place, St Ives - Demolition of 2 Dwelling Houses & Construction of a Residential Flat Building comprising 33 Units, Basement Car Parking for 69 Vehicles, Swimming Pool & Associated Landscaping Drainage**

File: DA0962/06

Ward: St Ives

Applicant: Mr Michael Cedric, Karingai Developments Pty Ltd

Owner: Karingai Developments Pty Ltd

The following member of the public addressed Council:

P Thallis

To determine development application No 926/06 for the demolition of 2 dwelling houses and construction of a residential flat building, comprising 33 units and basement car parking for 69 vehicles.

Resolved:

(Moved: Councillors Hall/Lane)

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 962/06 for demolition 2 dwelling houses and construction of a residential flat building comprising 33 units, basement car parking for 69 vehicles, swimming pool and associated landscaping and drainage at 2-4 Sturt Place, 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
A2.12	DA2	Basement Level 1 Plan	Hill Thallis Pty Ltd	23 Jan 2007	23 Jan 2007
A2.11.2	DA2	Basement Level 2 Plan	Hill Thallis Pty Ltd	23 Jan 2007	23 Jan 2007
A2.11.1	DA2	Basement Level 3 Plan	Hill Thallis Pty Ltd	23 Jan 2007	23 Jan 2007
A2.13	DA1	Site Plan/Ground Floor Plan	Hill Thallis Pty Ltd	23 Nov 2006	23 Jan 2007
A2.14	DA1	Plan Level 1	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.15	DA1	Plan Level 2	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.16	DA1	Plan Level 3	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.17	DA1	Top floor plan	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.18	DA1	Elevations NW and SE	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.19	DA1	Elevations NE and SW	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.20	DA1	Elevations NW of SE Building	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.21	DA1	Section NW Building	Hill Thallis Pty Ltd	23 Nov 2006	23 Nov 2006
A2.22	DA2	Section 1 SE Building	Hill Thallis Pty Ltd	23 Jan 2007	23 Jan 2007
A2.23	DA2	Section 2 SE Building	Hill Thallis Pty Ltd	23 Jan 2007	23 Jan 2007
0619-01	B	Landscape plan	Guy Sturt & Associates	23 Nov 2006	23 Nov 2006
0619-02	B	Landscape plan	Guy Sturt & Associates	23 Nov 2006	23 Nov 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 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. To ensure compliance with the relevant standards, an effective and approved safety fence with self closing gate complying with the minimum requirements of Australian Standard 1926-1986 "Fences and Gates for Private Swimming Pools" shall be provided to the Principal Certifying Authority's satisfaction in the location indicated on the approved plans prior to any water being placed in the pool.
10. For safety purposes, depth markers shall be provided at both ends of the pool.
11. For safety purposes, prior to the pool being filled a weather resistant poster detailing expired air resuscitation (mouth to mouth) methods shall be affixed within plain sight of the pool. A sign/notice with the words "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL" shall be erected in clear view and in close proximity to the pool.
12. The swimming pool is to be made safe during construction by the erection of temporary safety fence to the satisfaction of the Principal Certifying Authority.
13. The existing swimming pools shall be made safe during all demolition work by the erection of temporary safety fence to the satisfaction of the Principal Certifying Authority.
14. 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.

15. 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.
16. **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.
17. 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.
18. A sign shall be erected in a prominent position on the site which states the name and contact details of the Principal Certifying Authority.
19. All excavations shall be properly guarded and protected with hoardings or fencing to prevent them from being dangerous to life and property.
20. The applicant is advised that the Construction Certificate plans and specifications must comply with the provisions of the Building Code of Australia.
21. 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.

22. 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.
23. The fence and footings shall be constructed entirely within the boundaries of the property.
24. The demolition is to be carried out in accordance with the guidelines contained in Australian Standard 2601-1991: The Demolition of Structures.
25. Access to demolition sites shall be protected as directed by the Principal Certifying Authority by the use of suitable fences or hoardings.
26. 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.
27. 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.
28. 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.

29. Erosion control measures shall be provided on demolition sites to prevent the siltation of watercourses and drainage systems.
30. 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.
31. 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.
32. All combustible material shall be removed from the site on a daily basis. Material shall not be burnt on the site.
33. Trees and vegetation on a site shall not be disturbed except with the approval of the Council.
34. 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.
35. 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.

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 the 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. 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 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.
40. 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.
41. 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.
42. 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.

43. 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 eth 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.
44. 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.**
45. 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.
46. 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".
47. 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 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.

48. 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 car park which would prevent this service.
49. 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 prepared prior to bulk excavation works 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.

50. It is highly likely that damage will be caused to the roadway at or near the subject site as a result of the construction (or demolition or excavation) works. The applicant, owner and builder (and demolition or excavation contractor as appropriate) will be held responsible for repair of such damage, regardless of the Infrastructure Restorations Fee paid (this fee is to cover wear and tear on Council's wider road network due to heavy vehicle traffic, not actual major damage).

Section 102(1) of the Roads Act states "A person who causes damage to a public road is liable to pay to the appropriate roads authority the cost incurred by that authority in making good the damage."

Council will notify when road repairs are needed, and if they are not carried out within 48 hours, then Council will proceed with the repairs, and will invoice the applicant, owner and relevant contractor for the balance.

51. 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.
52. 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.

53. 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.
54. 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.
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. Removal, or pruning of the following trees is not approved as part of this Development Application. An Arborist Report prepared by Mackay Tree Management, dated 19 June 2006, has been submitted. Tree numbers refer to this report.

Tree/ Location

Stenocarpus sinuatus (Firewheel Tree) Tree 7
Harpephyllum caffrum (Kaffir Plum) Tree 12
Harpephyllum caffrum (Kaffir Plum) Tree 13
Quercus palustris (Pin Oak) Tree 14
Cupressus macrocarpa (Monterey Cypress) Tree 15
Liquidambar styraciflua (Liquidambar) Tree 18
Metasequoia glyptostroboides (Dawn Redwood) Tree 25
Quercus palustris (Pin Oak) Tree 27
Acmena smithii (Lilly Pilly) Tree 28
Liquidambar styraciflua (Liquidambar) Tree 30
Camellia japonica (Japanese Camellia) Tree 31

57. Approval is given under this development consent for the following tree works to be undertaken to trees within the subject property:

Tree/Location

Magnolia grandiflora (Bull-bay Magnolia) Tree 1
Cupressus glabra (Arizona Cypress) Tree 2
Fraxinus excelsior 'Aurea' (Golden Ash) Tree 3
Cupressus sempervirens 'Stricta' (Slender Italian Cypress) Tree 5
Cupressus sempervirens 'Stricta' (Slender Italian Cypress) Tree 6
Camellia japonica (Japanese Camellia) Tree 8
Syzygium australe (Scrub Cherry) Tree 10
Macadamia integrifolia (Macadamia) Tree 11
Franklinia axillaris (Gordonia) Tree 16
Ulmus glabra 'Lutescens' (Golden Elm) Tree 17
Thuja sp. (Arborvitae) Tree 19

Tree Works

Removal
Removal
Removal
Removal
Removal
Removal
Removal
Removal
Removal
Removal

<i>Melaleuca revolutum</i> (Paperbark) Tree 20	Removal
<i>Syagrus romanzoffiana</i> (Cocus Palms) Tree 21	Removal
<i>Chamaecyparis obtusa</i> 'Crippsii' (Golden Cripps Cypress) Tree 22	Removal
<i>Cupressus torulosa</i> (Bhutan Cypress) Tree 23	Removal
<i>Chamaecyparis lawsonia</i> (Lawson's Cypress) Tree 26	Removal
<i>Franklinia axillaris</i> (Gordonia) Tree 29	Removal
<i>Chamaecyparis obtusa</i> 'Crippsii' (Golden Cripps Cypress) Tree 32	Removal

58. 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

59. 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

Liquidambar styraciflua (Liquidambar) Tree 30

60. 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

Chamaecyparis obtusa 'Crippsii' (Golden Cripps Cypress) Tree 22 / 3 trees
Removal

61. 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
<i>Stenocarpus sinuatus</i> (Firewheel Tree) Tree 7	Root pruning
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 12	Root pruning
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 13	Root pruning
<i>Metasequoia glyptostroboides</i> (Dawn Redwood) Tree 25	Root pruning
<i>Quercus palustris</i> (Pin Oak) Tree 27	Root pruning
<i>Acmena smithii</i> (Lilly Pilly) Tree 28	Root pruning
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 30	Root pruning
<i>Camellia japonica</i> (Japanese Camellia) Tree 31	Root pruning

62. 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
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
<i>Stenocarpus sinuatus</i> (Firewheel Tree) Tree 7	3m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 12	5m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 13	6m
<i>Quercus palustris</i> (Pin Oak) Tree 14	4m
<i>Cupressus macrocarpa</i> (Monterey Cypress) Tree 15	3m
<i>Metasequoia glyptostroboides</i> (Dawn Redwood) Tree 25	5m
<i>Quercus palustris</i> (Pin Oak) Tree 27	7m
<i>Acmena smithii</i> (Lilly Pilly) Tree 28	6m
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 30	8m
<i>Camellia japonica</i> (Japanese Camellia) Tree 31	3m

64. 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>Stenocarpus sinuatus</i> (Firewheel Tree) Tree 7	3m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 12	5m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 13	6m
<i>Metasequoia glyptostroboides</i> (Dawn Redwood) Tree 25	5m
<i>Quercus palustris</i> (Pin Oak) Tree 27	7m
<i>Acmena smithii</i> (Lilly Pilly) Tree 28	6m
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 30	8m
<i>Camellia japonica</i> (Japanese Camellia) Tree 31	3m

65. 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.
66. Transplanting of the following trees/shrubs shall be directly supervised by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.

Species/From*Phoenix canariensis* (Canary Island Palm)/Tree 4**To**

Refer Landscape Plan

67. The following tree species shall be planted, at no cost to Council, in the nature strip fronting the property along Sturt Place as an evenly spaced avenue planting. Approximate position to front of Unit 1, Unit 2 and western façade of Unit 15/car park entry. The tree/s used shall be a minimum 25 litre container size specimen/s trees:

Tree Species*Camellia sasanqua* (Chinese Camellia)**Quantity**

3

68. Following removal of *Alnus jorullensis* Tree S1 and *Harpephyllum caffrum* (Kaffir Plum) Tree S3, from Council's nature strip, the nature strip shall be rehabilitated to the satisfaction of Council at no cost to Council.
69. 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.
70. 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

71. 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.

72. 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).

73. 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.
74. 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.
75. 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 THIRTY-ONE (31) ADDITIONAL DWELLINGS IS CURRENTLY \$599,387.19. 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

76. To ensure that courtyard fencing does not dominate Sturt Place, the proposed courtyard fences to Units Nos 1 and 2 and the proposed pool enclosure shall be set back a minimum of 4.0 metres from the Sturt Place boundary. Details of the courtyard fencing in accordance with this condition shall be provided to the Principle Certifying Authority's satisfaction prior to the release of the Construction Certificate.
77. 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.
78. 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.

79. The Applicant proposes to carry out the following infrastructure works in the Public Road:

- a. construct a new concrete footpath for the Sturt Place frontage of the site.

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).

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.

80. 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" .
- Mirrors are shown at the top of each ramp.
- 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 car park 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.

81. 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.

82. Prior to issue of the Construction Certificate the applicant must submit, for approval by the Principal Certifying Authority, scale construction plans and specifications in relation to the stormwater management and disposal system for the development. The plan(s) must include the following detail:

- Exact location and reduced level of discharge point to the public drainage system.
- Full layout of the property drainage system components, including but not limited to (as required) gutters, downpipes, spreaders, pits, swales, kerbs,

cut-off and intercepting drainage structures, subsoil drainage, flushing facilities and all ancillary stormwater plumbing - all designed for a 235mm/hour rainfall intensity for a duration of five (5) minutes (1:50 year storm recurrence).

- Location(s), dimensions and specifications for the required rainwater storage and reuse tanks and systems. Where proprietary products are to be used, manufacturer specifications or equivalent shall be provided.
- Specifications for reticulated pumping facilities (including pump type and manufacturer specifications) and ancillary plumbing to fully utilise rainwater in accordance with the 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). **To achieve the required volume, the tank under the entry drive may need to be enlarged.**
- 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 Hyder Consulting, Issue B, submitted for Development Application approval, which are to be advanced as necessary for construction issue purposes.

83. Prior to issue of the Construction Certificate the submitted stormwater concept plan by Hyder Consulting, Issue B must be revised and submitted to the Principal Certifying Authority for approval. The amendments must be undertaken by qualified persons and must address the following issues:
 - **The stormwater pit adjacent to Tree 30 is to be deleted and all pits and pipes are to be located at least 5 metres from Tree 30.**
 - **To allow for screen planting, pits and pipes along the boundary with 6 Sturt Place are to be at least 1.5 metres from the boundary.**
84. 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.

85. 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.
86. 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.

87. 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>Stenocarpus sinuatus</i> (Firewheel Tree) Tree 7	3m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 12	5m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 13	6m
<i>Metasequoia glyptostroboides</i> (Dawn Redwood) Tree 25	5m
<i>Quercus palustris</i> (Pin Oak) Tree 27	7m
<i>Acmena smithii</i> (Lilly Pilly) Tree 28	6m
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 30	8m
<i>Camellia japonica</i> (Japanese Camellia) Tree 31	3m

88. An amended plan of the proposed landscape works consistent with the landscape plan CD-0619/01 Rev B dated 23/11/06 and CD -0619/02 Rev B dated 21/11/06 prepared by Guy Sturt and Associates, subject to the following amendments as specified and shall 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 must be undertaken:

- > 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 29.

- > Proposed planting of *Angophora costata* within front setback of Units 14 and 15 are not viable at 4m from the building. Proposed canopy planting to front setback of Sturt Place to be substituted with *Jacaranda mimosifolia* (Jacaranda). Trees to be located in approximate positions as follows, two in front of Units 14 and 15, same locations as proposed tree planting to front setback to building at southern end of Sturt Place and an additional tree is to be located within the front setback in front of Unit 2.
- > Proposed planting of *Angophora floribunda* within side setback of Units 1 is not viable at 1.6m from the building. Proposed planting of *Ceratopetalum apetalum* (Coachwood) within side setback of Units 2 is not viable at 2.4m from the building. Both trees are to be planted minimum 5 metres from building within 3m wide communal planting area.
- > Proposed street tree planting of *Angophora costata* is to be deleted.
- > To preserve the streetscape character and intent of deep soil planting area to front setback, the proposed ramp to west of basement stairs to Unit 2, to be deleted.
- > One additional endemic canopy tree, capable of attaining a minimum height of 13m are to be planted with a minimum setback to buildings of 5m, to replace Tree 32.
- > One additional tall endemic canopy trees capable of attaining a minimum height of 13m are to be planted with a minimum setback to buildings of 5m, to south eastern corner of Unit 11 along southern site boundary.
- > Proposed planting of two *Hymenosporum flavum* (Native Frangipani) to north-western corner of site, to be substituted with one tall endemic canopy trees capable of attaining a minimum height of 13m are to be planted with a minimum setback to buildings of 5m.

89. To improve 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 amended plans must be submitted to, and approved by the Principal Certifying Authority prior to the release of the Construction Certificate. The private courtyards are to be reduced in size as follows;

- > The courtyard for Unit 2 within the side setback are to not encroach closer than 4m to the northern site boundary.
- > The courtyards for Units 1, 2 and 11 within the side setback are to not encroach closer than 4m to the south-western site boundary.
- > The courtyards for Units 1 and 2 within the front setback are to not encroach closer than 4m to the northern front boundary to Sturt Place.
- > The courtyards for Units 14 and 15 within the front setback are to not encroach closer than 4m to the northern front boundary to Sturt Place.
- > The northern courtyard fence to Unit 2 is to return flush to north-western corner of basement car park exit stairs adjoining Unit 2.

90. 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.

91. A CASH BOND/BANK GUARANTEE of \$10,000 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 (\$)
<i>Acmena smithii</i> (Lilly Pilly) Tree 28	\$5000
<i>Liquidambar styraciflua</i> (Liquidambar) Tree 30	\$5000

CONDITIONS TO BE COMPLIED WITH PRIOR TO WORK COMMENCING

92. 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.
93. 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.
94. Following demolition but prior to the commencement of bulk excavation works on site, the applicant is to submit the results of a detailed geotechnical investigation comprising a minimum of three cored boreholes to at least 1 metre below proposed basement level. The report is to address such matters as:

- Appropriate excavation methods and techniques,
- Vibration management and monitoring,
- Dilapidation survey.
- Support and retention of excavated faces,
- Hydrogeological considerations,

The recommendations of the report are to be implemented during the course of the works. The report is to be submitted to the Principal Certifying Authority and approved prior to the commencement of bulk excavation works.

95. 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 residences at 6 and 8 Sturt Place and 222 Mona Vale Road.

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.

96. Prior to the commencement of **any** works on site the applicant must submit, for approval 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 Road.
- 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.
- 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 approved 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.

97. 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'. 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.
98. 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 for the frontage of the site.
 - Full width, including kerb and gutter and footway area, of Sturt Place;
 - All driveway crossings opposite the subject site.

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.

99. 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:
- 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.

100. 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 From Trunk
<i>Stenocarpus sinuatus</i> (Firewheel Tree) Tree 7	3m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 12	5m
<i>Harpephyllum caffrum</i> (Kaffir Plum) Tree 13	6m
<i>Quercus palustris</i> (Pin Oak) Tree 14	4m
<i>Cupressus macrocarpa</i> (Monterey Cypress) Tree 15	3m
<i>Metasequoia glyptostroboides</i> (Dawn Redwood) Tree 25	5m
<i>Acmena smithii</i> (Lilly Pilly) Tree 28	6m
<i>Camellia japonica</i> (Japanese Camellia) Tree 31	3m

101. 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>Liquidambar styraciflua</i> (Liquidambar) Tree 30	8m

Camellia japonica (Japanese Camellia) Tree 31 3m

102. 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.
103. 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.
104. 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.
105. 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

106. 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.
107. The landscape works shall be completed prior to release of the Certificate of Occupation and maintained in a satisfactory condition at all times.
108. Prior to issue of an Occupation 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 6 and 8 Sturt Place and 222 Mona Vale Road. 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.

109. 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.

110. 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.
111. 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 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.

112. 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.

113. Prior to issue of an Occupation Certificate the Section 73 Sydney Water compliance certificate must be obtained and submitted to the Principal Certifying Authority.

114. 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.
115. 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 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.
116. 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.

117. 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.
118. Prior to issue of the Occupation Certificate a suitably qualified and experienced 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.
119. Prior to issue of the Occupation Certificate, a complete record of geotechnical inspections, testing and monitoring with certifications as specified in the report submitted prior to excavation, 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.
120. Prior to issue of an Occupation 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.
121. 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 for the frontage of the site.
- Sturt Place full width including driveways and laybacks opposite the site.

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.

122. 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.
123. 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.
124. 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.
125. To maintain residential amenity, all electrical services to the site are to 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 to Council prior to the release of the occupation Certificate.
126. 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.

CARRIED UNANIMOUSLY

62 **Development Control Plan No 28 - Advertising Signs - Draft Amendments**

File: S02367

The following member of the public addressed Council:

D Johnson

To report to Council on the public exhibition and consultation of Draft Amendments to Development Control Plan No 28 - Advertising Signs (DCP 28) to present a final amendment to Council for consideration for adoption.

Resolved:

(Moved: Councillor Malicki/Ryan)

- A. That Council adopt the amended Development Control Plan No 28- Advertising Signs as included in Attachment A to this report, subject to the following amendments:

- i. **Under Section 3- Advertising Structures**, insertion of additional dot point:
- Signage that dominates the shopfront window(s) and/or the shopfront and is excessive and detracts from the visual amenity of the shopfront.

For the Resolution: *The Mayor, Councillor N Ebbeck,
Councillors Andrew, Bennett, Lane, Malicki
& Anderson*

Against the Resolution: *Councillors Cross, Hall, Ryan & Shelley*

(Moved: Councillor Cross/Hall)

- ii. Clause 10.1(c) being amended to read:

All signs to be removed by the completion of property sale.

For the Resolution: *The Mayor, Councillor N Ebbeck,
Councillors Andrew, Cross, Lane, Ryan,
Shelley & Anderson*

Against the Resolution: *Councillors Bennett, Hall & Malicki*

- iii. Clause 10.1(e) being amended to read:

Are not flashing at any time.

For the Resolution: *The Mayor, Councillor N Ebbeck,
Councillors Cross, Hall, Lane, Ryan, Shelley
& Anderson*

Against the Resolution: *Councillors Andrew, Bennett & Malicki*

- B. That Development Control Plan No 28 take effect upon notice of its adoption by Council appearing in the local newspaper.
- C. That the relevant Chambers of Commerce be notified of Council's decision.

*For Parts A, B & C of the Resolution: The Mayor, Councillor N Ebbeck,
Councillors Andrew, Bennett, Cross,
Lane, Malicki, Ryan, Shelley &
Anderson*

Against Parts A, B & C of the Resolution: Councillor Hall

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

63 **Beechworth to Warragal Site**

File: S04082

The following members of the public addressed Council:

B Ferguson

B Ball

Notice of Motion from Councillor E Malicki dated 1 March 2007.

I move:

"That staff investigate and report back on a variety of densities for the Beechworth to Warragal Roads site in order to deal with the issues raised by Councillors on the site inspection.

This report should return to Council within 3 months and should include a more thorough look at the three potential heritage items as well as environmental issues, block depth and other matters raised on the inspection.

The report should also take into account the fact that there is little housing choice around our town centres and seek to provide housing variety as appropriate to the site.

Also further advice be sought from State and Federal Departments of Conservation on the proximity of the Sheldon Forest BGHF and the need to keep intact linkages to facilitate the long term survival of this species."

Motion:

That the above Notice of Motion as printed be adopted.

For the Motion: Councillors Andrew, Bennett, Malicki & Anderson

Against the Motion: The Mayor, Councillor N Ebbeck, Councillors Cross, Hall, Lane, Ryan & Shelley

No decision was taken in respect of the above matter as the Motion when put to the vote was LOST

GENERAL BUSINESS (cont)

64 **ALGWA (NSW) Women's Conference 2007**

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File: S02815

For Council to nominate delegates to the Australian Local Government Women's Association (NSW) Annual Conference.

Resolved:

(Moved: Councillors Shelley/Ryan)

That those Councillors interested in attending the ALGWA Conference, up to a maximum of 5 Councillors, advise the General Manager by 16 March 2007.

CARRIED UNANIMOUSLY

65 **St Ives Centre Planning - Response to Council Resolution, 27 February 2007**

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File: S04019

To provide a response to the Council Resolution adopted on 27 February 2007 relating to the Acquisition / Lease of Public Land by St Ives Village Shopping Centre.

Resolved:

(Moved: Councillors Hall/Lane)

- A. That the documents attached to the memorandum on meeting notes from Director Open Space & Planning dated 13 March be appended to the Minutes of this Council meeting (if legally appropriate).
- B. That future meetings between the St Ives Village Shopping Centre and Council concerning Council land be fully minuted.

- C. That Council note the views expressed by EK Nominees, and tables its letter of 12 March 2007 and regrets any misunderstanding that may have occurred.
- D. That the report be received and noted.

Councillor Ryan departed

For the Resolution: The Mayor, Councillor N Ebbeck, Councillors Andrew, Bennett, Cross, Hall, Lane, Shelley & Anderson

Against the Resolution: Councillor Malicki

The above Resolution was CARRIED as an Amendment to the Original Motion. The Original Motion was:

(Moved: Councillors Bennett/Cross)

- A. *That the documents attached to the memorandum on meeting notes from Director Open Space & Planning dated 13 March be appended to the Minutes of this Council meeting (if legally appropriate).*
- B. *That future meetings between the St Ives Village Shopping Centre and Council concerning Council land be fully minuted.*
- C. *That Council note the views expressed by EK Nominees and tables its letter of 12 March 2007.*
- D. *That the report be received and noted.*

Councillor Cross departed

66 **Response to Department of Local Government on "A New Direction for Local Government" Position Paper & "Planning for a Sustainable Future" Options Paper**

File: S02779

To consider and forward a submission on the Department of Local Government's position paper "A New Direction for Local Government" and options paper "Planning a Sustainable Future" to the Department.

Resolved:

(Moved: Councillors Malicki/Andrew)

- A. That Council endorses the NSROC submission.
- B. That the submission as outlined in Attachment 3 be deferred for further consideration at the next Ordinary Meeting of Council.

For the Resolution: *The Mayor, Councillor N Ebbeck, Councillors
Andrew, Hall, Lane, Malicki, Shelley & Anderson*

Against the Resolution: *Councillor Bennett*

MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN (cont)

67 Inquiry into the F3 to Sydney Orbital Transport Link

File: S02846

Notice of Motion from Councillor T Hall dated 5 March 2007.

I move that:

"Following the announcement by the Federal Minister for Roads and Local Government to appoint an Inquiry headed by Justice Pearlman into an alternative road link between the F3 and M2 to replace the abandoned road corridor, known as the B2/B3 option, that this Council present a detailed submission to that Inquiry to provide its own alternatives to alleviate the increasingly devastating traffic congestion of State4 highway No. 1 (Pacific Highway) between the F3 and Ring Road 3 (Lane Cove Road Pymble) and the current through-traffic from and to the Central Coast is having on the welfare and health of residents in the Ku-ring-gai Local Government Area, detrimentally affected by this state highway"..

Resolved:

(Moved: Councillors Andrew/Malicki)

Following the announcement by the Federal Minister for Roads and Local Government to appoint an Inquiry headed by Justice Pearlman into an alternative road link between the F3 and M2, that this Council present a submission to that enquiry on impact of the proposed road through Ku-ring-gai.

CARRIED UNANIMOUSLY

*The above Resolution was CARRIED as an Amendment to the Original Motion.
The Original Motion was:*

(Moved: Councillors Hall/Shelley)

That the above Notice of Motion as printed be adopted.

QUESTIONS WITHOUT NOTICE**68 Comments made by Councillor Hall during Debate of GB.1 of 27 February 2006 Council Meeting**

File: DA1285/04-2

Question Without Notice from Councillor E Malicki

At the last Council Meeting, during discussion of Item 1, Councillor Hall made the comment and I quote: "...the previous Council did some secret deals."

As there are several members of the previous Council and several staff still here, can you get Councillor Hall to withdraw that remark and apologise, please?

Answer by the Mayor

Yes. Councillor Hall, I might just confer with the General Manager in relation to those exact words. Councillor Hall, do you recall?

Answer by Councillor Hall

No.

Answer by the Mayor

I actually recall you saying something on the lines of that, the spirit of that comment. Do you want to have a couple of minutes to think about it?

Answer by Councillor Hall

No. Take it on notice. My answer is I'll take it on notice.

Answer by the Mayor

That being the case, maybe it's also wise that we get the tapes checked that being the case.

69 **Council Input - Location of Temporary Pedestrian Bridge - Turramurra Railway Station**

File: S04038

Question Without Notice from Councillor A Andrew

Can the General Manager report on the input Council had on the location of the temporary pedestrian bridge at Turramurra Railway Station?

Answer by the Director Open Space & Planning

We will get back to Council with a complete response on that.

70 **Planning Committee Restructure**

File: S03878

Question Without Notice from Councillor T Hall

Following the successful site briefing in St Ives Ward on 12 March 2007, I ask, would the General Manager provide a report that the present Planning Committee Information Forum be replaced by a formal Section 377 Planning Committee with appropriate delegation power so that Councillors may streamline the assessment process of DA determinations that need more discussion at Committee with applicants and/or objectors present?

Answer by the General Manager

I'm happy to provide that report.

71 **Adshel Sign - Killara Station**

File: S02367

Question Without Notice from Councillor T Hall

I ask the General Manager whether the new advertising sign in Werona Avenue, Killara, sitting on unzoned land, meets the requirements of Part 5 of the EP&A Act as the numerous complaints against its siting seem overwhelming for its removal? This Section of the Act (s.111-112) may even be applicable to the Adshel bus shelter activities.

Answer by the General Manager

I'll discuss that with relevant Directors & report back to Councillors.

72 **Distance Measurement for Access for Pedestrians - Killara Station
Community Notice Board**

File: S02591

Question Without Notice from Councillor M Shelley

Would the Acting Director Technical Services measure the distance for access for pedestrians at the location of the community notice board at Killara Station and, if it does not meet Ku-ring-gai's Access Policy, have the matter reviewed as a matter of urgency?

Answer by Acting Director Technical Services

That will be done.

73 **Roseville & Lindfield Railway Bridges - Illegal Advertisements**

File: S02626

Question Without Notice from Councillor M Shelley

Would the relevant Director ensure that the illegal advertisements at Roseville Railway bridge and Lindfield Railway bridge be covered quickly and repeatedly and would the relevant Director request the SRA to commence prosecution of Rock Posters Limited, who are based in Melbourne, for advertising these sites as locations appropriate for beer advertisements and rock concerts?

Answer by Director Development & Regulation

Will report back.

74 **9 to 15 Kings Avenue, Roseville - Request for Transcript**

File: DA1285/04-2

Question Without Notice from Councillor L Bennett

Can Councillors be given a copy of the transcript of all the comments made by Councillor Hall referred to in Councillor Malicki's Question Without Notice?

Answer by the General Manager

The answer to the first question is, of course, Council staff can provide a transcript.

The answer to the second question is yes there is a fee in the Fees and Charges for copies of these, however, if it is formally asked for and sanctioned in Council that would not apply to the best of my knowledge.

75 **Advertising Structure at Turramurra Railway Station**

File: DA0462/06

Question Without Notice from Councillor E Malicki

Can I ask the same as Councillor Shelley for the advertising structure at Turramurra Station?

Answer by the Acting Director Technical Services

Yes, that will be done as well.

76 **Review area of Maclaurin Parade & Kings Avenue - Possible Traffic Improvements**

File: S02636, S03696

Question Without Notice from Councillor J Anderson

Following the approval at the last Council meeting of the DA for 9 to 15 Kings Avenue, Roseville, could the Traffic Committee review the area of Maclaurin Parade and Kings Avenue to consider any necessary improvements, including footpaths?

Answer by the Acting Director Technical Services

Yes, we can investigate that, Councillor.

77 **Anti-Graffiti Education Awareness & Prevention Programs - Addressed at Policy Committee**

Files: S03595, S05122

Question Without Notice from Councillor J Anderson

Following my Question Without Notice at the last Council meeting regarding the possibility of school-based anti-graffiti education awareness and prevention programs as suggested by Lindfield Chamber of Commerce, was this matter addressed at the last Policy Committee, which I was unable to attend?

Additional Information by the Mayor

Director Bevan, before you answer I might like to add something to that. Today I was at a meeting with a sub group of the NSROC Councils, Mayors and also the PACT at the Chatswood Police Station, they had provided a presentation day of what the Sutherland Shire's doing which I think you may find very interesting. So I am not sure

how that crosses over. It's very much in its infancy but it's doing exactly that in school education and a few other things.

Answer by the Director Community Services

The issue of education programs wasn't discussed at the Policy Committee meeting but we would be happy to discuss that with you and perhaps talk with some of our other staff to see what we could develop for you.

The Meeting closed at 11.37pm

The Minutes of the Ordinary Meeting of Council held on 13 March 2007 (Pages 1 - 62) were confirmed as a full and accurate record of proceedings on 27 March 2007.

General Manager

Mayor / Chairperson

13 March 2007

MEMORANDUM

TO: MAYOR
COUNCILLORS

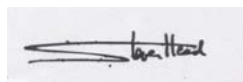
COPY TO: GENERAL MANAGER

FROM: DIRECTOR OPEN SPACE & PLANNING

SUBJECT: **MEETING NOTES - ST IVES VILLAGE SHOPPING CENTRE**

Councillor Malicki has requested a copy of all meeting notes (and related material) between Council and the St Ives Village Shopping Centre. Please see **attached** for your information.

	TRIM No.
Ku-ring-gai Council Submission Public Hearing St Ives Centre	669530
Submission dated 7 September 2006 – Ingham Planning Pty Ltd – reclassification of Council owned land at St Ives	668887
Submission dated 7 September 2006 – Ingham Planning Pty Ltd – St Ives Draft LEP and DCP	672434
Memo St Ives Village floorspace	581737
Memo St Ives Town Centre	704226
St Ives Shopping Village analysis of scheme by BN Group dated 25 October 2005	704203
St Ives Shopping Village analysis of preliminary scheme dated 25 October 2005	704204
Letter from BN Group to Council of 30 November 2005	705769
Agenda Planning Committee Meeting 13 September 2005	532634
Agenda Planning Committee Meeting 13 October 2005 (includes documents presented at committee meeting)	543620
Letter from EK Nominees Pty Ltd of 2 September 2005 response to town centre meeting of 30 August 2005	529718
Various staff notes St Ives Village 23 November 2005, 29 June 2005	S04019
Meeting notes St Ives Town Centre 13 April 2005	486965
Letter from St Ives Shopping Village 31 March 2005 Masterplanning Town Centre	482979
Presentation by BN Group to Council – The Role of St Ives Village within the Town Centre Masterplan	S04019



Steven Head
Director Open Space & Planning

Ku-ring-gai Council Submission

Public Hearing St Ives Centre

Background

The NSW Government has directed Ku-ring-gai Council under section 55 of the Environmental Planning and Assessment Act to prepare plans for additional housing (including shop top housing) in and around our main commercial centres and to cater for additional retail and commercial development. In addition council is also planning for new and improved recreational, open space areas and community facilities.

The Plan will facilitate future growth of the St Ives commercial centre and accommodate new multi-unit development in the centre and adjacent areas.

The St Ives Centre Draft Local Environmental Plan and the Draft Development Control Plan represent Council's vision for the St Ives centre over the next 30 year period. A vision statement and master plan has been prepared as part of this process.

There is a potential investment of over \$40 million in public infrastructure for the following

- Better Public transport facilities and services
- Creation of new Urban spaces for outdoor dining and new public domain areas.
- Improvements to roads and car parking
- Improved streetscapes including new street trees, under grounding of power lines, new footpaths and cycle ways.
- Improvement to existing parks including masterplans and identification of future open space needs.
- New and refurbished community facilities.

Council's Involvement

As part of Council's 30 year plan for the St Ives centre, it is acknowledged that a substantial level of new residential, retail, commercial development will take place along with a significant increase in local population.

This will create additional pressure on existing services, (some to be financed or provided through a developer contributions strategy) and also create the opportunity for a review of Council's level of services and how they can be upgraded to cater for current unmet demand and adequately provide for the needs of the future St Ives population.

On some of the key sites within the St Ives Centre DLEP, Ku-ring-gai Council is a significant landowner. Council in St Ives provides a range of community facilities, (for example library, child care services and neighbourhood centre), local recreational facilities, roads, footpaths and car parking.

Council has the ability in the planning process to modernise and improve services, relocate services to more appropriate locations (e.g. occasional child care service current located on a main road to a new appropriate location), provide existing parking on site as underground parking with new mixed use development above, retain levels of parking within the catchments, create a new interface between the St Ives shopping centre.

The reclassification process will provide Council with a mechanism to assist in the planning and delivery of new services for the St Ives Community. Reclassification may allow for the sale of council land to fund relocated and improved services within the locality, or allow for leasing of part of Council land to better facilitate a development outcome. Reclassification to operational land will also assist in negotiating future agreement with the potential developers, it provides flexibility and more certainty in the planning and negotiation of potential new facilities for the community. It does not remove the need for consultation or transparency of decision making by Council. Reclassification is of itself only an enabling process. Decisions by Council to enter into Planning Agreements, or decisions to enter into long term leases or sale of land are subject to their own distinct processes which involve community input and evaluation by Council prior to decision making. In particular the next stages of planning will require significant attention to the detailed financial aspects of these proposals. Further information can be made available.

In some cases where reclassified land has been leased or sold, Council may still retain land an interest in a land holding via strata title, and in some cases where an entire lot has been reclassified and only part of the land is leased or sold, Council still has the option to reclassify the unused portion back to Community land in the future.

Note no agreements for lease or sale have been made for the sites subject to the hearing. In the case of the Village Green the plans and reclassifications will not affect the status of the land and there are no proposed encroachment onto the St Ives Village Green area.

It should also be noted on some sites if reclassified the existing trusts will be formally extinguished, although the former uses (eg car parking) may be included in the new plan for the site. Council has clearly undertaken throughout the planning process to retain at least existing levels of publicly owned car parking within the plan.

The lands owned by Council which are subject to the Draft LEP, together with the nature of Council's interest, are described and listed in the "Best Practice Supporting Information" **attachment**.

Council's lands (sites 1-6) can be identified by reference to the **attached** map titled "St Ives Town Centre – Public Hearing for Council Lands" It is to be noted that there are 2 component parts to sites 3 and 6 respectively. These are individually set out in the Supporting Information attachment. It is to be noted that sites numbered 1-5 are to be the subject of a Public Hearing regarding their proposed reclassification from "community" to "operational" land. Site 6 is not proposed for reclassification and is to remain classified as "community".

Now a overview and detail of the five sites to be reclassified within the St Ives Centre will be provided.

Site 1: Council Car Park at 176 Mona Vale Road St Ives

Background & Site Details

This site has an area of 803 sqm and consists of 2 lots. The larger lot fronting Mona vale Road was acquired in 1961 and was transferred to council subject to 'Deed of Trust' for future use as car parking or other public purposes.

The smaller lot was acquired by Council in 1987 via a land swap with the adjoining land owner.

Current Uses

This site currently zoned Business 3(a)-(A2) Retail Services under the KPSO and used as a car park providing 44 spaces.

Proposed uses and purpose for seeking reclassification

The draft LEP proposes to rezone the land to B2- Local Centre and will permit a greater range of future uses on the site and increase the permissible floor space ratio (FSR) on the site from 1:1 under the existing zoning to 2.29:1. This will result in an increase in the land value of the site for Council.

The site is well placed to be incorporated into any expansion of the existing St Ives Village Shopping Centre complex. It is central to being able to provide the new signalised access to the Centre from Mona Vale Road.

Any utilisation of this site by the shopping centre redevelopment would be subject to the replacement of the 44 public car parking spaces within the shopping centre car park and the provision of other community facilities equal to the commercial value of the land. Council would seek that these car parking spaces would be transferred to Council ownership as a stratum in the new development.

The site is proposed to be reclassified to operational land. The reclassification process would also seek to extinguish the deed of trust that currently applies to the land.

Site 2: Village Green Parade and Car Park; Cowan Road Car Park

Background & Site Details

This site is approximately 13,750sqm and consists of several individual lots.

The lots that make up the Village Green Parade and associated car parking and the car parking adjacent to Memorial Avenue was acquired by Council in 1961 and was transferred to council subject to 'Deed of Trust' for future use as car parking or use as a baby health centre and/or library and/or other public purpose other public purposes.

The lots which make up the Cowan Road car park section were acquired in 1981 for car parking, access and municipal purposes and were dedicated as a condition of development consent.

Current Uses

This site is currently zoned Business 3(a)-(A2) Retail Services under the KPSO and used as a car park providing 290 spaces and the provision of the Village Green Parade. A small portion of the site is currently unzoned.

Proposed uses and purpose for seeking reclassification

The draft LEP proposes to rezone the land to B2- Local Centre. This new zoning will permit a greater range of future uses on the site and increase the permissible FSR on part of the site from 1:1 under the existing zoning to 2.29:1. This will result in an increase in the land value for Council of those parts of the site with the higher FSR.

Council has resolved to retain the Cowan Road car park section of this site for at grade car parking. The car parking off Memorial Avenue is also to be retained as at grade parking and Village Green parade will be retained. These requirements are supported by the draft LEP and DCP controls and no FSR have been included in the DLEP for this land. As a result it is not possible to identify any increase in value of these parts of the site.

The remainder of the land is able to contribute to expansion of retail facilities. Reclassification will allow the flexibility of using parts of the site for business purposes whilst other parts can be used for public domain purposes in an effective manner which can be linked with new development.

The integrated master plan for the shopping village site contained in the draft Development Control Plan, provides for approximately 1600sqm of this land to be developed for the purpose of retail and/or commercial facilities. In return Council would be seeking as a component of any proposal:

- the dedication of 770sqm of land from the shopping centre to Council ownership for the purpose of town square/public domain;
- provision of approximately 1200sqm space for a new library to be returned to Council ownership as a strata unit in the new development
- provision of approximately 300sqm space for a new enlarged neighbourhood centre to be returned to Council ownership as a strata unit in the new development.
- Public domain improvements.

These requirements are supported by the development standards applying to the site under the Draft LEP.

The reclassification process would also facilitate the undergrounding of the existing Council owned car parking spaces including under the proposed public domain along the Village Green Parade and Cowan Road car park. Council would seek that these

car parking spaces would be transferred to Council ownership as a stratum in the new development.

The reclassification process would also seek to extinguish the deed of trust that currently applies to certain parts of the land.

Site 3: St Ives Library and Neighbourhood centre.

Background & Site Details

This site is approximately 800sqm in area and forms part of the lot that includes the Village Green Parade and associated car parking. This lot was acquired by Council in 1961 and was transferred to council subject to 'Deed of Trust' for future use as car parking or use as a baby health centre and/or library and/or other public purpose other public purposes

Current Uses

This site currently zoned Business 3(a)-(A2) Retail Services under the KPSO and used as the St Ives Branch Library, Early Childhood Centre and Neighbourhood Centre.

Council's library feasibility study assessed the library as being a third of the size required to serve the future needs of the community.

Proposed uses and purpose for seeking reclassification

The draft LEP proposes to rezone the land to B2- Local Centre. This new zoning will permit a greater range of future uses on the site and increase the permissible FSR on the site from 1:1 under the existing zoning to 2.29:1. This will result in an increase in the value of the site for Council.

As this site forms part of the lot identified under Site 2 which includes the Village Green Parade and associated car parking, it will also be used to contribute to expansion of retail facilities within any future redevelopment of the shopping centre.

This site is central to the 1600sqm of Council land to be developed for the purpose of retail and/or commercial facilities in an expanded centre. As outlined in Site 2 above, Council would be seeking in return for the development of Council land by the shopping centre the following:

- the dedication of 770sqm of land from the shopping centre to Council ownership for the purpose of town square/public domain;
- provision of a 1200sqm space for a new library to be returned to Council ownership as a strata unit in the new development
- provision of a 300sqm space for a new enlarged neighbourhood centre to be returned to Council ownership as a strata unit in the new development.
- Public domain improvements.

The site is proposed to be reclassified to operational land. The reclassification process would also seek to extinguish the deed of trust that currently applies to certain parts of the land

Site 4: Council car park at 208-210 Mona Vale Road.

Background & Site Details

This site is 2091sqm in area and was compulsorily acquired in 1978 for \$78,975. It was acquired for the purpose of providing car parking and charging a fee for the use. The funding source for the acquisition is unknown.

The site was re-zoned from Special Uses A (car parking) to Residential 2(d3) under LEP 194 in 2004. The resultant increase in value of the site was acknowledged by Council as part of the preparation and exhibition of LEP 194 as required by the Department of Planning's Best Practice Guidelines for LEPs and Council Owned Land

Current Uses

The site currently provides 28 car parking spaces and provides additional car parking for the commercial centre. The car park is not very well used with a recent survey indicating that it is utilised at 25% of its capacity.

Proposed uses and purpose for seeking reclassification

The Draft LEP proposes to rezone this site to R4 – Residential High Density. This will not affect the value of the site as it will retain the same development capacity available to the site under its existing Residential 2(d3) zoning.

Under the draft LEP, the site has the capacity to be developed as a four storey residential building with the ground floor being able to be used as offices or medical practices. As the site is under 2400sqm, it would not be possible to develop to 5 storeys unless the land was amalgamated with adjoining sites.

It is Council's intention that any future redevelopment of this site would require the retention of the 28 public parking spaces, either on site or in the vicinity of this site. Net proceeds would be proposed to be utilised in the provision of new and improved community facilities.

The site is proposed to be reclassified to operational land to facilitate future redevelopment of the site in accordance with its zoning.

Site 5 261 Mona Vale Road - Occasional Child care centre

Background & Site Details

The site is 1,317sqm in area and was purchased by Council in 1969 for \$24,000 using general funds (loan). The site was acquired for community purposes and was originally used as the St Ives Creative Leisure Centre.

The site was re-zoned from Residential 2(c) to Residential 2(d3) under LEP 194 in 2004. The resultant increase in value of the site was acknowledged by Council as part of the preparation and exhibition of LEP 194 as required by the Department of Planning's Best Practice Guidelines for LEPs and Council Owned Land.

Current Uses

The site is currently used as an occasional child care for children from birth to age 5. The building is an older size building and is essentially a converted residential property. There is limited car parking available on the site.

The centre is currently operating under a 3 year option which cease in 2007.

Proposed uses and purpose for seeking reclassification

The Draft LEP proposes to rezone this site to R4 – Residential High Density. This will not affect the value of the site as it will retain the same development capacity available to the site under its existing Residential 2(d3) zoning.

The site has the potential to be developed as a 5 storey residential building by amalgamating with the adjoining site. The site has limited development capacity should it be developed by itself.

Council has resolved on 15 December 2005 that if this site is reclassified and sold, the proceeds be placed in a reserve for the construction of the new, more centrally located, Childcare Centre. Council also resolved that a lease be negotiated to enable the Occasional Care Centre to function in its current premises until the new Centre is ready for use.

The site is proposed to be reclassified to operational land to allow the sale of site for future development, with proceeds of the sale to contribute to the provision of the new childcare centre.



Our ref: 02149

7 September 2006

The Chairperson
Public Hearing on Land Reclassification St Ives
c/- Ku-ring-gai Council
Locked Bag 1056
Pymble NSW 2073

by email – starr@kmc.nsw.gov.au

Dear Sir/Madam

RE: Reclassification of Council owned lands at St Ives (ref S05475)

This submission is made on behalf of EK Nominees, the owners and operators of St Ives Village Shopping Centre. It relates to the following land which is proposed to be reclassified:

- 176 Mona Vale Road, St Ives (Lot 103 DP 627012 and Lot 105 DP 629388) – Car Park.
- 11-21 Cowan Road and Village Green Parade, St Ives (Lot A DP 321567, Lot 1 DP 504794, Lot 2 DP 822373, Lots A and B DP 336206, Lots B and C DP 322331 and Lot 1 DP 420126) – St Ives Village Shopping Centre Car Park, Early Childhood Centre and Neighbourhood Centre and St Ives Library.

This submission supports the proposed reclassification of the land from 'Community' land to 'Operational' land. The reasons why this change in classification is considered appropriate are discussed below.

1. The nature of the present use

This submission is primarily concerned with that part of the subject land which is used for parking and access relating to the primary uses in the vicinity, being the St Ives commercial retail area and the recreational facilities of the Village Green. The focal point of the town centre is the shopping centre. The vast majority of people in town centre are shoppers. The car park

Urban and Regional Planning, Environmental Planning and Statutory Planning
Registered Office: Lyndhurst, Suite 19, 303 Pacific Highway, Lindfield N.S.W 2070
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email: admin@inghamplanning.com.au
A.C.N. 106 713 768



and access aisle are simply there to assist shoppers and Village Green users to access these facilities.

The definitions of 'operational land' and community land' in the draft LEP that proposes the reclassification refers to the meanings in the *Local Government Act 1993*. However the definitions in this Act simply state:

"community land means land that is classified as community land under Division 1 of Part 2 of Chapter 6."

"operational land means land that is classified as operational land under Division 1 of Part 2 of Chapter 6."

Part 2 does not provide any further description of these types of land except in the Notes which include the following comments:

"The purpose of classification is to identify clearly that land which should be kept for use by the general public (community) and that land which need not (operational). The major consequence of classification is that it determines the ease or difficulty with which land may be alienated by sale, leasing or some other means."

"Community land would ordinarily comprise land such as a public park. Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage."

In many cases, Council's only become involved in the provision of parking and internal access in commercial centres because it facilitates a better planning outcome to provide parking in a central location in lieu of on individual, privately owned sites. In some cases, on-site parking is simply not possible. In such cases, Council's typically collect Section 94 contributions for the provision of public parking. In essence there is no difference between parking for shoppers or recreational users provided on privately owned land and that on public land – it is there to benefit the users of these facilities. The only real 'community' benefit provided by the Council being responsible for the parking is that, as noted above, a superior planning outcome can be achieved. However, as discussed below, in this case the overall planning of the car parking and access in this part of the commercial area is anything but ideal. The comments of shoppers indicates the degree of frustration they have with the present arrangement.

In view of the above it is considered that the present use of the land for parking and access, is not a 'community' use in the same sense that a park is. The use of a park directly benefits the community who use it, whilst public parking in this location needs to be fully integrated with other adjacent parking to provide the greatest community benefit. This can only be achieved by the land being "operational".

2. The future use of the land

As indicated in the draft LEP and DCP for the St Ives Town Centre, the area of the centre containing the subject land is one of its focal points. Therefore, it is important in planning for the future of this area that all the relevant matters are carefully considered and that a suitable degree of flexibility is provided in the zoning and classification of land in order to provide the best planning outcome.

Under the draft LEP 2006 (Town Centres), all of the subject lands are zoned 2B Local Centres. This zone permits a wide range of retail and commercial uses and also 'mixed use development' where residential uses can be provided (see Figure 1);

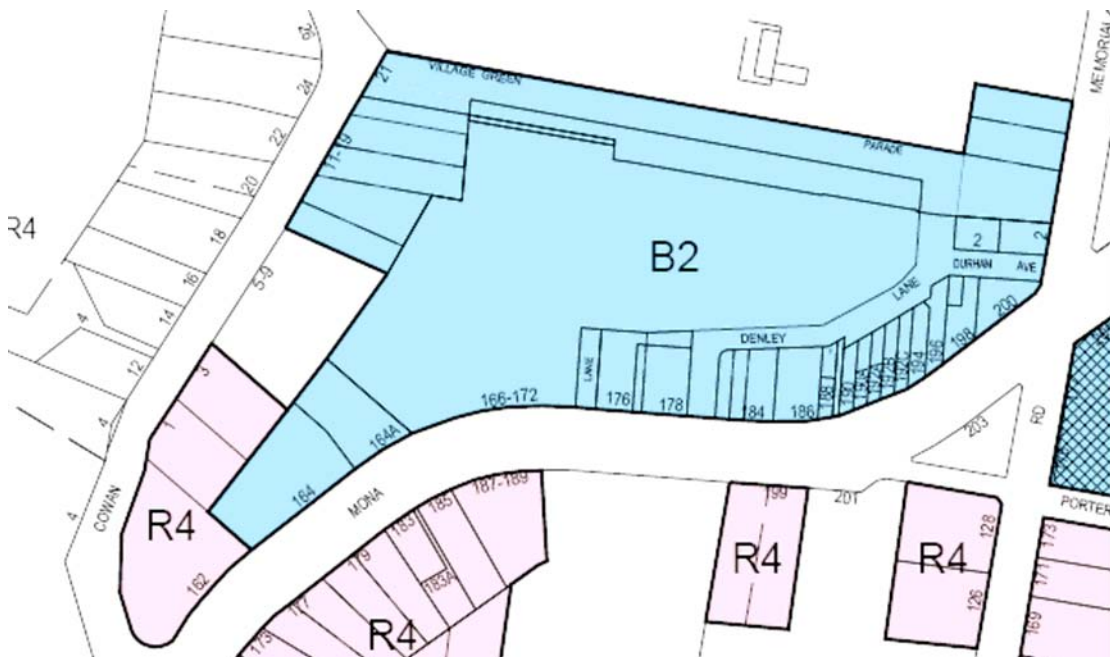


Figure 1 – draft LEP zoning

Generally in terms of the development potential of the land, part of the land is earmarked for redevelopment and part is not. As indicated on Figure 2, part of the land is subject to a 5 storey height limit. As can be seen in Figure 3, that same part has a maximum FSR of 2.29:1 with a maximum retail/commercial component of 1.6:1 and a maximum community facilities component of 0.07:1 over part of the land.



Figure 2 – Draft LEP Height Map

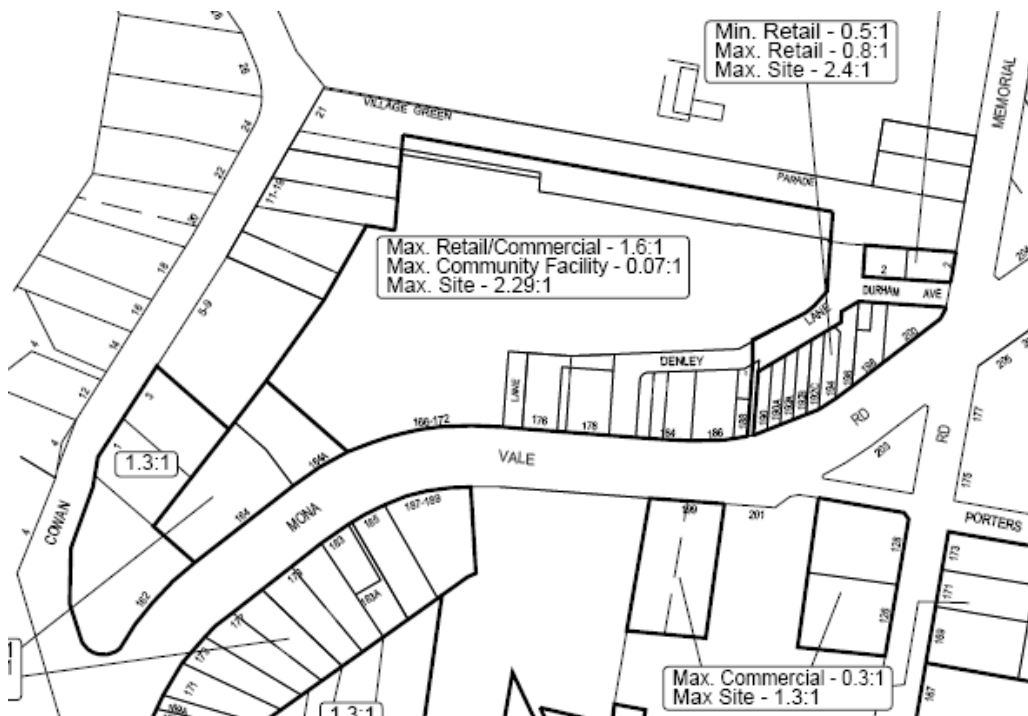


Figure 3 – Draft LEP FSR Map

The St Ives Town Centre DCP provides some indication of the intended use for other parts of the subject land. However, the DCP appears to conflict with rather than support the Draft LEP. In this regard:

- as indicated in Section 2.2.3, part of the land is indicated to be ‘Parkside road – Village Green Parade’ (see Figure 4);
- as indicated in Section 2.2.13 Parking and servicing, the remainder of the land is intended to remain as surface parking or for new surface parking to be provided (see Figure 5). It is noted that most of the area subject of the 5 storey height control in the LEP is also indicated as providing ‘a new multi storey parking structure’. This multi storey carpark needs to be continued and integrated with the Council’s proposed operational land.

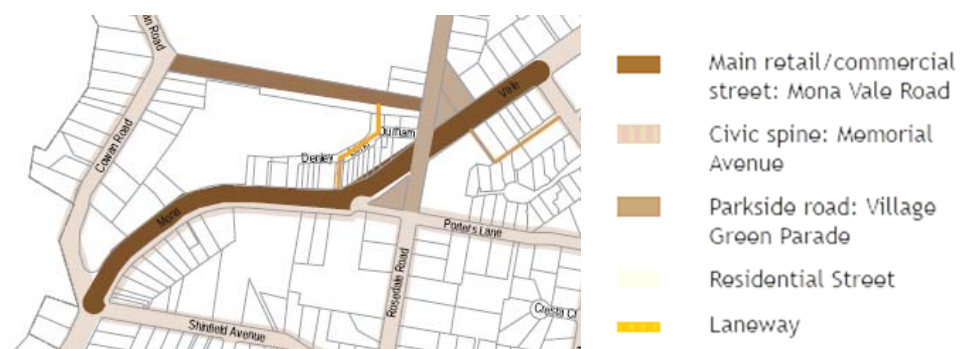


Figure 4 – draft DCP Street Character

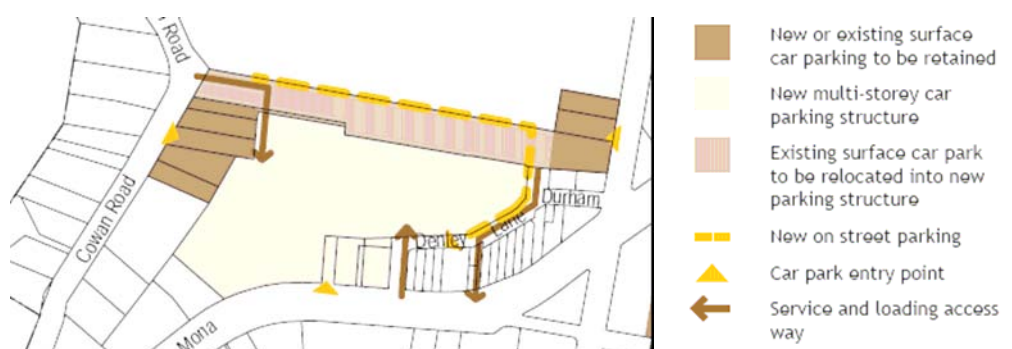


Figure 5 – draft DCP Parking and Servicing

In order to achieve an integrated planning outcome for the St Ives Centre, as detailed in the LEP or an alternative arrangement, it is essential to provide flexibility. The ‘community land’ designation does not provide this flexibility whilst the reclassification does. The “operational” classification allows the multiple uses proposed by the Draft LEP to be achieved. A “community” land classification does not. If appropriately

managed, the “operational” classification will result in a greater overall public benefit than presently exists.

3. Is reclassification appropriate?

As noted above community land is land that should be “kept for use by the general public (community)”. Given its present and likely future use discussed above, there is no compelling reason why the subject land needs to be ‘kept’ for public use:

- the parking on public land has essentially the same function as the parking areas found on private property adjoining the public land;
- the parking can continue to operate in its present form or be provided under an alternative arrangement even if the classification is changed to operational;
- the ‘public’ benefit provided by the existing parking can be increased by allowing a greater degree of flexibility in its use. In this regard:
 - the land can form part of a more efficient integrated parking solution over a number of public and private properties. At present, the existing public parking and that on the site of the St Ives Village Shopping Centre are functioning poorly and are not well integrated;
 - the land can be sold subject to a requirement to replace the lost spaces or for even more spaces to be provided. In this way any redevelopment can provide the parking in the best location, not necessarily on the subject land or at the present levels;
 - the subject land can be used for its highest and best use which may not necessarily be for car parking. The sale of such land or a land swap arrangement could allow achievement of a greater overall public benefit, which would not be possible as “community land”.

Further to the above, reclassification is considered appropriate because it supports the principles of ecologically sustainable development (ESD). Well serviced land in established areas is a scarce resource. The more this type of land can be developed, the less need there is to develop in greenfield locations where there is far greater potential for environmental impact, both directly in terms of loss of bushland or productive farmland and indirectly in terms of greater reliance on private vehicles. Retaining the existing classification will not allow the land to achieve its highest and best use and would be wasteful of a scarce resource.

Reclassification does not mean that there will be a loss of public benefit. If anything, given the nature of the existing uses and the intentions to provide a well integrated and vibrant town centre, the flexibility provided by the ‘operational’ classification will, if appropriately managed, result in a far better planning outcome (and public benefit) than may otherwise be possible.



We trust this information is of assistance. Please do not hesitate to contact Neil Ingham or Brett Brown if you wish to discuss this matter.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'B. Brown', with a long, sweeping horizontal line extending to the right.

INGHAM PLANNING

E-Mail Message

From: Bill Royal [EX:/O=KMC/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=BROYAL]
To: Steven Head [EX:/O=KMC/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=Shead], Antony Fabbro [EX:/O=KMC/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=Afabbro], Craige Wyse [EX:/O=KMC/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=Cwyse]
Cc: Russell Olsson [SMTP:russell@olssonassociates.com.au]
Sent: 7/02/2006 at 1:28 PM
Received: 7/02/2006 at 1:28 PM
Subject: Memo - St Ives Shopping Village floorspace

From our last meeting with the St Ives shopping village (SISV) it was indicated by the owner that Council's draft controls in the Draft DCP allows 25,200NLA (1.2:1 FSR and 28,000sqm site area). SISV are concerned that this only allows an increase in retail NFA by 5,000sqm and that what was really required to make the project feasible was a further 7-9,000sqm on top of the 5,000 already available (total of 12,000-14,000sqm).

Analysing the SISV preliminary scheme we can only find about 24,000NLA of retail. In a recent email from BN architects they have indicated their preliminary scheme has about 27,000NLA retail. I believe the difference in the two amounts can be accounted for by adding the strip of Council land along the northern edge and by not including the town square. This provides another 2,000sqm making our calculations and theirs fairly compatible (only 1000sqm difference).

Other issues:

- SISV made it clear that that did not want to exceed 2 storeys in height;
- This amount of retail would require more than 2,500 car parks (700 more than their preliminary plans and equal to more than one level of basement parking)

Council Resolution

We are limited by what Council resolved in July 05:

"The St Ives Shopping Village be increased by a maximum of 10,000sqm to 28,000sqm of retail including the strip shops on Mona Vale Road"

There is some room for interpretation of this resolution. We have been assuming this relates to all the shops on Mona Vale Road up to the CBA site at Durham Lane. If we take the resolution in the strict sense we could just include the shops on Mona Vale Road included within the Village. This would give them an additional 2,300sqm a total of say 27,500NLA which is equivalent to the preliminary plans

Economics

Adrian Hack noted the claim by SISV that they need a total additional 12-14,000sqm NLA retail is difficult to substantiate. He has had to make a lot of assumptions for his model and he does not know what assumptions SISV have made.

Summary

- From what I can work out it does not seem to be possible within the constraints of the site and our requirements to provide the amount of retail that SISV are saying is necessary.
- We may be able to provide an additional 2,500sqm within the current Council resolution
- We need more information to determine whether their feasibility claim is correct

Bill Royal

Planning and Environment

Ku-ring-gai Council

t: 9424 0946

f: 9424 0949

e: HYPERLINK "mailto:broyal@kmc.nsw.gov.au"broyal@kmc.nsw.gov.au

From: Bill Royal
Sent: Wednesday, 19 October 2005 12:33 PM
To: Paul Pitronaci (pp@bngrouponline.com)
Subject: St Ives Town Centre
Paul

The diagrams we showed you on the day of our workshop are still working drawings that have not been given to anybody other than Councillors at this stage. So unfortunately I cannot send you copies. However the draft drawing will be placed on a preliminary exhibition for a period of two weeks from mid November 05, this will include electronic documents on the internet.

Until then we are happy to meet again or provide you with any of the assumptions we have made. As you are aware the two options we are working with for the expansion of the Shopping Village are option 1 - incorporating a portion of Council's car park along the Village Green interface and option 2 - excluding Council's lands.

Regards

Bill Royal

Planning and Environment
Ku-ring-gai Council
t: 9424 0946
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e: broyal@kmc.nsw.gov.au

KU-RING-GAI COUNCIL

St Ives shopping village - Analysis of preliminary scheme by BN Group dated 25/10/05

Floor Space

Existing GFA to be retained:

Lower level: 5231m²

Upper level: 7681m²

Lower level car park: 5500m²

Existing NLA to be retained:

Lower level: 3313.4m²

Upper level: 5065m²

Total retained: 8378.4m²

Existing GFA to be demolished: 9253m²

New NLA:

Woolworths: 5479m²

Basement level: 561m²

Lower level: 3926.5m²

Upper level: 4765m²

Total New: 14731.5m²

Total new + retained: 23109.9NLA or 30,013GFA (@77%)

Added Feb 06 4050NLA

Car Space calculations

Existing spaces demolished (removed): 171

Existing spaces retained: 220

New spaces:

Above ground: 300

Below ground: 615

Total: 915

New spaces – council land:

Above ground – council land: 127

Below ground – council land: 608

Total: 735

Total: 1870

Note:

Total car spaces required under current DCP = 1 space per 17sqm GFA
 $30,000/17 = 1764$ space required

KU-RING-GAI COUNCIL

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Total: 735

Total: 1870

Car space calculations:

Total car spaces required under current DCP = 1 space per 17sqm GFA

30,000/17= 1764 space required

30th November 2005

**St Ives Town Centre Draft Master plan
Response.**

For and on behalf of St Ives Shopping Village

Attention: Mr. Colin Johnston
Ku-ring-Gai Council

BN Group Pty Ltd
75 Alexander Street
Crows Nest NSW 2065
Australia

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sydney@bngrouponline.com
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ABN 43 092 960 699

Sydney
Brisbane
Auckland
Kuala Lumpur

Dear Sir,

We would like to hereby formally respond to the Draft Masterplan for St Ives Town Centre as exhibited on Ku-ring-gai Council Web site.

Generally we support the approach taken by Council and its advisors for the development of the St Ives Town Centre.

We support the amalgamation of the retail areas within the current St Ives Shopping Village precinct and the recognition that there is a need to strengthen the retail offer and to include commercial and community facilities within a 'Town Centre' style format that augments the current St Ives Shopping Village and adds additional services and amenities for the community in a convenient location.

We support the attempts to rationalise the current council car park areas that surround the Shopping Centre in order to

a) Provide a better amenity and connection with the Village Green. The Village Green is a major asset for the community of St Ives and this should be recognised and enhanced; and

b) To increase parking and improve access and circulation to increase efficiency, thus helping to reduce traffic congestion and conflict in and around the Town Centre.

We support the proposition to relocate Council car park areas underground in order to provide residential fronting Cowan Road.

It is critical to the amenity of the community and to the operation of the Shopping Centre and for the additional leisure activities such as restaurants, cafes, etc that will front Village Green Parade that we provide for a component of service vehicle access and car park access from Cowan Road.

The Centre currently has an existing service area at the upper retail level, accessed from Cowan Road. We will be unable to relocate this whilst still maintaining a functioning retail centre.

We understand the intention is to have a one-way road between the Village Green

and the Shopping Centre. We can appreciate the intent but believe an opportunity may be being overlooked. A more detailed design analysis is required for this zone in order to maximise its potential.

In brief, the access design should provide the flexibility for vehicle movements to and from the car park areas which are separate from the pedestrian flows and service areas without impacting adversely on the arterial and local road systems.

While buses are currently shown to travel along Village Green Parade, it is understood that these will in fact travel down Memorial Avenue. We also understand it is intended to provide both bus stops and taxi stands in Memorial Avenue with pedestrian connections to the Centre. In general we support this relationship but stress the need for a safe and logical connection to the centre from these public transport facilities.

With regard to the new Town Square and the positioning of the community facilities, while we appreciate the intent of the Masterplan, the devil is in the detail. The Village Green Parade will become a strong promenade environment and we believe it is critical that the Town Square space be visible and not tucked away.

We are concerned about traffic and pedestrian management at the interface between the Village Green – Town Square – Shopping Centre – Vehicle entry/exit. We believe a better outcome could be developed through refining the Town Square position and locating the Library such that it has a better relationship to the Village Green and reduce the impact and extent that a single major space user may have on a 'Town Square'.

Further, the vehicle and pedestrian conflicts could be reduced in this area through a re-consideration of the entry/exit location.

We are of the opinion that the Town Square should reflect a diverse range of interests and users and be activated throughout the day. As such, the relationship of the Town Square to the Village Green Parade promenade becomes more important than its visual connection from Mona Vale Road/Memorial Road Junction.

While the urban outcomes are appreciated we would like to think there is still some flexibility in the final position of the 'Town Square' in terms of its location, levels and activities directly fronting it.

We would like to stress the importance of maintaining vehicle access from Memorial Avenue and providing direct access into the basement level car parks.

We support the adoption of a new signalised intersection from Mona Vale road with direct access into the Centre and providing access to loading facilities from Mona Vale Road. The service area access will need to be to the west of the signalised intersection in order to service the proposed position of major tenants.

With regard to the allowable retail floor space, we note the allowance of 33,790sqm



Architecture
Urban Design
Masterplanning
Graphics
Interiors

as a Gross Floor Space allowance with 28,000sqm being net lettable. A further 3,000sqm has been identified for commercial space. We believe this commercial figure is low compared to the interest being shown by professionals in adaptable commercial space and the opportunity to provide employment opportunities within the St Ives Town Centre.

Currently the masterplan identifies residential opportunities above the Shopping Centre with a height limit of 3 storeys. We believe a closer review is required and an opportunity exists to develop a major urban space above the shopping centre instead of a simple metal roof. In turn, the surrounding residential blocks need to shape this space through height and form. A simple 3 storey height restriction would probably produce a sterile building form and not provide the flexibility to develop the roof as a greenspace enclosed by buildings with the site embracing ESD principles.

It is important to recognise the benefits of Council and the St Ives Shopping Village working together, and understanding the objectives and imperatives of each, for the best results to flow from the present planning and design process.

Should any of the Councilors or Council Officers wish to discuss in more detail any of the matters we have raised above, please do not hesitate to contact me directly.

Yours faithfully

Stephen Blaxland

AGENDA

PLANNING COMMITTEE MEETING TUESDAY 13 SEPTEMBER 2005 ANTE ROOM 6-8 PM

ITEMS

1. Section 94 issues

Briefing on Kogarah Town Square / Undergrounding Car parking Section 94 Plan (Kim Kennedy)
2. St Ives Town Centre Plans

St Ives presentations – Public Domain Plans (Jane Irwin) and Building Envelopes (Russell Olsson)
3. Interface Study
4. Other General Business

Rezoning Applications

Former B2 Corridor
5. Reporting on key issues and outcomes from the Land & Environment Court.
6. Next meeting

Planning Committee Meeting

Thursday 13 October 2005

Ante Room

6.00pm – 8.00pm

Agenda

Items

1. Minister's Visit – 28 September 2005.
2. Processing times for LEP 194 Applications.
3. St Ives Town Centre project Update and DCP controls
4. Interface Sites
5. General Business

E-Mail Message

From: Bill Royal [EX:/O=KMC/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=BROYAL]
To: Margaret Harte [EX:/O=KMC/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=Mharte]
Cc:
Sent: 13/10/2005 at 1:48 PM
Received: 13/10/2005 at 1:48 PM
Subject: Tonights Planning Committee

Attachments: ST IVES PROJECT UPDATE 12Oct05.doc
Attachment 1 Councillor comments site visit 17sept05.doc
Attachment 2 commercial areas memo.doc
Attachment 3 revised traffic model.doc
Attachment 4 traffic comparison.pdf
Attachment 5 St Ives Bus Requirements - minutes.DOC
Attachment 6 Shopping Village options 1-3.pdf
Attachment 7 Eden Brae option 1 & 2.pdf
Attachment 8 village green interface.pdf
Attachment 9 Proposed design changes.pdf

Margaret

This is the information for tonight. We will also provide hard copies for Councillors at the meeting.

Bill Royal

Planning and Environment

Ku-ring-gai Council

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f: 9424 0949

e: HYPERLINK "mailto:broyal@kmc.nsw.gov.au"broyal@kmc.nsw.gov.au

KU-RING-GAI COUNCIL

Planning Committee

13th October 2005

St Ives Centre Project Update

Work to date

The following work has been carried out in the last month:

1. Site visit staff and Councillors
2. Site visit notes
3. Coordination meeting with consultants following site visit
4. Briefing traffic consultant (revised modelling)
5. Expression of interest for S94 Consultant
6. Prepare traffic impact diagrams
7. Commercial areas revision
8. Revised options (5 options)
9. Briefing Economic consultant
10. Transport meeting (buses)

Resolution of issues

Prior to finalising the building envelopes and public domain concepts a number of key issues are being resolved which are set out below:

Item	Issue	Action
1. Site Visit	Address issues raised by Councillors on the site visit	Site visit notes. <i>Attachment 1</i>
2. Commercial floor space	The increased amount of new commercial area on the Eden brae site. What is this compared to existing?	Prepare notes. <i>Attachment 2</i>
3. Traffic	Negative impact of increased commercial uses at Stanley Street on the traffic model.	Prepare revised traffic model.
4. Traffic	Possible positive impact on Stanley Street of removing medium density residential rezoning from traffic model including "Pemberley Grove", "Rosedale" and the "The Tines" (390 new dwellings)	Prepare revised traffic model. <i>Attachment 3</i>
5. Traffic	Prepare diagrams illustrating the impacts of the proposed traffic changes on resident's travel routes	Diagrams attached. <i>Attachment 4</i>

6. Traffic	Proposed new laneway intersecting with Mona Vale Road near Rosedale Road	Seek consultant's advice. Propose left in only.
7. Parking	Future convenience parking for Stanley Street strip shops	Seek consultant's advice on indented car parking on Mona Vale Road. Also increase underground parking on Eden Brae
8. Buses	Meet with MOT, RTA and bus companies to determine future plans for St Ives	Meeting notes. <i>Attachment 5</i>
9. Economic modelling	Need to determine which of the three options (or a combination) for the Shopping Village is more feasible	Finalise Options based on Councillor input. Modelling in progress. <i>Attachment 6</i>
10. Economic modelling	Determine which of the two options for Eden Brae is more feasible	Finalise Options based on Councillor input. Modelling in progress. <i>Attachment 7</i>
11. Economic modelling	Determine feasibility of rezoning Pemberley Grove, Rosedale and the Tines to 5 storey apartment buildings	Modelling in progress.
12. Urban Design	Concern about encroachment of the Shopping Village onto Council's land	Prepare illustrative diagrams. <i>Attachment 8</i>
13. Urban Design	Support for retention of commercial uses at 164 and 166A Mona Vale Road. Concern that up-zoning to residential/retail would see a loss of these uses (service station and commercial building)	Seek consultant's advice. <i>Attachment 9</i>
14. Urban Design	Building form and landscape for Mona Vale Road frontage	Brief consultant. Revise building envelopes and landscape guidelines. <i>Attachment 9</i>
15. Urban Design	Location of town square	Brief consultant. Provide alternative location as option. <i>Attachment 9</i>

Next Steps

16	Finalise building envelopes and public domain (4 WEEKS)	15 Oct - 10 Nov
17	Circulate draft material to Councillors prior to PC	10 Nov
18	Present final building envelopes and public domain to PC meeting	15 Nov
19	Preliminary exhibition of design drawings (2 WEEKS)	16 Nov – 27 Nov
21	Finalise summary of exhibition results (1 WEEK)	28 Nov – 2 Dec
22	Finalise Draft LEP, DCP and S94 documents (2 WEEKS)	18 Nov – 2 Dec
23	Complete Council report	2 Dec
24	Special Council meeting to resolve to exhibit Draft LEP, DCP and S94 Plan	mid Dec

Attachments

1. Site visit notes
2. commercial floor space notes
3. traffic consultants opinion (detailed modelling underway)
4. Traffic diagrams showing impacts on residents travel routes
5. Buses meeting minutes
6. St Ives Village options for economic modelling
7. Eden Brae options for economic modelling
8. Shopping Village/Village Green interface diagrams
9. Design changes diagram

KU-RING-GAI COUNCIL

St Ives Centre - Site Briefing

17th September 2005

Councillor comments

Proposed town square

- No decision either way as to the desirability of the town square proposed to be located on the eastern corner of the Shopping Village. It was noted that it would be protected from the westerly winds (blowing on the day of the visit)

Denley Lane

- Minimise conflict between heavy vehicles and residential along the full length of Denley Lane – no heavy vehicles
- Provide separate service access to the shopping Village off Denley Lane
- Wider footpaths needed in Denley Lane (currently no footpath)
- Can deliveries be controlled and limited to certain times?
- Denley Lane in shadow after 11am
- Need to consider the façade treatment of the Shopping Village along Denley Lane – currently poor

Mona Vale Road (northern side)

- Concern about the amenity of the proposed residential development over the Council car park site (176 Mona Vale Road) and the old service station site (178 Mona Vale Road). It will be surrounded by roads and trucks. There was general agreement that this area is better as a public domain area with possibly some low retail or commercial uses. This would also provide a break in the building façade.
- Favour a separate service egress lane
- Noted large mature trees along Mona Vale Road west of the Shopping Village that need protection
- General support for retention of commercial uses at 164 and 166A MVR. Concern that up-zoning to residential/retail would see a loss of these uses
-

Shinfield

- What can we do to retain the existing shops on the corner of Shinfield and MVR? Best in the area in terms of building quality

Cowan Road

- Noted church on the corner of Mona Vale Road and Cowan Road unlikely to redevelop
- Noted no.s 1 and 3 Cowan Road are Church owned land

- Noted the topography on Cowan Road. Council's car park is on a high point – very prominent
- Is it possible to have 2 lanes east bound at the Cowan road Mona Vale Road intersection
- Concern about proposed rezoning of 5-9 Cowan Road. Currently 2 storey strata with large setbacks. Need to do feasibility modelling

Village Green Interface

- Concerned about 12 metre encroachment of the Shopping Village onto Council's land (paced out by Steven Head)
- Staff to provide a simple set of diagrams to show the interface options including the width and placement of laneway, extent of the Village Green and location/form of the shopping Village

Durham Lane

- We need to look at the over shadowing of Durham Lane (proposed public domain area) and wind tunnel effect of proposed buildings. Don't rule out potential for public space but concerned

Mona Vale Road, Memorial Avenue and Rosedale Road intersection

- Staff to provide drawings showing how peoples travel routes by car will be affected by the proposed traffic changes at this intersection particularly those on the southern side of MVR
- Concerned that traffic will not be able to go north from Memorial to Rosedale due to proposed one way. This will be inconvenient for people who will have to go via Stanley Street
- Questions about the role and function of the proposed new community facilities in the Headmasters cottage area.
- Concern about role and function of St Ives Memorial Park

Council car park (208-210 Mona Vale Road)

- Question about whether the Council car park should be kept to support the Stanley Street shops

Stanley Street shops

- Why can't the residential on top of the Stanley Street shops be setback to the rear of the lots near Stanley Lane?
- Must provide on street and at grade car parking for Stanley Street shops – the issue of convenience shopping which residents like
- The proposed extension of Stanley Lane behind the shops will not work
- The proposed extension of Stanley lane to Mona Vale Road goes right through the middle of a group of trees and the existing bus stop

Eden Brae

- Need for a separate site inspection of the Eden Brae, Stanley Street, Porters Lane area and the surrounding town house sites proposed for rezoning.

KU-RING-GAI COUNCIL

St Ives Hybrid Option - Commercial Floor Space

12th October 2005

The amount of commercial space allowed for at this stage in the Hybrid Option is:

1. 10,689sqm in the Stanley Street/Eden Brae block. This commercial would be required as part of the development (Economic assessment underway);
2. 3,941sqm of adaptable space in 2d3 type buildings in the Shinfield Ave, Rosedale Rd and Memorial Avenue areas as per the hybrid option. This space will be optional converting to commercial when there is demand; and
3. No commercial space has been accommodated in the Shopping Village at this stage. Any extra proposed by the owner will be subject to traffic modelling.

BLOCK	COMMERCIAL		RETAIL	
	existing	hybrid option	existing	hybrid option
L	3003	0	18500	28000
P	2897	1810	1000	0
Q	0	675		0
N	1773	10689	2500	5500
H	0	1456		0
I	3893	0	0	0
total	11566	14630	22000	33500
total increase		3064		11500

Refer attached key map for block references

Notes

1. Total of 14,630sqm of commercial proposed. This represents an increase of 3064sqm.
2. There is currently 11,566sqm of existing commercial space. This does not include doctor's surgeries in houses etc.
3. The hybrid option adopted by Council on the 19th July simply stated "to encourage commercial offices and live work accommodation" no figure was formally adopted. However the traffic modelling allows for about 4,500sqm of commercial office space.
4. Traffic modelling being revised to take into account increase in commercial floor space

Option Amendments propose: (Revised 12 October 2005)

The amended hybrid option was adopted by Council on ... September 2005.

- Total retail area in St Ives maximum 35,000m² (5,000m² transferred to Gordon)
 - (i) The shopping mall increases by 10,000m² and capped at 26,000m² + strip shops along northern side of Mona Vale Road = total 28,000m² (with car parking for 1,650 vehicles);
 - (ii) Stanley Street / Mona Vale Road (Option B1) area becomes supermarket based convenience centre with 2,500m² supermarket, 15-20 new speciality shops + existing strip shops on Mona Vale Road (2,000m²) = total 5,500m² (with car parking for 325 vehicles);
 - (iii) Approximately 14630m² of non-retail commercial for home office and professional services along Mona Vale Road (with car parking for a further 430 vehicles);
 - (iv) New "shop-top" housing over retail and commercial to create mixed use zones:
 - (a) +164 medium density residential dwellings at Stanley Street; and
 - (b) +350 medium density residential dwellings above the Mall.
 - (v) +369 additional medium density dwellings in precincts I, J & Q.
 - (vi) The loss of 393 medium density residential dwellings from precincts P & O.

The likely additional design hour traffic volumes commensurate with this Option are:

	Use	Design Hour Trips	
		Thursday Evening veh/hr	Saturday veh/hr
(i)	+10,000m ² of retail space	+ 590 trips	+ 750 trips
(ii)(a)	+2,500m ² (SM)	+ 386 trips	+ 366 trips
(ii)(b)	+1,000m ² (SS)	+ 48 trips	+ 107 trips
(iii)(a)	10,689m ² of office/ commercial/professional services (Precinct N)	+ 214 trips	+ 107 trips
(iii)(b)	1810 m ² of office /commercial/professional services (Precinct P)	+36 trips	+18 trips
(iii)(c)	675 m ² of office /commercial/professional services (Precinct Q)	+14 trips	+7 trips
(iii)(d)	1456 m ² of office /commercial/professional services (Precinct H)	+29 trips	+15 trips
(iv)(a)	+164 dwellings (Precinct N)	+ 98 trips	+ 78 trips
(iv)(b)	+350 dwellings (Precinct L)	+ 210 trips	+ 168 trips
(v)	+369 dwellings (Precincts I, J & Q)	+ 222 trips	+ 178 trips
(v)1(a)	(less) -248 dwellings (Precinct P)	-149 trips	-199 trips
(v)1(b)	(less) -145 dwellings (Precinct O)	-87 trips	-70 trips

Total design hour trips to Stanley Street = 673 trips

595 trips

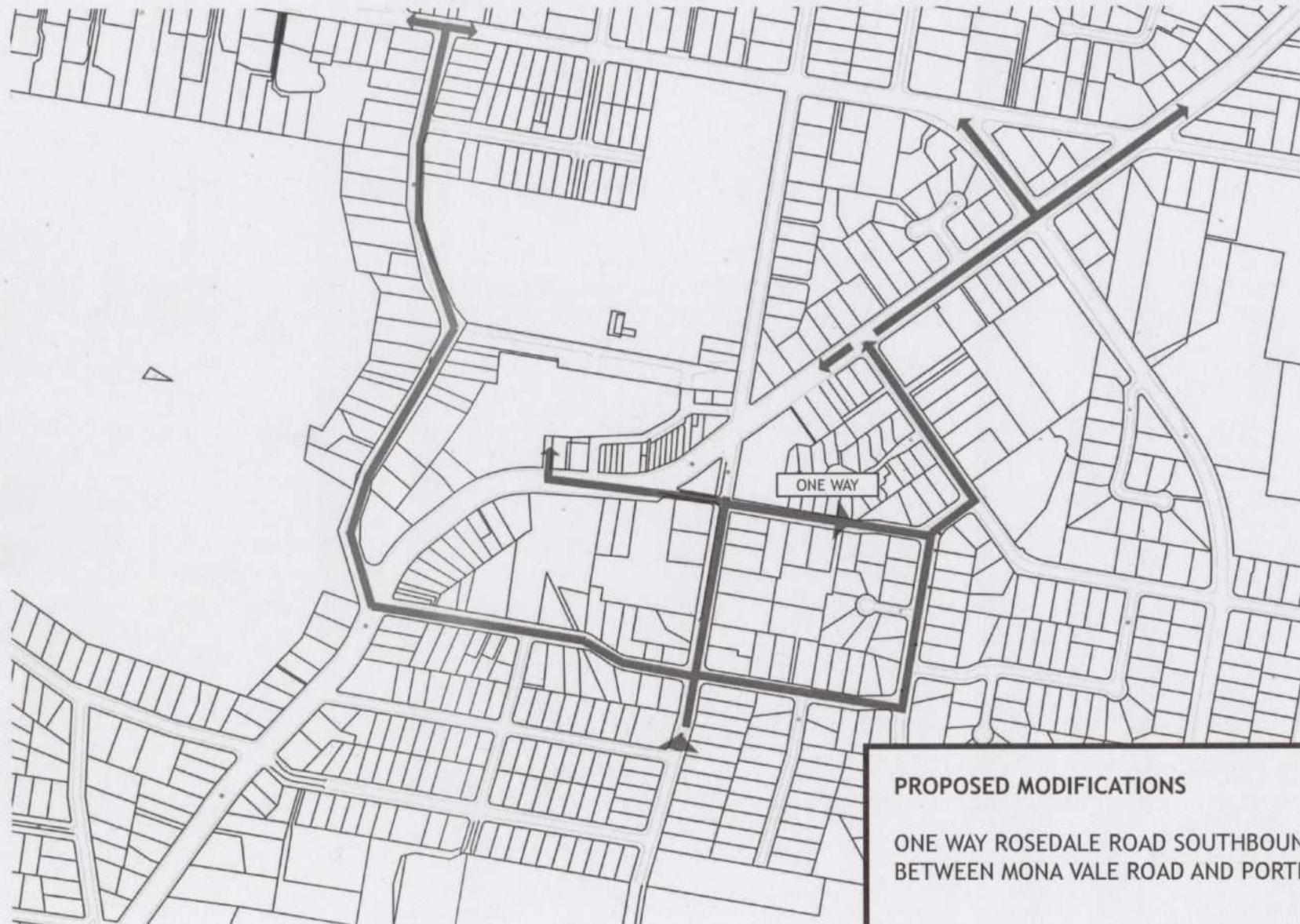
ST IVES HYBRID OPTION TRAFFIC MODIFICATIONS

DIAGRAMS OF IMPACT ON EXISTING ROUTES



EXISTING ROUTE

NORTHBOUND ON ROSEDALE ROAD ACCESSING
NORTH MONA VALE ROAD, HORNSBY, NORTH
TURRAMURRA, MONA VALE AND SHOPPING
VILLIAGE



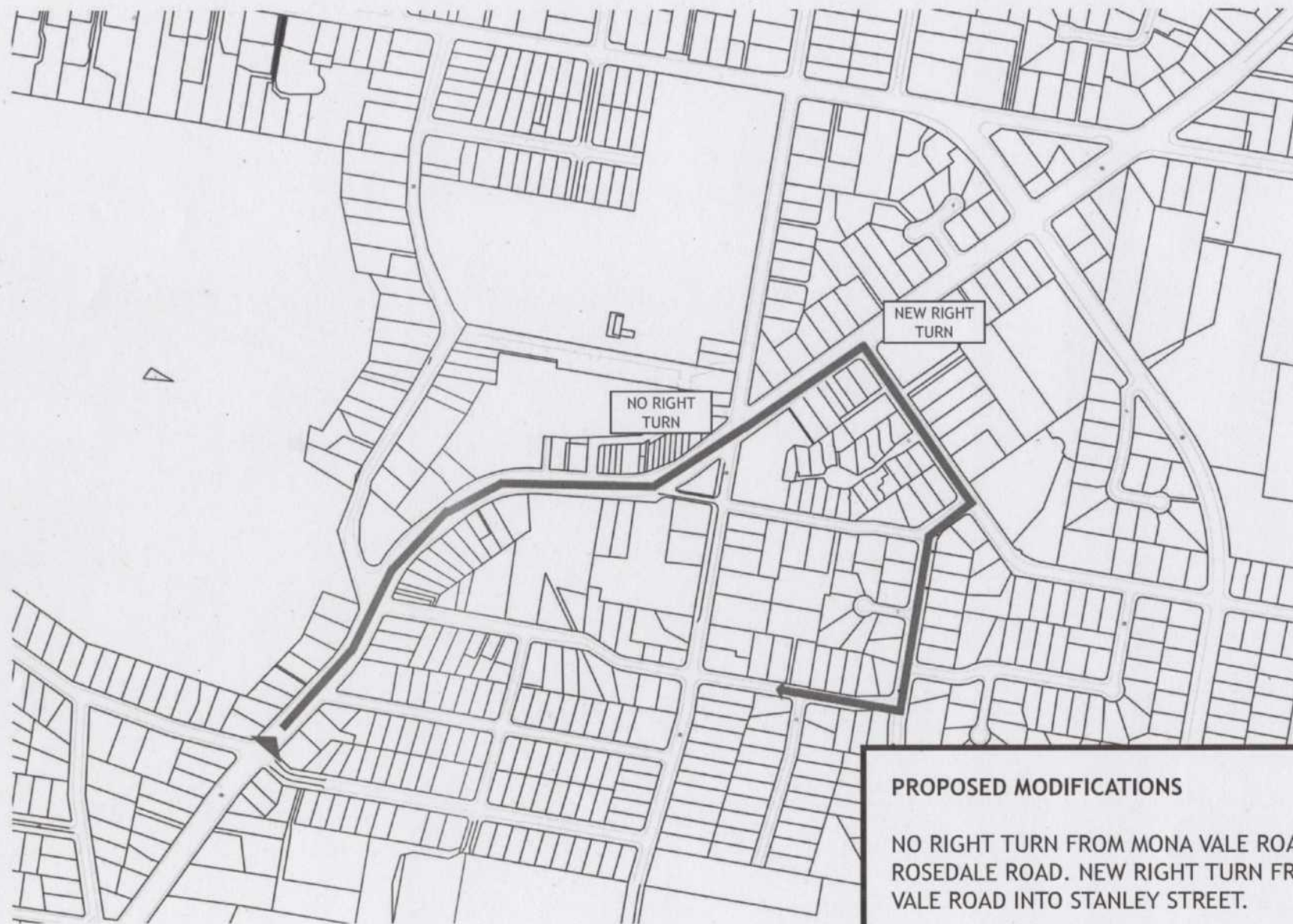
PROPOSED MODIFICATIONS

ONE WAY ROSEDALE ROAD SOUTHBOUND
BETWEEN MONA VALE ROAD AND PORTER'S LANE



EXISTING ROUTE

EASTBOUND ON MONA VALE ROAD ACCESSING
ROSEDALE ROAD AREA



PROPOSED MODIFICATIONS

NO RIGHT TURN FROM MONA VALE ROAD INTO ROSEDALE ROAD. NEW RIGHT TURN FROM MONA VALE ROAD INTO STANLEY STREET.



EXISTING ROUTE

ACCESSING VILLAGE SHOPPING CENTRE FROM
MONA VALE ROAD.



PROPOSED MODIFICATIONS

NEW INTERSECTION ON MONA VALE ROAD TO
ACCESS VILLAGE SHOPPING CENTRE.



EXISTING ROUTE

TURNING RIGHT FROM MONA VALE ROAD INTO
LINK ROAD.



PROPOSED MODIFICATIONS

NO RIGHT TURN FROM MONA VALE ROAD INTO
LINK ROAD.



EXISTING ROUTE

ACCESSING MONA VALE ROAD FROM KILLEATION STREET.



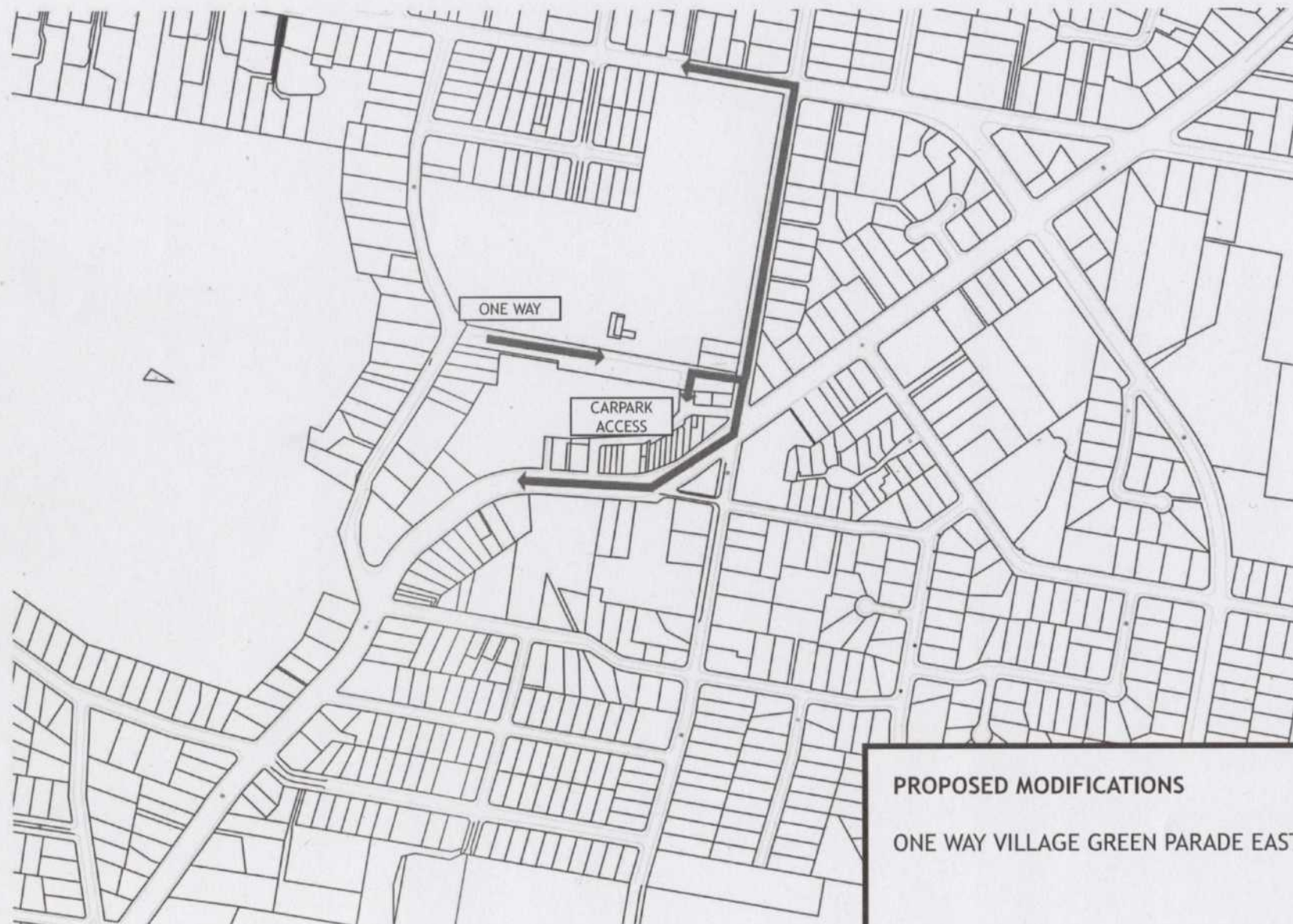
PROPOSED MODIFICATIONS

ONE WAY KILLEATON STREET WEST BOUND.



EXISTING ROUTE

WEST BOUND ON VILLAGE GREEN PARADE.



PROPOSED MODIFICATIONS

ONE WAY VILLAGE GREEN PARADE EAST BOUND.

KU-RING-GAI COUNCIL
St Ives Town Centre – Bus Requirements
Meeting Notes
Tuesday 11 October 2005

Present

Bill Royal (KC)
Antony Fabbro (KC)
Steven Head (KC)
Joseph Piccoli (KC)
Greg Piconi (KC)
George Koolik (KC)
Craig Wyse (KC)
Clayton Davidson (Shorelink Bus Company)
Phil Whipp (Forest Coach Lines)
Matthew James (Ministry of Transport)
David Payne (RTA)
Geoff Higginbotham (RTA)
Brett Morrison (RTA)

Notes

Matthew James

- There are 2 contract regions in St Ives: Forest Coach Lines and Shorelink Bus Company.
- 2 Strategic Bus Corridors in St Ives (Corridor 8 and 36), which cross over in the Town Centre.
- There could be changes to the route of Corridor 8 through the Town Centre – one option is along Memorial Avenue/Mona Vale Road/Stanley Street, or Cowan Road/Mona Vale Road/Stanley Street, to better connect with retail/commercial centre.
- Bus operators are expected to develop integrated networks by July 2008.
- The RTA have investigated choke points along the corridors and have proposed strategic concepts for improvements.
- Final route of Strategic Corridors could vary slightly to take into account bus operator's requirements.
- Local/feeder routes still subject to discussion between Ministry of Transport and the operators.
- Bus stops will need to satisfy DDA requirements, which includes satisfactory footpath and pedestrian access. Target is for 25% of buses/bus stops complying by 2008, 100% complying by 2021.
- Real-time bus service information at bus stops (such as in Parramatta-Liverpool Transitway) is planned for major bus stops within strategic corridors, subject to funding. Service information is linked to PTISP (Public Transport Information and Priority System).

Geoff Higginbotham

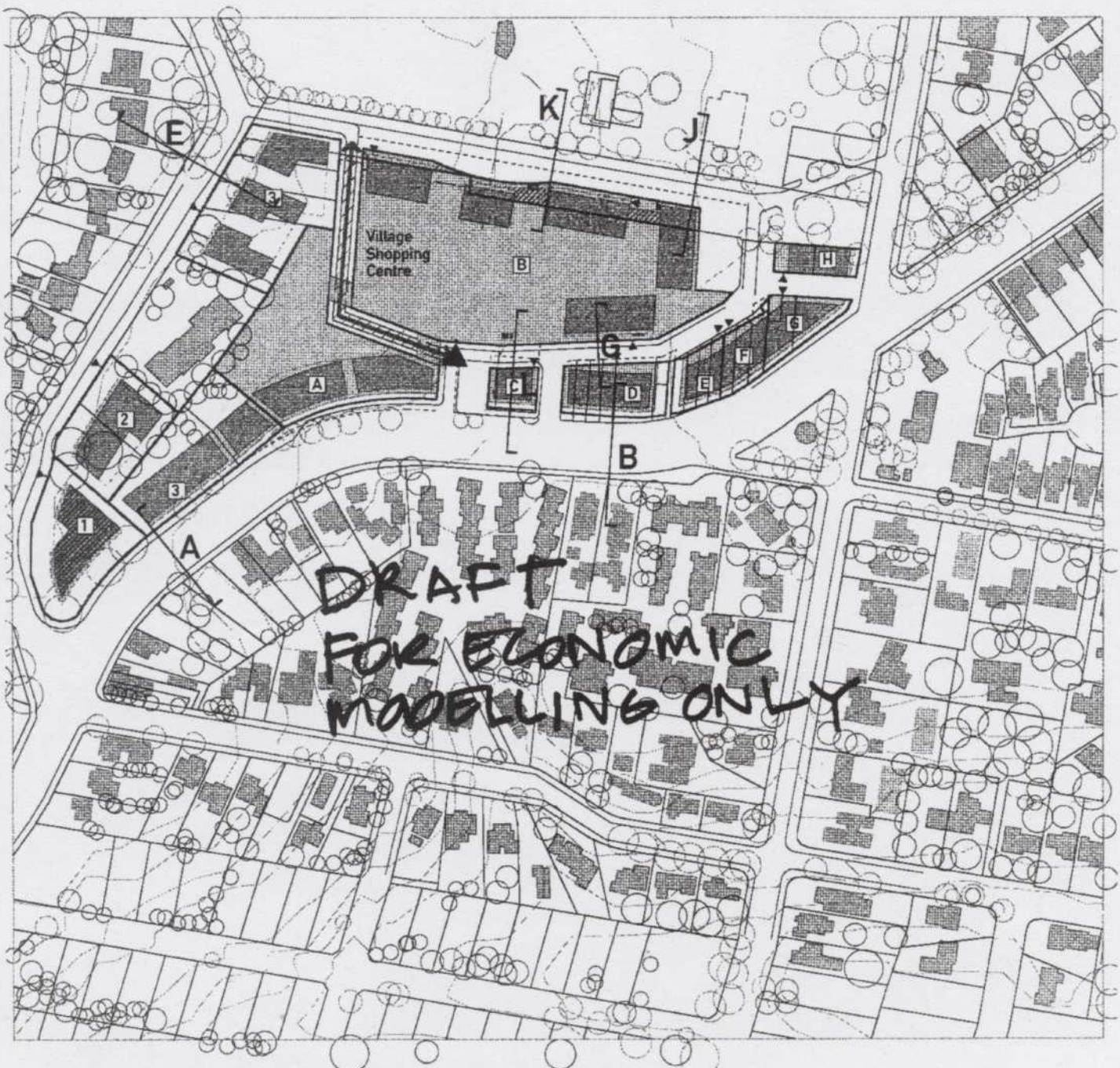
- RTA have identified sections of strategic bus corridors with travel speed <25km/h (target travel speed) and bus service reliability improvements (to prevent bunching).
- Preliminary modelling has been undertaken of the Strategic Bus Corridor network using Paramics, and results being used as a basis for benefit:cost analysis. This includes Corridors 8 and 36.
- There is currently a 3 year program of works, focussing on priority corridors.
- Bus operators prefer not to use bus bays unless a dedicated bus lane is provided. Otherwise, it becomes too difficult to pull out of a bus bay.
- At intersections, RTA is trying to locate bus stops on the departure side.
- Buses will employ PTIPS, which will facilitate bus movements through traffic signals, particularly during shoulder periods and off-peak periods.

David Payne

- Corridors 8 and 36 are not in the 1st year of the current 3 year program.
- Treatments in St Ives will generally focus on kerbside parking control to achieve improvements to bus services.
- For Corridor 8, some parking restrictions would be required at the intersection of Memorial Avenue and Killeaton Street, and at the intersection of Mona Vale Road and Stanley Street.

Actions

- Ministry of Transport and Bus Operators to discuss more detailed bus requirements within the Town Centre (eg: bus stops, routes etc.), and feed back into the Town Centre Study process.
- If not done so already, Traffic Consultant to include, in SCATES model, additional bus volumes resulting from Strategic Bus Corridors.



DRAFT MASTERPLAN - LOT A, ST IVES TOWN CENTRE - OPTION 1

SITE	SITE AREA	FOOTPRINT	RESIDENTIAL*	RETAIL**	COMMERCIAL**	FSR	HEIGHT
1	2,950	958	2,759		862	1.2	4.6
2	2,620	1,028	3,783			1.4	4.6
3	3,452	1,693	3,951	1,500		1.6	4.6
4	4,528	1,558	5,734			1.3	4.6
{ A	5,772	5,231	4,090	6,177		1.8	4.6
{ B	14,756	14,756	7,097	17,950		1.7	4.6
C	651	476	922	428		2.1	4.6
D	1,674	1,191	2,197	1,072		2.0	4.6
E	839	577	980	519		1.8	4.6
F	810	663	1,414	597		2.5	4.6
G	959	786	1,544	707		2.3	4.6
H	660	612	1,354	550		2.9	4.6
TOTAL				# 28,000			

* Residential floor areas have been calculated using 80% of the footprint, to allow for private open space and other variations in the building.

** Retail and Commercial floor areas have been calculated using 90% of the footprint, to allow for car park entry ramps and other variations in the building.

{ Total site area sites A and B 22,212sqm includes 1,610sqm of Council held land.

Total combined area of retail floor space on sites A, B, C, D, E, F, G and H shall be a maximum 28,000sqm

AMALGAMATIONS	—
2M CONTOURS	—
EXISTING BUILDINGS	▨
BUILDINGS TO BE DEMOLISHED	▤
RESIDENTIAL	▩
RETAIL	▨
COMMERCIAL (GND FL)	▩
PROPOSED FUTURE DEVELOPMENT	▨
40% ARTICULATION ZONE	▨
DCP 55 SETBACKS	▨
ACTIVE EDGE (40%)	▨
PUBLIC/PRIVATE TREES	⊙
PROPOSED PEDESTRIAN CONNECTION	↔
CAR PARK ACCESS	→
STREET ADDRESS	←

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ISSUE DESCRIPTION DATE
G PRESENTATION TO COUNCIL 06/06/05
H 29/06/05

SCALE 1:2000 @ A3
NORTH
0 10 20 30 40 50m

DRAFT MASTERPLAN
LOT A, ST IVES TOWN CENTRE
FOR KU-RING-GAI COUNCIL
DATE DRAWN TITLE JOB NO DWG NO ISSUE
AUG 2005 PH LOT A, ST IVES 0506 M05 H



DRAFT MASTERPLAN - LOT A, ST IVES TOWN CENTRE - OPTION 2

SITE	SITE AREA	FOOTPRINT	RESIDENTIAL*	RETAIL**	COMMERCIAL**	FSR	HEIGHT
1	2,950	958	2,759		862	1.2	4.6
2	2,620	1,028	3,783			1.4	4.6
3	3,452	1,693	3,951	1,500		1.6	4.6
4	4,528	1,558	5,734			1.3	4.6
A	5,772	5,231	4,090	6,177		1.8	4.6
B	13,118	13,118	6,479	17,950		1.9	4.6
C	651	476	922	428		2.1	4.6
D	1,674	1,191	2,197	1,072		2.0	4.6
E	839	577	980	519		1.8	4.6
F	810	663	1,414	597		2.5	4.6
G	959	786	1,544	707		2.3	4.6
H	660	612	1,354	550		2.9	4.6
TOTAL				# 28,000			

* Residential floor areas have been calculated using 80% of the footprint, to allow for private open space and other variations in the building.

** Retail and Commercial floor areas have been calculated using 90% of the footprint, to allow for car park entry ramps and other variations in the building.

Total combined area of retail floor space on sites A, B, C, D, E, F, G and H shall be a maximum 28,000sqm

clisson & associates architects

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ISSUE DESCRIPTION
G PRESENTATION TO COUNCIL
H

DATE
06/09/05
29/09/05

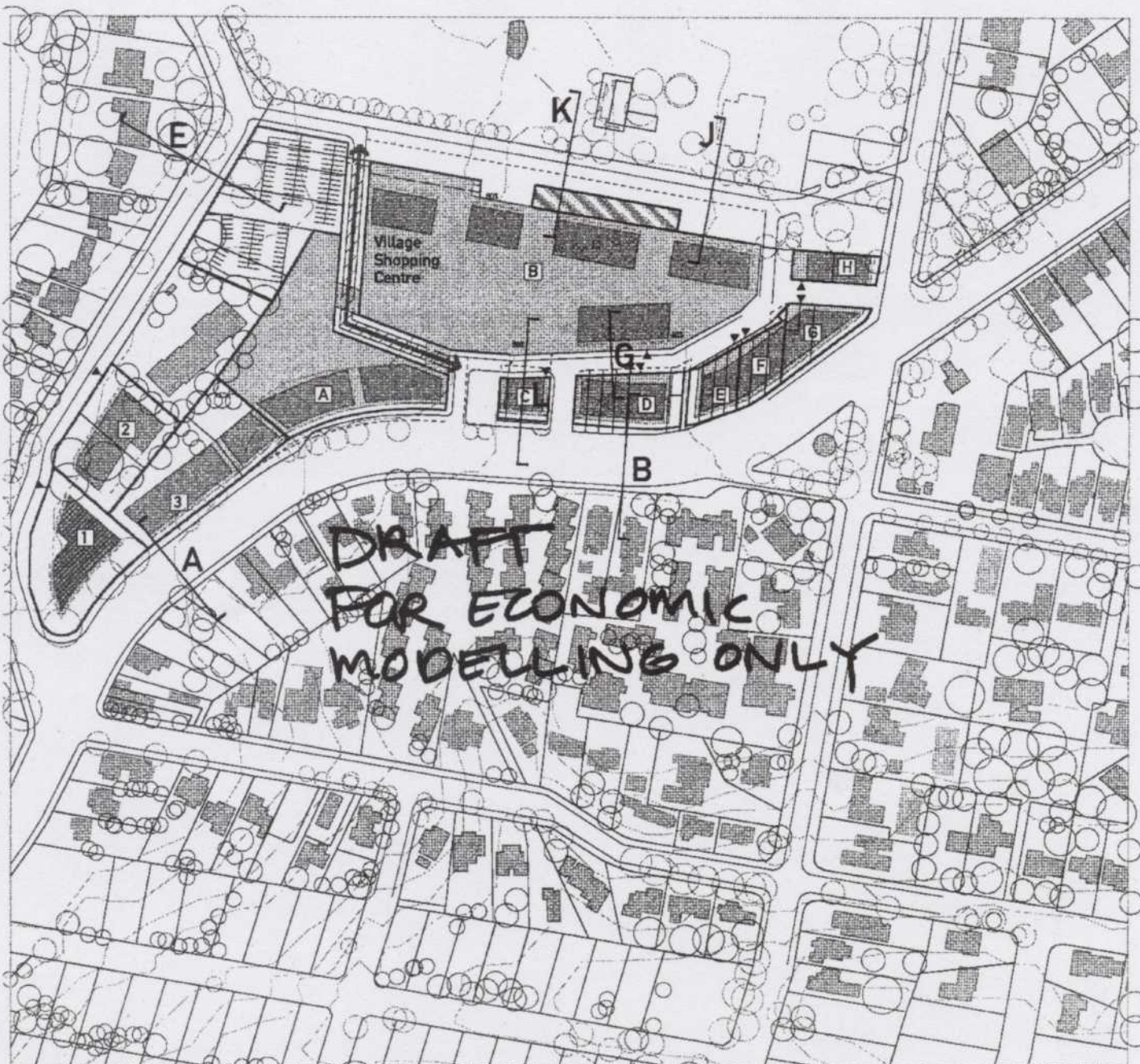
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to 10 20 30 40 50m

NORTH
+

- AMALGAMATIONS
- 2M CONTOURS
- EXISTING BUILDINGS
- BUILDINGS TO BE DEMOLISHED
- RESIDENTIAL
- RETAIL
- COMMERCIAL (GND FL)
- PROPOSED FUTURE DEVELOPMENT
- 40% ARTICULATION ZONE
- DCP 55 SETBACKS
- ACTIVE EDGE (40%)
- PUBLIC/PRIVATE TREES
- PROPOSED PEDESTRIAN CONNECTION
- CAR PARK ACCESS
- STREET ADDRESS

DRAFT MASTERPLAN
LOT A, ST IVES TOWN CENTRE
FOR KU-RING-GAI COUNCIL

DATE DRAWN TITLE JOB NO DWG NO ISSUE
AUG 2005 PH LOT A, ST IVES 0506 M06 H



DRAFT MASTERPLAN - LOT A, ST IVES TOWN CENTRE - OPTION 3

SITE	SITE AREA	FOOTPRINT	RESIDENTIAL*	RETAIL**	COMMERCIAL**	FSR	HEIGHT
1	2,950	958	2,759		862	1.2	4.6
2	2,620	1,028	3,783			1.4	4.6
3	3,452	1,693	3,951	1,500		1.6	4.6
(A)	5,772	5,231	4,090	6,177		1.8	4.6
(B)	13,800	13,800	6,926	17,950		1.8	4.6
C	651	476	922	428		2.1	4.6
D	1,674	1,191	2,197	1,072		2.0	4.6
E	839	577	980	519		1.8	4.6
F	810	663	1,414	597		2.5	4.6
G	959	786	1,544	707		2.3	4.6
H	660	612	1,354	550		2.9	4.6
TOTAL				# 28,000			

* Residential floor areas have been calculated using 80% of the footprint, to allow for private open space and other variations in the building.

** Retail and Commercial floor areas have been calculated using 90% of the footprint, to allow for car park entry ramps and other variations in the building.

Total combined area of retail floor space on sites A, B, C, D, E, F, G, H and I shall be a maximum 28,000sqm

AMALGAMATIONS	
2M CONTOURS	
EXISTING BUILDINGS	
BUILDINGS TO BE DEMOLISHED	
RESIDENTIAL	
RETAIL	
COMMERCIAL (GND FL)	
PROPOSED FUTURE DEVELOPMENT	
40% ARTICULATION ZONE	
DCP 55 SETBACKS	
ACTIVE EDGE (40%)	
PUBLIC/PRIVATE TREES	
PROPOSED PEDESTRIAN CONNECTION	
CAR PARK ACCESS	
STREET ADDRESS	

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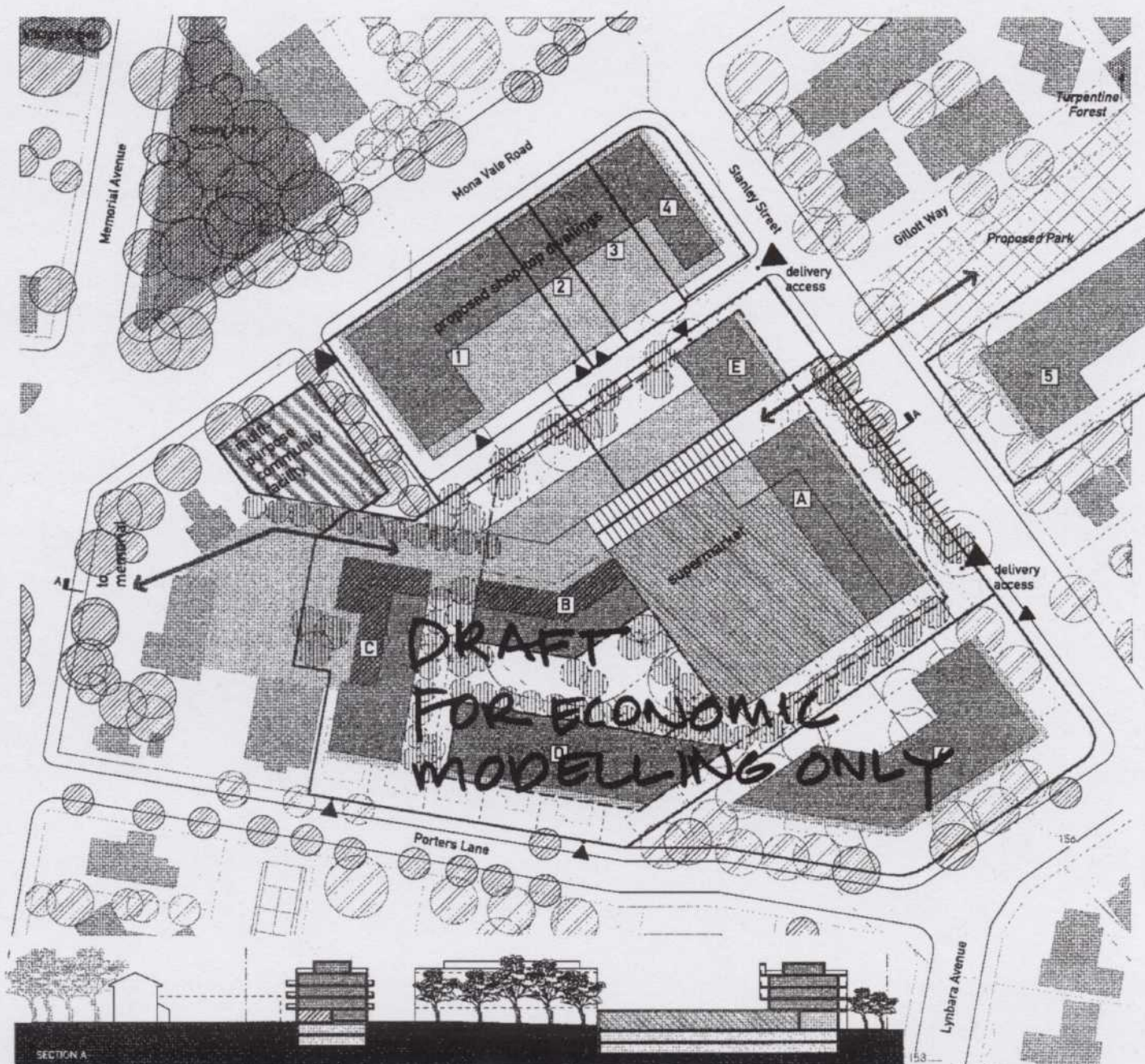
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09/06/06
28/06/06

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NORTH
+

DRAFT MASTERPLAN
LOT A, ST IVES TOWN CENTRE
FOR KU-RING-GAI COUNCIL

DATE DRAWN TITLE JOB NO DWG NO ISSUE
AUG 2006 PH LOT A, ST IVES 0506 M07 H



DRAFT MASTERPLAN - LOT C, ST IVES - OPTION 1

SITE	SITE AREA	FOOTPRINT	RESIDENTIAL*	RETAIL**	COMMERCIAL**	SUPERMARKET	FSR	HEIGHT
{ A		3,320	2,730	1,000	168	2,500		4.6
{ B		763	2,529	0	348	0		4.6
{ C		1,054	3,474	0	505	0		4.6
{ D		1,091	4,015	0	0	0		4.6
TOTAL	13,434	6,228	12,748	1,000	1,021	2,500	1.3	
{ E	1,467	790	1,136	711			1.3	4.6
1	2,518	1,942	3,283	1,748			2.0	4.6
2	462	420	539	378			2.0	4.6
3	810	728	959	655			2.0	4.6
4	847	667	1,094	600			2.0	4.6
5	3,108	1,190	4,379				1.3	4.6
6	4,038	1,445	5,318				1.3	4.6

* Residential floor areas have been calculated using 80% of the footprint, to allow for private open space, balconies and other variations in the building.

** Retail and Commercial floor areas have been calculated using 90% of the footprint, to allow for balconies, parking entry ramps and other variations in the building

(Site E to be amalgamated with site A, B, C & D. Basement under sites A, B, D and E to provide 465 spaces, including 70 existing spaces relocated from council carpark in Porters Lane. Extent of basements under sites A, B, D and E shown dotted.

Generally, based on requirements of DCP33 and LEP194, 2 levels of Basement parking are required, to be located under building footprint.

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- AMALGAMATIONS
- 2M CONTOURS
- EXISTING BUILDINGS
- BUILDINGS TO BE DEMOLISHED
- RESIDENTIAL
- RETAIL
- SUPERMARKET
- COMMERCIAL at 1st and 2nd Fl
- PROPOSED FUTURE DEVELOPMENT
- 40% ARTICULATION ZONE
- DCP 55 SETBACKS
- ACTIVE EDGE (40%)
- PUBLIC/PRIVATE TREES
- PROPOSED PEDESTRIAN CONNECTION
- CAR PARK ACCESS
- STREET ADDRESS
- EXTENT OF CAR PARKING (2 BASEMENT LEVELS)

DRAFT
LOT C, ST IVES
FOR KU-RING-GAI COUNCIL

DATE DRAWN TITLE JOB NO DWG NO ISSUE
SEP 2005 PH LOT C, ST IVES 0506 M01 H



DRAFT MASTERPLAN - LOT C, ST IVES - OPTION 2

SITE	SITE AREA	FOOTPRINT	RESIDENTIAL*	RETAIL**	COMMERCIAL**	SUPERMARKET	FSR	HEIGHT
{ A		3,320	2,730	1,000	151	2,500		4.6
{ B		763	2,529	0	313	0		4.6
{ C		1,054	3,474	0	454	0		4.6
{ D		1,091	4,015	0	0	0		4.6
TOTAL	13,462	6,228	12,748	1,000	919	2,500	1.3	
{ E	1,467	974		877	2,495		2.3	4.0
1	2,518	1,942		1,748	4,039		2.3	4.0
2	462	420		378	684		2.3	4.0
3	810	728		655	1,206		2.3	4.0
4	847	667		600	1,346		2.3	4.0
5	3,108	1,190	4,379				1.3	4.6
6	4,034	1,445	5,318				1.3	4.6

* Residential floor areas have been calculated using 80% of the footprint, to allow for private open space, balconies and other variations in the building.

** Retail and Commercial floor areas have been calculated using 90% of the footprint, to allow for balconies, parking entry ramps and other variations in the building.

{ Site E to be amalgamated with site A, B, C & D. Basement under sites A, B, D and E to provide 535 spaces, including 70 existing spaces relocated from council carpark in Porters Lane. Extent of basements under sites A, B, D and E shown dotted.

Generally, based on requirements of DCP33 and LEP194, 2 levels of Basement parking are required, to be located under building footprint.

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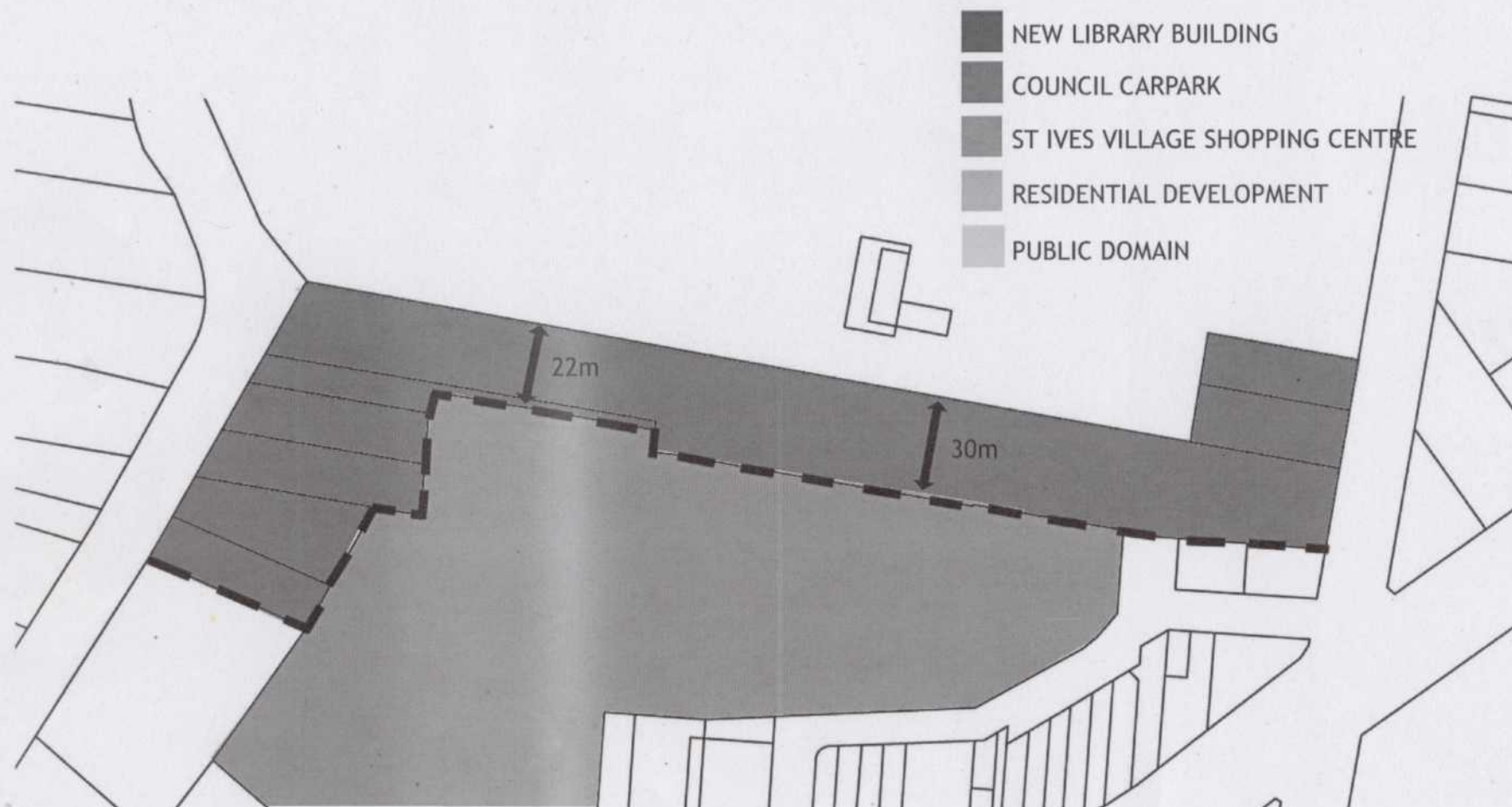
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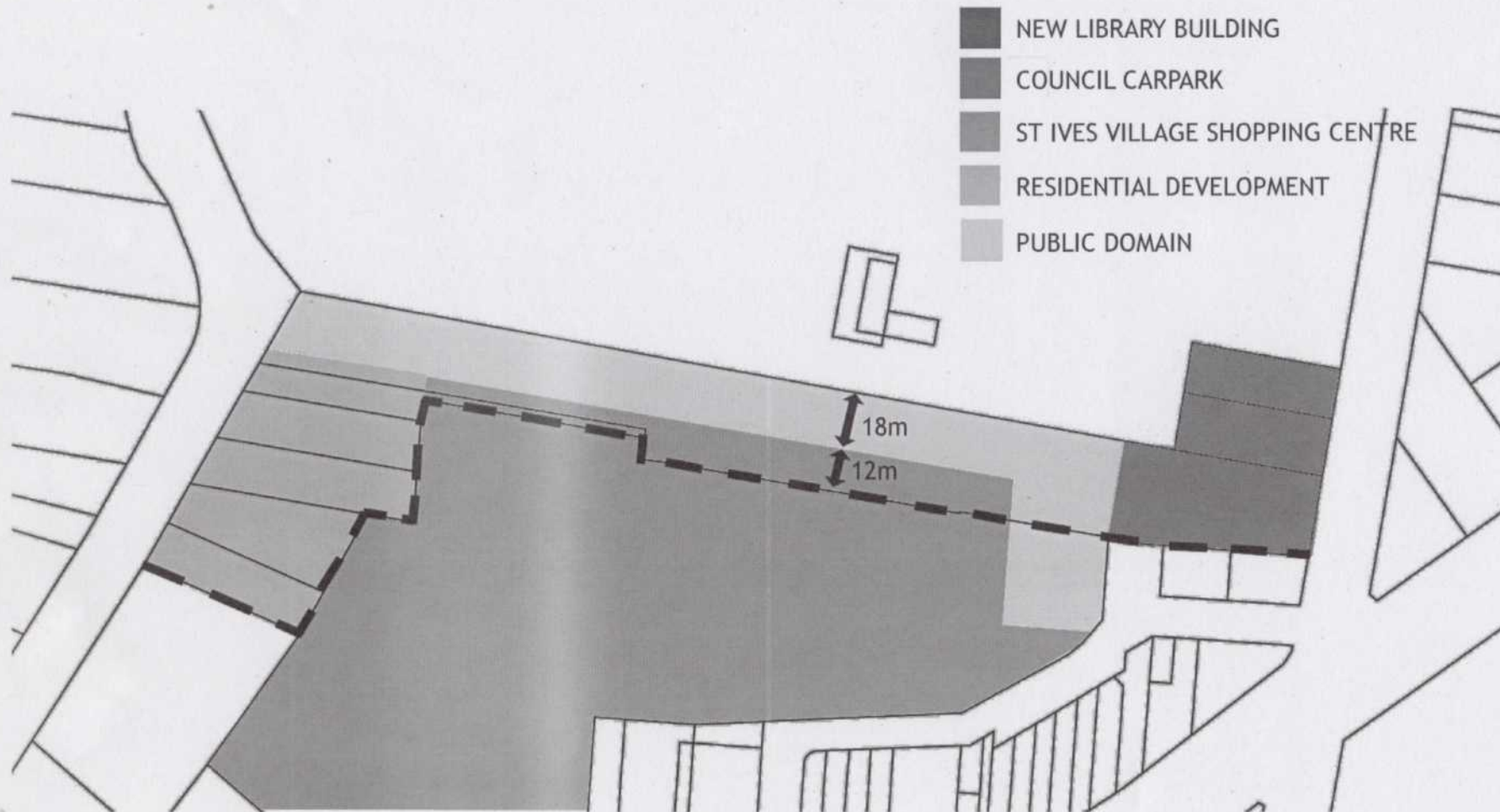
- AMALGAMATIONS
- 2M CONTOURS
- EXISTING BUILDINGS
- BUILDINGS TO BE DEMOLISHED
- RESIDENTIAL
- RETAIL
- SUPERMARKET
- COMMERCIAL at 1st and 2nd FL
- PROPOSED FUTURE DEVELOPMENT
- 40% ARTICULATION ZONE
- DCP 55 SETBACKS
- ACTIVE EDGE (40%)
- PUBLIC/PRIVATE TREES
- PROPOSED PEDESTRIAN CONNECTION
- CAR PARK ACCESS
- STREET ADDRESS
- EXTENT OF CAR PARKING (2 BASEMENT LEVELS)

DRAFT
LOT C, ST IVES
FOR KU-RING-GAI COUNCIL

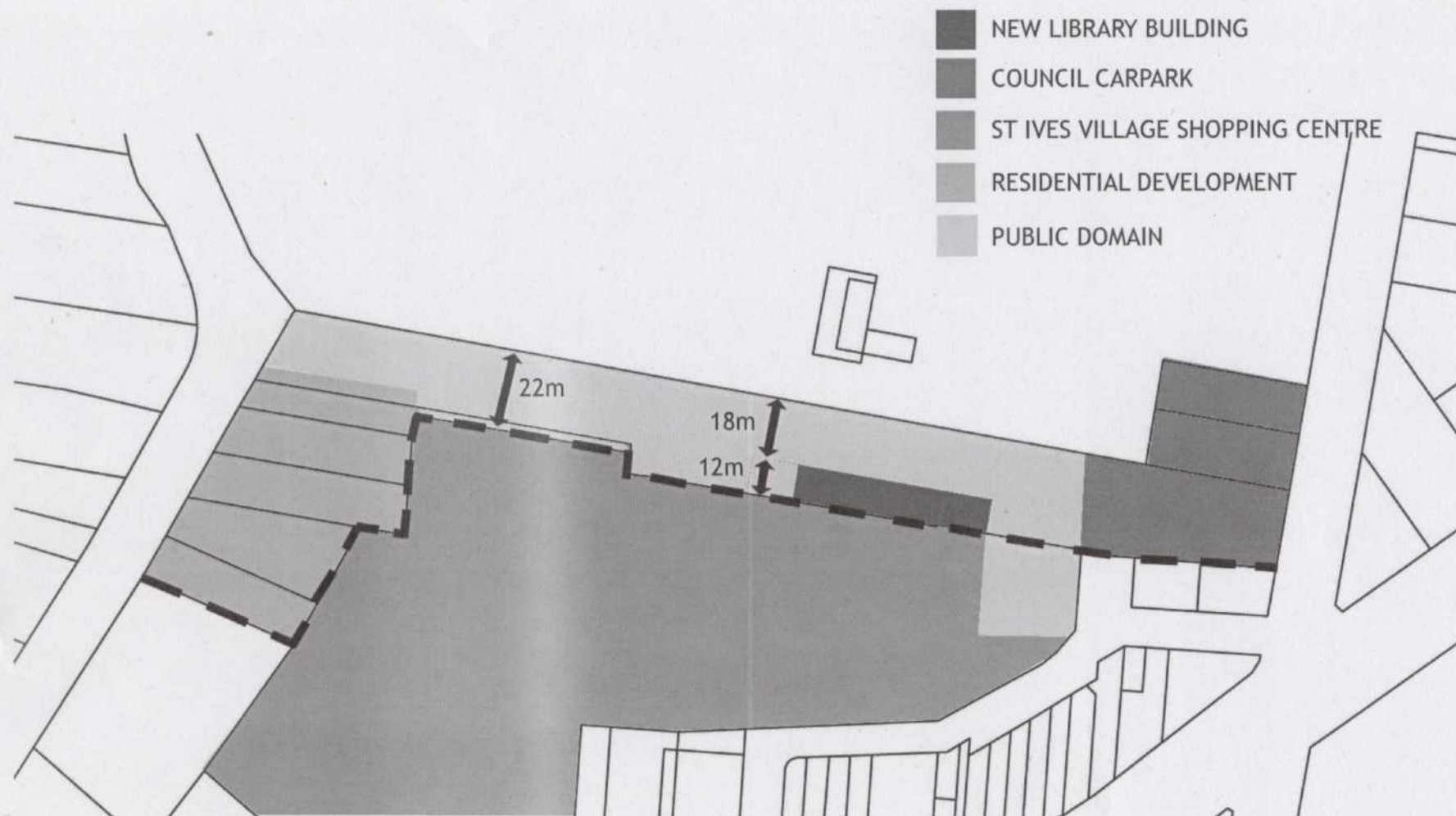
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SEP 2005 PH LOT C, ST IVES 0506 M02 H



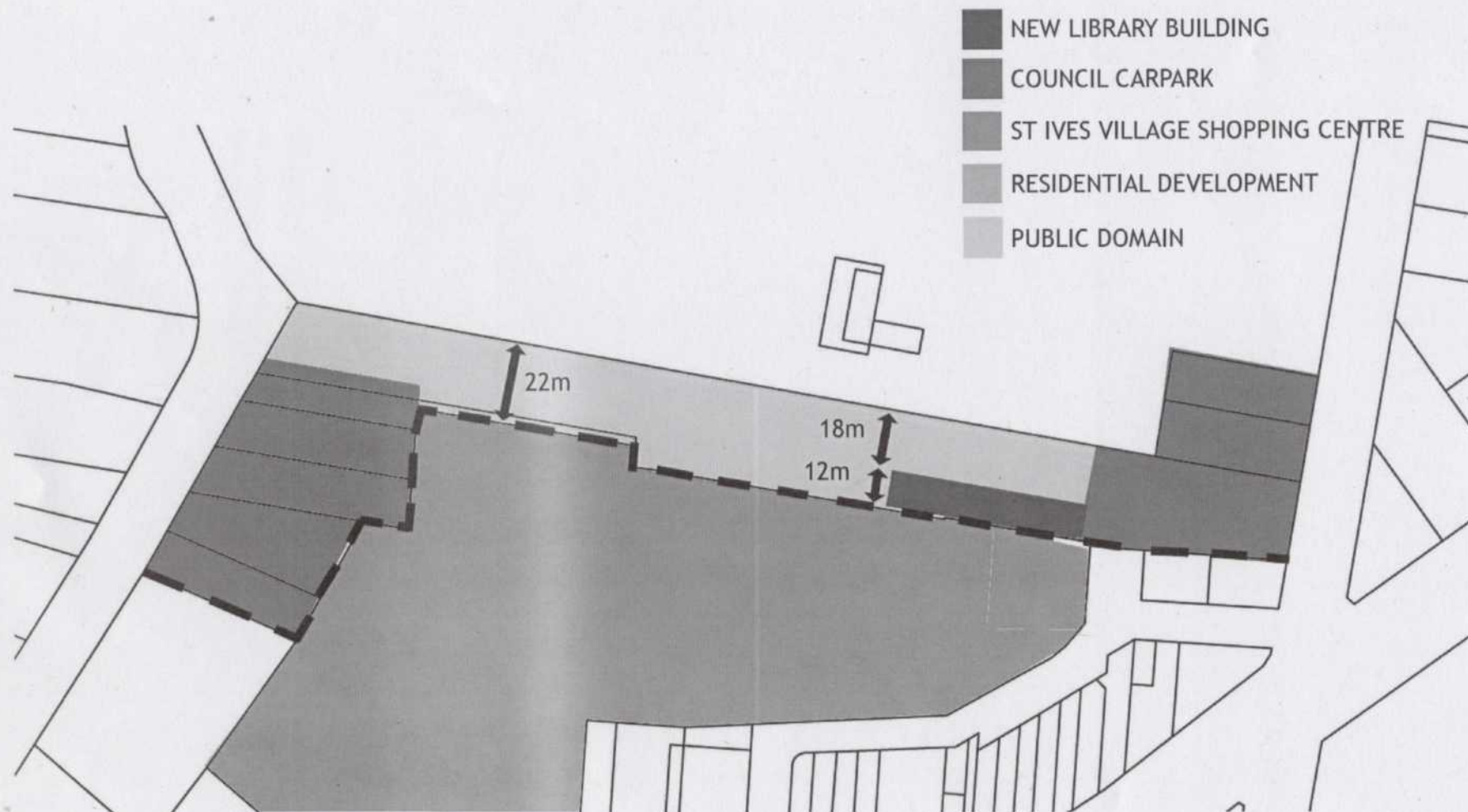
**ST IVES SHOPPING VILLAGE
EXISTING CONDITION**



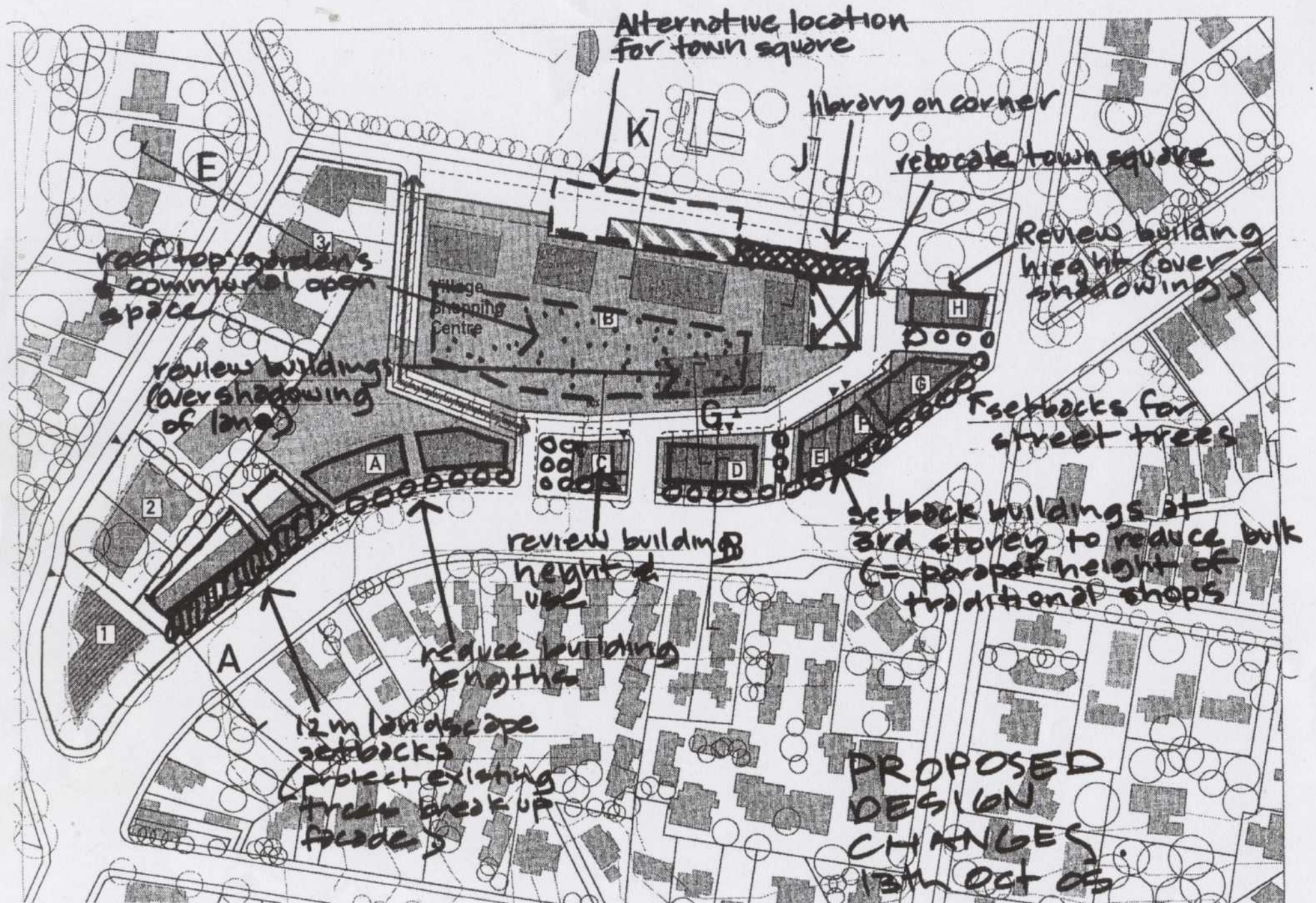
**ST IVES SHOPPING VILLAGE
OPTION 1**



**ST IVES SHOPPING VILLAGE
OPTION 2**



**ST IVES SHOPPING VILLAGE
OPTION 3**

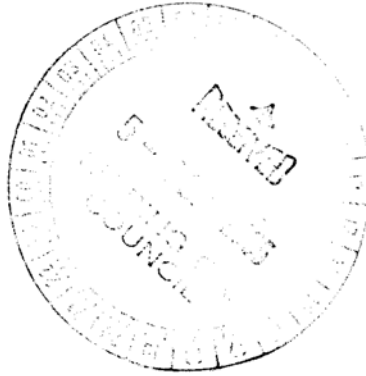


E.K. NOMINEES PTY LIMITED

ACN 000 852 540

2 September 2005

Mr Stephen Head
Acting Director Planning
Ku-ring-gai Council
Locked Bag 1056
PYMBLE NSW 2073



Dear Steven,

RE: Response to St Ives Town Centre Workshop Meeting 30th August 2005

Following presentations by Russel Olsen and Transport & Urban Planning please see below our response to various issues raised:

Firstly, thank you for your kind invitation to the workshop which we found to be both informative and productive, particularly in identifying areas of common ground between the St Ives Village owners / project team and Council, and areas where our views differ. It would appear that we are in general agreement on the direction and opportunity that exists. Our intention is to create a benchmark development that reflects the aspirations and needs of the people of St Ives and surrounding Ku-ring-gai Shire. We have a unique opportunity to improve both the amenity and environment of a key site within the St Ives Town Centre, and to realise the enormous potential of creating a vibrant interface between the existing Shopping Centre and the Village Green.

It is imperative that we work closely with Council's Officers and Consultants to unlock these opportunities and ensure the best possible outcomes for the Community, stakeholders and end users. We need to establish the parameters that will allow us to incorporate Community facilities that are relevant; to maximise residential and business opportunity; to provide a unique retail programme that generates external activity at different times of day; to establish a stimulating entertainment and hospitality precinct that appeals to all age groups; to encourage health & fitness; and to create a family friendly environment that is safe and convenient.

1. We believe that amalgamation of the site is essential to achieving economic feasibility and the best possible Community outcomes, hence we would encourage Council to consider a Masterplan that incorporates land currently owned by St Ives Village and adjoining Community & Operational sites under Council control.

Benefits of this include:

- better efficiency of carpark layout
- ease of access to car parks and the ability to provide sufficient car spaces
- relocating Village Green Parade underground allowing us to "bring the Village Green to St Ives Village"
- ability to create better community facilities on existing Community land between St Ives Village and the Village Green
- separation of loading vehicles from customer vehicles through better utilisation of current Council carpark on Mona Vale Rd
- a general rationalisation of the site
- more efficient and convenient layout of shops & services

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The Masterplan proposals presented to us restricted development opportunity to within the constraints of existing property boundaries and land ownership. The exception was in the creation of a small Town Square at the eastern end of the site, an area currently occupied by Woolworths' supermarket. Generally, we believe this approach discounts many of the above listed benefits and does not allow for the realisation of the site's full potential.

We will be analysing the pros and cons of development within current ownership boundaries versus a "clean slate" approach, for further discussion.

2. Retaining the format of existing laneways also restricts our ability to rationalise the Shopping Centre footprint, by reducing efficiency and causing potential conflicts with service and customer vehicles. Rather, we believe the realignment of existing laneways will allow for corresponding retail frontages and better activation.
3. There needs to be a comprehensive review of traffic access into the site, appropriate positioning for service areas and establishment of safe points of pedestrian crossing along Mona Vale Road. Given basic traffic constraints and queuing, it is difficult to see how the presented plan could deal with and optimise traffic circulation within the site utilising the existing laneways.

It must be firmly noted that we would not like to see Denley Lane extended and cut through the building to Cowan Road. While this did not seem to be Russel's intention when questioned, the diagram could cause confusion and we would ask that it be removed.

Equally it is essential that we deal with the servicing constraints. While it is certainly our intention to rationalise loading areas, it is difficult to see how this could be achieved without access from Cowan Road. While we acknowledge Cowan Road as a residential precinct, we believe that it must still provide access to St Ives Village for customer parking and vehicles servicing the upper level.

4. It was agreed that a new traffic signal on Mona Vale Road was the best way to gain access to the development site. Ensuring that this intersection is correctly positioned raises the need to consider the use of land under both Shopping Centre and Council control.
5. There is a fantastic opportunity to locate residential units overlooking the Village Green. These would be north-facing and would have little or no impact on surrounding residential areas. The suggested location along Mona Vale Rd turns its back on this opportunity and rather, creates problems for residents with noise and air pollution. In this scenario, north facing living areas would overlook the Shopping Centre roof rather than the Village Green, and it is likely that the presentation along Mona Vale Road will be of bathrooms, laundries and corridors - in effect the "back" of the residential units. Hence we believe further analysis and positioning of the residential needs to consider both amenity and orientation.

The height and nature of the residential buildings should be reviewed in order to give scale and identity to the precinct. We believe there is a case for varying the building heights for residential. Given the infrastructure costs it would be difficult

to see how 3 storeys of residential would be commercially viable. This will need to be tested.

6. In our discussions we spoke about the hierarchy of spaces and there was general agreement that the space between the shopping Centre and the Village Green is a major opportunity to create a dramatic place that reflects the identity of St Ives.
7. We would like to confirm that allowable floor space increases (sqm) as discussed represent nett lettable retail areas rather than gross floor areas.

Notwithstanding these comments it would appear we are in general agreement on the direction and opportunity that exists. We have an opportunity to create a world class development for the people of Ku-ring-gai, and ask that all parties keep an open mind to what can be achieved.

With this in mind, and as discussed at our meeting, we will now consider our design in greater detail with the initial focus on resolving traffic access, parking layout and service areas. Once this has been done we would like to arrange a follow-up meeting to discuss both Council's and our progress.

We look forward to further workshops and developing this project in conjunction with Council as a way of assuring the best possible outcomes for all.

Yours sincerely,



Antonio Marcocci

Cc: General Manager
Mayor

HT IVES VILLAGE.

23rd Nov. 05.

- ① Buses - bus routes
- bus stops.
- ② Town square - function
- car access conflicts.
- ③ service/loading access - off Monmouth Vale Road.
- remains an issue.
- ④ Retail floor space. - clarify amounts
- ⑤ Commercial floorspace - clarify amounts
- ⑥ Interface. - community facilities
- identify what are our needs.
- Library
 - brief
 - principles
 - centrally located
 - fronting t.c.
 - 1-2 storeys.
- ⑦ Residential over retail.
- 3 storeys not enough.

BR

~~Community~~

~~Trace/ Stevan
Darryl/ John McKee?
Martin Bitcher.
- brief for all town
centres.~~

ST IVES VILLAGE

15,100 NLA.

14,500

500

base rent

16,000 +

14,000

30000

30,500 NLA.

note taken some above ground parking

interface

2,100

community services?

* Resolution should not include
- community fac.
- library

Possible additions:

* 2,500 from strip shops.

- 2,100 comm

- 3,100 interface (6000 total 3000 sqm)

- 5,000 given

15,100 total extra.

Other issues.

- car parking is remaining.

~~Residential~~

other examples

- Balgowlah
- Northpoint

→ Do we need to increase res F.S.R.?

~~Rule of Thumb.~~

5:1 North Sydney.

transfer slabs.

still did not stack up.

over freeway.

Tasks -

meet v phone landowners - Colin for contacts.

Colin/Victor commence work.

ST IVES SHOPPING VILLAGE . 20.6.05

- BN Architects
- Masson Wilson Turner
- Nick Jurascich.
- Tony Marrocci

Nick.

- recognise traffic problems.
 - splits centre MK
 - traffic on MK
 - getting in & out.

- * → existing 20,000 GFA net retail 16,000sqm
- * → Architect looked at scheme of 35,000 GFA net? 28,000 approx
extra 15,000 GFA
- * → Traffic analysis.
- * → 500 residential units. covenant restricts Centre to 16,000sqm (old council).
- * → can park based on RTA figures (conservative)
- * → upgrade existing supermarkets. (no new one)
- * → no DDS → boutique supermarket. Marks & Spencer.
- * → District centre destination based

~~GT IVEs~~ central 37
 shunfield 49
 Cresta 4 77. 165
 stoney. 26. 201
 Gillotw. 54
 w of lower rd 26
 280.

GORDON highway est. 28
 offices 7
 highway est. 50
 new ones 23
 west res 50
 158.

PTIMBLE

Shopping Village

18,000 sqm from retail
 allocated
 1500 sqm service station
 650 memorial A
 2000 MVR
 650 old BP

TARGET 35,000 net

EXISTING 16,600. net lettable

ADDED UP 11,000 sqm from retail study
 shortfall to amalgamate
 Discrepancy 5,500.

scheme not developed enough
 surveyor will look at extg. GFA 1/2

currently trying to.
minimise demolition
not complete demolition
in

2 levels extg basement } retain
2 levels retail above
at Caron Rd end.

oldest part demolish eastern

in TWO WEEKS
want to meet.

TURRAMURRA

① Stanex (one to Plaza. 3 shops one owner
(HC).
1390 1392 1394-6

② Plaza

Chris Evan.

③

4-5 shops
1370-78
one owner.

④

chinese
bike
lighting } one owner.
Doctor
happy if provide
medical centre

⑤

Approx 6-8000 sqm.
site area

⑥

Carnal.

28,000
3,000
31,000.

Edw. Brce

+ Can't provide parking needs of 17 per sqm on its site

doesn't look like they can fit in what they want on the site

Shopping Village

- valuation - not just site and difficult - value of bldg.

① Feasibility on Council land.

② In Councils interest to convince SV that residential needed along interface

③ Is two levels of carparking underground viable.

④ Is there enough return for SV greater than it already is? If not

⑤ No impetus.

→ need to value what he already has.

⑥ Need to determine whether pd

MEETING NOTES

ST IVES TOWN CENTRE – 13 APRIL 2005

Issues:

1. Convincing people of “new urban” type model.
 2. Ensuring convenience based centre.
 3. Ensuring convenience of car parking.
 4. Completing economic review.
- Looking at centre.
 - Extended boundary along Mona Vale Road as entry and address.
 - Village green.

Conceptual approach:

- Interface to Village Green an hugely valuable asset
- Tried to “drag” green into the shopping centre.
- Larger library in iconic building
- Entertainment, cafes, kids play.
- Creating community hub.
- Residential & parking on Council land adjoining Cowan Road.
- Residential over all edges to retail core.
- Residential fronting Mona Vale Road
- One level car parking underground servicing up
- Multi level car parks on both sides servicing sideways.

What the community wants:

- Cinemas.
- Tavern.
- Discount Department Store
- Want to make / keep centre unique.
- Car parking biggest problem.
- Servicing second rate
- Capacity to grow to 30,000 + sqm.

What are options for our consultants working together?

Bruce Masson (Masson Wilson Twiney) has been engaged with a limited brief to look at access and circulation around the centre.

Opportunity for bus interchange – cater for mini buses.

Centre traffic planners, dove tail with Councils. Council consultants to with their consultants over next 3 weeks to ensure we are taking into account their requirements, access and parking servicing.

Concept proposal:

- Modifying intersection Mona Vale Road and Memorial Road
- New intersection on Mona Vale Road at end of existing shops.
- Possible realignment of Memorial Road to intersect Mona Vale Road at right angle turn using existing Council park

- Village Green Parade goes underground for middle section.

Expansion plans:

- Acquiring Council lands
- Potential of Camellia Grove

Wants:

- 4900 – 5000sqm DDS (smaller in range).
- Not committed.
- Interested in mix.
- Minimum 30-35,000sqm total retail
- Including cinemas and hardware

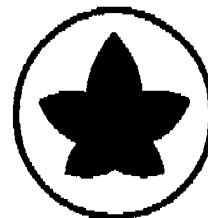
Constraints:

- Can't build anything over existing retail – must rebuild (structural issues)
- Currently does not stack up economically because of staging.
- 6 stories residential and 2 retail.
- Separate residential access
- Loading dock Mona Vale Road, Cowan Road.
- Servicing issue for entertainment and food shops fronting Village Green
- Existing parking inadequate. 1050 existing car parks includes 450 Council spaces.
- Existing centre has 120 speciality stores between 40-60sqm. Hasn't got 200sqm shops which are in demand

Timing:

- Traffic consultants to meet next 2 weeks.
- Council look at general options by the 3 May 2005
- Centre presents to Councillors later after exhibition.
- Completion of Masterplan.
- Present to landholders.
- Present to community.

St Ives
shopping village



TM/mrm
31st March 2005

Mr Brian Bell
General Manager
Ku-ring-gai Council
818 Pacific Highway
GORDON NSW 2072

Dear Mr Bell

RE: MASTER PLANNING ST IVES TOWN CENTRE.

We have noted the report received from Colin Johnston on the 29th March, 2005, regarding the above.

May we respectfully request a meeting with Council, as soon as possible, in order to discuss the way forward to enable us (St Ives Shopping Village) to implement those suggestions in the master planning report.

We would like to invite all representatives from Council to a meeting with St Ives Shopping Village Management and its' planning team in order to achieve the time frame for Councils Master Planning.

Let's work together on this project and achieve the results. Should you require any further particulars please contact me on 0414 230 611.

Kind regards

TONY MARCOCCI
For: **E.K. Nominees Pty Ltd**

Cc: Ms Adrienne Ryan - Mayor of Ku-ring-gai

The role of St Ives Village within the Town Centre Master Plan & the Ku-ring-gai LGA

BN

Architecture
Urban Design
Masterplanning
Graphics
Interiors

Planning Case

Consistency with Metropolitan Planning Policy

- Village Centres that provide a full range of services to surrounding communities
- Appropriate increase in residential activity in Town Centres and along transport corridors
- Co-locates a range of community, recreational, retail, commercial and residential uses

Other Planning Advantages

- Provides for immediate resolution of existing traffic and access issues
- Expansion of St Ives Village entails a minimal existing residential interface, reducing the potential for conflict of uses
- Small number of landowners involved
- Doesn't preclude future expansion of retail commercial activity elsewhere within the Town Centre or the LGA

A Way Forward

We understand that there is Community support for:

- Better parking and traffic
- A greater range of services and facilities within the Town Centre
- Improved Community Facilities
- Increased retail and recreational services
- A Town Centre that links in with the Village Green

To create the facilities and amenity consistent with Community expectations and ensure a quality urban outcome, St Ives Village would like Council to establish joint working party to explore avenues of co-operation.

Whichever option Council adopts, we ask you give consideration to St Ives Village providing:

- 18,000 sqm additional retail / commercial space (including shops along Mona Vale Rd)
- Min 2000 parking spaces
- Cinemas (similar to Dendy) and other entertainment facilities

Partnership

The vision for the Town Centre cannot be achieved by any one group alone but requires a partnership between:

- Ku-ring-gai Council
- Community
- Other retailers and commercial operators
- St Ives Village

We look forward to continue playing a very active role in the future of the St Ives Town Centre

Benefits: Consistency with Objectives of Retail Strategy

- Ensures residents have widest possible range of shopping and commercial opportunities
- Provides quantity, quality and convenience for consumers
- Provides for further growth in retail space commensurate with population growth
- Protects viability and integrity of existing centres
- Protect current jobs and expands employment opportunities
- Balances social economic and environmental considerations including reduction in transport demand

Benefits: Consistency with Objectives of Retail Strategy

- Improved local services and amenity
- Improved parking and traffic and a reduction in VKT (vehicle kilometres travelled).
- Retention of expenditure locally
- Provides additional employment locally
- Community focal point and gathering place
- Additional residential in an appropriate location
- Major aesthetic improvement
- A "Village Heart" for St Ives

The role of St Ives Village within the Town Centre Master Plan & the Ku-ring-gai LGA

BN

Architecture
Urban Design
Masterplanning
Graphics
Interiors

The Team



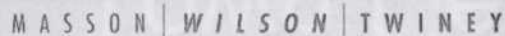
St Ives Village

- Ervin Katz
- Tony Marcocci



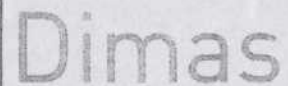
Architecture & Urban Design - BN Group

- Stephen Blaxland
- Paul Pitronaci



Traffic & Access – Masson Wilson Twiney

- Peter Twiney
- Naomi Ingegneri



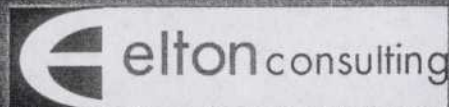
Retail & Economic Assessment – Dimasi Strategic Research

- Tony Dimasi



Planning

- Neil Ingham
- Nick Juradowitch



Community & Stakeholder Engagement – Elton Consulting

- Brian Elton
- Brendan Blakeley

St Ives Village Background

- Family focused
- Critical piece of community infrastructure
- High degree of loyalty and support within local community
- Genuinely local – not a corporate Shopping Centre
- Unique retail offer with real point of difference
- Safe

The Masterplan and Retail Studies

The Masterplan and the Retail Study propose a range of scenarios for the St Ives Town Centre. There are 4 critical issues currently impacting on the Town Centre:

- Parking & Traffic
- Public Amenity
- Community Facilities and integration with Village Green
- Existing Retail Demand

The key to addressing these issues is in the capacity to deliver. This requires control of timing and land ownership and co-operation with Council.

St Ives Village in partnership with Ku-ring-gai Council is uniquely placed to provide for the immediate resolution of these issues.

The Masterplan and Retail Studies

St Ives Village:

- Commends Council on undertaking these important studies
- Is in broad agreement with the analysis and findings of the studies
- Would like to discuss with Council some differing views around the following:
 - Quantity and location of retail floor space
 - Position of St Ives in the local retail hierarchy
 - Types of uses
 - Deliverability

Residents' Needs

- Dimasi Strategic Research has been involved in researching customers at St Ives Village and in its catchment for the past 10 years
- Over that time many focus group discussions, in-centre surveys and telephone surveys of residents have been undertaken.
- These surveys have been commissioned by the centre owner, and their primary objective has always been to establish:
 - What are customer needs; and
 - How can St Ives Village better meet those needs
- The most recent, in August 2003, were in-centre surveys of 512 customers, which found that
 - 43% wanted additions to the retail mix
 - 23% wanted improvements to carparking
 - 9% wanted more services

Ku-ring-gai Retail Centres Study - Objectives

- Dimasi, during the course of this research, has previously identified the very high level of escape expenditure from Ku-ring-gai which has now been confirmed by Hill PDA in its recently completed ***Ku-ring-Gai Retail Centres Study, July 2005 (the RCS)***
- The RCS, quite rightly, lists the following objectives of the study:
 - To ensure that residents have the widest possible range of shopping opportunities and commercial services;
 - Provide quantity, quality and convenience for consumers;
 - Provide for further growth in retail space to meet growth in demand generated by population growth;
 - Protect the integrity and viability of existing centres;
 - Protect current local employment levels in retailing and hospitality and expand opportunities for further employment;
 - Provide opportunities for local employment and start-up businesses for local residents; and
 - Balance social, economic and environmental considerations and focus on local ESD principles including reduction in transport demand.

Ku-ring-gai RCS – Main Findings

The main findings of the RCS include the following

- Ku-ring-gai has 110,000 sq.m. of shop front space, of which around 90,000 sq.m. is used for retailing, 11,000 for commercial services, and 1,200 sq.m. is vacant;
- Ku-ring-gai has no sub-regional centres, no department stores or discount department stores, and no large peripheral/bulky goods clusters ;
- 43% of Ku-ring-gai's household expenditure escapes to the regional centres of Hornsby, Macquarie, Chatswood and Sydney CBD, and also to bulky goods stores at Moore Park, Crows Nest and others;
- Further compounding this very substantial undersupply, another 10,000 households are expected to be added to Ku-ring-gai, under LEP 194, LEP 200 and targeted SEPP 53 sites;
- The projected household growth alone will generate need for an additional 50,000 sq.m. of shop front floorspace in Ku-ring-gai (p.8)
- Even more floorspace (up to 45,000 sq.m.) could be accommodated to capture some escape expenditure – esp. in department store, clothing and bulky goods exp.
- Floorspace expansion options put forward by Hill PDA range from 45,000 sq.m. ("Minimal" option) to 95,000 sq.m. ("Maximum" option)

Implications for Ku-ring-gai residents

- Planning for the future of Ku-ring-gai's various centres, and in particular for Gordon and St Ives, needs to have particular regard to the enormous unmet demand from local residents;
- The emphasis should be on how to provide residents with the most extensive range of facilities possible, in the most appropriate locations, and with the highest levels of amenity possible;
- There is ample scope for both the Gordon and St Ives centres to be substantially expanded and improved – up to 95,000 sq.m. for total Ku-ring-gai
- Emphasis should not be on seeking to tightly control the supply of permissible floorspace at either of Ku-ring-gai's major centres, unless there are demonstrable amenity issues (e.g. unacceptable traffic implications) from proposed expansions;
- The degree to which either centre will be able to implement significant improvements, for the benefit of residents, and the necessary timeframe, will depend on specific issues at each centre;
- Gordon in particular has to deal with issues relating to the railway line and fragmented land ownership
- To make further improvements at St Ives, which may be implemented relatively quickly, contingent in some way on further improvements being achieved at Gordon, which may well take a much longer timeframe, is simply denying St Ives residents the opportunity to shop more locally and with greater convenience and amenity

Implications for St. Ives Village

- It is important to note that, within reason, the level of development which occurs at St Ives will not limit or in any way damage the potential at Gordon, given all of the facts as detailed in the RCS.
- That being the case, there appears to be undue emphasis in the subsequent recommendation from Council Planning Officers on limiting the amount of permissible space at St Ives Village, to only 10,000 sq.m. additional.
- The mooted redevelopment at St Ives Village will be very costly, and is seeking to provide a very different facility to that of the regional centres currently being used by residents, all located outside Ku-ring-gai – a facility that reflects the type and scale of centre that residents want to see. It helps meet the objectives spelt out in the RCS.
- For such an outcome to be economically deliverable, St Ives Village will require a higher provision of additional space than 10,000 sq.m.
- The Council Officers' recommendations are not supportable on economic bases – seem to be based on assumed amenity (esp. traffic) implications
- If such concerns can be properly dealt with, there is no economic basis for limiting so severely the amount of additional space permitted at St Ives Village.

St Ives Town Centre Concept

What is a Town Centre?

- Provides quality services and amenity locally
- A place to gather that is activated by a broad mix of uses
- A sense of scale and place reflective of surrounding community and future vision
- Viable, integrated and cohesive
- Inclusive and family focused
- Responsive to a broad range of community needs
- Safe
- A lively place to be after 5pm

St Ives Town Centre Concept

Principles

- Provides for a range of retail, commercial , community, recreational and residential uses & services
- Provides quantity, quality and convenience for local consumers
- Provides for growth in local jobs, expenditure and population
- Is easily accessible by a range of modes
- Creates a community hub
- Links the Village Green to St Ives Village and the Town Centre
- Enhances high street frontage to Mona Vale Road
- Permeable
- Provides retail and entertainment activity to Mona Vale Road and Village Green



St Ives
shopping village



Site in context
SCALE: NTS

St Ives Village Masterplan

July 2005
DRAFT FOR DISCUSSION

BN

Architecture
Urban Design
Masterplanning
Graphics
Interiors



St Ives
shopping village



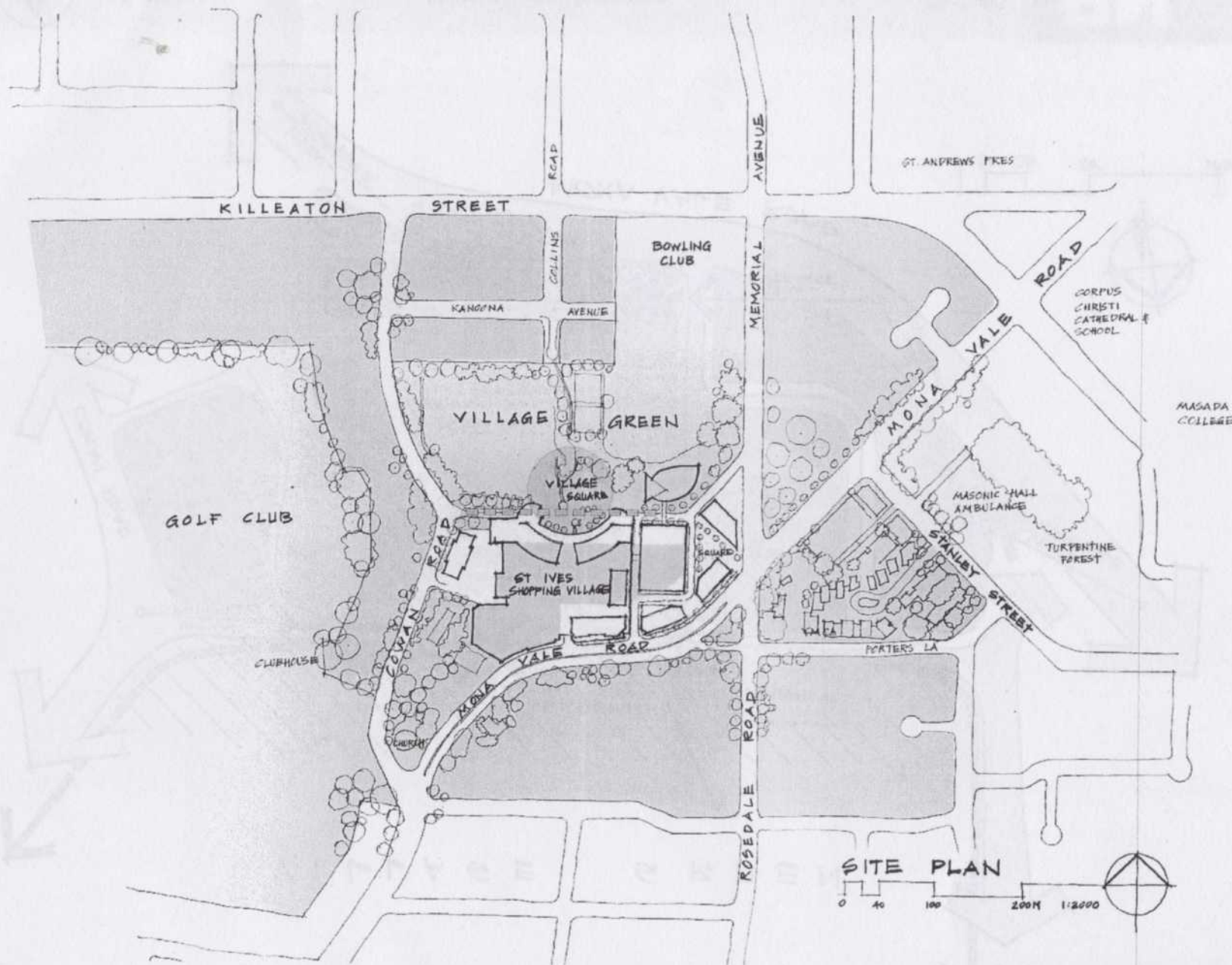
St. Ives Village

St. Ives Village Masterplan

July 2005
DRAFT FOR DISCUSSION

BN

Architecture
Urban Design
Masterplanning
Graphics
Interiors

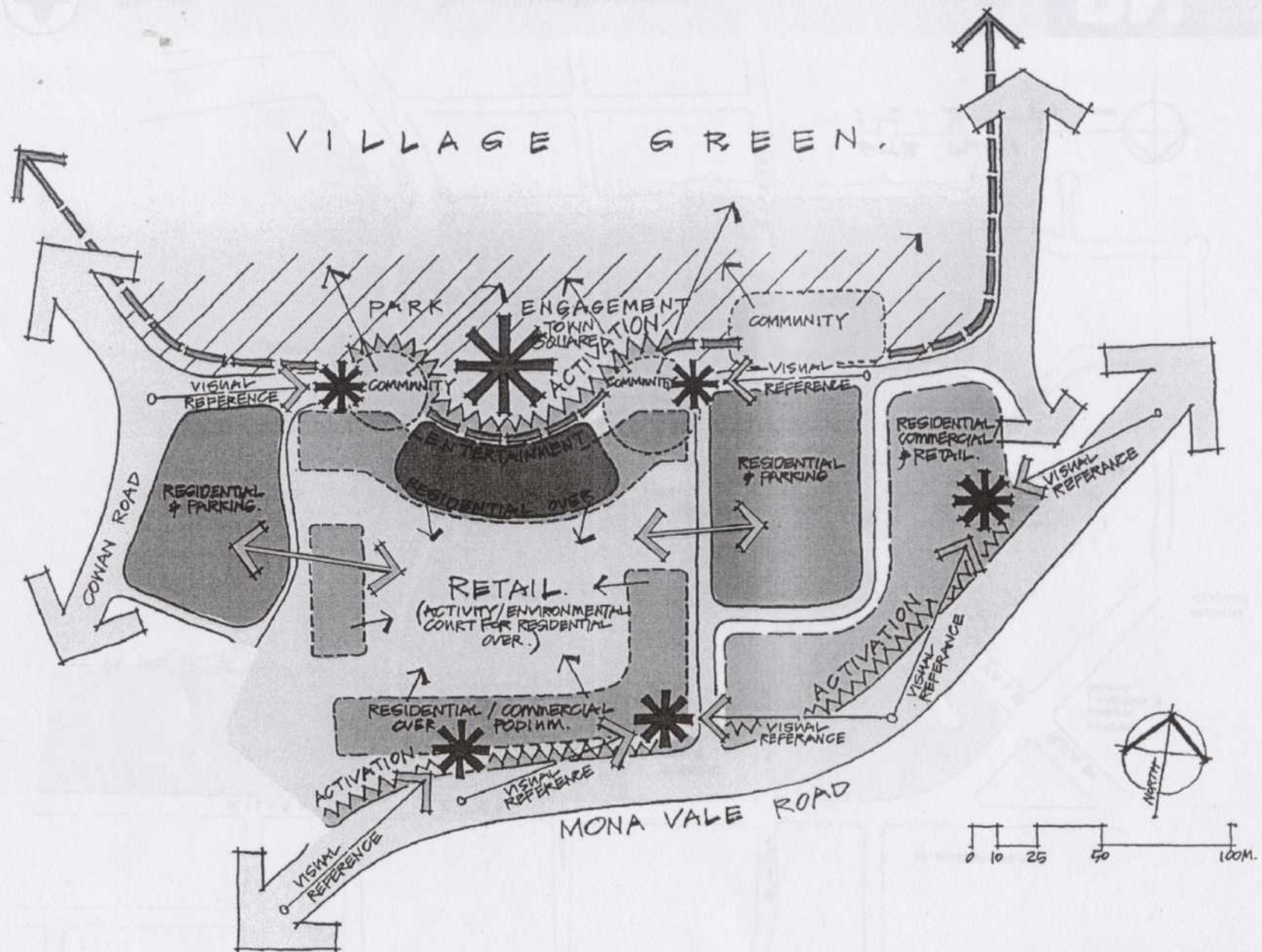


Site Plan
SCALE: 1:2000

St Ives Village Masterplan

July 2005
DRAFT FOR DISCUSSION

BN Architecture
Urban Design
Masterplanning
Graphics
Interiors



+ STRENGTHENING
MONA VALE ROAD
ADDRESS

+ ADDITIONAL AND
SIMPLIFIED PARKING

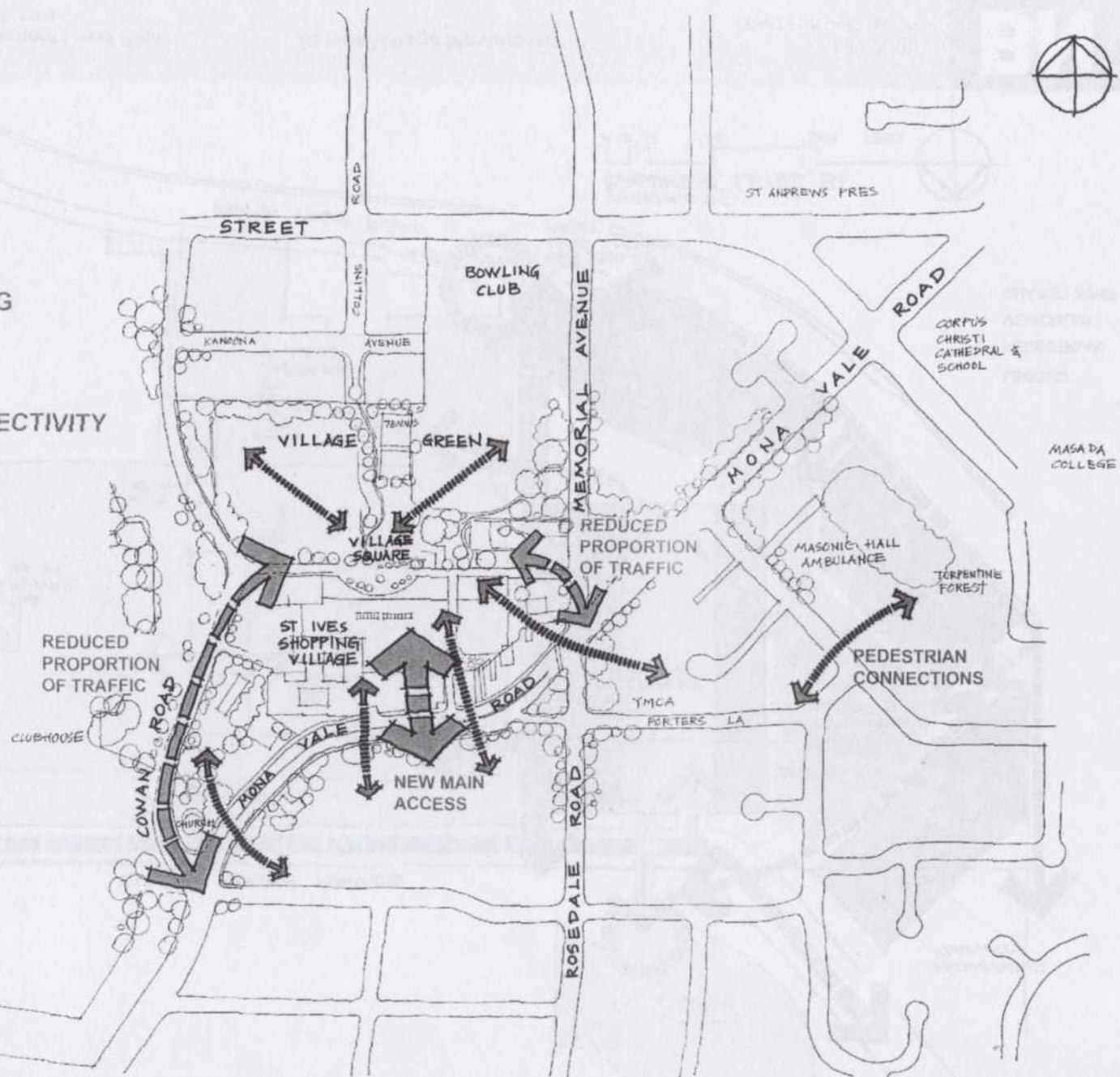
+ MIXED USES

+ PEDESTRIAN CONNECTIVITY

LEGEND

PEDESTRIAN

VEHICULAR



St Ives
shopping village

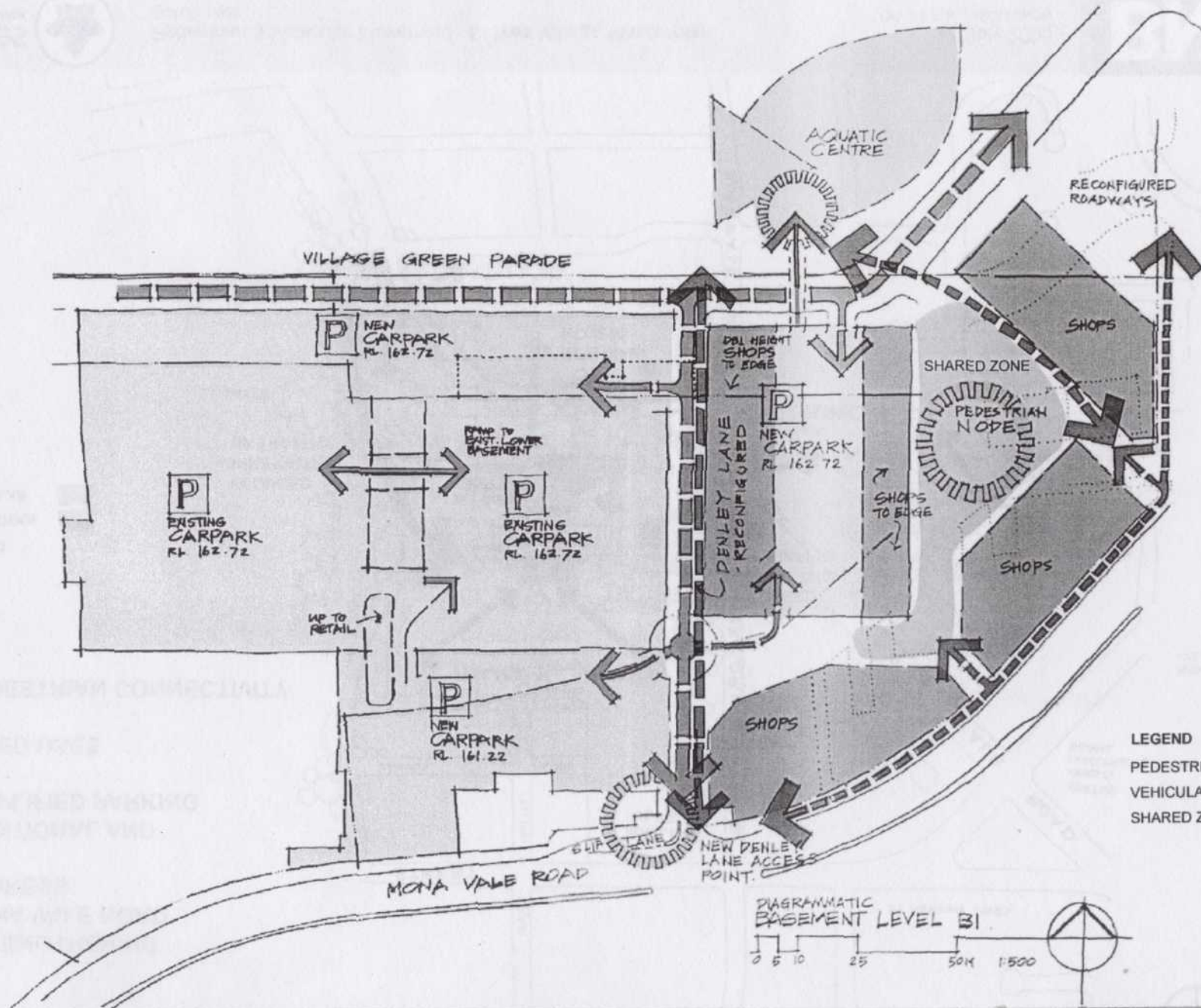


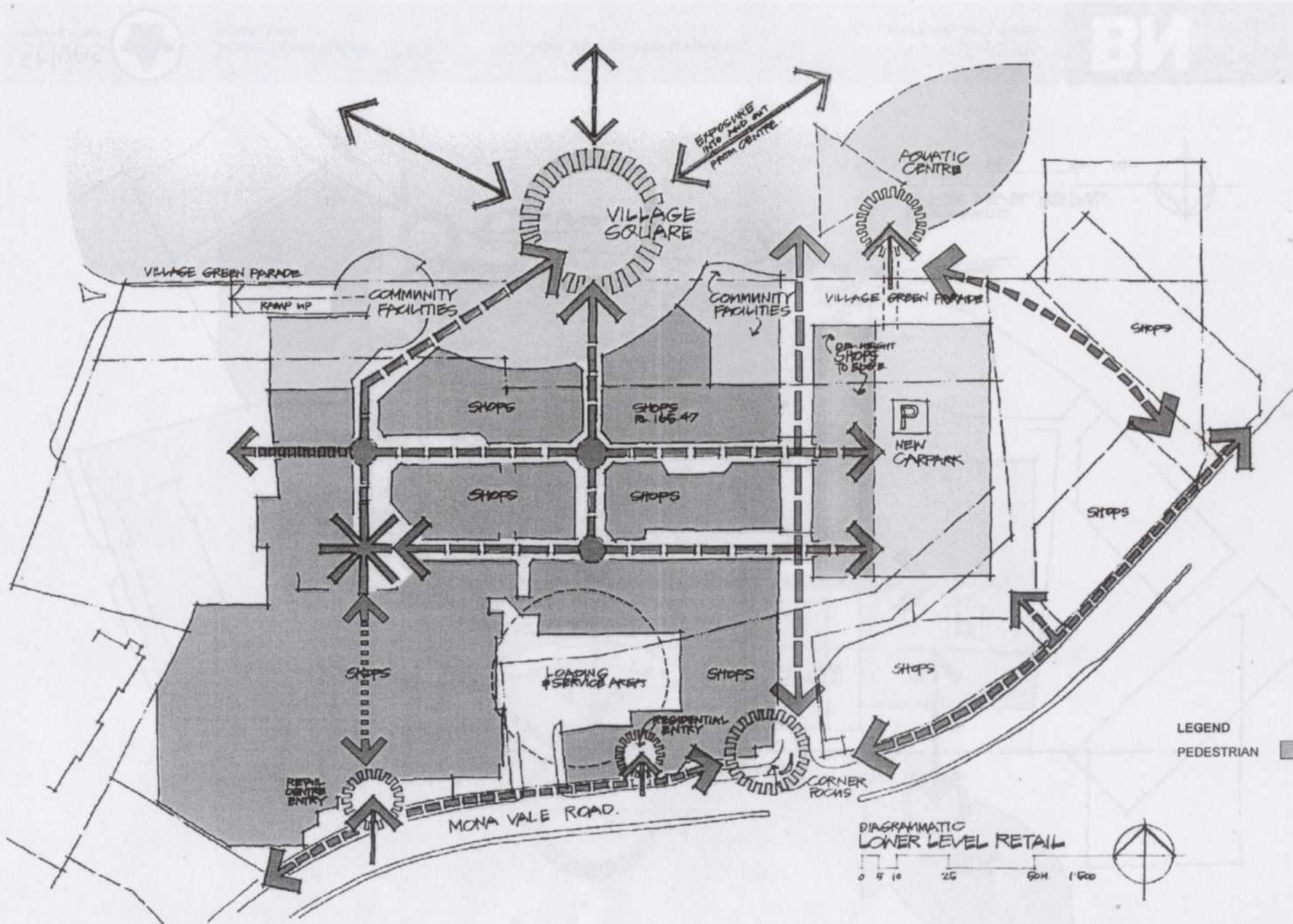
Pedestrian & Vehicular Movement St. Ives Village Masterplan
SCALE: 1:500

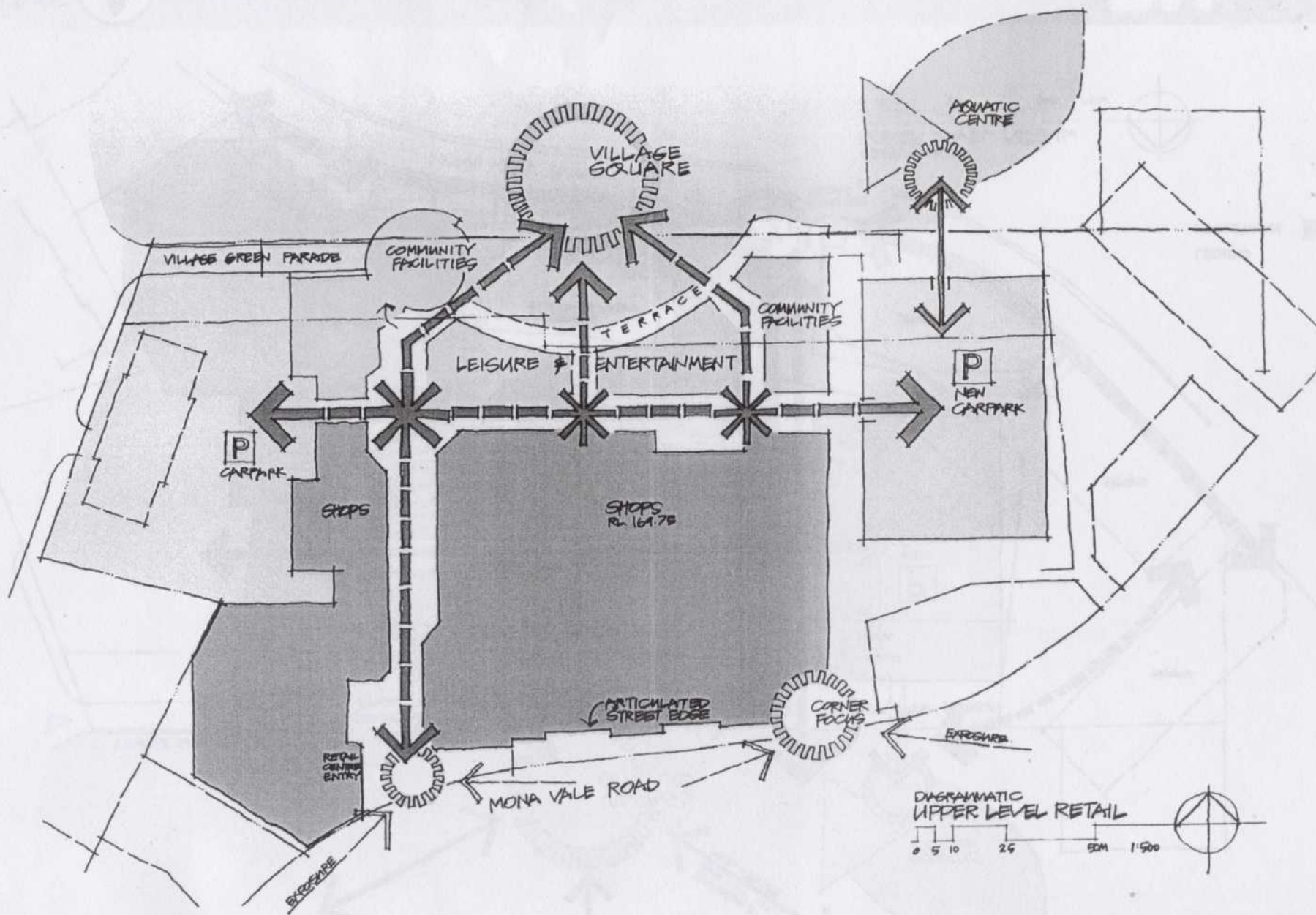
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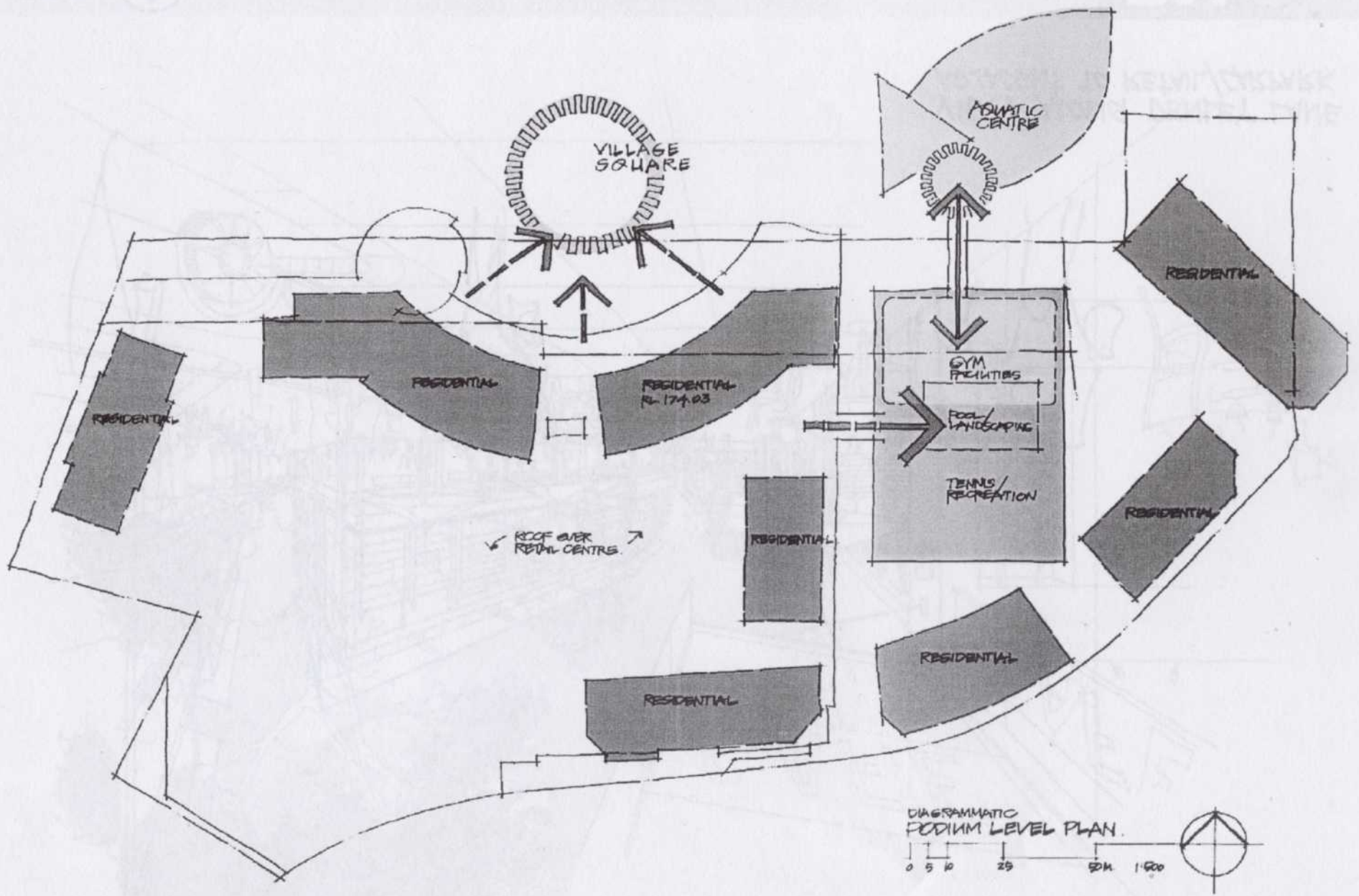








BN





VIEW ALONG DENLEY LANE
ADJACENT TO RETAIL/CARPARK







PERSPECTIVE
LOOKING TOWARDS THE
VILLAGE SQUARE.

St Ives
shopping village



Perspectives
SCALE: NTS

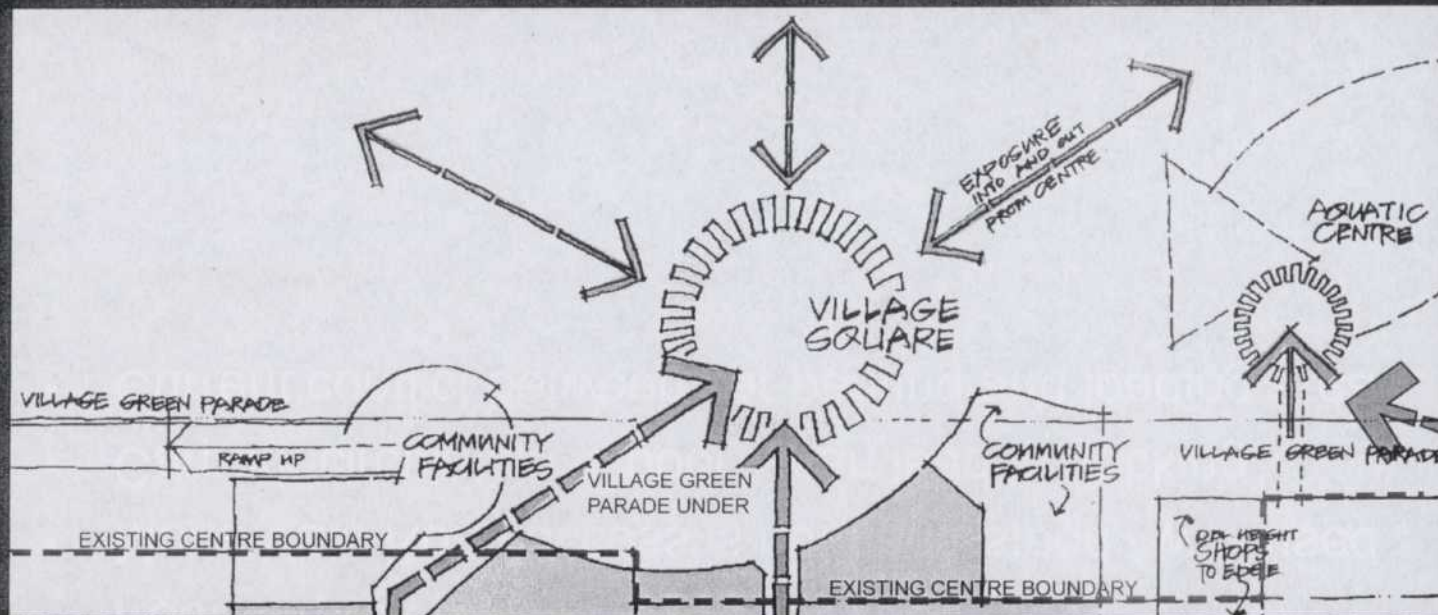
St Ives Village Masterplan

July 2005
DRAFT FOR DISCUSSION

BN

Architecture
Urban Design
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Interiors

Village Green & Community Facilities



- Bring the Village Green to St Ives Village and through to the Town Centre
- Opportunity to improve existing Community Facilities
- Opportunity to provide new Community Facilities
- Opportunity to increase usage of Community Facilities
- Many precedents for co-locating and integrating Community Facilities in Commercial and Town Centres

Parking & Traffic

Existing Issues:

- Insufficient parking supply
- Poor carpark access
- Mona Vale Road access is not understood / well used
- Carpark circulation is poor – can lead to “locking”
- Current conflict between car parking and loading areas

Parking & Traffic

Transport Objectives:

- Direct access to / from arterial road
- Better address
- Simplified and improved car parking layout and supply
- Mix of uses to add life and security
- Add to pedestrian accessibility

Traffic Effects:

- Re-distribution of traffic from Cowan Road / Memorial Avenue and Mona Vale Road access
- Preliminary assessment indicates reasonable levels of service at key intersections
- Need for liaison with RTA

Our concept solves today's problems, provides for growth and presents a significant improvement on the existing situation.

Delivery – Timing and Control

With appropriate approvals, community and agency consultation, and due process with Council our concept allows for:

- Short term resolution of existing problems within the St Ives Town Centre; and
- The location of additional retail and commercial floor area elsewhere (without pre-empting the final outcome of the Retail and Town Centre studies).

Advantages:

- Land ownership – only 2 parties are involved, St Ives Village and Ku-ring-gai Council
- Implementation can commence in the short term
- Minimal existing residential / retail interface
- Optimises the role of the Village Green within the Town Centre